

date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as a note under section 8701 of this title.

**§ 2008v. Strategic economic and community development**

**(a) In general**

In the case of any rural development program described in subsection (d)(2), the Secretary may give priority to an application for a project that, as determined and approved by the Secretary—

- (1) meets the applicable eligibility requirements of this chapter;
- (2) will be carried out solely in a rural area; and
- (3) supports strategic community and economic development plans on a multijurisdictional basis.

**(b) Rural area**

For purposes of subsection (a)(2), the Secretary shall consider an application to be for a project that will be carried out solely in a rural area only if—

- (1) in the case of an application for a project in the rural community facilities category described in subsection (d)(2)(A), the project will be carried out in a rural area described in section 1991(a)(13)(C) of this title;
- (2) in the case of an application for a project in the rural utilities category described in subsection (d)(2)(B), the project will be carried out in a rural area described in section 1991(a)(13)(B) of this title; and
- (3) in the case of an application for a project in the rural business and cooperative development category described in subsection (d)(2)(C), the project will be carried out in a rural area described in section 1991(a)(13)(A) of this title.

**(c) Evaluation**

**(1) In general**

In evaluating strategic applications, the Secretary shall give a higher priority to strategic applications for a plan described in subsection (a) that demonstrates to the Secretary—

- (A) the plan was developed through the collaboration of multiple stakeholders in the service area of the plan, including the participation of combinations of stakeholders such as State, local, and tribal governments, nonprofit institutions, institutions of higher education, and private entities;
- (B) an understanding of the applicable regional resources that could support the plan, including natural resources, human resources, infrastructure, and financial resources;
- (C) investment from other Federal agencies;
- (D) investment from philanthropic organizations; and
- (E) clear objectives for the plan and the ability to establish measurable performance measures and to track progress toward meeting the objectives.

**(2) Consistency with plans**

Applications involving State, county, municipal, or tribal governments shall include an

indication of consistency with an adopted regional economic or community development plan.

**(d) Funds**

**(1) In general**

Subject to paragraph (3) and subsection (e), the Secretary may reserve for projects that support multijurisdictional strategic community and economic development plans described in subsection (a) an amount that does not exceed 10 percent of the funds made available for a fiscal year for a functional category described in paragraph (2).

**(2) Functional categories**

The functional categories described in this subsection are the following:

**(A) Rural community facilities category**

The rural community facilities category consists of all amounts made available for community facility grants and direct and guaranteed loans under paragraph (1), (19), (20), (21), (24), or (25) of section 1926(a) of this title.

**(B) Rural utilities category**

The rural utilities category consists of all amounts made available for—

- (i) water or waste disposal grants or direct or guaranteed loans under paragraph (1), (2), or (24) of section 1926(a) of this title;
- (ii) rural water or wastewater technical assistance and training grants under section 1926(a)(14) of this title;
- (iii) emergency community water assistance grants under section 1926a of this title; or
- (iv) solid waste management grants under section 1932(b) of this title.

**(C) Rural business and cooperative development category**

The rural business and cooperative development category consists of all amounts made available for—

- (i) business and industry direct and guaranteed loans under section 1932(a)(2)(A) of this title; or
- (ii) rural business development grants under section 1932(c) of this title.

**(3) Period**

The reservation of funds described in paragraph (2) may only extend through June 30 of the fiscal year in which the funds were first made available.

**(e) Approved applications**

**(1) In general**

Any applicant who submitted a rural development application that was approved before February 7, 2014, may amend the application to qualify for the funds reserved under subsection (d)(1).

**(2) Rural utilities**

Any rural development application authorized under section 1926(a)(2), 1926(a)(14), 1926(a)(24), 1926a, or 1932(b) of this title and approved by the Secretary before February 7,

2014, shall be eligible for the funds reserved under subsection (d)(1) on the same basis as the applications submitted under this section until September 30, 2016.

(Pub. L. 87-128, title III, §379H, as added Pub. L. 113-79, title VI, §6025, Feb. 7, 2014, 128 Stat. 848.)

#### REFERENCES IN TEXT

For definition of “this chapter”, referred to in subsec. (a)(1), see note set out under section 1921 of this title.

### SUBCHAPTER V—RURAL COMMUNITY ADVANCEMENT PROGRAM

#### § 2009. Definitions

In this subchapter:

##### (1) State

The term “State” means each of the 50 States, the District of Columbia, the Commonwealth of Puerto Rico, Guam, the Virgin Islands of the United States, American Samoa, the Commonwealth of the Northern Mariana Islands, the Trust Territory of the Pacific Islands, and the Federated States of Micronesia.

##### (2) State director

The term “State director” means, with respect to a State, the Director of the Rural Economic and Community Development State Office.

(Pub. L. 87-128, title III, §381A, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1139; amended Pub. L. 107-171, title VI, §6020(b)(2), May 13, 2002, 116 Stat. 363.)

#### AMENDMENTS

2002—Pub. L. 107-171 redesignated pars. (2) and (3) as (1) and (2), respectively, and struck out heading and text of former par. (1). Text read as follows: “The terms ‘rural’ and ‘rural area’ mean, subject to section 1926(a)(7) of this title, a city, town, or unincorporated area that has a population of 50,000 inhabitants or less, other than an urbanized area immediately adjacent to a city, town, or unincorporated area that has a population in excess of 50,000 inhabitants.”

#### DEFINITION OF RURAL AREAS FOR CERTAIN BUSINESS AND COMMUNITY FACILITIES PROGRAMS

Pub. L. 106-78, title VII, §730, Oct. 22, 1999, 113 Stat. 1164, provided that: “Notwithstanding section 381A of the Consolidated Farm and Rural Development Act (7 U.S.C. 2009), in fiscal year 2000 and thereafter, the definitions of rural areas for certain business programs administered by the Rural Business-Cooperative Service and the community facilities programs administered by the Rural Housing Service shall be those provided for in statute and regulations prior to the enactment of Public Law 104-127 [Apr. 4, 1996].”

Similar provisions were contained in Pub. L. 105-277, div. A, §101(a) [title VII, §735], Oct. 21, 1998, 112 Stat. 2681, 2681-29, prior to repeal by Pub. L. 107-171, title VI, §6020(b)(3), May 13, 2002, 116 Stat. 363.

#### TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

#### § 2009a. Establishment

The Secretary shall establish a rural community advancement program to provide grants,

loans, loan guarantees, and other assistance to meet the rural development needs of local communities in States and federally recognized Indian tribes.

(Pub. L. 87-128, title III, §381B, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1139.)

#### § 2009b. National objectives

The national objectives of the program established under this subchapter shall be to—

(1) promote strategic development activities and collaborative efforts by State and local communities, and federally recognized Indian tribes, to maximize the impact of Federal assistance;

(2) optimize the use of resources;

(3) provide assistance in a manner that reflects the complexity of rural needs, including the needs for business development, health care, education, infrastructure, cultural resources, the environment, and housing;

(4) advance activities that empower, and build the capacity of, State and local communities to design unique responses to the special needs of the State and local communities, and federally recognized Indian tribes, for rural development assistance; and

(5) adopt flexible and innovative approaches to solving rural development problems.

(Pub. L. 87-128, title III, §381C, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1139.)

#### § 2009c. Strategic plans

##### (a) In general

The Secretary shall direct each of the Directors of Rural Economic and Community Development State Offices to prepare a strategic plan—

(1) for each State for the delivery of assistance under this subchapter in the State; and

(2) for each federally recognized Indian tribe for the delivery of assistance under this subchapter to the Indian tribe.

##### (b) Assistance

###### (1) In general

Financial assistance for rural development provided under this subchapter for a State or a federally recognized Indian tribe shall be used only for orderly community development that is consistent with the strategic plan of the State or Indian tribe.

###### (2) Rural area

Assistance under this subchapter may only be provided in a rural area.

###### (3) Small communities

In carrying out this subchapter in a State, the Secretary shall give priority to communities with the smallest populations and lowest per capita income.

##### (c) Review

The Secretary shall review the strategic plan of each State and federally recognized Indian tribe not later than 60 days after receiving the plan, and at least once every 5 years thereafter.