

*and applicability of existing law, this subchapter is transferred to chapter 389 of this title, as added by section 1873(a) of Pub. L. 116-283, inserted after subchapter I, and redesignated as subchapter II, and this section is redesignated as section 4981 of this title. See Effective Date of 2021 Amendment note below.*

#### PRIOR PROVISIONS

A prior section 2541 was renumbered section 2551 of this title.

Another prior section 2541 was renumbered section 2539b of this title.

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

### § 2541a. Fees charged and collected

(a) FEE REQUIRED.—The Secretary of Defense shall assess a fee for providing a loan guarantee under this subchapter.

(b) AMOUNT OF FEE.—The amount of the fee shall be not less than 75 percent of the amount incurred by the Secretary to provide the loan guarantee.

(c) SPECIAL ACCOUNT.—(1) Such fees shall be credited to a special account in the Treasury.

(2) Amounts in the special account shall be available, to the extent and in amounts provided in appropriations Acts, for paying the costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

(3)(A) If for any fiscal year amounts in the special account established under paragraph (1) are not available (or are not anticipated to be available) in a sufficient amount for administrative expenses of the Department of Defense for that fiscal year that are directly attributable to the administration of the program under this subchapter, the Secretary may use amounts currently available for operations and maintenance for Defense-wide activities, not to exceed \$500,000 in any fiscal year, for those expenses.

(B) The Secretary shall, from funds in the special account established under paragraph (1), replenish operations and maintenance accounts for amounts expended under subparagraph (A).

(Added Pub. L. 106-398, §1 [[div. A], title X, §1033(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-259.)

#### TRANSFER OF SUBCHAPTER AND SECTION

*Pub. L. 116-283, div. A, title XVIII, §§1801(d), 1873(b), (c), Jan. 1, 2021, 134 Stat. 4151, 4290, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this subchapter is transferred to chapter 389 of this title, as added by section 1873(a) of Pub. L. 116-283, inserted after subchapter I, and redesignated as subchapter II, and this section is redesignated as section 4982 of this title. See Effective Date of 2021 Amendment note below.*

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation

and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

### § 2541b. Administration

(a) AGREEMENTS REQUIRED.—The Secretary of Defense may enter into one or more agreements, each with an appropriate Federal or private entity, under which such entity may, under this subchapter—

- (1) process applications for loan guarantees;
- (2) administer repayment of loans; and
- (3) provide any other services to the Secretary to administer this subchapter.

(b) TREATMENT OF COSTS.—The costs of such agreements shall be considered, for purposes of the special account established under section 2541a(c), to be costs of administrative expenses of the Department of Defense that are attributable to the loan guarantee program under this subchapter.

(Added Pub. L. 106-398, §1 [[div. A], title X, §1033(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-259.)

#### TRANSFER OF SUBCHAPTER AND SECTION

*Pub. L. 116-283, div. A, title XVIII, §§1801(d), 1873(b), (c), Jan. 1, 2021, 134 Stat. 4151, 4290, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this subchapter is transferred to chapter 389 of this title, as added by section 1873(a) of Pub. L. 116-283, inserted after subchapter I, and redesignated as subchapter II, and this section is redesignated as section 4983 of this title. See Effective Date of 2021 Amendment note below.*

#### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 116-283 effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, see section 1801(d) of Pub. L. 116-283, set out as a note preceding section 3001 of this title.

### § 2541c. Transferability, additional limitations, and definition

The following provisions of subchapter VI of this chapter apply to guarantees issued under this subchapter:

- (1) Section 2540a, relating to transferability of guarantees.
- (2) Subsections (b) and (c) of section 2540b, providing limitations.
- (3) Section 2540d(2), providing a definition of the term “cost”.

(Added Pub. L. 106-398, §1 [[div. A], title X, §1033(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-260; amended Pub. L. 107-107, div. A, title X, §1048(a)(24), Dec. 28, 2001, 115 Stat. 1224.)

#### RENUMBERING OF SECTION

*Pub. L. 116-283, div. A, title XVIII, §§1801(d), 1873(b), (c), Jan. 1, 2021, 134 Stat. 4151, 4290, provided that, effective Jan. 1, 2022, with additional provisions for delayed implementation and applicability of existing law, this subchapter is transferred to chapter 389 of this title, as added by section 1873(a) of Pub. L. 116-283, inserted after subchapter I, and reded-*