

**(c) Wholly owned Government corporation**

the telephone bank shall be subject to the provisions of chapter 91 of title 31, in the same manner and to the same extent as if it were included in the definition of “wholly owned Government corporation” as set forth in section 9101 of title 31;

**(d) Appointment and compensation of personnel**

the telephone bank may without regard to the civil service<sup>1</sup> classification laws appoint and fix the compensation of such officers and employees of the telephone bank as it may deem necessary;

**(e) Tort claims and litigation**

the telephone bank shall be subject to the provisions of sections 517, 519, and 2679 of title 28.

(May 20, 1936, ch. 432, title IV, § 403, as added Pub. L. 92-12, § 2, May 7, 1971, 85 Stat. 31; amended Pub. L. 103-354, title II, § 235(a)(9), Oct. 13, 1994, 108 Stat. 3221.)

## CODIFICATION

In subsec. (c), “chapter 91 of title 31” and “section 9101 of title 31” substituted for “the Government Corporation Control Act, as amended (31 U.S.C. 841 et seq.)” and “section 101 of said Act (31 U.S.C. 846)”, respectively, on authority of Pub. L. 97-258, § 4(b), Sept. 13, 1982, 96 Stat. 1067, the first section of which enacted Title 31, Money and Finance.

## AMENDMENTS

1994—Subsec. (b). Pub. L. 103-354 substituted “Secretary” for “Rural Electrification Administration or of any other agency of the Department of Agriculture”.

## EFFECTIVE DATE

Section effective May 7, 1971, see section 7 of Pub. L. 92-12, set out as a note under section 921a of this title.

**§ 944. Governor of telephone bank; functions, powers, and duties**

Subject to the provisions of section 950 of this title, the Secretary shall designate an official of the Department of Agriculture who shall serve as the chief executive officer of the telephone bank (herein called the Governor of the telephone bank). Except as to matters specifically reserved to the Telephone Bank Board in this subchapter, the Governor of the telephone bank shall exercise and perform all functions, powers, and duties of the telephone bank.

(May 20, 1936, ch. 432, title IV, § 404, as added Pub. L. 92-12, § 2, May 7, 1971, 85 Stat. 31; amended Pub. L. 103-354, title II, § 235(a)(10), Oct. 13, 1994, 108 Stat. 3221.)

## AMENDMENTS

1994—Pub. L. 103-354 substituted “the Secretary shall designate an official of the Department of Agriculture who” for “the Administrator of the Rural Electrification Administration”.

## EFFECTIVE DATE

Section effective May 7, 1971, see section 7 of Pub. L. 92-12, set out as a note under section 921a of this title.

<sup>1</sup> So in original. The word “and” probably should appear after “civil service”.

**§ 944a. Publication of rural telephone bank policies and regulations**

Notwithstanding the exemption contained in section 553(a)(2) of title 5, the Governor of the telephone bank shall cause to be published in the Federal Register, in accordance with section 553 of title 5, all rules, regulations, bulletins, and other written policy standards governing the operation of the telephone bank’s programs relating to public property, loans, grants, benefits, or contracts. After September 30, 1988, the telephone bank may not deny a loan or advance to, or take any other adverse action against, any applicant or borrower for any reason which is based upon a rule, regulation, bulletin, or other written policy standard which has not been published pursuant to such section.

(Pub. L. 100-203, title I, § 1414, Dec. 22, 1987, 101 Stat. 1330-27.)

## CODIFICATION

Section was enacted as part of the Agricultural Reconciliation Act of 1987 and as part of the Omnibus Budget Reconciliation Act of 1987, and not as part of the Rural Electrification Act of 1936 which comprises this chapter.

**§ 945. Board of directors****(a) In general**

The management of the telephone bank, within the limitations prescribed by law, shall be vested in a board of directors (in this subchapter referred to as the “Telephone Bank Board”).

**(b) Membership**

The Telephone Bank Board shall consist of thirteen individuals, as follows:

**(1) Presidential appointees**

The President shall appoint seven individuals to serve on the Telephone Bank Board who shall serve at the pleasure of the President—

(A) five of whom shall be officers or employees of the Department of Agriculture and not officers or employees of the Secretary; and

(B) two of whom shall be from the general public and not officers or employees of the Federal Government.

**(2) Cooperative members**

The cooperative-type entities, and organizations controlled by such entities, that hold class B or class C stock shall elect three individuals to serve on the Telephone Bank Board for a term of two years, by a plurality vote of the stockholders voting in the election.

**(3) Commercial members**

The commercial-type entities, and the organizations controlled by such entities, that hold class B or class C stock shall elect three individuals to serve on the Telephone Bank Board for a term of two years, by a plurality vote of the stockholders voting in the election.

**(c) Elections****(1) Validity**

An election under paragraph (2) or (3) of subsection (b) shall not be considered valid unless