

(May 20, 1936, ch. 432, title I, §12, 49 Stat. 1366; Oct. 28, 1949, ch. 776, §§2, 4(f), 63 Stat. 948; Pub. L. 101-624, title XXIII, §2344, Nov. 28, 1990, 104 Stat. 4028; Pub. L. 103-354, title II, §235(a)(13), Oct. 13, 1994, 108 Stat. 3221; Pub. L. 104-127, title VII, §774(b), Apr. 4, 1996, 110 Stat. 1150; Pub. L. 110-234, title VI, §6103, May 22, 2008, 122 Stat. 1195; Pub. L. 110-246, §4(a), title VI, §6103, June 18, 2008, 122 Stat. 1664, 1956; Pub. L. 115-334, title VI, §6504(a), Dec. 20, 2018, 132 Stat. 4773.)

#### Editorial Notes

##### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub. L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

##### AMENDMENTS

2018—Subsec. (b)(3)(D). Pub. L. 115-334 substituted “940c(b)(2) of this title” for “940c(b)(2)(A) of this title”.

2008—Subsec. (c). Pub. L. 110-246, §6103, added subsec. (c).

1996—Subsec. (a). Pub. L. 104-127 substituted “, except that, with respect to any loan” for “: *Provided, however,* That with respect to any loan” and struck out “, and with respect to any loan made under section 905 of this title, the payment of principal or interest shall not be extended more than two years after such payment shall have become due: *And provided further,* That the provisions of this section shall not apply to any obligations or the security therefor which may be held by the Reconstruction Finance Corporation under the provisions of section 903 of this title” after “such payment shall have become due”.

1994—Subsecs. (a), (b)(1), (4). Pub. L. 103-354 substituted “Secretary” for “Administrator” wherever appearing.

1990—Pub. L. 101-624 designated existing provisions as subsec. (a) and added subsec. (b).

1949—Act Oct. 28, 1949, inserted “or section 922” after “904” in first proviso, and inserted “title I,” in credit of act May 20, 1936.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

#### § 912a. Rescheduling and refinancing of loans

In addition to the loan extension authority provided in section 912 of this title, the Secretary of Agriculture is authorized to adjust and readjust the schedules for payment of principal and interest on loans to borrowers under programs administered by the Secretary under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.), and to extend the maturity date of any such loan to a date not beyond forty years from the date of such loan where he determines such action is necessary because of the impairment of the economic feasibility of the system, or the loss, destruction, or damage of the property of such borrowers as a result of a major disaster.

(Pub. L. 91-606, title II, §236(a), Dec. 31, 1970, 84 Stat. 1754; Pub. L. 103-354, title II, §235(b)(1), Oct. 13, 1994, 108 Stat. 3221.)

#### Editorial Notes

##### REFERENCES IN TEXT

The Rural Electrification Act of 1936, referred to in text, is act May 20, 1936, ch. 432, 49 Stat. 1363, which is classified generally to this chapter. For complete classification of this Act to the Code, see section 901 of this title and Tables.

##### CODIFICATION

Section was enacted as part of the Disaster Relief Act of 1970, and not as part of the Rural Electrification Act of 1936 which constitutes this chapter. Section was formerly classified to section 4455(a) of Title 42, The Public Health and Welfare.

##### AMENDMENTS

1994—Pub. L. 103-354 substituted “Secretary under the Rural Electrification Act of 1936 (7 U.S.C. 901 et seq.)” for “Rural Electrification Administration”.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE

Section effective Dec. 31, 1970, see section 304 of Pub. L. 91-606, set out as an Effective Date of 1970 Amendment note under section 165 of Title 26, Internal Revenue Code.

#### § 913. Definitions

In this chapter:

##### (1) Farm

The term “farm” means a farm, as defined by the Bureau of the Census.

##### (2) Indian tribe

The term “Indian tribe” has the meaning given the term in section 5304 of title 25.

##### (3) Rural area

Except as provided otherwise in this chapter, the term “rural area” means the farm and nonfarm population of—

(A) any area described in section 1991(a)(13)(C) of this title; and

(B) any area within a service area of a borrower for which a borrower has an outstanding loan made under subchapters I through V as of the date of enactment of this paragraph.

##### (4) Territory

The term “territory” includes any insular possession of the United States.

##### (5) Secretary

The term “Secretary” means the Secretary of Agriculture.

(May 20, 1936, ch. 432, title I, §13, 49 Stat. 1367; Oct. 28, 1949, ch. 776, §2, 63 Stat. 948; Pub. L. 103-129, §2(c)(3), Nov. 1, 1993, 107 Stat. 1363; Pub. L. 103-354, title II, §235(a)(6), Oct. 13, 1994, 108 Stat. 3221; Pub. L. 110-234, title VI, §6104, May 22, 2008, 122 Stat. 1195; Pub. L. 110-246, §4(a), title VI, §6104, June 18, 2008, 122 Stat. 1664, 1957.)

#### Editorial Notes

##### REFERENCES IN TEXT

The date of enactment of this paragraph, referred to in par. (3)(B), is the date of enactment of Pub. L. 110-246, which was approved June 18, 2008.

##### CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 made identical amendments to this section. The amendments by Pub.

L. 110-234 were repealed by section 4(a) of Pub. L. 110-246.

#### AMENDMENTS

2008—Pub. L. 110-246, §6104, amended section generally. Prior to amendment, text read as follows: “As used in this chapter the term ‘rural area’, except as provided in section 924(b) of this title, shall be deemed to mean any area of the United States not included within the boundaries of any urban area, as defined by the Bureau of the Census, and such term shall be deemed to include both the farm and nonfarm population thereof; the term ‘farm’ shall be deemed to mean a farm as defined in the publications of the Bureau of the Census; the term ‘person’ shall be deemed to mean any natural person, firm, corporation, or association; the term ‘Territory’ shall be deemed to include any insular possession of the United States; and the term ‘Secretary’ shall be deemed to mean the Secretary of Agriculture.”

1994—Pub. L. 103-354 inserted before period at end “; and the term ‘Secretary’ shall be deemed to mean the Secretary of Agriculture”.

1993—Pub. L. 103-129 inserted “, except as provided in section 924(b) of this title,” before “shall be deemed to mean” and substituted “urban area, as defined by the Bureau of the Census” for “city, village, or borough having a population in excess of fifteen hundred inhabitants.”

1949—Act Oct. 28, 1949, inserted “title I,” in credit of act May 20, 1936.

#### Statutory Notes and Related Subsidiaries

##### EFFECTIVE DATE OF 2008 AMENDMENT

Amendment of this section and repeal of Pub. L. 110-234 by Pub. L. 110-246 effective May 22, 2008, the date of enactment of Pub. L. 110-234, see section 4 of Pub. L. 110-246, set out as an Effective Date note under section 8701 of this title.

#### § 914. Separability

If any provision of this chapter, or the application thereof to any person or circumstances, is held invalid, the remainder of the chapter and the application of such provision to other persons or circumstances shall not be affected thereby.

(May 20, 1936, ch. 432, title I, §14, 49 Stat. 1367; Oct. 28, 1949, ch. 776, §2, 63 Stat. 948.)

#### Editorial Notes

##### AMENDMENTS

1949—Act Oct. 28, 1949, inserted “title I,” in credit of act May 20, 1936.

#### § 915. Purchase of financial and credit reports

The Secretary of Agriculture is authorized to purchase such financial and credit reports as may be necessary to carry out the Secretary’s authorized work: *Provided*, That purchases under this authority shall not be made unless provision is made therefor in the applicable appropriation and the cost thereof is not in excess of limitations prescribed therein.

(Sept. 21, 1944, ch. 412, title V, §505, 58 Stat. 740; Pub. L. 103-354, title II, §235(b)(2), Oct. 13, 1994, 108 Stat. 3221.)

#### Editorial Notes

##### CODIFICATION

Section was enacted as part of the Department of Agriculture Organic Act of 1944, and not as part of the

Rural Electrification Act of 1936 which constitutes this chapter.

#### AMENDMENTS

1994—Pub. L. 103-354 substituted “Secretary of Agriculture” for “Rural Electrification Administration” and “the Secretary’s” for “its”.

#### § 916. Criteria for loans

In order to insure coordination of electric generation and transmission financing under this chapter with the national energy policy, the Secretary in making or guaranteeing loans for the construction, operation, or enlargement of generating plants or electric transmission lines or systems, shall consider such general criteria consistent with the provisions of this chapter as may be published by the Secretary of Energy.

(May 20, 1936, ch. 432, title I, §16, as added Pub. L. 95-91, title VII, §709(f), Aug. 4, 1977, 91 Stat. 608; amended Pub. L. 103-354, title II, §235(a)(13), Oct. 13, 1994, 108 Stat. 3221.)

#### Editorial Notes

##### AMENDMENTS

1994—Pub. L. 103-354 substituted “Secretary” for “Administrator” before “in making”.

#### § 917. Prohibition on restricting water and waste facility services to electric customers

##### (a) Prohibition

Assistance under any rural development program administered by the Secretary or any agency of the Department of Agriculture shall not be conditioned on any requirement that the recipient of the assistance accept or receive electric service from any particular utility, supplier, or cooperative.

##### (b) Ensuring compliance

The Secretary shall establish, by regulation, adequate safeguards to ensure that assistance under any rural development program is not subject to such a condition. The safeguards shall include periodic certifications and audits, and appropriate measures and sanctions against any person violating, or attempting to violate subsection (a).

##### (c) “Rural development programs” defined

In this section, the term “rural development program” means the following:

(1) Sections 304(b), 306, 306A, 306C, 306D, 310B, and 375<sup>1</sup> and subtitle E [7 U.S.C. 2009 et seq.] of the Consolidated Farm and Rural Development Act (7 U.S.C. 1924(b), 1926, 1926a, 1926c, 1926d, and 1932).

(2) Subtitle G<sup>1</sup> of title XVI and sections 2281 [42 U.S.C. 5177a], 2333, and 2381 [7 U.S.C. 950aaa-2, 3125b] of the Food, Agriculture, Conservation, and Trade Act of 1990.

(3) Subtitle C of title IX of the Food, Agriculture, Conservation, and Trade Act Amendments of 1991 (Public Law 102-237; 7 U.S.C. 5930 note).

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

(5) Title V [7 U.S.C. 2661 et seq.] and section 603(c) [7 U.S.C. 2204a] of the Rural Development Act of 1972.

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