

107TH CONGRESS
1ST SESSION

H. R. 3473

To amend the Consolidated Farm and Rural Development Act to authorize the National Rural Development Partnership, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 13, 2001

Mr. PICKERING (for himself, Mr. TURNER, Mr. PETERSON of Pennsylvania, Mr. SCHAFFER, Mr. BALDACCI of Maryland, Mr. SANDERS, Mrs. EMERSON, Mr. FROST, Mr. UDALL of New Mexico, Mr. SANDLIN, Mr. LAMPSON, Mr. STUPAK, Mr. LAHOOD, Mr. OLVER, Mr. REHBERG, Mr. KENNEDY of Minnesota, Mr. BAIRD, Mrs. CLAYTON, Mr. LARSON of Connecticut, Mr. MCGOVERN, Mr. DELAHUNT, Mr. CAPUANO, Mr. MARKEY, Mr. FRANK, Mr. NEAL of Massachusetts, Mr. OBERSTAR, Mr. POMEROY, Mr. ALLEN, Mr. PETERSON of Minnesota, Mr. SABO, Mr. CANNON and Mr. GILCHREST) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Consolidated Farm and Rural Development Act to authorize the National Rural Development Partnership, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “National Rural Devel-
5 opment Partnership Act of 2001”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) rural development has been given high pri-
4 ority throughout most of this century as a means of
5 achieving a sound balance between rural and urban
6 areas in the United States, a balance that Congress
7 considers essential to the peace, prosperity, and wel-
8 fare of all citizens of the United States;

9 (2)(A) during the last half century, Congress
10 has enacted many laws and established many pro-
11 grams to provide resources to rural communities;

12 (B) in addition, many efforts have been made
13 to coordinate Federal rural development programs;
14 and

15 (C) during the last decade, the National Rural
16 Development Partnership and its principal compo-
17 nents, the National Rural Development Council and
18 State rural development councils, have successfully
19 provided opportunities for collaboration and coordi-
20 nation among Federal agencies and between Federal
21 agencies and States, nonprofit organizations, the
22 private sector, tribal governments, and other entities
23 committed to rural advancement;

24 (3) Congress enacted the Rural Development
25 Act of 1972 (86 Stat. 657) and the Rural Develop-

1 ment Policy Act of 1980 (94 Stat. 1171) as a mani-
2 festations of this commitment to rural development;

3 (4) section 607(b)(3) of the Rural Development
4 Policy Act of 1972 (7 U.S.C. 2204b(b)(3)) directs
5 the Secretary of Agriculture to develop a process
6 through which multi-state, State, substate, and local
7 rural development needs, goals objectives, plans, and
8 recommendations can be received and assessed on a
9 continuing basis;

10 (5) the National Rural Development Partner-
11 ship and State rural development councils were es-
12 tablished as vehicles to help coordinate development
13 of rural programs in 1990;

14 (6) in 1991, the Secretary began to execute
15 those statutory responsibilities, in part through the
16 innovative mechanism of national, State, and local
17 rural development partnerships administered by the
18 Under Secretary of Agriculture for Small Commu-
19 nity and Rural Development;

20 (7) that mechanism, now known as the “Na-
21 tional Rural Development Partnership”, has been
22 recognized as a model of new governance and as an
23 example of the effectiveness of collaboration between
24 the Federal, State, local, tribal, private, and non-

1 profit sectors in addressing the needs of the rural
2 communities of the United States;

3 (8) partnerships by agencies and entities in the
4 Partnership would extend scarce but valuable fund-
5 ing through collaboration and cooperation; and

6 (9) the continued success and efficacy of the
7 Partnership could be enhanced through specific Con-
8 gressional authorization removing any statutory bar-
9 riers that could detract from the benefits potentially
10 achieved through the Partnership’s unique structure.

11 **SEC. 3. NATIONAL RURAL DEVELOPMENT PARTNERSHIP.**

12 Subtitle E of the Consolidated Farm and Rural De-
13 velopment Act (7 U.S.C. 2009 et seq.) is amended by add-
14 ing at the end the following:

15 **“SEC. 381P. NATIONAL RURAL DEVELOPMENT PARTNER-
16 SHIP.**

17 “(a) DEFINITIONS.—In this section:

18 “(1) AGENCY WITH RURAL RESPONSIBIL-
19 ITIES.—The term ‘agency with rural responsibilities’
20 means any executive agency (as defined in section
21 105 of title 5, United States Code) that—

22 “(A) implements Federal law targeted at
23 rural areas, including—

1 “(i) the Act of April 24, 1950 (com-
2 monly known as the ‘Granger-Thye Act’)
3 (64 Stat. 82, chapter 9);

4 “(ii) the Intergovernmental Coopera-
5 tion Act of 1968 (82 Stat. 1098);

6 “(iii) section 41742 of title 49, United
7 States Code;

8 “(iv) the Rural Development Act of
9 1972 (86 Stat. 657);

10 “(v) the Rural Development Policy
11 Act of 1980 (94 Stat. 1171);

12 “(vi) the Rural Electrification Act of
13 1936 (7 U.S.C. 901 et seq.);

14 “(vii) amendments made to section
15 334 of the Public Health Service Act (42
16 U.S.C. 254g) by the Rural Health Clinics
17 Act of 1983 (97 Stat. 1345); and

18 “(viii) the Rural Housing Amend-
19 ments of 1983 (97 Stat. 1240) and the
20 amendments made by the Rural Housing
21 Amendments of 1983 to title V of the
22 Housing Act of 1949 (42 U.S.C. 1471 et
23 seq.); or

24 “(B) administers a program that has a sig-
25 nificant impact on rural areas, including—

- 1 “(i) the Appalachian Regional Com-
2 mission;
- 3 “(ii) the Department of Agriculture;
- 4 “(iii) the Department of Commerce;
- 5 “(iv) the Department of Defense;
- 6 “(v) the Department of Education;
- 7 “(vi) the Department of Energy;
- 8 “(vii) the Department of Health and
9 Human Services;
- 10 “(viii) the Department of Housing
11 and Urban Development;
- 12 “(ix) the Department of the Interior;
- 13 “(x) the Department of Justice;
- 14 “(xi) the Department of Labor;
- 15 “(xii) the Department of Transpor-
16 tation;
- 17 “(xiii) the Department of the Treas-
18 ury.
- 19 “(xiv) the Department of Veterans Af-
20 fairs;
- 21 “(xv) the Environmental Protection
22 Agency;
- 23 “(xvi) the Federal Emergency Man-
24 agement Administration;

1 “(xvii) the Small Business Adminis-
2 tration;

3 “(xviii) the Social Security Adminis-
4 tration;

5 “(xix) the Federal Reserve System;

6 “(xx) the United States Postal Serv-
7 ice;

8 “(xxi) the Corporation for National
9 Service;

10 “(xxii) the National Endowment for
11 the Arts and the National Endowment for
12 the Humanities; and

13 “(xxiii) other agencies, commissions,
14 and corporations.

15 “(2) COORDINATING COMMITTEE.—The term
16 ‘Coordinating Committee’ means the National Rural
17 Development Coordinating Committee established by
18 subsection (c).

19 “(3) PARTNERSHIP.—The term ‘Partnership’
20 means the National Rural Development Partnership
21 established by subsection (b).

22 “(4) RURAL AREA.—The term ‘rural area’
23 means—

24 “(A) all the territory of a State that is not
25 within the boundary of any standard metropoli-

1 tan statistical area, as designated by the Direc-
2 tor of the Office of Management and Budget;

3 “(B) all territory within any standard met-
4 ropolitan statistical area described in subpara-
5 graph (A) within a census tract having a popu-
6 lation density of less than 20 persons per
7 square mile, as determined by the Secretary ac-
8 cording to the most recent census of the United
9 States as of any date; and

10 “(C) such areas as a State rural develop-
11 ment council may identify as rural.

12 “(5) STATE RURAL DEVELOPMENT COUNCIL.—

13 The term ‘State rural development council’ means a
14 State rural development council that meets the re-
15 quirements of subsection (d).

16 “(b) ESTABLISHMENT.—

17 “(1) IN GENERAL.—There is established a Na-
18 tional Rural Development Partnership composed
19 of—

20 “(A) the Coordinating Committee; and

21 “(B) State rural development councils.

22 “(2) PURPOSES.—The purposes of the Partner-
23 ship are—

24 “(A) to empower and build the capacity of
25 States and rural communities within States to

1 design unique responses to their own special
2 rural development needs, with local determina-
3 tions of progress and selection of projects and
4 activities;

5 “(B) to encourage participants to be flexi-
6 ble and innovative in establishing new partner-
7 ships and trying fresh, new approaches to rural
8 development issues, with responses to rural de-
9 velopment that use different approaches to fit
10 different situations; and

11 “(C) to encourage all partners in the Part-
12 nership (Federal, State, local, and tribal gov-
13 ernments, the private sector, and nonprofit or-
14 ganizations) to be fully engaged and share
15 equally in decisions.

16 “(3) ROLE OF FEDERAL GOVERNMENT.—The
17 role of the Federal Government in the Partnership
18 shall be that of a partner, coach, and facilitator,
19 with Federal agencies authorized—

20 “(A) to cooperate closely with States to
21 implement the Partnership;

22 “(B) to provide States with the technical
23 and administrative support necessary to plan
24 and implement tailored rural development strat-
25 egies to meet local needs;

1 “(C) to delegate decisionmaking to other
2 levels;

3 “(D) to ensure that the head of each agen-
4 cy referred to in subsection (a)(1)(B) des-
5 ignates a senior-level agency official to rep-
6 resent the agency on the Coordinating Com-
7 mittee and directs appropriate field staff to par-
8 ticipate fully with the State rural development
9 council within the jurisdiction of the field staff;
10 and

11 “(E) to enter into cooperative agreements
12 with, and to provide grants and other assistance
13 to, State rural development councils, regardless
14 of the legal form of organization of a State
15 rural development council and notwithstanding
16 any other provision of law.

17 “(4) ROLE OF PRIVATE AND NONPROFIT SEC-
18 TOR ORGANIZATIONS.—Private and nonprofit sector
19 organizations are encouraged—

20 “(A) to act as full partners in the Partner-
21 ship and State rural development councils; and

22 “(B) to cooperate with participating gov-
23 ernment organizations in developing innovative
24 approaches to the solution of rural development
25 problems.

1 “(c) NATIONAL RURAL DEVELOPMENT COORDI-
2 NATING COMMITTEE.—

3 “(1) ESTABLISHMENT.—There is established a
4 National Rural Development Coordinating Com-
5 mittee.

6 “(2) COMPOSITION.—The Coordinating Com-
7 mittee shall be composed of—

8 “(A) 1 representative of each agency with
9 rural responsibilities that elects to participate in
10 the Coordinating Committee; and

11 “(B) representatives of—

12 “(i) national associations of State, re-
13 gional, local, and tribal governments and
14 intergovernmental and multi-jurisdictional
15 agencies and organizations;

16 “(ii) national public interest groups;
17 and

18 “(iii) other national nonprofit organi-
19 zations that elect to participate in the ac-
20 tivities of the Coordinating Committee.

21 “(3) DUTIES.—The Coordinating Committee
22 shall—

23 “(A) provide support for the work of the
24 State rural development councils;

1 “(B) facilitate coordination among Federal
2 programs and activities, and with State, local,
3 tribal, and private programs and activities, af-
4 fecting rural development;

5 “(C) enhance the effectiveness, responsive-
6 ness, and delivery of Federal programs in rural
7 areas;

8 “(D) gather and provide to Federal au-
9 thorities information and input for the develop-
10 ment and implementation of Federal programs
11 impacting rural economic and community devel-
12 opment;

13 “(E) review and comment on policies, reg-
14 ulations, and proposed legislation that affect or
15 would affect rural areas;

16 “(F) provide technical assistance to State
17 rural development councils for the implementa-
18 tion of Federal programs; and

19 “(G) develop and facilitate strategies to re-
20 duce or eliminate administrative and regulatory
21 impediments.

22 “(4) PERFORMANCE EVALUATIONS.—In con-
23 ducting a performance evaluation of an employee of
24 an agency with rural responsibilities, the agency

1 shall consider any comments submitted by a State
2 rural development council.

3 “(d) STATE RURAL DEVELOPMENT COUNCILS.—

4 “(1) ESTABLISHMENT.—Each State may elect
5 to participate in the Partnership by entering into an
6 agreement with the Secretary to establish a State
7 rural development council.

8 “(2) STATE DIVERSITY.—Each State rural de-
9 velopment council shall—

10 “(A) have a nonpartisan and nondiscrim-
11 inatory membership that is broad and rep-
12 resentative of the economic, social, and political
13 diversity of the State; and

14 “(B) carry out programs and activities in
15 a manner that reflects the diversity of the
16 State.

17 “(3) DUTIES.—A State rural development
18 council shall—

19 “(A) facilitate collaboration among Fed-
20 eral, State, local, and tribal governments and
21 the private and nonprofit sectors in the plan-
22 ning and implementation of programs and poli-
23 cies that target or have an impact on rural
24 areas of the State;

1 “(B) enhance the effectiveness, responsive-
2 ness, and delivery of Federal and State pro-
3 grams in rural areas of the State;

4 “(C) gather and provide to the Coordin-
5 ating Committee and other appropriate organi-
6 zations information on the condition of rural
7 areas in the State;

8 “(D) monitor and report on policies and
9 programs that address, or fail to address, the
10 needs of the rural areas of the State;

11 “(E) facilitate the formulation of local
12 needs assessments for the rural areas of the
13 State and participate in the development of cri-
14 teria for the distribution of Federal funds to
15 the rural areas of the State;

16 “(F) provide comments to the Coordin-
17 ating Committee and other appropriate organi-
18 zations on policies, regulations, and proposed
19 legislation that affect or would affect the rural
20 areas of the State;

21 “(G) in conjunction with the Coordinating
22 Committee, facilitate the development of strate-
23 gies to reduce or eliminate conflicting or dupli-
24 cative administrative or regulatory requirements

1 of Federal, State, local, and tribal governments;
2 and

3 “(H) use grant or cooperative agreement
4 funds available to the Partnership to—

5 “(i) retain an Executive Director and
6 such support staff as are necessary to fa-
7 cilitate and implement the directives of the
8 State rural development council; and

9 “(ii) pay expenses associated with car-
10 rying out subparagraphs (A) through (G)
11 and subparagraph (J).

12 “(4) AUTHORITIES.—A State rural development
13 council may—

14 “(A) solicit funds to supplement and
15 match funds granted under paragraph (3)(H);
16 and

17 “(B) engage in activities, in addition to
18 those specified in paragraph (3), appropriate to
19 accomplish the purposes for which the State
20 rural development council is established.

21 “(5) COMMENTS OR RECOMMENDATIONS.—

22 “(A) IN GENERAL.—A State rural develop-
23 ment council may provide comments and rec-
24 ommendations to an agency with rural respon-

1 sibilities related to the activities of the State
2 rural development council within the State.

3 “(B) AGENCY.—The agency with rural re-
4 sponsibilities shall provide to the State rural de-
5 velopment council a written response to the
6 comments or recommendations.

7 “(6) ACTIONS OF STATE RURAL DEVELOPMENT
8 COUNCIL MEMBERS.—When carrying out a program
9 or activity authorized by a State rural development
10 council, a member of the council shall be regarded
11 as an employee of the Federal Government for pur-
12 poses of chapter 171 of title 28, United States Code.

13 “(7) FEDERAL PARTICIPATION IN STATE RURAL
14 DEVELOPMENT COUNCILS.—

15 “(A) IN GENERAL.—Subject to subpara-
16 graph (B), Federal employees may participate
17 in a State rural development council.

18 “(B) CONFLICTS.—A Federal employee
19 who participates in a State rural development
20 council shall not participate in the making of
21 any council decision if the agency represented
22 by the Federal employee has any financial or
23 other interest in the outcome of the decision.

24 “(C) FEDERAL GUIDANCE.—The Attorney
25 General shall issue guidance to all Federal em-

1 employees that participate in State rural develop-
2 ment councils that describes specific decisions
3 that—

4 “(i) would constitute a conflict of in-
5 terest for the Federal employee; and

6 “(ii) from which the Federal employee
7 must recuse himself or herself.

8 “(e) ADMINISTRATION OF THE PARTNERSHIP.—

9 “(1) DETAIL OF EMPLOYEES.—In order to pro-
10 vide experience in intergovernmental collaboration,
11 with the approval of the head of an agency with
12 rural responsibilities that elects to participate in the
13 Partnership, an employee of the agency with rural
14 responsibilities is encouraged to be detailed to the
15 Partnership without reimbursement, and such detail
16 shall be without interruption or loss of civil service
17 status or privilege.

18 “(2) ADDITIONAL SUPPORT.—The Secretary
19 shall provide for any additional support staff to the
20 Partnership as the Secretary determines to be nec-
21 essary to carry out the duties of the Partnership.

22 “(3) PANEL.—

23 “(A) IN GENERAL.—A panel consisting of
24 representatives of the Coordinating Committee
25 and State rural development councils shall be

1 established to lead and coordinate the strategic
2 operation, policies, and practices of the Part-
3 nership.

4 “(B) ANNUAL REPORTS.—In conjunction
5 with the Coordinating Committee and State
6 rural development councils, the panel shall pre-
7 pare and submit to Congress an annual report
8 on the activities of the Partnership.

9 “(f) FUNDING.—

10 “(1) AUTHORIZATION OF APPROPRIATIONS.—

11 “(A) IN GENERAL.—There are authorized
12 to be appropriated such sums as are necessary
13 to carry out this section.

14 “(B) FUNDING FORMULA.—In the case of
15 general financial support provided by the Fed-
16 eral Government to all State rural development
17 councils, such support shall be uniform in
18 amount, but the Secretary may distribute gen-
19 eral financial support that exceeds 200 percent
20 of the uniform amount received by all State
21 rural development councils for fiscal year 2002
22 under a formula that takes into account the ge-
23 ographic size of the rural areas of the respective
24 States, the rural populations of the respective

1 States, economic factors, and other appropriate
2 factors.

3 “(2) FEDERAL AGENCIES.—

4 “(A) IN GENERAL.—Notwithstanding any
5 other provision of law, in order to carry out the
6 purposes described in subsection (b)(2), the
7 Partnership shall be eligible to receive grants,
8 gifts, contributions, or technical assistance
9 from, or enter into contracts with, any Federal
10 agency, to the extent permitted by law.

11 “(B) ASSISTANCE.—Federal agencies are
12 encouraged to use funds made available for pro-
13 grams that target or have an impact on rural
14 areas to provide assistance to, and enter into
15 contracts with, the Partnership, as described in
16 subparagraph (A).

17 “(3) CONTRIBUTIONS.—The Partnership may
18 accept private contributions.

19 “(g) MATCHING REQUIREMENTS FOR STATE RURAL
20 DEVELOPMENT COUNCILS.—A State rural development
21 council shall provide matching funds, or in-kind goods or
22 services, to support the activities of the State rural devel-
23 opment council in an amount that is not less than 33 per-
24 cent of the amount of Federal funds received under an
25 agreement under subsection (d)(1).

1 “(h) TERMINATION.—The authority provided under
2 this section shall terminate on the date that is 5 years
3 after the date of enactment of this section.”.

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