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UNITED STATES  
HOUSE OF REPRESENTATIVES

COMMITTEE ON APPROPRIATIONS

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December 21<sup>st</sup>, 2019

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

Dear Secretary Pompeo:

I am writing to you regarding language in the U.S. House report accompanying the recently passed Further Consolidated Appropriations Act, 2020 (the "Act"), which directs the Department of State to report to the Committees on Appropriations on the United States' commitment to the Boundary Waters Treaty of 1909 and our obligation to limit cross-border pollution.

As you know, the Boundary Waters Treaty was established to resolve disputes regarding the use of boundary waters between the United States and Canada. The treaty requires both countries to agree to any project "affecting the natural level or flow of boundary waters on the other side of the line" and also states that "boundary waters and waters flowing across the boundary shall not be polluted on either side to the injury of health or property on the other."

The language approved by Congress accompanying the Act, included in full below, shows continued Congressional support for the Boundary Waters Treaty. The language also expresses deep concern that the recent approval of mineral leases in the Superior National Forest risks polluting international boundary waters. For this reason, the Department of State is directed to submit a report to the Committees on Appropriations within 60 days of enactment of the Act on three specific items: the characteristics of the Boundary Waters Canoe Area Wilderness and Canada's Quetico Provincial Park ecosystem and hydrology of the Rainy River Drainage Basin and its impact on Canada; the U.S. Government's plan for monitoring and mitigating risk from acid mine drainage originating in the Superior National Forest polluting Canadian waters; and U.S. efforts to notify the Canadian Government about potential cross-boundary pollution from sulfide-ore copper mining in the Superior National Forest.

*Rainy River Drainage Basin.—The Committee supports the 1909 Boundary Waters Treaty and the goal of limiting pollution of boundary waters. The Committee is concerned that decisions made by the United States Department of Agriculture and the United States Department of Interior to approve mineral leases in the Superior National Forest will result in an operational sulfide-ore copper mine that risks polluting the waters within the Rainy River Drainage Basin flowing into the Boundary Waters Canoe Area Wilderness and Ontario, Canada's Quetico Provincial Park. Therefore, the Committee directs the Department of State to submit a report to the Committees on Appropriations not later than 60 days of enactment of this Act detailing: the characteristics of the Boundary Waters-Quetico ecosystem and the hydrology of the Rainy River Drainage Basin and its impact on Canada; U.S. Government plans to monitor and mitigate the risk of acid mine drainage originating in the Superior National Forest polluting Canadian waters; and United States efforts to inform the Government of Canada on the potential for cross-boundary pollution resulting from sulfide-ore copper mining in the Superior National Forest.*

As our neighbor and one of our closest allies, it is critically important that the Department of State prioritize our diplomatic relations with Canada. That includes upholding our agreement to the Boundary Waters Treaty of 1909. As the Department of State works to fulfill the Act, please know that we expect the Department of State's full and detailed report no later than 60 days after the enactment of the act, by February 18<sup>th</sup>, 2020.

Sincerely,



Betty McCollum  
Member of Congress