

(b) The amount of any civil penalty imposed by the Secretary under subsection (a) of this section shall be such amount as the Secretary determines to be appropriate to carry out the purposes of this chapter, except that such amount shall not exceed 25 percent of the fair market value, on the date of the assessment of such penalty, of the interest in agricultural land with respect to which such violation occurred.

(Pub. L. 95-460, § 3, Oct. 14, 1978, 92 Stat. 1265.)

§ 3503. Investigative actions

The Secretary may take such actions as the Secretary considers necessary to monitor compliance with the provisions of this chapter and to determine whether the information contained in any report submitted under section 3501 of this title accurately and fully reveals the ownership interest of all foreign persons in any foreign person who is required to submit a report under such section.

(Pub. L. 95-460, § 4, Oct. 14, 1978, 92 Stat. 1265.)

§ 3504. Repealed. Pub. L. 105-362, title I, § 101(f), Nov. 10, 1998, 112 Stat. 3281

Section, Pub. L. 95-460, § 5, Oct. 14, 1978, 92 Stat. 1265; Pub. L. 104-66, title I, § 1012(g), Dec. 21, 1995, 109 Stat. 712, provided for reports to Congress and the President.

§ 3505. Reports to the States

Not later than 30 days after the end of each 6-month period beginning after the effective date of section 3501 of this title, the Secretary shall transmit to each State department of agriculture, or such other appropriate State agency as the Secretary considers advisable, a copy of each report which was submitted to the Secretary under section 3501 of this title during such 6-month period and which involved agricultural land located in such State.

(Pub. L. 95-460, § 6, Oct. 14, 1978, 92 Stat. 1266.)

REFERENCES IN TEXT

For the effective date of section 3501 of this title, referred to in text, see section 10(b) of Pub. L. 95-460, set out as an Effective Date note under section 3501 of this title.

§ 3506. Public inspection

Any report submitted to the Secretary under section 3501 of this title shall be available for public inspection at the Department of Agriculture located in the District of Columbia not later than 10 days after the date on which such report is received by the Secretary.

(Pub. L. 95-460, § 7, Oct. 14, 1978, 92 Stat. 1266.)

§ 3507. Regulations

Not later than 90 days after October 14, 1978, the Secretary shall prescribe regulations for purposes of carrying out the provisions of this chapter.

(Pub. L. 95-460, § 8, Oct. 14, 1978, 92 Stat. 1266.)

§ 3508. Definitions

For purposes of this chapter—

(1) the term “agricultural land” means any land located in one or more States and used

for agricultural, forestry, or timber production purposes as determined by the Secretary under regulations to be prescribed by the Secretary;

(2) the term “foreign government” means any government other than the Federal Government or any government of a State or a political subdivision of a State;

(3) the term “foreign person” means—

(A) any individual—

(i) who is not a citizen or national of the United States;

(ii) who is not a citizen of the Northern Mariana Islands or the Trust Territory of the Pacific Islands; or

(iii) who is not lawfully admitted to the United States for permanent residence, or paroled into the United States, under the Immigration and Nationality Act [8 U.S.C. 1101 et seq.];

(B) any person, other than an individual or a government, which is created or organized under the laws of a foreign government or which has its principal place of business located outside of all the States;

(C) any person, other than an individual or a government—

(i) which is created or organized under the laws of any State; and

(ii) in which, as determined by the Secretary under regulations which the Secretary shall prescribe, a significant interest or substantial control is directly or indirectly held—

(I) by any individual referred to in subparagraph (A);

(II) by any person referred to in subparagraph (B);

(III) by any foreign government; or

(IV) by any combination of such individuals, persons, or governments; and

(D) any foreign government;

(4) the term “person” includes any individual, corporation, company, association, firm, partnership, society, joint stock company, trust, estate, or any other legal entity;

(5) the term “Secretary” means the Secretary of Agriculture; and

(6) the term “State” means any of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Northern Mariana Islands, Guam, the Virgin Islands, American Samoa, the Trust Territory of the Pacific Islands, or any other territory or possession of the United States.

(Pub. L. 95-460, § 9, Oct. 14, 1978, 92 Stat. 1266.)

REFERENCES IN TEXT

The Immigration and Nationality Act, referred to in par. (3)(A)(iii), is act June 27, 1952, ch. 477, 66 Stat. 163, as amended, which is classified principally to chapter 12 (§ 1101 et seq.) of Title 8, Aliens and Nationality. For complete classification of this Act to the Code, see Short Title note set out under section 1101 of Title 8 and Tables.

TERMINATION OF TRUST TERRITORY OF THE PACIFIC ISLANDS

For termination of Trust Territory of the Pacific Islands, see note set out preceding section 1681 of Title 48, Territories and Insular Possessions.