



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

December 5, 2014
(House)

STATEMENT OF ADMINISTRATION POLICY

H.R. 5781 – The California Emergency Drought Relief Act of 2014

(Rep. Valadao, R-CA, and 6 cosponsors)

The Administration opposes H.R. 5781 because it fails to equitably address critical elements of California's complex water challenges. The Administration appreciates the efforts by the bill authors to address concerns raised by the Administration regarding H.R. 3964, the Sacramento-San Joaquin Valley Emergency Water Delivery Act. However, because H.R. 5781 makes operational determinations regarding the use of limited water resources during the ongoing drought, and contains many new provisions that could lead to unintended consequences or further litigation, the Administration cannot support the bill in its current form.

The Administration takes seriously the ongoing drought that has affected communities, producers and water users across much of the country, including the especially hard hit State of California. Since the President's visit to Fresno, California earlier this year the Administration has undertaken a number of steps to help those most affected by drought. The U.S. Department of Agriculture has directed millions of dollars in food, conservation and emergency water assistance to tens of thousands of residents in areas hardest hit by drought. The Bureau of Reclamation has provided cost-share assistance for nine water reclamation and reuse projects in the State as well as millions of dollars in grants to build long-term resiliency to drought.

Moreover, the President has directed Federal agencies to work with state and local officials in real-time to maximize limited water supplies, prioritize public health and safety, meet state water quality requirements, and ensure a balanced approach to providing for the water needs of people, agriculture, businesses, power, imperiled species and the environment. Among other things, these efforts took form in a 2014 Drought Operations Plan, prepared in close coordination with the State, and the Administration is already taking steps to prepare a new drought plan for 2015 based on lessons learned and the best available science during the current year.

H.R. 5781 was introduced on December 2 and is being considered in the few remaining days of this session without a hearing or opportunity for the public to review and provide comment. In particular, the bill appears to include a number of potentially conflicting mandates which can create confusion and undermine environmental laws, making it ripe for future litigation. Given the complexity of California water issues, policy determinations over the use of scarce water resources should be developed in an open and transparent manner, with an ability for the public, affected stakeholders, and Federal, state and local officials to review and provide comment and feedback. The Administration stands ready to work with Congress in this regard.

For these reasons, if the President were presented with H.R. 5781, his senior advisors would recommend that he veto the bill.

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