

(5) receive such other equitable relief as the Secretary determines to be appropriate.

(d) Remedial action

As a condition of receiving relief under this section, the Secretary may require the participant to take actions designed to remedy any failure to comply with the covered program.

(e) Equitable relief by State Directors and State Conservationists

(1) In general

A State Director, in the case of programs administered by the State Director, and the State Conservationist, in the case of programs administered by the State Conservationist, may grant relief to a participant in accordance with subsections (b) through (d) of this section if—

(A) the amount of loans, payments, and benefits for which relief will be provided to the participant under this subsection is less than \$20,000;

(B) the total amount of loans, payments, and benefits for which relief has been previously provided to the participant under this subsection is not more than \$5,000; and

(C) the total amount of loans, payments, and benefits for which relief is provided to similarly situated participants under this subsection is not more than \$1,000,000, as determined by the Secretary.

(2) Consultation, approval, and reversal

The decision by a State Director or State Conservationist to grant relief under this subsection—

(A) shall not require prior approval by the Administrator of the Farm Service Agency, the Chief of the Natural Resources Conservation Service, or any other officer or employee of the Agency or Service;

(B) shall be made only after consultation with, and the approval of, the Office of General Counsel of the Department of Agriculture; and

(C) is subject to reversal only by the Secretary (who may not delegate the reversal authority).

(3) Nonapplicability

The authority of a State Director or State Conservationist under this subsection does not apply to the administration of—

(A) payment limitations under—

(i) sections 1001 through 1001F of the Food Security Act of 1985 (7 U.S.C. 1308 et seq.); or

(ii) a conservation program administered by the Secretary.

(B) highly erodible land and wetland conservation requirements under subtitle B or C of title XII of the Food Security Act of 1985 (16 U.S.C. 3811 et seq.).

(4) Other authority

The authority provided to a State Director and State Conservationist under this subsection is in addition to any other applicable authority and does not limit other authority provided by law or the Secretary.

(f) Judicial review

A discretionary decision by the Secretary, the State Director, or the State Conservationist

under this section shall be final, and shall not be subject to review under chapter 7 of title 5.

(g) Reports

Not later than February 1 of each year, the Secretary shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that describes for the previous calendar year—

(1) the number of requests for equitable relief under subsections (b) and (e) of this section and the disposition of the requests; and

(2) the number of requests for equitable relief under section 6998(d) of this title and the disposition of the requests.

(h) Relationship to other law

The authority provided in this section is in addition to any other authority provided in this or any other Act.

(Pub. L. 107-171, title I, §1613, May 13, 2002, 116 Stat. 219.)

REFERENCES IN TEXT

The Consolidated Farm and Rural Development Act, referred to in subsec. (a)(2)(B)(i), is title III of Pub. L. 87-128, Aug. 8, 1961, 75 Stat. 307, as amended, which is classified principally to chapter 50 (§1921 et seq.) of this title. For complete classification of the Act to the Code, see Short Title note set out under section 1921 of this title and Tables.

The Federal Crop Insurance Act, referred to in subsec. (a)(2)(B)(ii), is subtitle A of title V of act Feb. 16, 1938, ch. 30, 52 Stat. 72, which is classified generally to subchapter I (§1501 et seq.) of chapter 36 of this title. For complete classification of this Act to the Code, see section 1501 of this title and Tables.

The Food Security Act of 1985, referred to in subsec. (e)(3)(B), is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354, as amended. Subtitles B and C of title XII of the Act are classified generally to subchapters II (§3811 et seq.) and III (§3821 et seq.), respectively, of chapter 58 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

CODIFICATION

Section is comprised of section 1613 of Pub. L. 107-171. Subsec. (i) of section 1613 of Pub. L. 107-171 amended section 7001 of this title. Subsec. (j) of section 1613 amended section 6998 of this title and repealed sections 1339a of this title and section 3830a of Title 16, Conservation.

§ 7997. Tracking of benefits

As soon as practicable after May 13, 2002, the Secretary shall establish procedures to track the benefits provided, directly or indirectly, to individuals and entities under titles I and II and the amendments made by those titles.

(Pub. L. 107-171, title I, §1614, May 13, 2002, 116 Stat. 222.)

REFERENCES IN TEXT

Titles I and II, referred to in text, mean titles I and II of Pub. L. 107-171, May 13, 2002, 116 Stat. 143. For complete classification of titles I and II of Pub. L. 107-171 to the Code, see Tables.

§ 7998. Estimates of net farm income

In each issuance of projections of net farm income, the Secretary shall include (as determined by the Secretary)—