

under this section may not exceed \$10,000,000, with respect to all borrowers.

(d) GOALS AND STANDARDS.—The Secretary shall prescribe regulations setting forth goals for the use of the loan guarantees provided under this section and standards for evaluating whether those goals are met by each entity receiving such loan guarantees.

(e) AUTHORITY SUBJECT TO PROVISIONS OF APPROPRIATIONS.—The Secretary may guarantee a loan under this subchapter only to such extent or in such amounts as may be provided in advance in appropriations Acts.

(Added Pub. L. 106-398, §1 [[div. A], title X, §1033(a)(1)], Oct. 30, 2000, 114 Stat. 1654, 1654A-258, §2541; renumbered §4981 and amended Pub. L. 116-283, div. A, title XVIII, §§1873(b), (c)(2), (e)(1), 1883(b)(2), Jan. 1, 2021, 134 Stat. 4290, 4294; Pub. L. 117-81, div. A, title XVII, §1701(d)(19), Dec. 27, 2021, 135 Stat. 2138.)

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 116-283, §1873(b), (c)(2), renumbered section 2541 of this title as this section.

Subsec. (a). Pub. L. 117-81, which directed the substitution of “section 4811(a)” for “section 2501(a)”, could not be executed in introductory provisions because of the intervening amendment by Pub. L. 116-283, §1883(b)(2). See note below.

Pub. L. 116-283, §1883(b)(2), substituted “section 4811(a)” for “section 2501(a)” in introductory provisions.

Subsec. (b)(5). Pub. L. 116-283, §1873(e)(1), substituted “section 4985” for “section 2541d”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2021 AMENDMENT

Amendment by Pub. L. 117-81 to take effect immediately after the amendments made by title XVIII of Pub. L. 116-283 have taken effect, see section 1701(a)(3) of Pub. L. 117-81, set out in a note preceding section 3001 of this title and note below.

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.

#### § 4982. 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, §2541a; renumbered §4982, Pub. L. 116-283, div. A, title XVIII, §1873(b), (c)(2), Jan. 1, 2021, 134 Stat. 4290.)

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 116-283 renumbered section 2541a of this title as this section.

#### Statutory Notes and Related Subsidiaries

##### 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.

#### § 4983. 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 4982(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, §2541b; renumbered §4983 and amended Pub. L. 116-283, div. A, title XVIII, §1873(b), (c)(2), (e)(2), Jan. 1, 2021, 134 Stat. 4290.)

#### Editorial Notes

##### AMENDMENTS

2021—Pub. L. 116-283, §1873(b), (c)(2), renumbered section 2541b of this title as this section.

Subsec. (b). Pub. L. 116-283, §1873(e)(2), substituted “section 4982(c)” for “section 2541a(c)”.

#### Statutory Notes and Related Subsidiaries

##### 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.