

107TH CONGRESS  
1ST SESSION

# S. 1466

To amend the Consolidated Farm and Rural Development Act to provide grants for special environmental assistance for the regulation of communities and habitat (“SEARCH grants”) to small communities.

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 26, 2001

Mr. CRAPO (for himself and Mr. CRAIG) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Consolidated Farm and Rural Development Act to provide grants for special environmental assistance for the regulation of communities and habitat (“SEARCH grants”) to small communities.

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 “Project SEARCH Act  
5 of 2001”.

6 **SEC. 2. FINDINGS.**

7       Congress finds that—

1 (1) small communities often struggle to meet  
2 environmental goals because of difficulty in securing  
3 funding;

11 (4) small communities would benefit from a  
12 grant program designed to provide funding for envi-  
13 ronmental projects—

14 (A) through a simplified application proc-  
15 ess; and

16 (B) without the requirement of matching  
17 funds

## 18 SEC. 3. SEARCH GRANTS FOR SMALL COMMUNITIES.

19        The Consolidated Farm and Rural Development Act  
20 (7 U.S.C. 1921 et seq.) is amended by adding at the end  
21 the following:

## 24 "SEC. 391. DEFINITIONS.

25        “In this subtitle:

1               “(1) COUNCIL.—The term ‘council’ means an  
2 independent citizens’ council established by section  
3 392(b).

4               “(2) ENVIRONMENTAL PROJECT.—

5               “(A) IN GENERAL.—The term ‘environmental project’ means a project that—

7               “(i) benefits human health or the environment; and

9               “(ii) is necessary to comply with an environmental law (including a regulation).

11               “(B) INCLUSION.—The term ‘environmental project’ includes an initial feasibility study of a project.

14               “(3) REGION.—The term ‘region’ means a geographic area of a State, as determined by the Governor of the State.

17               “(4) SEARCH GRANT.—The term ‘SEARCH grant’ means a grant for special environmental assistance for the regulation of communities and habitat awarded under section 392(c)(3).

21               “(5) SMALL COMMUNITY.—The term ‘small community’ means an incorporated or unincorporated rural community having a population of not more than 2,500 individuals.

1               “(6) STATE.—The term ‘State’ has the mean-  
2               ing given the term in section 381A.

3       **“SEC. 392. SEARCH GRANT PROGRAM.**

4       “(a) IN GENERAL.—

5               “(1) ESTABLISHMENT.—There is established  
6               the SEARCH Grant Program.

7               “(2) STATE REQUIREMENTS.—

8               “(A) IN GENERAL.—Not later than Octo-  
9               ber 1 of each fiscal year, a State may submit  
10               to the Secretary an application to receive a  
11               grant under paragraph (3) for the fiscal year.

12               “(B) APPLICATION REQUIREMENTS.—An  
13               application under subparagraph (A) shall  
14               contain—

15               “(i) a certification by the State that  
16               the State has appointed members to the  
17               council of the State under subsection  
18               (b)(2)(C); and

19               “(ii) such information as the Sec-  
20               retary may reasonably require.

21               “(3) GRANT TO STATE.—Not later than 60  
22               days after the date on which the Office of Manage-  
23               ment and Budget apportions any amounts made  
24               available under this subtitle, for each fiscal year

1 after the date of enactment of this subtitle, the Sec-  
2 retary shall, on request by a State—

3 “(A) determine whether any application  
4 submitted by the State under paragraph (2)  
5 meets the requirements of that paragraph; and

6 “(B) subject to section 394(b) and sub-  
7 section (c)(4)(B), if the Secretary determines  
8 that the application meets the requirements of  
9 paragraph (2)(B), award a grant of not to ex-  
10 ceed \$1,000,000 to the State, to be used by the  
11 council of the State to award SEARCH grants  
12 under subsection (b)(3).

13 “(b) INDEPENDENT CITIZENS’ COUNCIL.—

14 “(1) ESTABLISHMENT.—There is established in  
15 each State an independent citizens’ council to carry  
16 out the duties described in this section.

17 “(2) COMPOSITION.—

18 “(A) IN GENERAL.—Each council shall be  
19 composed of 9 members, appointed by the Gov-  
20 ernor of the State.

21 “(B) REPRESENTATION; RESIDENCE.—

22 Each member of a council shall—

23 “(i) represent an individual region of  
24 the State, as determined by the Governor

1 of the State in which the council is estab-  
2 lished; and

5                             “(C) APPOINTMENT.—Before a State re-  
6 ceives funds under this subtitle, the State shall  
7 appoint members to the council for the fiscal  
8 year, except that not more than 1 member shall  
9 be an agent, employee, or official of the State  
10 government.

11                   “(D) CHAIRPERSON.—Each council shall  
12                   select a chairperson from among the members  
13                   of the council, except that a member who is an  
14                   agent, employee, or official of the State govern-  
15                   ment shall not serve as chairperson.

16                   “(E) FEDERAL REPRESENTATION.—An  
17                   agent, employee, or official of the Federal Gov-  
18                   ernment may participate in the activities of the  
19                   council—

22                   “(3) SEARCH GRANTS.—

23                   “(A) IN GENERAL.—Each council shall re-  
24                   view applications for, and recommend awards

1 of, SEARCH grants to small communities that  
2 meet the eligibility criteria under subsection (c).

3 “(B) RECOMMENDATIONS.—In awarding a  
4 SEARCH grant, a State—

5 “(i) shall follow the recommendations  
6 of the council of the State;

7 “(ii) shall award the funds for any  
8 recommended environmental project in a  
9 timely and expeditious manner; and

10 “(iii) shall not award a SEARCH  
11 grant to a grantee or project in violation of  
12 any law of the State (including a regula-  
13 tion).

14 “(C) NO MATCHING REQUIREMENT.—A  
15 small community that receives a SEARCH  
16 grant under this section shall not be required to  
17 provide matching funds.

18 “(c) SEARCH GRANTS FOR SMALL COMMU-  
19 NITIES.—

20 “(1) ELIGIBILITY.—A SEARCH grant shall be  
21 awarded under this section only to a small commu-  
22 nity for 1 or more environmental projects for which  
23 the small community—

1                 “(A) needs funds to carry out initial feasi-  
2         bility or environmental studies before applying  
3         to traditional funding sources; or

4                 “(B) demonstrates, to the satisfaction of  
5         the council, that the small community has been  
6         unable to obtain sufficient funding from tradi-  
7         tional funding sources.

8                 “(2) APPLICATION.—

9                 “(A) DATE.—The council shall establish  
10         such deadline by which small communities shall  
11         submit applications for grants under this sec-  
12         tion as will permit the council adequate time to  
13         review and make recommendations relating to  
14         the applications.

15                 “(B) LOCATION OF APPLICATION.—A  
16         small community shall submit an application  
17         described in subparagraph (A) to the council in  
18         the State in which the small community is lo-  
19         cated.

20                 “(C) CONTENT OF APPLICATION.—An ap-  
21         plication described in subparagraph (A) shall  
22         include—

23                 “(i) a description of the proposed en-  
24         vironmental project (including an expla-  
25         nation of how the project would assist the

1                   small community in complying with an en-  
2                   vironmental law (including a regulation));

3                   “(ii) an explanation of why the project  
4                   is important to the small community;

5                   “(iii) a description of all actions taken  
6                   with respect to the project, including a de-  
7                   scription of any attempt to secure funding  
8                   and a description of demonstrated need for  
9                   funding for the project, as of the date of  
10                  the application; and

11                  “(iv) a SEARCH grant application  
12                  form provided by the council, completed  
13                  and with all required supporting docu-  
14                  mentation.

15                  “(3) REVIEW AND RECOMMENDATION.—

16                  “(A) IN GENERAL.—Except as provided in  
17                  subparagraph (B), not later than March 5 of  
18                  each fiscal year, each council shall—

19                  “(i) review all applications received  
20                  under paragraph (2); and

21                  “(ii) recommend for award SEARCH  
22                  grants to small communities based on—

23                  “(I) an evaluation of the eligi-  
24                  bility criteria under paragraph (1);  
25                  and

11                   “(4) UNEXPENDED FUNDS.—

1                             “(ii) LIMITATION.—A State that accu-  
2                             mulates a balance of unexpended funds de-  
3                             scribed in clause (i) of more than  
4                             \$3,000,000 shall be ineligible to apply for  
5                             additional funds for SEARCH grants until  
6                             such time as the State expends the portion  
7                             of the balance that exceeds \$3,000,000.

8     **“SEC. 393. REPORT.**

9                             “Not later than September 1 of the first fiscal year  
10                            for which a SEARCH grant is awarded by a council, and  
11                            annually thereafter, the council shall submit to the Sec-  
12                            retary a report that—

13                             “(1) describes the number of SEARCH grants  
14                            awarded during the fiscal year;

15                             “(2) identifies each small community that re-  
16                            ceived a SEARCH grant during the fiscal year;

17                             “(3) describes the project or purpose for which  
18                            each SEARCH grant was awarded, including a  
19                            statement of the benefit to public health or the envi-  
20                            ronment of the environmental project receiving the  
21                            grant funds; and

22                             “(4) describes the status of each project or por-  
23                            tion of a project for which a SEARCH grant was  
24                            awarded, including a project or portion of a project  
25                            for which a SEARCH grant was awarded for any

1       fiscal year before the fiscal year in which the report  
2       is submitted.

3   **“SEC. 394. FUNDING.**

4       “(a) AUTHORIZATION OF APPROPRIATIONS.—There  
5       is authorized to be appropriated to carry out section  
6       392(a)(3) \$50,000,000.

7       “(b) ACTUAL APPROPRIATION.—If funds to carry out  
8       section 392(a)(3) are made available for a fiscal year in  
9       an amount that is less than the amount authorized under  
10      subsection (a) for the fiscal year, the appropriated funds  
11      shall be divided equally among the 50 States.

12       “(c) UNUSED FUNDS.—If, for any fiscal year, a State  
13      does not apply, or does not qualify, to receive funds under  
14      section 392(a)(2), the funds that would have been made  
15      available to the State under section 392(a)(3) on submis-  
16      sion by the State of a successful application under section  
17      392(a)(2) shall be redistributed for award under this sub-  
18      title among States, the councils of which awarded 1 or  
19      more SEARCH grants during the preceding fiscal year.

20       “(d) OTHER EXPENSES.—There are authorized to be  
21      appropriated such sums as are necessary to carry out the  
22      provisions of this subtitle (other than section 392(a)(3)).”.

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