

Statement of

The Honorable Russ Feingold

United States Senator

Wisconsin

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Opening Statement of U.S. Senator Russ Feingold

Hearing on "The Great Lakes Compact"

Senate Judiciary Committee

Welcome to today's hearing on S. J. Res. 45, a resolution approving the Great Lakes-St. Lawrence River Basin Water Resources Compact. I would like to thank Chairman Leahy for allowing me to preside over this full Committee hearing. I am pleased to be joined by Ranking Member Specter, a fellow Great Lakes Senator.

In Wisconsin, my constituents care a lot about water, both its quality and its quantity. Over the last year, Lake Superior's water levels reached record lows and Lake Michigan's levels have been on the verge of doing so. This has reminded all of us that despite the vastness of the Great Lakes, they are not an unlimited, easily replenished resource. Low water levels have a significant impact on commercial shipping, recreational boaters, coastal wetlands, fisheries, property owners, municipalities, and many other interests that rely on the Great Lakes.

By passing this Compact, Congress can join the States and the Great Lakes' numerous stakeholders in defending against one of the biggest threats to low lake levels: increased water withdrawals. Pressures on the Great Lakes will only intensify with population growth, climatic changes, and contaminated or exhausted water supplies. I strongly support putting in place management practices now to safeguard the Great Lakes against future stresses.

I commend Governor Doyle, who will testify before us today, and his fellow Governors and their state legislatures for their hard work to get to this point. The Great Lakes Compact is the product of a long process of evolution. Over a century ago, the first treaty between Canada and the United States was put in place to jointly manage the shared resource. Then after various proposals over the decades to siphon

off Great Lakes waters to other parts of the country and world, the Great Lakes states developed a regional plan and Congress approved it in 1968. Nearly twenty years later, the Great Lakes states and the provinces of Ontario and Quebec completed the Great Lakes Charter, which did not allow the states or provinces to make large diversions without the approval of all other signatories. However, this Charter is not legally binding.

In the Water Resources Development Act of 1986, Congress lent support to the Charter by prohibiting diversions outside the Great Lakes Basin unless approved by all governors of the Great Lakes states. But Canada was not legally bound, nor was the possibility of trading Great Lakes water internationally addressed. In 1998, Ontario's issuance of a permit to ship water from Lake Superior to Asia served as a wake-up call that more was needed to protect the Great Lakes. Several proposals emerged in Congress, and ultimately in 2000, Congress directed the Great Lakes states to jointly develop with the Canadian provinces a common conservation standard for making decisions about the withdrawal and use of water from the Great Lakes Basin.

The Great Lakes states have delivered on that request by ratifying the Great Lakes Compact and now it's Congress' turn. Senators Levin and Voinovich have introduced a joint resolution to approve the Great Lakes Compact. It enjoys bipartisan support from all 16 Great Lakes Senators - those representing Minnesota, Wisconsin, Michigan, Illinois, Indiana, Ohio, Pennsylvania, and New York. A similar measure was also introduced in the House, and the President has also announced his support of the Compact.

I look forward to hearing today's testimony on the Compact and to working with my colleagues to pass it in the very near future.