

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 Coordinating  
5           Committee and other appropriate organizations  
6           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 Coordinating  
17          Committee and other appropriate organizations  
18          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.”.

○