

is reason to believe that such branch, affiliate, or subsidiary is being established with the intention of closing down the operations of the existing business entity in the area of its original location (or in any other area where it conducts such operation).

2. No private business enterprises shall be allowed to use or occupy the facilities if such use or occupancy would be calculated to, or is likely to, result in an increase in the production of goods, materials, or commodities, or the availability of services or facilities in the area, where there is not sufficient demand for such goods, materials, commodities, services or facilities to employ the sufficient capacity of existing competitive commercial or industrial enterprises, unless such financial or other assistance will not have an adverse affect upon existing competitive enterprises in the area.

3. Prior to allowing the use or occupancy of the facilities by any private business enterprise, the public body shall clear such use or occupancy with the Manpower Administration, Department of Labor, Washington, DC, by submitting information required by the Department of Labor for certification under the Act. This information shall be submitted to Farmers Home Administration or its successor agency under Public Law 103-354 for transmittal to the Department of Labor. The public body agrees to make no final commitment with any private business enterprise regarding such use or occupancy if the Department of Labor issues a negative certification under the Act. The public body shall obtain prior clearance in this matter for a period of three years after the date of an affirmative certification by the Department of Labor on the application for financial assistance now pending before the Farmers Home Administration or its successor agency under Public Law 103-354.

This resolution shall be in force and effect immediately.

The voting was yeas \_\_\_\_, nays \_\_\_\_, absent \_\_\_\_.  
 (Name of public body) \_\_\_\_\_  
 by (Name and Title) \_\_\_\_\_

*Certification*

I the undersigned as (Secretary) (Town Clerk) of the \_\_\_\_\_ do hereby certify that the foregoing resolution was duly adopted at a meeting of \_\_\_\_\_ duly called and held on the \_\_\_\_ day of \_\_\_\_ 19\_\_, and that such resolution has not been rescinded or amended in any way. Dated this \_\_\_\_ day of \_\_\_\_, 19\_\_.

(Seal)

(Town Clerk) (Secretary) of

**Subpart H [Reserved]**

**PART 1943—FARM OWNERSHIP, SOIL AND WATER AND RECREATION**

**Subpart A—Direct Farm Ownership Loan Policies, Procedures, and Authorizations**

Sec.

- 1943.1 Introduction.
- 1943.2 Objectives.
- 1943.3 Management assistance.
- 1943.4 Definitions.
- 1943.5 [Reserved]
- 1943.6 Credit elsewhere.
- 1943.7 For the State of Hawaii—FO loans on leasehold interest on real property.
- 1943.8–1943.9 [Reserved]
- 1943.10 Preference.
- 1943.11 Receiving and processing applications.
- 1943.12 Farm ownership loan eligibility requirements.
- 1943.13 Outreach program for applicants/borrowers who are members of socially disadvantaged groups.
- 1943.14 Downpayment FO loan program for beginning farmers or ranchers.
- 1943.15 [Reserved]
- 1943.16 Loan purposes.
- 1943.17 Loan limitations.
- 1943.18 Rates and terms.
- 1943.19 Security.
- 1943.20–1943.22 [Reserved]
- 1943.23 General provisions.
- 1943.24 Special requirements.
- 1943.25 Options, planning, and appraisals.
- 1943.26 Planning and performing farm development.
- 1943.27 Relationship with other lenders.
- 1943.28 FmHA or its successor agency under Public Law 103-354 loans simultaneous with other lenders.
- 1943.29 Relationship between FSA loans, direct and guaranteed.
- 1943.30–1943.32 [Reserved]
- 1943.33 Loan approval or disapproval.
- 1943.34 Requesting title service.
- 1943.35 Action after loan approval.
- 1943.36–1943.37 [Reserved]
- 1943.38 Loan closing actions.
- 1943.39–1943.41 [Reserved]
- 1943.42 Servicing.
- 1943.43 Subsequent FO loans.
- 1943.44 Subordinations.
- 1943.45–1943.49 [Reserved]
- 1943.50 State supplements.

EXHIBIT A TO SUBPART A—FARMERS HOME ADMINISTRATION OR ITS SUCCESSOR AGENCY UNDER PUBLIC LAW 103-354 LOANS TO ENTRYMEN ON UNPATENTED PUBLIC LANDS  
 EXHIBIT B TO SUBPART A—TARGET PARTICIPATION RATES FOR FARMERS HOME ADMINISTRATION (FMHA) OR ITS SUCCESSOR AGENCY UNDER PUBLIC LAW 103-354 DIRECT FARM OWNERSHIP (FO) LOANS

**RHS, RBS, RUS, FSA, USDA**

**§ 1943.1**

TO MEMBERS OF SOCIALLY DISADVANTAGED GROUPS

**Subpart B—Direct Soil and Water Loan Policies, Procedures, and Authorizations**

- 1943.51 Introduction.
- 1943.52 Objectives.
- 1943.53 Management assistance.
- 1943.54 Definitions.
- 1943.55 [Reserved]
- 1943.56 Credit elsewhere.
- 1943.57 Preference.
- 1943.58–1943.60 [Reserved]
- 1943.61 Receiving and processing applications.
- 1943.62 Soil and water loan eligibility requirements.
- 1943.63–1943.65 [Reserved]
- 1943.66 Loan purposes.
- 1943.67 Loan limitations.
- 1943.68 Rates and terms.
- 1943.69 Security.
- 1943.70–1943.72 [Reserved]
- 1943.73 General provisions.
- 1943.74 Special requirements.
- 1943.75 Options, planning, and appraisals.
- 1943.76 Planning and performing development.
- 1943.77 Relationship with other lenders.
- 1943.78–1943.82 [Reserved]
- 1943.83 Loan approval or disapproval.
- 1943.84 Requesting title service.
- 1943.85 Action after loan approval.
- 1943.86–1943.87 [Reserved]
- 1943.88 Loan closing actions.
- 1943.89–1943.91 [Reserved]
- 1943.92 Servicing.
- 1943.93 Subsequent SW loans.
- 1943.94 Subordinations.
- 1943.95–1943.99 [Reserved]
- 1943.100 State supplements.

EXHIBIT A TO SUBPART B—MEMORANDUM OF UNDERSTANDING BETWEEN THE BUREAU OF RECLAMATION, DEPARTMENT OF THE INTERIOR AND THE FARMERS HOME ADMINISTRATION OR ITS SUCCESSOR AGENCY UNDER PUBLIC LAW 103-354, DEPARTMENT OF AGRICULTURE

**Subpart C—Small Farmer Outreach Training and Technical Assistance Program**

- 1943.101 General.
- 1943.102 Objectives.
- 1943.103 Project period.
- 1943.104 Definitions.
- 1943.105 Eligible entities.
- 1943.106–1943.110 [Reserved]
- 1943.111 Process for consideration.
- 1943.112–1943.114 [Reserved]
- 1943.115 Authorized use of funds.
- 1943.116–1943.125 [Reserved]
- 1943.126 Other applicable Federal statutes and regulations that apply.
- 1943.127 Fund disbursement.

- 1943.128 Financial management systems and reporting requirements.
- 1943.129–1943.135 [Reserved]
- 1943.136 Standards of conduct for employees of recipient.
- 1943.137 Monitoring compliance and penalty for noncompliance.
- 1943.138–1943.140 [Reserved]
- 1943.141 Nondiscrimination.
- 1943.142 Environmental requirements.
- 1943.143–1943.150 [Reserved]

AUTHORITY: 5 U.S.C. 301; and 7 U.S.C. 1989.

SOURCE: 43 FR 55895, Nov. 29, 1978, unless otherwise noted.

**Subpart A—Direct Farm Ownership Loan Policies, Procedures, and Authorizations**

SOURCE: 53 FR 35692, Sept. 15, 1988, unless otherwise noted.

EDITORIAL NOTE: Nomenclature changes to subpart A appear at 68 FR 7697, Feb. 18, 2003.

**§ 1943.1 Introduction.**

This subpart contains regulations for making initial and subsequent direct Farm Ownership (FO) loans. FO loans may be made to eligible farmers and ranchers, and entities that will manage and operate not larger than family farms. It is the policy of Farm Service Agency (FSA) or its successor agency under Public Law 103-354 to make loans to any qualified applicant without regard to race, color, religion, sex, national origin, marital status, age or physical/mental handicap provided the applicant can execute a legal contract. Any processing or servicing activity conducted pursuant to this subpart involving authorized assistance to FmHA or its successor agency under Public Law 103-354 employees, members of their families, known close relatives, or business or close personal associates, is subject to the provisions of subpart D of part 1900 of this chapter. Applicants for this assistance are required to identify any known relationship or association with an FmHA or its successor agency under Public Law 103-354 employee. See exhibit A of this subpart for making FP loans to entrymen on unpatented public lands.

[53 FR 35692, Sept. 15, 1988, as amended at 58 FR 227, Jan. 5, 1993; 58 FR 48282, Sept. 15, 1993; 61 FR 35925, July 9, 1996; 68 FR 7697, Feb. 18, 2003]