

DEPARTMENTAL REGULATION		Number: 1042-131
SUBJECT: National Drought Policy Commission	DATE: August 7, 2000	
	OPI: Farm Service Agency	

1 PURPOSE

The National Drought Policy Act of 1998 (1998 Act), Public Law 105-199, was signed by the President on July 16, 1998, and requires the establishment of a National Drought Policy Commission (NDPC). This regulation establishes the NDPC to provide advice and recommendations on the creation of an integrated coordinated Federal policy to prepare for and respond to serious drought emergencies. The NDPC is charged to: (1) make recommendations on how Federal drought laws and programs can be better integrated with ongoing State, local, and tribal programs; (2) make recommendations on improving public awareness of the need for drought mitigation, prevention, and response; and (3) make a recommendation as to whether all Federal drought preparation and response programs should be consolidated under one existing Federal agency and, if so, identify the agency.

2 SPECIAL INSTRUCTIONS/CANCELLATION

a This departmental regulation is a revision of and cancels 1042-131, dated January 4, 1999. It reflects less operating costs in fiscal year 1999 and an increase in the operating cost for fiscal year 2000. The estimated annual operating costs for fiscal year 1999 is \$410,000; staff years of support also decreased to 4 staff years. Operating costs for fiscal year 2000 increased to \$650,000; staff years of support increased to 5 staff years.

b This regulation will expire 2 years from the date of filing of the original charter.

c The NDPC may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the NDPC considers necessary to carry out the purposes of the 1998 Act.

d The NDPC may secure directly from any Federal department or agency such information as the NDPC considers necessary to carry out the provisions of the 1998 Act.

e The NDPC may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

f The NDPC may accept, use, and dispose of gifts or donations of services or property.

g Any Federal Government employee may be detailed to the NDPC without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

h The NDPC shall terminate 90 days after the date on which the NDPC submits its report to the President and Congress.

3 OFFICERS AND MEMBERSHIP

a The NDPC shall be composed of 16 members. The members of the NDPC shall include:

(1) the Secretary of Agriculture, or the designee of the Secretary of Agriculture, who shall chair the NDPC;

(2) the Secretary of the Interior, or the designee of the Secretary of Interior;

(3) the Secretary of the Army, or the designee of the Secretary of the Army;

(4) the Secretary of Commerce, or the designee of the Secretary of Commerce;

(5) the Director of the Federal Emergency Management Agency or the designee of the Director of the Federal Emergency Management Agency;

(6) the Administrator of the Small Business Administration, or the designee of the Administrator of the Small Business Administration;

(7) two persons nominated by the National Governors' Association and appointed by the President, of whom—

(i) one shall be the Governor of a State east of the Mississippi River; and

(ii) one shall be the Governor of a State west of the Mississippi River;

(8) a person nominated by the National Association of Counties and appointed by the President;

(9) a person nominated by the United States Conference of Mayors and appointed by the President;
and

(10) six persons, appointed by the Secretary of Agriculture in coordination with the Secretary of the Interior and the Secretary of the Army, who shall be representative of groups acutely affected by drought emergencies, such as the agricultural production community, the credit community, rural and urban water associations, Native Americans, and fishing and environmental interests.

b Members shall be appointed for the life of the NDPC. Any vacancy in the NDPC shall not affect its powers, but shall be filled in the same manner as the original appointment.

c Equal opportunity practices, in line with USDA policies, will be followed in all membership appointments to the NDPC. To ensure that the recommendations of the NDPC have taken into account the needs of the diverse groups served by USDA, membership shall include, to the extent practicable, individuals with demonstrated ability to represent minorities, women, and persons with disabilities.

4 DUTIES

a The NDPC shall conduct a thorough study and submit a report on national drought policy. In conducting the study and report, the NDPC shall:

(1) determine, in consultation with the National Drought Mitigation Center in Lincoln, Nebraska, and other appropriate entities, what needs exist on the Federal, State, local, and tribal levels to prepare for and respond to drought emergencies;

(2) review all existing Federal laws and programs relating to drought;

(3) review State, local, and tribal laws and programs relating to drought that the NDPC finds pertinent;

(4) determine what differences exist between the needs of those affected by drought and the Federal laws and programs designed to mitigate the impacts of and respond to drought;

(5) collaborate with the Western Drought Coordination Council and other appropriate entities in order to

consider regional drought initiatives and the application of such initiatives at the national level;

(6) make recommendations on how Federal drought laws and programs can be better integrated with ongoing State, local, and tribal programs into a comprehensive national policy to mitigate the impacts of and respond to drought emergencies without diminishing the rights of States to control water through State law and considering the need for protection of the environment;

(7) make recommendations on improving public awareness of the need for drought mitigation and prevention; and response on developing a coordinated approach to drought mitigation, prevention, and response by governmental and nongovernmental entities, including academic, private, and nonprofit interests; and

(8) include a recommendation on whether all Federal drought preparation and response programs should be consolidated under one existing Federal agency and, if so, identify such agency.

5 ESTIMATED ANNUAL COSTS

a Estimated annual operating costs are, for fiscal year (FY) 1999 \$410,000 and 4 staff years of support; for FY 2000 \$650,000 and 5 staff years of support.

b Each member of the NDPC who is not an officer or employee of the Federal Government shall not be compensated for service on the NDPC, except the member shall be allowed travel expenses, including per diem in lieu of subsistence at authorized rates.

6 NUMBER AND FREQUENCY OF MEETINGS

The NDPC will hold 2 to 4 meetings, or as often as the NDPC deems necessary to complete the project.

7 REPORTS AND SUPPORT

a The NDPC must submit a report to the President and Congress that contains a detailed statement of the findings and conclusions of the NDPC, together with its recommendations for such legislation and administrative actions as it considers appropriate.

b The Farm Service Agency will provide the necessary support for the NDPC.

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