Public Law 96-355
96th Congress

An Act

To provide for the establishment and coordination of rural development policy, to extend until September 30, 1981, the authorizations for appropriations for title V of the Rural Development Act of 1972, and for other purposes.

Sept. 24, 1980
[S. 670]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Rural Development Policy Act of 1980.

SHORT TITLE

SECTION 1. This Act may be cited as the "Rural Development Policy Act of 1980".

7 USC 2201 note.

RURAL DEVELOPMENT POLICY

SEC. 2. The Rural Development Act of 1972 (Public Law 92-419; 86 Stat. 657) is amended by adding at the end thereof a new section as follows:

7 USC 1921 note.

"SEC. 607. RURAL DEVELOPMENT POLICY.—(a) The Secretary of Agriculture shall provide leadership within the executive branch for, and shall assume responsibility for coordinating, a nationwide rural development program using the services of executive branch departments and agencies, including, but not limited to, the agencies, bureaus, offices, and services of the Department of Agriculture, in coordination with rural development programs of State and local governments.

7 USC 2204b.

"(b) POLICY DEVELOPMENT.—(1) The Secretary shall conduct a systematic review of Federal programs affecting rural areas to (A) determine whether such areas are benefiting from such programs in an equitable proportion to the benefits received by urban areas and (B) identify any factors that may restrict accessibility to such programs in rural areas or limit participation in such programs.

Review.

"(2) Subject to the Privacy Act of 1974, the Secretary may secure directly from any Federal department or agency information necessary to carry out the Secretary's duties under this section. Upon request of the Secretary under this paragraph, the head of any such Federal department or agency shall furnish such information to the Secretary.

Information gathering.
5 USC 552a note.

"(3) The Secretary shall develop a process through which multistate, State, substate, and local rural development needs, goals, objectives, plans, and recommendations can be received and assessed on a continuing basis. Such process may include the use of those rural development experts, advisors, and consultants that the Secretary deems appropriate, as well as the establishment of temporary advisory committees under the terms of the Federal Advisory Committee Act.

Assessment process.

5 USC app.

"(4) The Secretary may undertake cooperative efforts with other Federal departments and agencies to improve the coordination and effectiveness of Federal programs, services, and actions affecting rural areas. The Secretary may request the heads of other Federal

Cooperation with Federal agencies.

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departments and agencies to participate in any working groups that the Secretary deems necessary to carry out the purposes of this section.

Hearings and comments.

"(5) The Secretary may hold public hearings and receive comments on any matter that the Secretary determines may have a significant impact on rural development or the economic development of rural communities.

"(c) RURAL DEVELOPMENT STRATEGY.—(1) The Secretary shall prepare a comprehensive rural development strategy based on the needs, goals, objectives, plans, and recommendations of local communities, substate areas, States, and multistate regions, which is designed to—

"(A) maximize the effectiveness, increase the responsiveness, and improve the delivery of Federal programs to rural areas;

"(B) increase the coordination of Federal programs with the development needs, objectives, and resources of local communities, substate areas, States, and multistate regions; and

"(C) achieve the most effective combinations of Federal, State, and local resources to meet the needs of rural areas for orderly growth and development.

"(2) The rural development strategy shall take into account the need to—

"(A) improve the economic well-being of all rural residents and alleviate the problems of low income, elderly, minority, and otherwise disadvantaged rural residents;

"(B) improve the business and employment opportunities, occupational training and employment services, health care services, educational opportunities, energy utilization and availability, housing, transportation, community services, community facilities, water supplies, sewage and solid waste management systems, credit availability, and accessibility to and delivery of private and public financial resources in the maintenance and creation of jobs in rural areas;

"(C) improve State and local government management capabilities, institutions, and programs related to rural development and expand educational and training opportunities for State and local officials, particularly in small rural communities;

"(D) strengthen the family farm system; and

"(E) maintain and protect the environment and natural resources of rural areas.

"(3) The rural development strategy developed under this subsection shall be for the fiscal year ending September 30, 1982, and updated for each fiscal year thereafter.

Hearings and suggestions.

"(4) The Secretary shall hold public hearings and receive such suggestions and recommendations as the Secretary deems appropriate during the preparation of the rural development strategy and the annual updates to the strategy.

Updates, transmittal to congressional committees.

"(5) The rural development strategy and the annual updates to the strategy shall be transmitted to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition, and Forestry by January 31 of the calendar year immediately preceding the beginning of the appropriate fiscal year.

Budget recommendations and projections.

"(6) The rural development strategy and each annual update of the strategy shall contain an analysis of the budget recommendations of the President for the fiscal year following the transmittal of the strategy or update of the strategy and of all the available budget projections of the President for subsequent fiscal years, and projections regarding the budget that are relevant or essential to the rural development policy and the rural development strategy developed

under this subsection. Each annual update shall also contain a detailed statement of the findings and conclusions of the Secretary regarding the implementation during the preceding fiscal year of the rural development strategy, including any revisions of the strategy, any recommended legislation to improve the rural development effort of the Federal Government, and an evaluation of and recommendations regarding the rural development information system required under section 306(a)(12) of the Consolidated Farm and Rural Development Act. 7 USC 1926.

"(d) STRATEGY IMPLEMENTATION.—The Secretary shall ensure the effective implementation of the rural development strategy and maximize coordination of Federal programs affecting rural areas through a systematic effort to—

"(1) improve communication and encourage cooperation among Federal departments and agencies in the administration of rural development programs;

"(2) eliminate conflicts, duplication, and gaps in program coverage, and resolve contradictions and inconsistencies in the objectives, administration, and effects of rural development programs;

"(3) facilitate the sharing or common location of field offices of Federal agencies administering similar or complementary programs and unification of delivery systems, where feasible, to maximize convenience and accessibility of such agencies and programs to rural residents;

"(4) facilitate and expedite joint funding of rural projects through Federal programs;

"(5) correct administrative problems in Federal programs that delay or hinder the effective delivery of services, assistance, or benefits to rural areas; and

"(6) simplify, standardize, and reduce the complexity of applications, reports, and other forms required under Federal rural development programs.".

UNDER SECRETARY OF AGRICULTURE FOR SMALL COMMUNITY AND RURAL DEVELOPMENT

SEC. 3. (a) There is hereby established in the Department of Agriculture the position of Under Secretary of Agriculture for Small Community and Rural Development to be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary of Agriculture for Small Community and Rural Development may exercise such functions and perform such duties related to small community and rural development, and shall perform such other duties, as may be required by law or prescribed by the Secretary of Agriculture. Appointment. 7 USC 2211b.

(b) Section 5314 of title 5, United States Code, is amended by adding at the end thereof a new paragraph as follows:

"Under Secretary of Agriculture for Small Community and Rural Development.".

RURAL DEVELOPMENT ACT REAUTHORIZATION AND AMENDMENTS

SEC. 4. The Rural Development Act of 1972 is amended by—

(1) in section 503(a) (7 U.S.C. 2663(a)), striking out "three" and "1979" and inserting in lieu thereof "five" and "1981", respectively;

(2) in section 503(c) (7 U.S.C. 2663(c)), striking out "and September 30, 1979" and inserting in lieu thereof "September 30, 1979, September 30, 1980, and September 30, 1981";

(3) in section 503(f) (7 U.S.C. 2663(f)), inserting immediately after the first sentence a new sentence as follows: "In those States that contain more than one institution or university accepting the benefits of the Morrill Act of 1862 or 1890 (or both), including Tuskegee Institute, such annual plan and budget shall be jointly developed by mutual agreement of the chief adminstrative officers of all such institutions or universities.";

7 USC 301 note, 321 note.

(4) in section 507(b) (7 U.S.C. 2667(b)), inserting ", Guam, the Commonwealth of the Northern Mariana Islands, American Samoa, the Virgin Islands of the United States," after "several States"; and

7 USC 2204a.

(5) in section 603(c), repealing paragraph (2); in paragraph (1), striking out "(1)" after the subsection designation; and redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

REVISED STATUTES AMENDMENTS

SEC. 5. Section 526(b) of the Revised Statutes (7 U.S.C. 2204(b)) is amended by—

(1) striking out the first and second sentences thereof;

(2) in the third sentence striking out "and" before "rural industrialization" and inserting before the period at the end thereof the following: ", and technology appropriate to small- and moderate-sized family farming operations, and any other problem that the Secretary may determine has an effect upon the economic development or the quality of life in rural areas".

ELIMINATION OF REPORTS

SEC. 6. Section 901 of the Agricultural Act of 1970 (Public Law 91-524, 84 Stat. 1303; 42 U.S.C. 3122) is amended by striking out the last sentence of subsection (b) and repealing subsections (c) through (f).

84 Stat. 1383.

TECHNICAL ASSISTANCE AND INFORMATION SYSTEM

SEC. 7. Section 306(a) of the Consolidated Farm and Rural Development Act (Public Law 87-128, 75 Stat. 307; 7 U.S.C. 1926(a)) is amended by—

(1) amending paragraph (11) to read as follows:

"(11) The Secretary may make grants, not to exceed $15,000,000 annually, to public bodies or such other agencies as the Secretary may select to provide rural development technical assistance, rural community leadership development, and community and areawide rural development planning.";

(2) redesignating paragraphs (12), (13), and (14) as paragraphs (13), (14), and (15), respectively; and

(3) inserting immediately after paragraph (11) a new paragraph (12) as follows:

"(12)(A) The Secretary shall, in cooperation with institutions eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503-505, as amended; 7 U.S.C. 301-305, 307, and 308), or the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including the Tuskegee Institute and State,

7 USC 321-326a, 328.

substate, and regional planning bodies, establish a system for the dissemination of information and technical assistance on federally sponsored or funded programs. The system shall be for the use of institutions eligible to receive funds under the Act of July 2, 1862 (12 Stat. 503-505, as amended; 7 U.S.C. 301-305, 307, and 308), or the Act of August 30, 1890 (26 Stat. 417-419, as amended; 7 U.S.C. 321-326 and 328), including the Tuskegee Institute and State, substate, and regional planning bodies, and other persons concerned with rural development.

7 USC 321-326a, 328.

"(B) The informational system developed under this paragraph shall contain all pertinent information, including, but not limited to, information contained in the Federal Procurement Data System, Federal Assistance Program Retrieval System, Catalogue of Federal Domestic Assistance, Geographic Distribution of Federal Funds, United States Census, and Code of Federal Regulations.

"(C) The Secretary shall obtain from all other Federal departments and agencies comprehensive, relevant, and applicable information on programs under their jurisdiction that are operated in rural areas.

"(D) Of the sums authorized to be appropriated to carry out the provisions of this Act, not more than $1,000,000 per year may be expended to carry out the provisions of this paragraph.".

Appropriation authorization.

LIMITATIONS

SEC. 8. No funds are authorized to be appropriated pursuant to sections 4 and 7 of this Act and the amendments made by those sections for the fiscal year ending September 30, 1980, in excess of such amounts as have been appropriated on or before the date of enactment of this Act for such fiscal year.

WEB RURAL WATER DEVELOPMENT PROJECT

SEC. 9. (a) There are authorized to be appropriated to the Secretary of the Interior for the fiscal year ending September 30, 1981, $1,900,000, which shall be used for initial planning and construction of a rural water treatment and distribution system in portions of, but not limited to, Walworth, Edmunds, Brown, Campbell, Potter, McPherson, Faulk, Hand, Spink, and Day Counties in South Dakota that will furnish water for domestic and other purposes, hereafter referred to in this section as "the WEB Rural Water Development Project", as generally proposed by the WEB Water Development Association, Incorporated, and as described in the special report by the Association of January 1980.

Appropriation authorization.

(b) Effective October 1, 1981, there are authorized to be appropriated to the Secretary of the Interior for the further planning and construction of the WEB Rural Water Development Project $68,100,000, plus or minus such amounts, if any, as may be justified by reason of ordinary fluctuations in development costs incurred after January 1, 1980, as indicated by the engineering cost indices applicable to the types of construction involved herein: *Provided,* That such authorization for appropriations shall not become effective until such time as legislation has been enacted deauthorizing the Oahe Unit, initially authorized by the Act of August 3, 1968 (Public Law 90-435; 82 Stat. 624): *Provided further,* That if such legislation has not been enacted by September 30, 1981, the authorization for appropriations provided for in this subsection shall terminate.

(c) Any funds appropriated under this section shall remain available until expended.

Transfer of funds.

(d) Any funds appropriated under this section shall be transferred by the Secretary of the Interior to the Secretary of Agriculture when such funds are appropriated. The Secretary of the Interior may enter into cooperative memoranda of understanding with the Secretary of Agriculture as may be required to provide services to carry out the purposes of this section.

7 USC 1921 note.

(e) The Secretary of Agriculture shall use any funds transferred under subsection (d) for necessary administrative expenses, and to provide financial assistance to plan and develop the WEB Rural Water Development Project under the terms and conditions of the Consolidated Farm and Rural Development Act and the rules and regulations promulgated by the Department of Agriculture under that Act, except to the extent such Act or rules or regulations promulgated thereunder are inconsistent with the provisions of this section. Such funds shall be made available in a combination of grants and loans that will provide grants for not less than 75 per centum of eligible development costs and such loans as may be necessary to plan and construct the WEB Rural Water Development Project.

Grants and loans.

EFFECTIVE DATE

7 USC 2204b note.

SEC. 10. The provisions of this Act shall become effective October 1, 1980.

Approved September 24, 1980.

LEGISLATIVE HISTORY:

HOUSE REPORT No. 96-259 accompanying H.R. 3580 (Comm. on Agriculture).
SENATE REPORT No. 96-187 (Comm. on Agriculture, Nutrition, and Forestry).
CONGRESSIONAL RECORD:
Vol. 125 (1979): June 14, considered and passed Senate.
Vol. 126 (1980): Sept. 15, H.R. 3580 considered and passed House; passage vacated and S. 670, amended, passed in lieu.
Sept. 16, Senate concurred in House amendments.
WEEKLY COMPILATION OF PRESIDENTIAL DOCUMENTS:
Vol. 16, No. 39 (1980): Sept. 24, Presidential statement.