

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out below.

PRIOR PROVISIONS

A prior section 950aaa, Pub. L. 101-624, title XXIII, §2331, Nov. 28, 1990, 104 Stat. 4017, provided purposes of chapter, prior to the general amendment of this chapter by Pub. L. 104-127.

TERMINATION OF CHAPTER

Pub. L. 102-551, §1(b), Oct. 28, 1992, 106 Stat. 4100, as amended by Pub. L. 107-171, title VI, §6203(b), May 13, 2002, 116 Stat. 421; Pub. L. 110-234, title VI, §6201(c), May 22, 2008, 122 Stat. 1206, and Pub. L. 110-246, §4(a), title VI, §6201(c), June 18, 2008, 122 Stat. 1664, 1967, provided that: “Notwithstanding any other provision of law, chapter 1 of subtitle D of title XXIII of the Food, Agriculture, Conservation and Trade Act of 1990 (7 U.S.C. 950aaa et seq.), including the amendments made by this section [enacting section 950aaa-5 of this title and amending section 950aaa-4 of this title], shall be effective until September 30, 2012.”

§ 950aaa-1. Definitions

In this chapter:

(1) Construct

The term “construct” means to construct, acquire, install, improve, or extend a facility or system.

(2) Cost of money loan

The term “cost of money loan” means a loan made under this chapter bearing interest at a rate equal to the then current cost to the Federal Government of loans of similar maturity.

(3) Secretary

The term “Secretary” means the Secretary of Agriculture.

(Pub. L. 101-624, title XXIII, §2332, as added Pub. L. 104-127, title VII, §704, Apr. 4, 1996, 110 Stat. 1108.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

PRIOR PROVISIONS

A prior section 950aaa-1, Pub. L. 101-624, title XXIII, §2332, Nov. 28, 1990, 104 Stat. 4017; Pub. L. 102-237, title VII, §702(g), Dec. 13, 1991, 105 Stat. 1880, provided goal of Federal Government to make affordable advanced telecommunications available to rural residents, prior to the general amendment of this chapter by Pub. L. 104-127.

§ 950aaa-2. Telemedicine and distance learning services in rural areas

(a) Services to rural areas

The Secretary may provide financial assistance for the purpose of financing the construction of facilities and systems to provide telemedicine services and distance learning services in rural areas.

(b) Financial assistance**(1) In general**

Financial assistance shall consist of grants or cost of money loans, or both.

(2) Form

The Secretary shall determine the portion of the financial assistance provided to a recipient that consists of grants and the portion that consists of cost of money loans so as to result in the maximum feasible repayment to the Federal Government of the financial assistance, based on the ability to repay of the recipient and full utilization of funds made available to carry out this chapter.

(c) Recipients**(1) In general**

The Secretary may provide financial assistance under this chapter to—

(A) entities using telemedicine services or distance learning services;

(B) entities providing or proposing to provide telemedicine service or distance learning service to other persons at rates calculated to ensure that the benefit of the financial assistance is passed through to the other persons;¹

(C) libraries.

(2) Electric or telecommunications borrowers**(A) Loans to borrowers**

Subject to subparagraph (B), the Secretary may provide a cost of money loan under this chapter to a borrower of an electric or telecommunications loan under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.). A borrower receiving a cost of money loan under this paragraph shall—

(i) make the funds provided available to entities that qualify under paragraph (1) for projects satisfying the requirements of this chapter;

(ii) use the funds provided to acquire, install, improve, or extend a system referred to in subsection (a) of this section; or

(iii) use the funds provided to install, improve, or extend a facility referred to in subsection (a) of this section.

(B) Limitations

A borrower of an electric or telecommunications loan under the Rural Electrification Act of 1936 [7 U.S.C. 901 et seq.] shall—

(i) make a system or facility funded under subparagraph (A) available to entities that qualify under paragraph (1); and

(ii) neither retain from the proceeds of a loan provided under subparagraph (A), nor assess a qualifying entity under paragraph (1), any amount except as may be required to pay the actual costs incurred in administering the loan or making the system or facility available.

(3) Appeal

If the Secretary rejects the application of a borrower who applies for a cost of money loan or grant under this section, the borrower may appeal the decision to the Secretary not later than 10 days after the borrower is notified of the rejection.

(4) Assistance to provide or improve services

Financial assistance may be provided under this chapter for a facility regardless of the lo-

¹ So in original. Probably should be followed by “and”.