

(5) the Department of Commerce;  
 (6) the Department of Labor;  
 (7) the Department of Health and Human Services;  
 (8) the Department of Housing and Urban Development;

(9) the Department of Transportation;  
 (10) the Department of Energy;  
 (11) the Department of Education;  
 (12) the Department of Veterans Affairs;  
 (13) the Department of Homeland Security;  
 (14) the Environmental Protection Agency;  
 (15) the Federal Communications Commission;  
 (16) the Office of Management and Budget;  
 (17) the Office of Science and Technology Policy;  
 (18) the Office of National Drug Control Policy;  
 (19) the Council of Economic Advisers;  
 (20) the Domestic Policy Council;  
 (21) the National Economic Council;  
 (22) the Small Business Administration;  
 (23) the Council on Environmental Quality;  
 (24) the White House Office of Public Engagement and Intergovernmental Affairs;

(25) the White House Office of Cabinet Affairs; and such other executive branch departments, agencies, and offices as the President or the Secretary of Agriculture may, from time to time, designate.

(b) A member of the Council may designate, to perform the Council functions of the member, a senior-level official who is part of the member's department, agency, or office, and who is a full-time officer or employee of the Federal Government.

(c) The Department of Agriculture shall provide funding and administrative support for the Council to the extent permitted by law and within existing appropriations.

(d) The Council shall coordinate its policy development through the Domestic Policy Council and the National Economic Council.

**SEC. 4. Mission and Function of the Council.** The Council shall work across executive departments, agencies, and offices to coordinate development of policy recommendations to promote economic prosperity and quality of life in rural America, and shall coordinate my Administration's engagement with rural communities. The Council shall:

(a) make recommendations to the President, through the Director of the Domestic Policy Council and the Director of the National Economic Council, on streamlining and leveraging Federal investments in rural areas, where appropriate, to increase the impact of Federal dollars and create economic opportunities to improve the quality of life in rural America;

(b) coordinate and increase the effectiveness of Federal engagement with rural stakeholders, including agricultural organizations, small businesses, education and training institutions, health-care providers, telecommunications services providers, research and land grant institutions, law enforcement, State, local, and tribal governments, and nongovernmental organizations regarding the needs of rural America;

(c) coordinate Federal efforts directed toward the growth and development of geographic regions that encompass both urban and rural areas; and

(d) identify and facilitate rural economic opportunities associated with energy development, outdoor recreation, and other conservation related activities.

**SEC. 5. General Provisions.** (a) The heads of executive departments and agencies shall assist and provide information to the Council, consistent with applicable law, as may be necessary to carry out the functions of the Council. Each executive department and agency shall bear its own expense for participating in the Council.

(b) Nothing in this order shall be construed to impair or otherwise affect:

(i) authority granted by law to an executive department, agency, or the head thereof; or

(ii) functions of the Director of the Office of Management and Budget relating to budgetary, administrative, or legislative proposals.

(c) This order shall be implemented consistent with applicable law and subject to the availability of appropriations.

(d) This order is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

BARACK OBAMA.

## § 2204b-1. Rural development

### (a) Congressional commitment

The Congress commits itself to a sound balance between rural and urban America. The Congress considers this balance so essential to the peace, prosperity, and welfare of all our citizens that the highest priority must be given to the revitalization and development of rural areas.

### (b) Location of Federal facilities

Congress hereby directs the heads of all executive departments and agencies of the Government to establish and maintain departmental policies and procedures giving first priority to the location of new offices and other facilities in rural areas as defined in the private business enterprise exception in section 1926(a)(7)<sup>1</sup> of this title.

(Pub. L. 91-524, title IX, §901, Nov. 30, 1970, 84 Stat. 1383; Pub. L. 92-419, title VI, §601, Aug. 30, 1972, 86 Stat. 674; Pub. L. 94-273, §7(3), Apr. 21, 1976, 90 Stat. 378; Pub. L. 96-355, §6, Sept. 24, 1980, 94 Stat. 1174.)

#### REFERENCES IN TEXT

Section 1926(a)(7) of this title, referred to in subsec. (b), was repealed and a new section 1926(a)(7) was added by Pub. L. 104-127, title VII, §741(a)(2), Apr. 4, 1996, 110 Stat. 1123. As added, section 1926(a)(7) of this title defined "rural areas" but no longer contained provisions relating to a private business enterprise exception. Subsequently, section 1926(a)(7) was repealed by Pub. L. 107-171, title VI, §6020(b)(1), May 13, 2002, 116 Stat. 363.

#### CODIFICATION

Section was formerly classified to section 3122 of Title 42, The Public Health and Welfare.

#### AMENDMENTS

1980—Subsec. (b). Pub. L. 96-355 struck out provisions respecting annual report to Congress by the President covering efforts, etc., made for locating all new facilities.

Subsec. (c). Pub. L. 96-355 struck out subsec. (c) which related to planning assistance and annual report to Congress respecting such assistance.

Subsec. (d). Pub. L. 96-355 struck out subsec. (d) which related to information and technical assistance and annual report to Congress respecting such assistance.

Subsec. (e). Pub. L. 96-355 struck out subsec. (e) which related to provision of government services and annual report to Congress respecting such services.

Subsec. (f). Pub. L. 96-355 struck out subsec. (f) which required report to Congress by July 1, 1971, relating to implementation of rural financial assistance requirements.

1976—Subsec. (b). Pub. L. 94-273 substituted "December" for "September".

Subsec. (d). Pub. L. 94-273 substituted "December 1 of" for "September 1 of".

<sup>1</sup> See References in Text note below.

1972—Subsec. (b). Pub. L. 92-419 struck out “insofar as practicable,” after “maintain” and substituted “policies and procedures giving first priority to the location of new offices and other facilities in rural areas as defined in the private business enterprise exception in section 1926(a)(7) of this title”, for “policies and procedures with respect to the location of new offices and other facilities in areas or communities of lower population density in preference to areas or communities of high population densities”.

EFFECTIVE DATE OF 1980 AMENDMENT

Amendment by Pub. L. 96-355 effective Oct. 1, 1980, see section 10 of Pub. L. 96-355, set out as an Effective Date note under section 2204b of this title.

EXECUTIVE ORDER NO. 11797

Ex. Ord. No. 11797, July 31, 1974, 39 F.R. 27893, which delegated to the Secretary of Agriculture the President's authority to prepare and submit to Congress annual reports concerning the location of new Federal facilities in rural areas, was revoked by Ex. Ord. No. 12553, Feb. 25, 1986, 51 F.R. 7237.

**§ 2204c. Water management for rural areas**

**(a) In general**

The Secretary of Agriculture is authorized, directly or in coordination with any other Federal agency, entity, corporation, department, unit of State or local government, cooperative, confederation, individual, public or private organization, Indian tribe, or university, to—

- (1) conduct research and demonstration projects;
- (2) provide technical assistance and extension services;
- (3) make grants, loans, and loan guarantees; and
- (4) provide other forms of assistance, for the purpose of helping rural areas make better and more efficient use of water resources and to alleviate problems arising in such areas from droughts or lack of water.

**(b) Activities**

The Secretary is authorized to provide assistance under this section for the promotion or establishment of irrigation, watersheds, and other water management and drought management activities, including water transmission, application, and activation.

**(c) Cooperation**

In implementing this section, the Secretary—

- (1) should address the general, special, and unique problems of water management existing in rural areas;
- (2) may take action independently or in cooperation with Federal, State, public, or private entities and agencies; and
- (3) shall cooperate with—

(A) cooperatives, public or private organizations, confederations, authorities, or other entities (including such entities that may be organized under multiple State agreements or compacts and entities created under State law) to carry out projects authorized under this section; and

(B) water, watershed, and sewer authorities, rural electric cooperatives, Federal agencies, and other State or local governments or agencies.

**(d) Regulations**

- (1) The Secretary shall issue regulations to carry out this section.

(2) Such regulations shall—

(A) specify the terms and conditions that the entities described in subsections (a) and (c) must meet in order to participate in programs carried out under this section;

(B) establish a procedure under which entities described in subsections (a) and (c) may apply for assistance under this section; and

(C) foster cooperation between such entities and other Federal, State, or local agencies for the purposes of carrying out the provisions of this section.

**(e) “University” defined**

As used in this section, the term “university” means—

(1) a land grant university established under the Act of July 2, 1862 (known as the “First Morrill Act”); 12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.);

(2) a land grant university established under the Act of August 30, 1890 (known as the “Second Morrill Act”); 26 Stat. 419, chapter 841; 7 U.S.C. 321 et seq.);

(3) the Tuskegee Institute; and

(4) any other support research organization.

**(f) Funding**

(1) There are authorized to be appropriated each fiscal year such sums as are necessary to carry out this section.

(2) The Secretary is authorized to accept funds from non-Federal sources to carry out the activities authorized by this section.

**(g) No waivers**

Nothing in this section shall authorize the waiver of a cost-share requirement under a program established under any other provision of law.

(Pub. L. 100-387, title IV, § 401, Aug. 11, 1988, 102 Stat. 956.)

REFERENCES IN TEXT

Act of July 2, 1862, referred to in subsec. (e)(1), is act July 2, 1862, ch. 130, 12 Stat. 503, popularly known as the “Morrill Act” and also as the “First Morrill Act”, which is classified generally to subchapter I (§301 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 301 of this title and Tables.

Act of August 30, 1890, referred to in subsec. (e)(2), is act Aug. 30, 1890, ch. 841, 26 Stat. 417, as amended, popularly known as the Agricultural College Act of 1890 and also as the Second Morrill Act, which is classified generally to subchapter II (§321 et seq.) of chapter 13 of this title. For complete classification of this Act to the Code, see Short Title note set out under section 321 of this title and Tables.

**§ 2204d. Encouragement of private contracting**

**(a) In general**

For the purpose of promoting local job creation and private sector investment in rural communities, the Secretary of Agriculture is encouraged, where appropriate and feasible, to use private enterprise concerns located in rural areas, rather than government employees or government enterprises, to provide commercial activities or products to carry out the purposes of this title.<sup>1</sup>

<sup>1</sup> See References in Text note below.