

- (1) the need for the assistance in the affected rural area;
- (2) the financial need of the applicant;
- (3) the population sparsity of the affected rural area;
- (4) the local involvement in the project serving the affected rural area;
- (5) geographic diversity among the recipients of financial assistance;
- (6) the utilization of the telecommunications facilities of any telecommunications provider serving the affected rural area;
- (7) the portion of total project financing provided by the applicant from the funds of the applicant;
- (8) the portion of project financing provided by the applicant with funds obtained from non-Federal sources;
- (9) the joint utilization of facilities financed by other financial assistance;
- (10) the coordination of the proposed project with regional projects or networks;
- (11) service to the greatest practical number of persons within the general geographic area covered by the financial assistance;
- (12) conformity with the State strategic plan as prepared under section 2009c of this title; and
- (13) other factors determined appropriate by the Secretary.

(e) Maximum amount of assistance to individual recipients

The Secretary may establish the maximum amount of financial assistance to be made available to an individual recipient for each fiscal year under this chapter, by publishing notice of the maximum amount in the Federal Register not more than 45 days after funds are made available for the fiscal year to carry out this chapter.

(f) Use of funds

Financial assistance provided under this chapter shall be used for—

- (1) the development and acquisition of instructional programming;
- (2) the development and acquisition, through lease or purchase, of computer hardware and software, audio and visual equipment, computer network components, telecommunications terminal equipment, telecommunications transmission facilities, data terminal equipment, or interactive video equipment, or other facilities that would further telemedicine services or distance learning services;
- (3) providing technical assistance and instruction for the development or use of the programming, equipment, or facilities referred to in paragraphs (1) and (2); or
- (4) other uses that are consistent with this chapter, as determined by the Secretary.

(g) Salaries and expenses

Notwithstanding subsection (f) of this section, financial assistance provided under this chapter shall not be used for paying salaries or administrative expenses.

(h) Expediting coordinated telephone loans

(1) In general

The Secretary may establish and carry out procedures to ensure that expedited consider-

ation and determination is given to applications for loans and advances of funds submitted by local exchange carriers under this chapter and the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.) to enable the exchange carriers to provide advanced telecommunications services in rural areas in conjunction with any other projects carried out under this chapter.

(2) Deadline imposed on Secretary

Not later than 45 days after the receipt of a completed application for an expedited telephone loan under paragraph (1), the Secretary shall notify the applicant in writing of the decision of the Secretary regarding the application.

(i) Notification of local exchange carrier

(1) Applicants

Each applicant for a grant for a telemedicine or distance learning project established under this chapter shall notify the appropriate local telephone exchange carrier regarding the application filed with the Secretary for the grant.

(2) Secretary

The Secretary shall—

- (A) publish notice of applications received for grants under this chapter for telemedicine or distance learning projects; and
- (B) make the applications available for inspection.

(Pub. L. 101-624, title XXIII, § 2333, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1109.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsecs. (c)(2) and (h)(1), is act May 20, 1936, ch. 432, 49 Stat. 1363, as amended, which is classified generally to chapter 31 (§ 901 et seq.) of this title. For complete classification of this Act to the Code, see section 901 of this title and Tables.

PRIOR PROVISIONS

A prior section 950aaa-2, Pub. L. 101-624, title XXIII, § 2333, Nov. 28, 1990, 104 Stat. 4017; Pub. L. 103-354, title II, § 235(b)(4)(A), (C), Oct. 13, 1994, 108 Stat. 3221, 3222, provided definitions for chapter, prior to the general amendment of this chapter by Pub. L. 104-127.

SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 917 of this title.

§ 950aaa-3. Administration

(a) Nonduplication

The Secretary shall ensure that facilities constructed using financial assistance provided under this chapter do not duplicate adequate established telemedicine services or distance learning services.

(b) Loan maturity

The maturities of cost of money loans shall be determined by the Secretary, based on the useful life of the facility being financed, except

that the loan shall not be for a period of more than 10 years.

(c) Loan security and feasibility

The Secretary shall make a cost of money loan only if the Secretary determines that the security for the loan is reasonably adequate and that the loan will be repaid within the period of the loan.

(d) Encouraging consortia

The Secretary shall encourage the development of consortia to provide telemedicine services or distance learning services through telecommunications in rural areas served by a telecommunications provider.

(e) Coordination with other agencies

The Secretary shall coordinate, to the extent practicable, with other Federal and State agencies with similar grant or loan programs to pool resources for funding meritorious proposals in rural areas.

(f) Informational efforts

The Secretary shall establish and implement procedures to carry out informational efforts to advise potential end users located in rural areas of each State about the program authorized by this chapter.

(Pub. L. 101-624, title XXIII, § 2334, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1111.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

PRIOR PROVISIONS

A prior section 950aaa-3, Pub. L. 101-624, title XXIII, § 2334, Nov. 28, 1990, 104 Stat. 4019; Pub. L. 103-354, title II, § 235(b)(4)(B), (C), Oct. 13, 1994, 108 Stat. 3221, 3222, contained provisions relevant to telecommunications programs, prior to the general amendment of this chapter by Pub. L. 104-127.

§ 950aaa-4. Regulations

Not later than 180 days after April 4, 1996, the Secretary shall issue regulations to carry out this chapter.

(Pub. L. 101-624, title XXIII, § 2335, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1112.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

PRIOR PROVISIONS

A prior section 950aaa-4, Pub. L. 101-624, title XXIII, § 2335, Nov. 28, 1990, 104 Stat. 4021; Pub. L. 102-551, § 1(c), Oct. 28, 1992, 106 Stat. 4100; Pub. L. 103-354, title II, § 235(b)(4)(C), Oct. 13, 1994, 108 Stat. 3222, related to rural community access to advanced telecommunications, prior to the general amendment of this chapter by Pub. L. 104-127.

ANALYSIS BY OFFICE OF TECHNOLOGY ASSESSMENT

Section 2385 of Pub. L. 101-624 provided that Office of Technology Assessment was to include, in study of effects of information age technology on rural America,

analysis of feasibility of ensuring that rural citizens in their homes and schools had ability to acquire, by computer, information in a national library, and specified contents of such analysis, prior to repeal by Pub. L. 104-127, title VII, § 708, Apr. 4, 1996, 110 Stat. 1112.

§ 950aaa-5. Authorization of appropriations

There are authorized to be appropriated to carry out this chapter \$100,000,000 for each of fiscal years 1996 through 2007.

(Pub. L. 101-624, title XXIII, § 2335A, as added Pub. L. 104-127, title VII, § 704, Apr. 4, 1996, 110 Stat. 1112; amended Pub. L. 107-171, title VI, § 6203(a), May 13, 2002, 116 Stat. 421.)

TERMINATION OF SECTION

For termination of section by section 1(b) of Pub. L. 102-551, see Termination of Chapter note set out under section 950aaa of this title.

PRIOR PROVISIONS

A prior section 950aaa-5, Pub. L. 101-624, title XXIII, § 2335A, as added Pub. L. 102-551, § 1(a), Oct. 28, 1992, 106 Stat. 4098; amended Pub. L. 103-354, title II, § 235(b)(4)(C), Oct. 13, 1994, 108 Stat. 3222, related to special health care and distance learning program for qualified service areas, prior to the general amendment of this chapter by Pub. L. 104-127.

AMENDMENTS

2002—Pub. L. 107-171 substituted “2007” for “2002”.

CHAPTER 32—PEANUT STATISTICS

Sec.

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| 951. | Collection and publication; facts required; submission of report. |
| 952. | Repealed. |
| 953. | Reports; by whom made; penalties. |
| 954. | Grades and standards for classification. |
| 955. | Limitation on use of statistical information. |
| 956. | Rules and regulations; cooperation with departments, etc.; officers and employees; expenses of administration; authorization of appropriations. |
| 957. | Definitions. |
| 958. | Repealed. |

§ 951. Collection and publication; facts required; submission of report

The Secretary of Agriculture is authorized and directed to collect and publish statistics of raw peanuts, shelled, unshelled, and crushed, and peanut oil, in the United States, received, processed, shipped, and owned by or in the possession of warehousemen, brokers, cleaners, shellers, dealers, growers' cooperative associations, crushers, salters, manufacturers of peanut products, and owners other than the original producers of peanuts: *Provided*, That the Secretary may, in his discretion, omit for any period of time to collect such statistics from any or all salters of peanuts or manufacturers of peanut products who used, during the calendar year preceding that for which statistics are being collected, less than thirty thousand pounds of shelled and unshelled peanuts. Such statistics shall show the quality of peanuts in such details as to kinds—Virginias, Runners, Spanish, and imported varieties—as the Secretary shall deem necessary for the purposes of this chapter. All reports shall be submitted monthly in each year, except as otherwise prescribed by the Secretary.