

106TH CONGRESS
1ST SESSION

S. 1667

To impose a moratorium on the export of bulk fresh water from the Great Lakes.

IN THE SENATE OF THE UNITED STATES

SEPTEMBER 29, 1999

Mr. ABRAHAM introduced the following bill; which was read twice and referred to the Committee on Banking, Housing, and Urban Affairs

A BILL

To impose a moratorium on the export of bulk fresh water from the Great Lakes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FINDINGS.**

4 Congress finds that—

5 (1) the water and water-dependent natural re-
6 sources of the Great Lakes basin are precious public
7 resources, held in trust as described in paragraph
8 (2) by the States of Illinois, Indiana, Michigan, Min-
9 nesota, New York, Ohio, Pennsylvania, and Wis-

1 consin, and the Canadian Provinces of Ontario and
2 Quebec;

3 (2) authority over the Great Lakes is vested—

4 (A) in the Governors of the Great Lakes
5 States through section 1109 of the Water Re-
6 sources Development Act of 1986 (42 U.S.C.
7 1962d–20); and

8 (B) in the Premiers of the Great Lakes
9 Provinces;

10 (3) the Great Lakes Charter of 1985 is a vol-
11 untary international agreement that provides the
12 procedural framework for notice and consultation by
13 the Great Lakes States and the Great Lakes Prov-
14 inces concerning the diversion of the water of the
15 Great Lakes basin;

16 (4) the Governors of the Great Lakes States, in
17 exercise of the authority described in paragraph (2),
18 and the Premiers of the Great Lakes Provinces have
19 based decisions on proposals to withdraw, divert, or
20 use Great Lakes water on the extent to which the
21 proposals conserve and protect water and water-de-
22 pendent natural resources of the Great Lakes basin;

23 (5) decisionmaking concerning Great Lakes
24 water must remain vested in the Governors of the
25 Great Lakes States and the Premiers of the Great

1 Lakes Provinces, who manage the water and re-
 2 sources on a day-to-day basis;

3 (6) demand for clean and fresh water is grow-
 4 ing around the world, and exports of bulk fresh
 5 water pose a challenge to the management of the
 6 Great Lakes;

7 (7) the ecological effects of exports of bulk
 8 fresh water from the Great Lakes are unknown; and

9 (8) as of the date of enactment of this Act,
 10 there is no consensus on a means of regulating such
 11 exports on a binational basis.

12 **SEC. 2. DEFINITIONS.**

13 In this Act:

14 (1) BULK FRESH WATER.—The term “bulk
 15 fresh water” means fresh water extracted in quan-
 16 tities intended for transportation by tanker or simi-
 17 lar form of mass transportation, without further
 18 processing.

19 (2) FROM THE GREAT LAKES BASIN.—The term
 20 “from the Great Lakes basin”, with respect to
 21 water, means—

22 (A) water from Lake Erie, Lake Huron,
 23 Lake Michigan, Lake Ontario, Lake St. Clair,
 24 or Lake Superior;

1 (B) water from any interconnecting water-
 2 way within any watercourse that drains into or
 3 between any of those lakes; and

4 (C) water from a tributary surface or un-
 5 derground channel or area that drains into or
 6 comprises part of any watershed that drains
 7 into any of those lakes.

8 (3) GREAT LAKES PROVINCE.—The term
 9 “Great Lakes Province” means the Province of On-
 10 tario or Quebec, Canada.

11 (4) GREAT LAKES STATE.—The term “Great
 12 Lakes State” means the State of Illinois, Indiana,
 13 Michigan, Minnesota, New York, Ohio, Pennsyl-
 14 vania, or Wisconsin.

15 **SEC. 3. MORATORIUM ON EXPORT OF BULK FRESH WATER.**

16 (a) MORATORIUM ON EXPORTS.—Bulk fresh water
 17 from the Great Lakes basin shall not be exported from
 18 the United States.

19 (b) SUNSET PROVISION.—Subsection (a) shall cease
 20 to be effective on the earlier of—

21 (1) December 31, 2001; or

22 (2) the date of enactment of an Act of Congress
 23 approving the operation of a mechanism and con-
 24 servation standard for making decisions concerning
 25 the withdrawal, diversion, and use of water of the

1 Great Lakes that has been agreed to by each of the
2 Governors of the Great Lakes States, acting in co-
3 operation with the Premiers of the Great Lakes
4 Provinces.

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