



United States Department of Agriculture

FEB 4 2013

Office of the Secretary
Washington, D.C. 20250

The Honorable Collin C. Peterson
Ranking Member
Committee on Agriculture
U.S. House of Representatives
1301 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Peterson:

Section 1613 of the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill) requires that the Secretary of Agriculture submit an Equitable Relief Report by February 1st of each year to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry. The 2012 Equitable Relief Report shows the number of requests for equitable relief filed by participants and appellants pursuant to sections 1613(b) and (e) of the 2002 Farm Bill and section 278(d) of the Department of Agriculture Reorganization Act of 1994 during the previous calendar year and disposition of the requests.

The report shows participants and appellants requested equitable relief in 2,033 cases; the Department granted 1,726 of these requests and denied 266. The enclosed report provides a detailed explanation of this result. Not included in the totals for granted or denied are the following: in 14 of the requests, the favorable outcome of the appeal made the request moot. For 27 of the requests, the Agency had no authority to grant equitable relief.

If you have questions about the enclosed report, please ask your staff to contact Brian Baenig, the U.S. Department of Agriculture's, Assistant Secretary for Congressional Relations at (202) 720-7095.

A similar letter is being sent to your colleagues.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Vilsack", written over a circular stamp.

Thomas J. Vilsack
Secretary

Enclosure



United States Department of Agriculture

FEB 4 2013

Office of the Secretary
Washington, D.C. 20250

The Honorable Debbie Stabenow
Chairwoman
Committee on Agriculture,
Nutrition and Forestry
United States Senate
328A Russell Senate Office Building
Washington, D.C. 20510

Dear Madame Chair:

Section 1613 of the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill) requires that the Secretary of Agriculture submit an Equitable Relief Report by February 1st of each year to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry. The 2012 Equitable Relief Report shows the number of requests for equitable relief filed by participants and appellants pursuant to sections 1613(b) and (e) of the 2002 Farm Bill and section 278(d) of the Department of Agriculture Reorganization Act of 1994 during the previous calendar year and disposition of the requests.

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The Honorable Thad Cochran
Ranking Member
Committee on Agriculture,
Nutrition and Forestry
United States Senate
328A Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Cochran:

Section 1613 of the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill) requires that the Secretary of Agriculture submit an Equitable Relief Report by February 1st of each year to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry. The 2012 Equitable Relief Report shows the number of requests for equitable relief filed by participants and appellants pursuant to sections 1613(b) and (e) of the 2002 Farm Bill and section 278(d) of the Department of Agriculture Reorganization Act of 1994 during the previous calendar year and disposition of the requests.

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Office of the Secretary
Washington, D.C. 20250

The Honorable Frank D. Lucas
Chairman
Committee on Agriculture
U. S. House of Representatives
1301 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Lucas:

Section 1613 of the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill) requires that the Secretary of Agriculture submit an Equitable Relief Report by February 1st of each year to the House Committee on Agriculture and the Senate Committee on Agriculture, Nutrition and Forestry. The 2012 Equitable Relief Report shows the number of requests for equitable relief filed by participants and appellants pursuant to sections 1613(b) and (e) of the 2002 Farm Bill and section 278(d) of the Department of Agriculture Reorganization Act of 1994 during the previous calendar year and disposition of the requests.

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Department of Agriculture 2012 Equitable Relief Report

Section 1613 of the Farm Security and Rural Investment Act of 2002 (the 2002 Farm Bill) grants the Farm Service Agency (FSA) State Directors and the Natural Resources Conservation Service (NRCS) State Conservationists the authority to provide equitable relief to FSA participants in price, income support, production, or loss assistance programs and NRCS conservation programs. This relief is subject to financial limitations. Section 1613 also grants this authority to the Secretary of Agriculture, without any financial limitation, and the Secretary of Agriculture has delegated this statutory authority to the FSA Administrator and the Chief of NRCS. To qualify for relief, a participant must demonstrate that he or she acted in good faith to comply with program requirements. Forms of relief include the retention of benefits received under the program, continuity of benefits, re-enrollment of land for conservation, or other appropriate relief.

Section 278(d) of the Department of Agriculture Reorganization Act of 1994 grants the Director of the National Appeals Division the same authority to provide equitable relief to program participants as provided to the Secretary.

The following table reflects information for calendar year 2012 as required by section 1613 of the 2002 Farm Bill.

Farm Service Agency

Number of Requests for Equitable Relief:	1664
Number of Requests Denied:	56
Number of Requests Approved:	1608

Natural Resources Conservation Service

Number of Requests for Equitable Relief:	73
(Misaction/Misinformation)	66
(Failure to fully comply)	7
Number of Requests Denied:	26
Number of Requests Granted:	47

National Appeals Division

Number of Requests for Equitable Relief:	296
Number of Requests Denied:	184
Number of Requests Granted:	71
(Including 22 cases involving money and 49 involving extensions of time)	
Number of Requests Mooted by Favorable Outcome in Appeal	14
No Authority to Grant Relief	27