

111TH CONGRESS
1ST SESSION

H. RES. 551

Expressing the sense of the House of Representatives that the interstate compact regarding water resources in the Great Lakes-St. Lawrence River Basin approved by the Congress in Public Law 110–342 expressly prohibited the sale, diversion, or export of water from States in the Great Lakes Basin.

IN THE HOUSE OF REPRESENTATIVES

JUNE 16, 2009

Mr. STUPAK submitted the following resolution; which was referred to the Committee on the Judiciary

RESOLUTION

Expressing the sense of the House of Representatives that the interstate compact regarding water resources in the Great Lakes-St. Lawrence River Basin approved by the Congress in Public Law 110–342 expressly prohibited the sale, diversion, or export of water from States in the Great Lakes Basin.

Whereas the water resources of the Great Lakes Basin are a precious public natural resource shared and held in public trust by the States of Illinois, Indiana, Michigan, Minnesota, New York, Ohio, Pennsylvania, and Wisconsin;

Whereas in Public Law 110–342 (122 Stat. 3739), Congress gave its consent and approval to an interstate compact

among these States regarding the diversion and withdrawal of water resources in the Great Lakes-St. Lawrence River Basin; and

Whereas this compact requires clarification that it expressly prohibits the sale, diversion, or export of water from the portions of the Great Lakes Basin within these States: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) nothing in the interstate compact regarding
4 water resources in the Great Lakes-St. Lawrence
5 River Basin approved by the Congress in Public Law
6 110–342 (in this resolution referred to as the “com-
7 pact”) should be construed—

8 (A) to allow water intended for an imme-
9 diate or an intermediate or end use consumer
10 in a container or package of any size or amount
11 to be diverted, exported, or sold from the Great
12 Lakes Basin unless the withdrawal is author-
13 ized and licensed in accordance with the con-
14 stitution and laws of the State from which the
15 water is withdrawn; and

16 (B) to create or establish that waters of
17 the Great Lakes Basin are produced as a prod-
18 uct or have entered into commerce or constitute
19 a good or commodity under the North American

1 Free Trade Agreement or any other inter-
2 national trade agreement, law, or treaty;

3 (2) the definition of “Diversion” in section 1.2
4 of the compact, and the exception for “Products”
5 from such definition, did not intend that water itself
6 in any size container or package is a “Product” and
7 exempt from the definition of diversion subject to
8 the compact; and

9 (3) the definition of “Product” in section 1.2 of
10 the compact does not include the water itself in any
11 size or type of container or package when produced
12 in the Great Lakes Basin by human or mechanical
13 effort or intended for intermediate or end use con-
14 sumers.

○