

ter 34 (§2701 et seq.) of Title 42, The Public Health and Welfare, prior to repeal, except for titles VIII and X, by Pub. L. 97-35, title VI, §683(a), Aug. 13, 1981, 95 Stat. 519. Titles VIII and X of the Act are classified generally to subchapters VIII (§2991 et seq.) and X (§2996 et seq.) of chapter 34 of Title 42. For complete classification of this Act to the Code, see Tables.

Section 1254 of the Food Security Act of 1985, referred to in subsec. (a)(10), is section 1254 of Pub. L. 99-198, title XII, Dec. 23, 1985, 99 Stat. 1517, which amended Pub. L. 98-258, §608, set out as a note under section 1981 of this title.

AMENDMENTS

2002—Subsec. (a)(11)(F). Pub. L. 107-171, §5310(a), substituted “30 percent” for “25 percent”.

Subsec. (a)(12)(B). Pub. L. 107-171, §5310(b), amended heading and text of subpar. (B) generally. Prior to amendment, text read as follows: “The term ‘debt forgiveness’ does not include consolidation, rescheduling, reamortization, or deferral.”

Subsec. (a)(13). Pub. L. 107-171, §6020(a), added par. (13).

1997—Subsec. (a)(11)(F). Pub. L. 105-113 struck out “taken under section 142 of title 13” after “census of agriculture”.

1996—Subsec. (a)(10). Pub. L. 104-127, §661(h)(1), struck out “recreation loan (RL) under section 1924 of this title,” before “emergency loan (EM)”.

Subsec. (a)(11). Pub. L. 104-127, §640(1)(A), in introductory provisions, substituted “applicant, regardless of whether the applicant is participating in a program under section 1935 of this title” for “applicant”.

Subsec. (a)(11)(F). Pub. L. 104-127, §640(1)(B), substituted “25 percent” for “15 percent” and inserted before semicolon at end “, except that this subparagraph shall not apply to a loan made or guaranteed under subchapter II of this chapter”.

Subsec. (a)(12). Pub. L. 104-127, §640(2), added par. (12). Subsec. (b). Pub. L. 104-127, §§661(h)(2)(A), 749(b)(2), in introductory provisions, substituted “1988(b), 2000(b) and (c)” for “1988(f), 1999(h), 2000(b) and (c)”.

Subsec. (b)(4). Pub. L. 104-127, §661(h)(2)(B), added par. (4) and struck out former par. (4) which read as follows: “The term ‘preservation loan service program’ means—

“(A) homestead retention as authorized under section 2000 of this title; and

“(B) a leaseback or buyback of farmland authorized under section 1985 of this title.”

1992—Subsec. (a). Pub. L. 102-554 substituted “this chapter:” and par. (1) for “this chapter (1) the term ‘farmers’ shall be deemed to include persons who are engaged in, or who, with assistance afforded under this chapter, intend to engage in, fish farming,” in pars. (2) to (8), realigned margins and substituted “The” for “the” first place appearing in each par. and a period for a comma at end of each par., in par. (9), realigned margin and substituted “The” for “the” first place appearing and a period for “, and” at end, in par. (10), realigned margin and substituted “The” for “the” first place appearing, and added par. (11).

1991—Subsec. (a)(1), (3). Pub. L. 102-237, §702(h)(1)(A), (B), made technical amendment to directory language of Pub. L. 101-624, §2388(h)(1), (2). See 1990 Amendment note below.

Subsec. (a)(5). Pub. L. 102-237, §702(h)(1)(C), repealed Pub. L. 101-624, §2388(h)(3). See 1990 Amendment note below.

1990—Subsec. (a)(1), (3). Pub. L. 101-624, §2388(h)(1), (2), as amended by Pub. L. 102-237, §702(h)(1)(A), (B), struck out “and” after “fish farming,” in par. (1), and “and” after “such loan,” in par. (3).

Subsec. (a)(5). Pub. L. 101-624, §2388(h)(3), which directed substitution of “‘contract of insurance’” for “contract of insurance”, was repealed by Pub. L. 102-237, §702(h)(1)(C). See Construction of 1990 Amendment note below.

Subsec. (a)(8) to (10). Pub. L. 101-624, §1814, added pars. (8) to (10).

1988—Pub. L. 100-233 designated existing provisions as subsec. (a) and added subsec. (b).

1985—Pub. L. 99-198 added cl. (7).

1980—Pub. L. 96-438 added cl. (3). For termination of former cl. (3) as added by Pub. L. 89-586, see Effective and Termination Date of 1966 Amendment note below.

1978—Pub. L. 95-334 added cl. (6).

1972—Pub. L. 92-419 added cls. (4) and (5).

1966—Pub. L. 89-586 struck out “and” before “(2)” and inserted cl. (3) defining “owner-operator”. See Effective and Termination Date of 1966 Amendment note below.

EFFECTIVE DATE OF 1997 AMENDMENT

Section 3(d) of Pub. L. 104-113 provided that: “This section [amending this section and repealing section 142 of Title 13, Census] and the amendments made by this section shall take effect October 1, 1998.”

EFFECTIVE DATE OF 1996 AMENDMENT

Amendment by section 640(1) of Pub. L. 104-127 effective 90 days after Apr. 4, 1996, and amendment by sections 640(2) and 661(h) of Pub. L. 104-127 effective Apr. 4, 1996, see section 663(a), (b) of Pub. L. 104-127, set out as a note under section 1922 of this title.

EFFECTIVE DATE OF 1991 AMENDMENT

Amendment by Pub. L. 102-237 effective as if included in the provision of the Food, Agriculture, Conservation, and Trade Act of 1990, Pub. L. 101-624, to which the amendment relates, see section 1101(b)(7) of Pub. L. 102-237, set out as a note under section 1421 of this title.

EFFECTIVE AND TERMINATION DATE OF 1966 AMENDMENT

Pub. L. 89-586, as amended by Pub. L. 90-426, July 26, 1968, 82 Stat. 445, provided in part that the amendment made by Pub. L. 89-586 is effective only for the period of time commencing with Sept. 19, 1966, and ending on June 30, 1970.

CONSTRUCTION OF 1990 AMENDMENT

Section 702(h)(2) of Pub. L. 102-237, as amended by Pub. L. 102-552, title V, §516(k), Oct. 28, 1992, 106 Stat. 4139, provided that: “The Consolidated Farm and Rural Development Act [see Short Title note set out under section 1921 of this title] shall be applied and administered as if the amendment made by section 2388(h)(3) of the Food, Agriculture, Conservation, and Trade Act of 1990 [Pub. L. 101-624, amending this section] had never been enacted.”

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.

§ 1992. Loan limitations

No loan (other than one to a public body or nonprofit association (including Indian tribes on Federal and State reservations or other federally recognized Indian tribal groups) for community facilities or one of a type authorized by section 1926(a)(1) of this title prior to its amendment by the Rural Development Act of 1972) shall be made by the Secretary either for sale as an insured loan or otherwise under sections 1926(a)(1), 1932, or 1942(c) of this title unless the Secretary shall have determined that no other lender is willing to make such loan and assume 10 per centum of any loss sustained thereon. No contract guaranteeing any such loan by such other lender shall require the Secretary to guarantee more than 90 per centum of the principal and interest on such loan.

(Pub. L. 87-128, title III, §344, as added Pub. L. 92-419, title I, §129, Aug. 30, 1972, 86 Stat. 666;

amended Pub. L. 94-35, §2, June 16, 1975, 89 Stat. 214; Pub. L. 104-127, title VI, §661(i), Apr. 4, 1996, 110 Stat. 1107.)

REFERENCES IN TEXT

For statutory changes to section 1926(a)(1) of this title by the Rural Development Act of 1972, referred to in text, see 1972 Amendment note for section 104 of Pub. L. 92-419, set out under section 1926 of this title. For complete classification of Rural Development Act of 1972 to the Code, see Short Title of 1972 Amendment note set out under section 1921 of this title and Tables.

AMENDMENTS

1996—Pub. L. 104-127 substituted “1926(a)(1), 1932, or 1942(c) of this title” for “1924(b), 1926(a)(1), 1932, 1942(b), or 1942(c) of this title”.

1975—Pub. L. 94-35 substituted “guaranteed more than 90 per centum of the principal and interest on such loan” for “participate in more than 90 per centum of any loss sustained thereon”.

§ 1993. Repealed. Pub. L. 104-127, title VII, § 750, Apr. 4, 1996, 110 Stat. 1129

Section, Pub. L. 87-128, title III, §345, as added Pub. L. 94-68, §9, Aug. 5, 1975, 89 Stat. 382; amended Pub. L. 103-437, §4(a)(7), Nov. 2, 1994, 108 Stat. 4582, related to testimony by Secretary of Agriculture before congressional committees.

§ 1994. Maximum amounts for loans authorized; long-term cost projections

(a) Maximum aggregate principal amounts for loans authorized

Effective October 1, 1979, the aggregate principal amount of loans under the programs authorized under each subchapter of this chapter during each three-year period thereafter shall not exceed such amounts as may be authorized by law after August 4, 1978. There shall be two amounts so established for each of such programs and for any maximum levels provided in appropriation Acts for the programs authorized under this chapter, one against which direct and insured loans shall be charged and the other against which guaranteed loans shall be charged.¹

(b) Authorization for loans

(1) In general

The Secretary may make or guarantee loans under subchapters I and II of this chapter from the Agricultural Credit Insurance Fund provided for in section 1929 of this title for not more than \$3,796,000,000 for each of fiscal years 2003 through 2007, of which, for each fiscal year—

(A) \$770,000,000 shall be for direct loans, of which—

(i) \$205,000,000 shall be for farm ownership loans under subchapter I of this chapter; and

(ii) \$565,000,000 shall be for operating loans under subchapter II of this chapter; and

(B) \$3,026,000,000 shall be for guaranteed loans, of which—

(i) \$1,000,000,000 shall be for guarantees of farm ownership loans under subchapter I of this chapter; and

(ii) \$2,026,000,000 shall be for guarantees of operating loans under subchapter II of this chapter.

(2) Beginning farmers and ranchers

(A) Direct loans

(i) Farm ownership loans

(I) In general

Of the amounts made available under paragraph (1) for direct farm ownership loans, the Secretary shall reserve 70 per cent for qualified beginning farmers and ranchers.

(II) Down payment loans

Of the amounts reserved for a fiscal year under subclause (I), the Secretary shall reserve 60 percent for the down payment loan program under section 1935 of this title until April 1 of the fiscal year.

(ii) Operating loans

Of the amounts made available under paragraph (1) for direct operating loans, the Secretary shall reserve for qualified beginning farmers and ranchers—

(I) for each of fiscal years 1996 through 1998, 25 percent;

(II) for fiscal year 1999, 30 percent; and

(III) for each of fiscal years 2003 through 2007, 35 percent.

(iii) Funds reserved until September 1

Except as provided in clause (i)(II), funds reserved for qualified beginning farmers or ranchers under this subparagraph for a fiscal year shall be reserved only until September 1 of the fiscal year.

(B) Guaranteed loans

(i) Farm ownership loans

Of the amounts made available under paragraph (1) for guarantees of farm ownership loans, the Secretary shall reserve 25 percent for qualified beginning farmers and ranchers.

(ii) Operating loans

Of the amounts made available under paragraph (1) for guarantees of operating loans, the Secretary shall reserve 40 percent for qualified beginning farmers and ranchers.

(iii) Funds reserved until April 1

Funds reserved for qualified beginning farmers or ranchers under this subparagraph for a fiscal year shall be reserved only until April 1 of the fiscal year.

(C) Reserved funds for all qualified beginning farmers and ranchers

If a qualified beginning farmer or rancher meets the eligibility criteria for receiving a direct or guaranteed loan under section 1922, 1935, or 1941 of this title, the Secretary shall make or guarantee the loan if sufficient funds reserved under this paragraph are available to make or guarantee the loan.

(3) Transfer for down payment loans

(A) In general

Notwithstanding subsection (a) of this section, subject to subparagraph (B)—

¹ So in original.