

tion 7996 of this title and other laws. Notwithstanding the administrative finality of a final determination of an appeal by the Division, the Secretary shall have the authority to grant equitable or other types of relief to the appellant after an administratively final determination is issued by the Division.

(e) Effective date

A final determination issued by the Director shall be effective as of the date of filing of an application, the date of the transaction or event in question, or the date of the original adverse decision, whichever is applicable.

(Pub. L. 103-354, title II, §278, Oct. 13, 1994, 108 Stat. 3232; Pub. L. 107-171, title I, §1613(j)(2), May 13, 2002, 116 Stat. 221.)

AMENDMENTS

2002—Subsec. (d). Pub. L. 107-171 substituted “section 7996 of this title” for “section 1339a of this title”.

§ 6999. Judicial review

A final determination of the Division shall be reviewable and enforceable by any United States district court of competent jurisdiction in accordance with chapter 7 of title 5.

(Pub. L. 103-354, title II, §279, Oct. 13, 1994, 108 Stat. 3233.)

§ 7000. Implementation of final determinations of Division

(a) In general

On the return of a case to an agency pursuant to the final determination of the Division, the head of the agency shall implement the final determination not later than 30 days after the effective date of the notice of the final determination.

(b) Reports

(1) In general

Not later than 180 days after the date of the enactment of this subsection, and every 180 days thereafter, the head of each agency shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate, and publish on the website of the Department, a report that includes—

(A) a description of all cases returned to the agency during the period covered by the report pursuant to a final determination of the Division;

(B) the status of implementation of each final determination; and

(C) if the final determination has not been implemented—

(i) the reason that the final determination has not been implemented; and

(ii) the projected date of implementation of the final determination.

(2) Updates

Each month, the head of each agency shall publish on the website of the Department any updates to the reports submitted under paragraph (1).

(Pub. L. 103-354, title II, §280, Oct. 13, 1994, 108 Stat. 3233; Pub. L. 110-234, title XIV, §14009, May

22, 2008, 122 Stat. 1446; Pub. L. 110-246, §4(a), title XIV, §14009, June 18, 2008, 122 Stat. 1664, 2208.)

REFERENCES IN TEXT

The date of the enactment of this subsection, referred to in subsec. (b)(1), 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, §14009, designated existing provisions as subsec. (a), inserted heading, and added subsec. (b).

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.

§ 7001. Conforming amendments relating to National Appeals Division

(a) Decisions of State, county, and area committees

(1) Application of subsection

(A) In general

Except as provided in subparagraph (B), this subsection shall apply only with respect to functions of the Farm Service Agency or the Commodity Credit Corporation that are under the jurisdiction of a State, county, or area committee established under section 590h(b)(5) of title 16 or an employee of such a committee.

(B) Nonapplicability

This subsection does not apply to—

(i) a function performed under section 2008k of this title; or

(ii) a function performed under a conservation program administered by the Natural Resources Conservation Service.

(2) Finality

Each decision of a State, county, or area committee (or an employee of such a committee) covered by paragraph (1) that is made in good faith in the absence of misrepresentation, false statement, fraud, or willful misconduct shall be final not later than 90 days after the date of filing of the application for benefits, unless the decision, before the end of the 90-day period, is—

(A) appealed under this subchapter; or

(B) modified by the Administrator of the Farm Service Agency or the Executive Vice President of the Commodity Credit Corporation.

(3) Recovery of amounts

If the decision of the State, county, or area committee has become final under paragraph (2), no action may be taken by the Farm Service Agency, the Commodity Credit Corporation, or a State, county, or area committee to recover amounts found to have been disbursed