

106TH CONGRESS
2D SESSION

S. 3175

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

IN THE SENATE OF THE UNITED STATES

OCTOBER 5 (legislative day, SEPTEMBER 22), 2000

Mr. CRAIG (for himself, Mr. CONRAD, Mr. BAUCUS, Mr. BINGAMAN, Mr. BREAUX, Mr. BURNS, Mr. CRAPO, Mr. DASCHLE, Mr. ENZI, Mr. GORTON, Mr. GRAMM, Mr. GRAMS, Mr. GREGG, Mr. HARKIN, Mrs. HUTCHISON, Mr. JEFFORDS, Mr. JOHNSON, Mr. KENNEDY, Mr. KERREY, Mr. LEAHY, Mr. LUGAR, Ms. MIKULSKI, Mrs. MURRAY, Mr. REED, Mr. SARBANES, Mr. SMITH of New Hampshire, Mr. THOMAS, and Mr. WELLSTONE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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 2000”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

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

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

10 (B) in addition, numerous efforts have been
11 made to coordinate Federal rural development pro-
12 grams; and

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

22 (3) Congress enacted the Rural Development
23 Act of 1972 (86 Stat. 657) and the Rural Develop-
24 ment Policy Act of 1980 (94 Stat. 1171) as a mani-
25 festation of this commitment to rural development;

1 (4) section 2(b)(3) of the Rural Development
2 Policy Act of 1972 (7 U.S.C. 2204b(b)(3)) directs
3 the Secretary of Agriculture to develop a process
4 through which multi-state, State, substate, and local
5 rural development needs, goals objectives, plans and
6 recommendations can be received and assessed on a
7 continuing basis;

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

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

18 (7) that mechanism, now known as the “Na-
19 tional Rural Development Partnership”, has been
20 recognized as a model of new governance and as an
21 example of the effectiveness of collaboration between
22 the Federal, State, local, tribal, private, and non-
23 profit sectors in addressing the needs of the rural
24 communities of the United States;

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

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

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

10 The Consolidated Farm and Rural Development Act
11 (7 U.S.C. 1921 et seq.) is amended by adding at the end
12 the following:

13 **“SEC. 381P. NATIONAL RURAL DEVELOPMENT PARTNER-**
14 **SHIP.**

15 “(a) DEFINITIONS.—In this section:

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

20 “(A) implements Federal law targeted at
21 rural areas, including—

22 “(i) the Act of April 24, 1950 (com-
23 monly known as the Granger-Thye Act)
24 (64 Stat. 82, chapter 9);

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

3 “(iii) section 41742 of title 49, United
4 States Code;

5 “(iv) the Rural Development Act of
6 1972 (86 Stat. 657);

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

9 “(vi) the Rural Electrification Act of
10 1936 (2 U.S.C. 901 et seq.);

11 “(vii) amendments made to section
12 334 of the Public Health Service Act (42
13 U.S.C. 254g) by the Rural Health Clinics
14 Act of 1983 (97 Stat. 1345); and

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

21 “(B) administers programs that have a
22 significant impact on rural areas, including—

23 “(i) the Appalachian Regional Com-
24 mission;

25 “(ii) the Department of Agriculture;

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

1 “(xix) the Federal Reserve System;
2 “(xx) the United States Postal Serv-
3 ice;
4 “(xxi) the Corporation for National
5 Service;
6 “(xxii) the National Endowment for
7 the Arts and the National Endowment for
8 the Humanities; and
9 “(xxiii) other agencies, commissions,
10 and corporations.

11 “(2) COUNCIL.—The term “Council” means the
12 National Rural Development Council established by
13 subsection (c).

14 “(3) PARTNERSHIP.—The term “Partnership”
15 means the National Rural Development Partnership
16 established by subsection (b).

17 “(4) RURAL AREA.—The term “rural area”
18 means—

19 “(A) all the territory of a State that is not
20 within the boundary of any standard metropoli-
21 tan statistical area, as designated by the Direc-
22 tor of the Office of Management and Budget;

23 “(B) all territory within any standard met-
24 ropolitan statistical area described in subpara-
25 graph (A) within a census tract having a popu-

1 lation density of less than 20 persons per
2 square mile, as determined by the Secretary ac-
3 cording to the most recent census of the United
4 States as of any date; and

5 “(C) such areas as a State Rural Develop-
6 ment Council may identify as rural.

7 “(5) STATE RURAL DEVELOPMENT COUNCIL.—
8 The term “State rural development council” means
9 a State rural development council that meets the re-
10 quirements of subsection (d).

11 “(b) ESTABLISHMENT.—

12 “(1) IN GENERAL.—There is established a Na-
13 tional Rural Development Partnership composed
14 of—

15 “(A) the National Rural Development
16 Council established under subsection (a); and

17 “(B) State rural development councils es-
18 tablished under subsection (d).

19 “(2) PURPOSES.—The purposes of the Partner-
20 ship are—

21 “(A) to empower and build the capacity of
22 States and rural communities within States to
23 design unique responses to their own special
24 rural development needs, with local determina-

1 tions of progress and selection of projects and
2 activities;

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

9 “(C) to encourage all 5 partners of the
10 Partnership (Federal, State, local, and tribal
11 governments, the private sector, and nonprofit
12 organizations) to be fully engaged and share
13 equally in decisions.

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

18 “(A) to cooperate closely with States to
19 implement the Partnership;

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

24 “(C) to delegate decisionmaking to other
25 levels;

1 “(D) to ensure that the head of each de-
2 partment and agency specified in subsection
3 (a)(1)(B) designates a senior-level agency offi-
4 cial to represent the department or agency, re-
5 spectively, on the Council and directs appro-
6 priate field staff to participate fully with the
7 State rural development council within their ju-
8 risdiction; and

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

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

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

20 “(B) to cooperate with participating gov-
21 ernment organizations in developing innovative
22 problem approaches to rural development.

23 “(c) NATIONAL RURAL DEVELOPMENT COUNCIL.—

24 “(1) ESTABLISHMENT.—There is established a
25 National Rural Development Council.

1 “(2) COMPOSITION.—The Council shall be com-
2 posed of—

3 “(A) 1 representative of each agency with
4 rural responsibilities that elects to participate in
5 the Council; and

6 “(B) representatives of local, regional,
7 State, tribal, and nongovernmental profit and
8 nonprofit organizations that elect to participate
9 in the activities of the Council.

10 “(3) DUTIES.—The Council shall—

11 “(A) provide support for the work of the
12 State rural development councils;

13 “(B) facilitate coordination among Federal
14 programs and activities, and with State, local,
15 tribal, and private programs and activities, af-
16 fecting rural development;

17 “(C) enhance the effectiveness, responsive-
18 ness, and delivery of Federal programs in rural
19 areas;

20 “(D) gather and provide to Federal au-
21 thorities information and input for the develop-
22 ment and implementation of Federal programs
23 impacting rural economic and community devel-
24 opment;

1 “(E) review and comment on policies, reg-
2 ulations, and proposed legislation that affect or
3 would affect rural areas;

4 “(F) provide technical assistance to State
5 rural development councils for the implementa-
6 tion of Federal programs; and

7 “(G) develop and facilitate strategies to re-
8 duce or eliminate administrative and regulatory
9 impediments.

10 “(4) ELECTION NOT TO PARTICIPATE.—An
11 agency with rural responsibilities that elects not to
12 participate in the Partnership shall submit to Con-
13 gress a report that describes—

14 “(A) how the programmatic responsibilities
15 of the Federal agency that target or have an
16 impact on rural areas are better achieved with-
17 out participation by the agency in the Partner-
18 ship; and

19 “(B) a more effective means of partner-
20 ship-building and collaboration to achieve the
21 programmatic responsibilities of the agency.

22 “(5) 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 a
6 memorandum of agreement with the Secretary to es-
7 tablish a State 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.—Each 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 Council and
5 other appropriate organizations information on
6 the condition of rural areas in the State;

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

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

15 “(F) provide comments to the Council and
16 other appropriate organizations on policies, reg-
17 ulations, and proposed legislation that affect or
18 would affect the rural areas of the State;

19 “(G) in conjunction with the Council, fa-
20 cilitate the development of strategies to reduce
21 or eliminate conflicting or duplicative adminis-
22 trative or regulatory requirements of Federal,
23 State, local, and tribal governments;

24 “(H) use grant or cooperative agreement
25 funds available to the Partnership to—

1 “(i) retain an Executive Director and
2 such support staff as are necessary to fa-
3 cilitate and implement the directives of the
4 State rural development council; and

5 “(ii) defray expenses associated with
6 carrying out subparagraphs (A) through
7 (G) and subparagraph (J);

8 “(I) be authorized to solicit funds to sup-
9 plement and match funds granted under sub-
10 paragraph (H); and

11 “(J) be authorized to engage in all other
12 appropriate activities.

13 “(4) COMMENTS OR RECOMMENDATIONS.—

14 “(A) IN GENERAL.—A State rural develop-
15 ment council may provide comments and rec-
16 ommendations to an agency with rural respon-
17 sibilities related to the activities of the State
18 rural development council within the State.

19 “(B) AGENCY.—The agency with rural re-
20 sponsibilities shall provide to the State rural de-
21 velopment council a written response to the
22 comments or recommendations.

23 “(5) ACTIONS OF STATE RURAL DEVELOPMENT
24 COUNCIL MEMBERS.—When carrying out a program
25 or activity authorized by a State rural development

1 council, a member of the Council shall be regarded
2 as an employee of the Federal Government for pur-
3 poses of chapter 171 of title 28, United States Code.

4 “(6) FEDERAL PARTICIPATION IN STATE RURAL
5 DEVELOPMENT COUNCILS.—

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

9 “(B) CONFLICTS.—A Federal employee
10 who participates in a State rural development
11 council shall not participate in the making of
12 any council decision if the agency represented
13 by the Federal employee has any financial or
14 other interest in the outcome of the decision.

15 “(C) FEDERAL GUIDANCE.—The Attorney
16 General shall issue guidance to all Federal em-
17 ployees that participate in State rural develop-
18 ment councils that describes specific decisions
19 that—

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

22 “(ii) from which the Federal employee
23 must recuse himself or herself.

24 “(e) ADMINISTRATION OF THE PARTNERSHIP.—

1 “(1) **DETAIL OF EMPLOYEES.**—In order to pro-
2 vide experience in intergovernmental collaboration,
3 with the approval of the head of an agency with
4 rural responsibilities that elects to participate in the
5 Partnership, an employee of the agency with rural
6 responsibilities is encouraged to be detailed to the
7 Partnership without reimbursement, and such detail
8 shall be without interruption or loss of civil service
9 status or privilege.

10 “(2) **ADDITIONAL SUPPORT.**—The Secretary
11 shall provide for any additional support staff to the
12 Partnership as the Secretary determines to be nec-
13 essary to carry out the duties of the Partnership.

14 “(3) **PANEL.**—

15 “(A) **IN GENERAL.**—A panel consisting of
16 representatives of the Council and State rural
17 development councils shall be established to
18 lead and coordinate the strategic operation,
19 policies, and practices of the Partnership.

20 “(B) **ANNUAL REPORTS.**—In conjunction
21 with the Council and State rural development
22 councils, the panel shall prepare and submit to
23 Congress an annual report on the activities of
24 the Partnership.

25 “(f) **FUNDING.**—

1 “(1) AUTHORIZATION OF APPROPRIATIONS.—

2 There are authorized to be appropriated such sums

3 as are necessary to carry out this section.

4 “(2) FEDERAL AGENCIES.—

5 “(A) IN GENERAL.—Notwithstanding any

6 other provision of law, in order to carry out the

7 purposes described in subsection (b)(2), the

8 Partnership shall be eligible to receive grants,

9 gifts, contributions, or technical assistance

10 from, or enter into contracts with, any Federal

11 department or agency, to the extent otherwise

12 permitted by law.

13 “(B) ASSISTANCE.—Federal departments

14 and agencies are encouraged to use funds made

15 available for programs that target or impact

16 rural areas to provide assistance to, and enter

17 into contracts with, the Partnership, as de-

18 scribed in subparagraph (A).

19 “(3) CONTRIBUTIONS.—The Partnership may

20 accept private contributions.

21 “(g) MATCHING REQUIREMENTS FOR STATE RURAL

22 DEVELOPMENT COUNCILS.—A State rural development

23 council shall provide matching funds, or in-kind goods or

24 services, to support the activities of the State rural devel-

25 opment council in an amount that is not less than 25 per-

1 cent of the amount of Federal funds received under the
2 agreement described in subsection (d)(1).

3 “(h) TERMINATION.—The authority provided under
4 this section shall terminate 5 years after the date of enact-
5 ment of this section.”

○