

(1) received a direct farm ownership, operating, or emergency loan under this chapter; and

(2) the Secretary determines is not in compliance with the requirements of this chapter with respect to the loan.

**(b) Limitation**

The Secretary may only provide relief to a farmer or rancher under subsection (a) if the Secretary determines that the farmer or rancher—

(1) acted in good faith; and

(2) relied on an action of, or the advice of, the Secretary (including any authorized representative of the Secretary) to the detriment of the farming or ranching operation of the farmer or rancher.

**(c) Forms of relief**

The Secretary may provide to a farmer or rancher under subsection (a) any of the following forms of relief:

(1) The farmer or rancher may retain loans or other benefits received in association with the loan with respect to which the farmer or rancher was determined to be noncompliant under subsection (a)(2).

(2) The farmer or rancher may receive such other equitable relief as the Secretary determines to be appropriate.

**(d) Condition**

As a condition of receiving relief under this section, the Secretary may require the farmer or rancher to take actions designed to remedy the noncompliance.

**(e) Administrative appeal; judicial review**

A determination or action of the Secretary under this section—

(1) shall be final; and

(2) shall not be subject to administrative appeal or judicial review under chapter 7 of title 5.

(Pub. L. 87-128, title III, §366, as added Pub. L. 115-334, title V, §5305, Dec. 20, 2018, 132 Stat. 4672.)

**Editorial Notes**

REFERENCES IN TEXT

This chapter, referred to in subsec. (a), was in the original “this title”, meaning title III of Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 307, known as the Consolidated Farm and Rural Development Act, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 1921 of this title and Tables.

PRIOR PROVISIONS

A prior section 2008a, Pub. L. 87-128, title III, §366, as added Pub. L. 101-624, title XXIII, §2316(a), Nov. 28, 1990, 104 Stat. 4004; amended Pub. L. 102-237, title VII, §701(f), Dec. 13, 1991, 105 Stat. 1879, related to State rural economic development review panel, prior to repeal by Pub. L. 104-127, title VII, §754, Apr. 4, 1996, 110 Stat. 1131.

**§ 2008b. Socially disadvantaged farmers and ranchers; qualified beginning farmers and ranchers**

In the case of a loan guaranteed by the Secretary under subchapter I or II to a socially dis-

advantaged farmer or rancher (as defined in section 2003(e) of this title) or a qualified beginning farmer or rancher, the Secretary may provide for a standard guarantee plan, which shall cover an amount equal to 95 percent of the outstanding principal of the loan.

(Pub. L. 87-128, title III, §367, as added Pub. L. 115-334, title V, §5306, Dec. 20, 2018, 132 Stat. 4673.)

**Editorial Notes**

PRIOR PROVISIONS

A prior section 2008b, Pub. L. 87-128, title III, §367, as added Pub. L. 101-624, title XXIII, §2317, Nov. 28, 1990, 104 Stat. 4008; amended Pub. L. 102-237, title VII, §701(g), Dec. 13, 1991, 105 Stat. 1879, related to limited transfer authority of loan amounts, prior to repeal by Pub. L. 104-127, title VII, §755, Apr. 4, 1996, 110 Stat. 1131.

**§ 2008c. Rural Business-Cooperative Service programs technical assistance and training**

**(a) In general**

The Secretary may make grants to public bodies, private nonprofit corporations, economic development authorities, institutions of higher education, federally recognized Indian Tribes, and rural cooperatives for the purpose of providing or obtaining technical assistance and training to support funding applications for programs carried out by the Secretary, acting through the Administrator of the Rural Business-Cooperative Service.

**(b) Purposes**

A grant under subsection (a) may be used—

(1) to assist communities in identifying and planning for business and economic development needs;

(2) to identify public and private resources to finance business and small and emerging business needs;

(3) to prepare reports and surveys necessary to request financial assistance for businesses in rural communities; and

(4) to prepare applications for financial assistance.

**(c) Selection priority**

In selecting recipients of grants under this section, the Secretary shall give priority to grants serving persistent poverty counties and high poverty communities, as determined by the Secretary.

**(d) Funding**

**(1) In general**

There is authorized to be appropriated to carry out this section \$5,000,000 for each of fiscal years 2019 through 2023, to remain available until expended.

**(2) Availability**

Any amounts authorized to be appropriated under paragraph (1) for any fiscal year that are not appropriated for that fiscal year may be appropriated for the immediately succeeding fiscal year.

(Pub. L. 87-128, title III, §368, as added Pub. L. 115-334, title VI, §6419, Dec. 20, 2018, 132 Stat. 4764.)

**Editorial Notes**

## PRIOR PROVISIONS

A prior section 2008c, Pub. L. 87-128, title III, §368, as added Pub. L. 101-624, title XXIII, §2317, Nov. 28, 1990, 104 Stat. 4009, related to allocation and transfer of loan guarantee authority, prior to repeal by Pub. L. 104-127, title VII, §756, Apr. 4, 1996, 110 Stat. 1131.

**§ 2008d. Recordkeeping of loans by borrower's gender**

The Secretary shall classify, by gender, records of applicants for loans and loan guarantees under this chapter.

(Pub. L. 87-128, title III, §369, as added Pub. L. 102-554, §21(c), Oct. 28, 1992, 106 Stat. 4161.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title III of Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 307, known as the Consolidated Farm and Rural Development Act, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 1921 of this title and Tables.

**§ 2008e. Prohibition under rural development programs****(a) Prohibition**

Assistance under any rural development program administered by the Rural Development Administration, the Farmers Home Administration, the Rural Electrification Administration, or any other agency of the Department of Agriculture shall not be conditioned on any requirement that the recipient of such assistance accept or receive electric service from any particular utility, supplier, or cooperative.

**(b) Ensuring compliance**

The Secretary shall establish, by regulation, adequate safeguards to ensure that assistance under such rural development programs is not subject to such a condition. Such safeguards shall include periodic certifications and audits, and appropriate measures and sanctions against any person violating, or attempting to violate, the prohibition in subsection (a).

**(c) Regulations**

Not later than 6 months after November 1, 1993, the Secretary shall issue interim final regulations to ensure compliance with subsection (a).

(Pub. L. 87-128, title III, §370, as added Pub. L. 103-129, §5, Nov. 1, 1993, 107 Stat. 1366.)

**§ 2008f. Crop insurance requirement****(a) In general**

As a condition of obtaining any benefit (including a direct loan, loan guarantee, or payment) described in subsection (b), a borrower must obtain at least catastrophic risk protection insurance coverage under section 1508 of this title for the crop and crop year for which the benefit is sought, if the coverage is offered by the Corporation.

**(b) Applicable benefits**

Subsection (a) shall apply to—

- (1) a farm ownership loan (FO) under section 1923 of this title;
- (2) an operating loan (OL) under section 1942 of this title; and
- (3) an emergency loan (EM) under section 1961 of this title.

(Pub. L. 87-128, title III, §371, as added Pub. L. 103-354, title I, §119(b), Oct. 13, 1994, 108 Stat. 3208.)

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective Oct. 13, 1994, and applicable to provision of crop insurance under Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) beginning with 1995 crop year, with such Act, as in effect on the day before Oct. 13, 1994, to continue to apply with respect to 1994 crop year, see section 120 of Pub. L. 103-354, set out as an Effective Date of 1994 Amendment note under section 1502 of this title.

**§ 2008g. Payment of interest as condition of loan servicing for borrowers**

The Secretary may not reschedule or reamortize a loan for a borrower under this chapter who has not requested consideration under section 1981d(e) of this title unless the borrower pays a portion, as determined by the Secretary, of the interest due on the loan.

(Pub. L. 87-128, title III, §372, as added Pub. L. 104-127, title VI, §648(a), Apr. 4, 1996, 110 Stat. 1104.)

**Editorial Notes**

## REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title III of Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 307, known as the Consolidated Farm and Rural Development Act, which is classified principally to this chapter. For complete classification of title III to the Code, see Short Title note set out under section 1921 of this title and Tables.

**Statutory Notes and Related Subsidiaries**

## EFFECTIVE DATE

Section effective 90 days after Apr. 4, 1996, see section 663(b) of Pub. L. 104-127, set out as an Effective Date of 1996 Amendment note under section 1922 of this title.

**§ 2008h. Loan and loan servicing limitations****(a) Delinquent borrowers prohibited from obtaining direct operating loans**

The Secretary may not make a direct operating loan under subchapter II to a borrower who is delinquent on any loan made or guaranteed under this chapter.

**(b) Prohibition of loans for borrowers that have received debt forgiveness****(1) Prohibitions**

Except as provided in paragraph (2)—

(A) the Secretary may not make a loan under this chapter to a borrower that has received debt forgiveness on a loan made or guaranteed under this chapter; and

(B) the Secretary may not guarantee a loan under this chapter to a borrower that has received—