

current on payments under a confirmed reorganization plan under chapters 11, 12, or 13 of Title 11 of the United States Code. Section 373(a) also prohibits direct operating loans to any borrower who is delinquent on any loan made or guaranteed under the CONACT. This prohibition partially overlaps with the Debt Collection Improvement Act (DCIA) provision, 31 U.S.C. 3720B, making persons owing a delinquent non-tax debt to the Federal Government ineligible for Federal financial assistance in the form of a loan (other than a disaster loan) or loan insurance or guarantee. The DCIA provision is implemented by regulations at 31 CFR part 285. This rule amends FSA farm operating loan eligibility regulation, 7 CFR 1941.12, to reflect these statutory requirements. Reference to annual production loans to delinquent borrowers in 7 CFR 1941.33 also is removed for consistency.

Miscellaneous

This rule amends an incorrect reference in FSA regulation, 7 CFR 1941.18, to allow equal, unequal, or balloon installment schedules on loans made for other than annual operating purposes. This rule also removes from 7 CFR part 1924, subpart B, the definition of "Financially viable operation", as it is unnecessary. References to required borrower training for guaranteed loan borrowers are also removed as section 805 of the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Act, 1999 (Pub. L. 105-277, October 21, 1998) removed the borrower training requirement for guaranteed farm loans. This rule removes references to an obsolete form (FmHA 440-35) from 7 CFR part 1943, subpart A. This rule corrects a duplicate reference to § 1910.4(i) by revising the second (i) reference to read (j).

List of Subjects

7 CFR Part 762

Agriculture, Loan programs—agriculture.

7 CFR Part 764

Agriculture, Disaster assistance, Loan programs—agriculture.

7 CFR Part 1910

Agriculture, Loan programs—agriculture.

7 CFR Part 1924

Agriculture, Loan programs—agriculture.

7 CFR Part 1941

Crops, Livestock, Loan programs—agriculture, Rural areas, Youth.

7 CFR Part 1943

Crops, Loan programs—agriculture, Recreation, Water resources.

7 CFR Part 1955

Agriculture, Loan programs—agriculture, Property management, Government property.

Accordingly, 7 CFR Chapters VII and XVIII are amended as follows:

PART 762—GUARANTEED FARM LOANS

■ 1. The authority citation for part 762 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

■ 2. Revise § 762.120(d) to read as follows:

§ 762.120 Loan applicant eligibility.

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(d) *Citizenship.* (1) The applicant must be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. For an entity applicant, the majority interest of the entity must be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws.

(2) United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

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PART 764—EMERGENCY FARM LOANS

■ 3. The authority citation for part 764 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

■ 4. Revise § 764.4(a)(2) to read as follows:

§ 764.4 Eligibility requirements.

(a) * * *

(2) *Citizenship.* (i) The applicant must be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable Federal immigration laws. For an entity applicant, the majority interest of the entity must be held by members who are United States citizens, United States non-citizen nationals, or qualified aliens under applicable Federal immigration laws.

(ii) United States non-citizen nationals and qualified aliens must provide the appropriate documentation as to their immigration status as required by the United States Department of Homeland Security, Bureau of Citizenship and Immigration Services.

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PART 1910—GENERAL

■ 5. The authority citation for part 1910 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart A—Receiving and Processing Applications

§ 1910.4 [Amended]

■ 6. Amend § 1910.4 by redesignating the second paragraph (i) as paragraph (j).

PART 1924—CONSTRUCTION AND REPAIR

■ 7. The authority citation for part 1924 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

Subpart B—Management Advice to Individual Borrowers and Applicants

§ 1924.54 [Amended]

■ 8. In § 1924.54 remove the definition of "Financially viable operation".

■ 9. In § 1924.74 revise the second sentence of paragraph (a)(2) to read as follows:

§ 1924.74 Borrower training program.

(a) * * *

(2) * * * Unless waived, this training requirement will be an eligibility requirement for all Agency direct loans.

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PART 1941—OPERATING LOANS

■ 10. The authority citation for part 1941 continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1989.

Subpart A—Operating Loan Policies, Procedures, and Authorizations

■ 11. Revise paragraphs (a)(1), (b)(5)(i), the last sentence of paragraphs (a)(8) and (b)(11), and the first sentence of paragraphs (a)(9) and (b)(12) of § 1941.12, to read as follows:

§ 1941.12 Eligibility requirements.

(a) * * *

(1) Be a citizen of the United States, a United States non-citizen national, or a qualified alien under applicable