

Code, see Short Title note set out under section 1441 of Title 42 and Tables.

#### AMENDMENTS

1996—Subsec. (b)(2), (3). Pub. L. 104-127 redesignated par. (3) as (2), substituted “section 2008d of this title” for “sections 2008 through 2008d of this title”, and struck out former par. (2) which read as follows: “Programs and activities authorized under section 1932(i) of this title and related provisions of law.”

### § 6944. Rural Business and Cooperative Development Service

#### (a) Establishment authorized

Notwithstanding any other provision of law, the Secretary is authorized to establish and maintain within the Department the Rural Business and Cooperative Development Service and to assign to the Service such functions as the Secretary considers appropriate.

#### (b) Functions

If the Secretary establishes the Rural Business and Cooperative Development Service under subsection (a), the Secretary is authorized to assign to the Service jurisdiction over the following:

(1) Section 313 and title V of the Rural Electrification Act of 1936 (7 U.S.C. 940c and 950aa et seq.).

(2) Subtitle G<sup>1</sup> of title XVI of the Food, Agriculture, Conservation, and Trade Act of 1990.

(3) Sections 306(a)(1) and 310B of the Consolidated Farm and Rural Development Act (7 U.S.C. 1926(a)(1) and 1932).

(4) Section 1323 of the Food Security Act of 1985 (Public Law 99-198; 7 U.S.C. 1932 note).

(5) The Act of July 2, 1926 (44 Stat. 802, chapter 725; 7 U.S.C. 451 et seq.).

(Pub. L. 103-354, title II, §234, Oct. 13, 1994, 108 Stat. 3220.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in subsec. (b)(1), is act May 20, 1936, ch. 432, 49 Stat. 1363. Title V of the Act is classified generally to subchapter V (§950aa et seq.) of chapter 31 of this title. For complete classification of this Act to the Code, see section 901 of this title and Tables.

The Food, Agriculture, Conservation, and Trade Act of 1990, referred to in subsec. (b)(2), is Pub. L. 101-624, Nov. 28, 1990, 104 Stat. 3359, as amended. Subtitle G of title XVI of the Act, known as the Alternative Agricultural Research and Commercialization Act of 1990, was classified generally to subchapter VI (§5901 et seq.) of chapter 88 of this title prior to repeal by Pub. L. 107-171, title VI, §6201(a), May 13, 2002, 116 Stat. 418. For complete classification of this Act to the Code, see Short Title of 1990 Amendments note set out under section 1421 of this title and Tables.

Act of July 2, 1926, referred to in subsec. (b)(5), is act July 2, 1926, ch. 725, 44 Stat. 802, which is classified generally to chapter 18 (§451 et seq.) of this title. For complete classification of this Act to the Code, see Tables.

### § 6945. Rural Development Disaster Assistance Fund

#### (a) Rural Development Disaster Assistance Fund

On and after September 30, 2008, there is established in the Treasury a fund entitled the “Rural Development Disaster Assistance Fund”.

<sup>1</sup> See References in Text note below.

#### (b) Purpose and availability of Fund

Subject to subsection (d), amounts in the Rural Development Disaster Assistance Fund shall be available to the Secretary of Agriculture, until expended, to provide additional amounts, in the form of loans, grants, loan guarantees, or cooperative agreements, for any authorized activity of agencies of the Rural Development Mission Area in areas affected by a disaster declared by the President, the Secretary of Agriculture, or the Governor of a State or Territory. The cost of such direct and guaranteed loans, including the cost of modifying loans, shall be as defined in section 661a of title 2. Amounts so provided shall be in addition to any other amounts available to carry out the activity, but shall not be limited to the original form of assistance, if any. In carrying out this section, the Secretary may transfer funds into existing or new accounts as determined by the Secretary.

#### (c) Waiver of activity or project limitations

For any activity or project for which amounts in the Rural Development Disaster Assistance Fund will be obligated under subsection (b)—

(1) the Secretary of Agriculture may waive any limits on population, income, age, and duplication with respect to replacement of damaged or destroyed utilities, or cost-sharing otherwise applicable, except that, if the amounts proposed to be obligated in connection with the disaster would exceed the amount specified in subsection (h), the notification required by that subsection shall include information and justification with regard to any waivers to be granted under this subsection;

(2) the Secretary of Agriculture may use alternative sources of income data provided by local, regional, State, or Federal government sources to determine program eligibility; and

(3) with respect to grants authorized by 7 U.S.C. 1926(a)(19),<sup>1</sup> the Secretary of Agriculture shall not require the applicant to demonstrate that it is unable to finance the proposed project from its own resources, or through commercial credit at reasonable rates and terms, or other funding sources without grant assistance.

#### (d) Treatment of certain amounts in Fund

Amounts appropriated directly to the Rural Development Disaster Assistance Fund by this Act or any subsequent Act for a specific purpose shall be available only for that purpose until such time as the transfer authority provided by subsection (f) takes effect with regard to the amounts. Only subsection (c), including the notification requirements of such subsection, and subsections (g) and (i) apply to amounts described in this subsection.

#### (e) Transfer of prior appropriations to Fund

The Secretary of Agriculture may transfer to the Rural Development Disaster Assistance Fund, and merge with other amounts generally appropriated to the Fund, the available unobligated balance of any amounts that were appropriated before September 30, 2008, for programs

<sup>1</sup> See References in Text note below.

and activities of the Rural Development Mission Area to respond to a disaster and were designated by the Congress as an emergency requirement if, in advance of the transfer, the Secretary determines that the unobligated amounts are no longer needed to respond to the disaster for which the amounts were originally appropriated and the Secretary provides a certification of this determination to the Committees on Appropriations of the House of Representatives and the Senate.

**(f) Transfer of other appropriations to Fund**

Unless otherwise specifically provided in an appropriations Act, the Secretary of Agriculture may transfer to or within the Rural Development Disaster Assistance Fund, and merge with other amounts generally appropriated to the Fund, the available unobligated balance of any amounts that are appropriated for fiscal year 2009 or any subsequent fiscal year for programs and activities of the Rural Development Mission Area to respond to a disaster and are designated by the Congress as an emergency requirement if, in advance of the transfer, the Secretary determines that the unobligated amounts are no longer needed to respond to the disaster for which the amounts were originally appropriated and the Secretary provides a certification of this determination to the Committees on Appropriations of the House of Representatives and the Senate. A transfer of unobligated amounts with respect to a disaster may not be made under this subsection until after the end of the two-year period beginning on the date on which the amounts were originally appropriated for that disaster.

**(g) Administrative expenses**

In addition to any other funds available to the Secretary of Agriculture to cover administrative costs, the Secretary may use up to 3 percent of the amounts allocated from the Rural Development Disaster Assistance Fund for a specific disaster to cover administrative costs of Rural Development's State and local offices in the areas affected by the disaster to carry out disaster related activities.

**(h) Limitation on per disaster obligations**

Amounts in the Rural Development Disaster Assistance Fund, except for amounts described in subsection (d) that are appropriated to the Fund and obligated in accordance with that subsection, may not be obligated in excess of \$1,000,000 for a disaster until at least 15 days after the date on which the Secretary of Agriculture notifies the Committees on Appropriations of the House of Representatives and the Senate of the Secretary's determination to obligate additional amounts and the reasons for the determination. The Secretary may not obligate more than 50 percent of the funds contained in the Rural Development Disaster Assistance Fund for any one disaster unless the Secretary declares that there is a specific and extreme need that additional funds must be provided in response to such disaster at time of the obligation.

**(i) Quarterly reports**

The Secretary of Agriculture shall submit, on a quarterly basis, to the Committees on Appropria-

tions of the House of Representatives and the Senate a report describing the status of the Rural Development Disaster Assistance Fund and any transactions that have affected the Fund since the previous report.

(Pub. L. 110-329, div. B, title I, §10101, Sept. 30, 2008, 122 Stat. 3586; Pub. L. 111-80, title VII, §702, Oct. 21, 2009, 123 Stat. 2118; Pub. L. 118-158, div. B, §2101(1), (2), Dec. 21, 2024, 138 Stat. 1730, 1731.)

**Editorial Notes**

REFERENCES IN TEXT

7 U.S.C. 1926(a)(19), referred to in subsec. (c)(3), was so in the original, but probably should have been a reference to section 306(a)(19) of the Consolidated Farm and Rural Development Act, which is classified to section 1926(a)(19) of this title.

This Act, referred to in subsec. (d), is Pub. L. 110-329, Sept. 30, 2008, 122 Stat. 3574, known as the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009. For complete classification of this Act to the Code, see Tables.

CODIFICATION

Section was enacted as part of the Disaster Relief and Recovery Supplemental Appropriations Act, 2008, and also as part of the Consolidated Security, Disaster Assistance, and Continuing Appropriations Act, 2009, and not as part of the Department of Agriculture Reorganization Act of 1994, which in part comprises this chapter.

AMENDMENTS

2024—Subsec. (b). Pub. L. 118-158, §2101(1)(B), (C), inserted “The cost of such direct and guaranteed loans, including the cost of modifying loans, shall be as defined in section 661a of title 2.” before “Amounts so provided” and “, but shall not be limited to the original form of assistance, if any” after “to carry out the activity”.

Pub. L. 118-158, §2101(1)(A), substituted “, in the form of loans, grants, loan guarantees, or cooperative agreements, for any authorized activity” for “for authorized activities” and “President, the” for “President or the” and directed insertion of “, or the Governor of a State or Territory” after “the Secretary of Agriculture”, which was executed by making the insertion after “the Secretary of Agriculture” the second place appearing, to reflect the probable intent of Congress.

Subsec. (c). Pub. L. 118-158, §2101(2), amended subsec. (c) generally. Prior to amendment, text read as follows: “The Secretary of Agriculture may waive any limits on population, income, or cost-sharing otherwise applicable to an activity or project for which amounts in the Rural Development Disaster Assistance Fund will be obligated under subsection (b), except that, if the amounts proposed to be obligated in connection with the disaster would exceed the amount specified in subsection (h), the notification required by that subsection shall include information and justification with regard to any waivers to be granted under this subsection.”

2009—Subsec. (b). Pub. L. 111-80 inserted at end “In carrying out this section, the Secretary may transfer funds into existing or new accounts as determined by the Secretary.”

**§ 6946. Rural Health Liaison**

**(a) Authorization**

The Secretary shall establish in the Department the position of Rural Health Liaison.

**(b) Duties**

The Rural Health Liaison shall—

(1) in consultation with the Secretary of Health and Human Services, coordinate the