

(Pub. L. 87-128, title III, §353A, as added Pub. L. 101-624, title XXIII, §2384(a), Nov. 28, 1990, 104 Stat. 4050.)

#### REGULATIONS

Pub. L. 101-624, title XXIII, §2384(b), Nov. 28, 1990, 104 Stat. 4050, provided that: "Not later than 120 days after the date of enactment of this Act [Nov. 28, 1990], the Secretary shall promulgate regulations, modeled after those promulgated under such section 353 [7 U.S.C. 2001], that implement the program established under section 353A of the Consolidated Farm and Rural Development Act [7 U.S.C. 2001a]."

### § 2002. Transfer of inventory lands

#### (a) In general

Subject to subsection (b), the Secretary may transfer to any Federal or State agency, for conservation purposes any real property, or interest therein, administered by the Secretary under this Act—

- (1) with respect to which the rights of all prior owners and operators have expired;
- (2) that is eligible to be disposed of in accordance with section 1985 of this title; and
- (3) that—
  - (A) has marginal value for agricultural production;
  - (B) is environmentally sensitive; or
  - (C) has special management importance.

#### (b) Conditions

The Secretary may not transfer any property or interest in property under subsection (a) unless—

- (1) at least 2 public notices are given of the transfer;
- (2) if requested, at least 1 public meeting is held prior to the transfer; and
- (3) the Governor and at least 1 elected county official of the State and county where the property is located are consulted prior to the transfer.

(Pub. L. 87-128, title III, §354, as added Pub. L. 100-233, title VI, §616, Jan. 6, 1988, 101 Stat. 1682; amended Pub. L. 104-127, title VI, §646, Apr. 4, 1996, 110 Stat. 1103.)

#### REFERENCES IN TEXT

This Act, referred to in subsec. (a), refers to the Agricultural Act of 1961, Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 294, as amended. For classification of this Act to the Code, see Short Title note set out under section 1911 of this title and Tables. However, the reference was probably intended to be "this title" meaning the Consolidated Farm and Rural Development Act, title III of Pub. L. 87-128, as amended, which is classified principally to this chapter. For classification of this title to the Code, see Short Title note set out under section 1921 of this title and Tables.

#### AMENDMENTS

1996—Pub. L. 104-127 designated existing provisions as subsec. (a), inserted heading, substituted "Subject to subsection (b), the Secretary" for "The Secretary, without reimbursement," in introductory provisions, added par. (2) and struck out former par. (2) which read as follows: "that is determined by the Secretary to be suitable or surplus; and", and added subsec. (b).

### § 2003. Target participation rates

#### (a) Establishment

##### (1) In general

The Secretary shall establish annual target participation rates, on a county wide basis,

that shall ensure that members of socially disadvantaged groups will receive loans made or insured under subchapter I and will have the opportunity to purchase or lease inventory farmland.

#### (2) Group population

Except as provided in paragraph (3), in establishing such target rates the Secretary shall take into consideration the portion of the population of the county made up of such groups, and the availability of inventory farmland in such county.

#### (3) Gender

With respect to gender, target participation rates shall take into consideration the number of current and potential socially disadvantaged farmers and ranchers in a State in proportion to the total number of farmers and ranchers in the State.

### (b) Reservation and allocation

#### (1) Reservation

The Secretary shall, to the greatest extent practicable, reserve sufficient loan funds made available under subchapter I, for use by members of socially disadvantaged groups identified under target participation rates established under subsection (a).

#### (2) Allocation

The Secretary shall allocate such loans on the basis of the proportion of members of socially disadvantaged groups in a county and the availability of inventory farmland, with the greatest amount of loan funds being distributed in the county with the greatest proportion of socially disadvantaged group members and the greatest amount of available inventory farmland.

#### (3) Indian reservations

In distributing loan funds in counties within the boundaries of an Indian reservation, the Secretary shall allocate the funds on a reservation-wide basis.

### (c) Operating loans

#### (1) Establishment

The Secretary shall establish annual target participation rates, that shall ensure that socially disadvantaged farmers or ranchers will receive loans made or insured under subchapter II. In establishing such target rates, the Secretary shall consider the number of socially disadvantaged farmers and ranchers in a State in proportion to the total number of farmers and ranchers in that State.

#### (2) Reservation and allocation

The Secretary shall, to the greatest extent practicable, reserve and allocate the proportion of each State's loan funds made available under subchapter II that is equal to that State's target participation rate for use by the socially disadvantaged farmers or ranchers in that State. The Secretary shall, to the extent practicable, distribute the total so derived on a county by county basis according to the number of socially disadvantaged farmers or ranchers in the county. Any funds reserved and allocated under this paragraph but not