

Congress of the United States

Washington, DC 20515

March 22, 2005

The Honorable Condoleezza Rice
Secretary of State
U.S. Department of State
2201 C Street, NW
Washington, DC 20520

Dear Madame Secretary:

We write to urge your immediate attention to the evolving situation where North Dakota intends to operate a diversion that would allow for the discharge of waters from Devils Lake into the Sheyenne River, the Red River of the North, and ultimately Canadian waters. We believe that the possible adverse effects on the environment have not been thoroughly explored and that these issues merit the immediate attention of the International Joint Commission.

While the rising lake level of Devils Lake is severe, I do not believe that adequate consideration has been given to the potential risks of diverting waters from one basin to another. Diverting waters from the Devils Lake basin could have irreversible effects on the introduction of non-native species, the solids content of the receiving water, and the timing and flow amounts of water in the Sheyenne River, the Red River of the North, and Lake Winnipeg, Canada.

The Boundary Waters Treaty of 1909, implemented through the International Joint Commission, provides the principles and mechanisms to help resolve disputes and to prevent future ones, primarily those concerning water quantity and water quality along the boundary between the United States and Canada. A reference to the International Joint Commission is in order to ensure that all interests are adequately presented and considered.

The long-standing cooperation between the United States and Canada should not be compromised by unilateral United States action allowing water from Devils Lake to be diverted into Canadian waters without a thorough examination of possible adverse impacts on Canadian interests.

We urge you to take up this issue at this week's meeting of North American leaders in Texas. United States – Canada cooperation concerning shared resources serves the nations' interests. Such cooperation will be preserved through the involvement of the International Joint Commission.

Thank you for your consideration in this matter.

Sincerely,



James L. Oberstar
Ranking Democratic Member
Committee on Transportation and Infrastructure



Louise McIntosh Slaughter
Ranking Democratic Member
Committee on Rules