

§ 2009g. Guarantee and commitment to guarantee loans

(a) “Eligible public entity” defined

In this section, the term “eligible public entity” means any unit of general local government.

(b) Guarantee and commitment

The Secretary, on such terms and conditions as the Secretary may prescribe, may guarantee and make commitments to guarantee notes or other obligations issued by eligible public entities, or by public agencies designated by the eligible public entities, for the purposes of financing rural development activities authorized and funded under section 2009f of this title.

(c) Limitation

The Secretary may not make a guarantee or commitment to guarantee with respect to a note or other obligation if the total amount of outstanding notes or obligations guaranteed under this section (excluding any amount repaid under the contract entered into under subsection (e)(1)(A)) for issuers in the State would exceed an amount equal to 5 times the sum of the total amount of grants made to the State under section 2009f of this title.

(d) Payment of principal, interest, and costs

Notwithstanding any other provision of this subchapter, a State to which a grant is made under section 2009f of this title may use the grant (including program income derived from the grant) to pay principal and interest due (including such servicing, underwriting, or other costs as may be specified in regulations of the Secretary) on any note or other obligation guaranteed under this section.

(e) Repayment contract; security

(1) In general

To ensure the repayment of notes or other obligations and charges incurred under this section and as a condition for receiving the guarantees, the Secretary shall require the issuer to—

(A) enter into a contract, in a form acceptable to the Secretary, for repayment of notes or other obligations guaranteed under this section;

(B) pledge any grant for which the issuer may become eligible under this subchapter; and

(C) furnish, at the discretion of the Secretary, such other security as may be considered appropriate by the Secretary in making the guarantees.

(2) Security

To assist in ensuring the repayment of notes or other obligations and charges incurred under this section, a State shall pledge any grant for which the State may become eligible under this subchapter as security for notes or other obligations and charges issued under this section by any eligible public entity in the State.

(f) Pledged grants for repayments

Notwithstanding any other provision of this subchapter, the Secretary may apply grants pledged pursuant to paragraphs (1)(B) and (2) of

subsection (e) to any repayments due the United States as a result of the guarantees.

(g) Outstanding obligations

The total amount of outstanding obligations guaranteed on a cumulative basis by the Secretary pursuant to subsection (b) shall not at any time exceed such amount as may be authorized to be appropriated for such purpose for any fiscal year.

(h) Purchase of guaranteed obligations by Federal Financing Bank

Notes or other obligations guaranteed under this section may not be purchased by the Federal Financing Bank.

(i) Full faith and credit

The full faith and credit of the United States is pledged to the payment of all guarantees made under this section. Any such guarantee made by the Secretary shall be conclusive evidence of the eligibility of the obligations for the guarantee with respect to principal and interest. The validity of the guarantee shall be incontestable in the hands of a holder of the guaranteed obligations.

(Pub. L. 87–128, title III, §381H, as added Pub. L. 104–127, title VII, §761, Apr. 4, 1996, 110 Stat. 1145.)

§ 2009h. Local involvement

An application for assistance under this subchapter shall include evidence of significant community support for the project for which the assistance is requested. In the case of assistance for a community facilities or infrastructure project, the evidence shall be in the form of a certification of support for the project from each affected general purpose local government.

(Pub. L. 87–128, title III, §381I, as added Pub. L. 104–127, title VII, §761, Apr. 4, 1996, 110 Stat. 1146.)

§ 2009i. Interstate collaboration

The Secretary shall permit the establishment of voluntary pooling arrangements among States, and regional fund-sharing agreements, to carry out projects receiving assistance under this subchapter.

(Pub. L. 87–128, title III, §381J, as added Pub. L. 104–127, title VII, §761, Apr. 4, 1996, 110 Stat. 1146.)

§ 2009j. Annual report

(a) In general

The Secretary, in collaboration with State, local, public, and private entities, State rural development councils, and community-based organizations, shall prepare an annual report that contains evaluations, assessments, and performance outcomes concerning the rural community advancement programs carried out under this subchapter.

(b) Submission

Not later than March 1 of each year, the Secretary shall—

- (1) submit the report required by subsection (a) to Congress and the chief executives of the

States participating in the program established under this subchapter; and

(2) make the report available to State and local participants.

(Pub. L. 87-128, title III, §381K, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1146.)

§ 2009k. Rural development interagency working group

(a) In general

The Secretary shall provide leadership within the Executive branch for, and assume responsibility for, establishing an interagency working group chaired by the Secretary.

(b) Duties

The working group shall establish policy for, coordinate, make recommendations with respect to, and evaluate the performance of, all Federal rural development efforts.

(Pub. L. 87-128, title III, §381L, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1146.)

§ 2009l. Duties of Rural Economic and Community Development State Offices

In carrying out this subchapter, the Director of a Rural Economic and Community Development State Office shall—

(1) to the maximum extent practicable, ensure that the State strategic plan referred to in section 2009c of this title is implemented;

(2) coordinate community development objectives within the State;

(3) establish links between local, State, and field office program administrators of the Department of Agriculture;

(4) ensure that recipient communities comply with applicable Federal and State laws and requirements; and

(5) integrate State development programs with assistance under this subchapter.

(Pub. L. 87-128, title III, §381M, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1146.)

§ 2009m. Electronic transfer

The Secretary shall transfer funds in accordance with this subchapter through electronic transfer as soon as practicable after April 4, 1996.

(Pub. L. 87-128, title III, §381N, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1147.)

§ 2009n. Repealed. Pub. L. 107-171, title VI, § 6026(b), May 13, 2002, 116 Stat. 372

Section, Pub. L. 87-128, title III, §381O, as added Pub. L. 104-127, title VII, §761, Apr. 4, 1996, 110 Stat. 1147, related to rural venture capital demonstration program.

SUBCHAPTER VI—DELTA REGIONAL
AUTHORITY

§ 2009aa. Definitions

In this subchapter:

(1) Authority

The term “Authority” means the Delta Regional Authority established by section 2009aa-1 of this title.

(2) Region

The term “region” means the Lower Mississippi (as defined in section 4 of the Delta Development Act (42 U.S.C. 3121 note; Public Law 100-460)).

(3) Federal grant program

The term “Federal grant program” means a Federal grant program to provide assistance in—

(A) acquiring or developing land;

(B) constructing or equipping a highway, road, bridge, or facility; or

(C) carrying out other economic development activities.

(4) Alabama as participating State

Notwithstanding any other provision of law, the State of Alabama shall be a full member of the Delta Regional Authority and shall be entitled to all rights and privileges that said membership affords to all other participating States in the Delta Regional Authority.

(Pub. L. 87-128, title III, §382A, as added and amended Pub. L. 106-554, §1(a)(4) [div. B, title I, §153(b), title V, §503], Dec. 21, 2000, 114 Stat. 2763, 2763A-252, 2763A-269; Pub. L. 115-334, title VI, §6701(f)(1), Dec. 20, 2018, 132 Stat. 4778.)

Editorial Notes

REFERENCES IN TEXT

The Delta Development Act, referred to in par. (2), is S. 2836 of the 100th Congress, as introduced on Sept. 27, 1988, and incorporated by reference by, and made a part of, Pub. L. 100-460, title II, Oct. 1, 1988, 102 Stat. 2246, as amended. Section 4 of the Delta Development Act, which was set out in a note under section 3121 of Title 42, The Public Health and Welfare, was omitted from the Code. See Lower Mississippi Delta Development Commission note under section 3121 of Title 42 and Tables.

AMENDMENTS

2018—Par. (4). Pub. L. 115-334 added par. (4).

2000—Par. (4). Pub. L. 106-554, §1(a)(4) [div. B, title I, §153(b)], which directed amendment of “section 382A of ‘The Delta Regional Authority Act of 2000’ as incorporated in this Act” by adding par. (4), could not be executed as directed because this section is not section 382A of such Act, but rather section 382A of the Consolidated Farm and Rural Development Act, as added by section 503 of the Delta Regional Authority Act of 2000. Corrected amendment was made by Pub. L. 115-334, effective as if included in Pub. L. 106-554. See 2018 Amendment note above and 2018 Effective Date of 2018 Amendment note below.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2018 AMENDMENT

Pub. L. 115-334, title VI, §6701(f)(2), Dec. 20, 2018, 132 Stat. 4778, provided that: “The amendment made by this subsection [amending this section] shall take effect as if included in the enactment of section 153(b) of division B of H.R. 5666, as introduced in the 106th Congress, and as enacted by section 1(4) of the Consolidated Appropriations Act, 2001 (Appendix D of Public Law 106-554; 114 Stat. 2763A-252).”

FINDINGS AND PURPOSES

Pub. L. 106-554, §1(a)(4) [div. B, title V, §502], Dec. 21, 2000, 114 Stat. 2763, 2763A-268, provided that: