

“(a) REPEAL.—Except as provided in subsection (b), section 1240N of the Food Security Act of 1985 (16 U.S.C. 3839bb-1) is repealed.

“(b) TRANSITIONAL PROVISIONS.—

“(1) EFFECT ON EXISTING CONTRACTS AND AGREEMENTS.—The amendment made by this section [repealing section 3839bb-1 of this title] shall not affect the validity or terms of any contract or agreement entered into by the Secretary of Agriculture under section 1240N of the Food Security Act of 1985 ([former] 16 U.S.C. 3839bb-1) before the date of enactment of the Agricultural Act of 2014 [Feb. 7, 2014], or any payments required to be made in connection with the contract or agreement.

“(2) FUNDING.—

“(A) USE OF PRIOR YEAR FUNDS.—Notwithstanding the repeal of section 1240N of the Food Security Act of 1985 ([former] 16 U.S.C. 3839bb-1), any funds made available from the Commodity Credit Corporation to carry out the wildlife habitat incentive program under that section for fiscal years 2009 through 2013 shall be made available to carry out contracts or agreements referred to in paragraph (1) which were entered into prior to the date of enactment of the Agricultural Act of 2014 (including the provision of technical assistance).

“(B) OTHER.—On exhaustion of funds made available under subparagraph (A), the Secretary [of Agriculture] may use funds made available to carry out the environmental quality incentives program under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 (16 U.S.C. 3839aa et seq.) to continue to carry out contracts or agreements referred to in paragraph (1) using the provisions of law and regulation applicable to such contracts or agreements as in existence on the day before the date of enactment of the Agricultural Act of 2014.”

§ 3839bb-2. Grassroots source water protection program

(a) In general

The Secretary shall establish a national grassroots water protection program to more effectively use onsite technical assistance capabilities of each State rural water association that, as of May 13, 2002, operates a wellhead or groundwater protection program in the State.

(b) Funding

(1) Authorization of appropriations

There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2008 through 2023.

(2) Availability of funds

In addition to funds made available under paragraph (1), of the funds of the Commodity Credit Corporation, the Secretary shall use \$5,000,000, to remain available until expended.

(3) Additional funding

In addition to any other funds made available under this subsection, of the funds of the Commodity Credit Corporation, the Secretary shall use—

(A) \$5,000,000 beginning in fiscal year 2019, to remain available until expended; and

(B) \$1,000,000 beginning in fiscal year 2024, to remain available until expended.

(Pub. L. 99-198, title XII, §1240O, as added Pub. L. 107-171, title II, §2502(a), May 13, 2002, 116 Stat. 267; amended Pub. L. 110-234, title II, §2603, May 22, 2008, 122 Stat. 1068; Pub. L. 110-246, §4(a), title II, §2603, June 18, 2008, 122 Stat. 1664, 1796; Pub. L. 113-79, title II, §2502, Feb. 7, 2014, 128

Stat. 751; Pub. L. 115-334, title II, §2405, Dec. 20, 2018, 132 Stat. 4573; Pub. L. 118-22, div. B, title I, §102(d)(1)(A), Nov. 17, 2023, 137 Stat. 116.)

Editorial Notes

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

2023—Subsec. (b)(3). Pub. L. 118-22 inserted dash after “use”, designated remainder of existing provisions as subpar. (A), and added subpar. (B).

2018—Subsec. (b)(1). Pub. L. 115-334, §2405(a), substituted “2023” for “2018”.

Subsec. (b)(3). Pub. L. 115-334, §2405(b), added par. (3).

2014—Subsec. (b). Pub. L. 113-79 amended subsec. (b) generally. Prior to amendment, text read as follows: “There is authorized to be appropriated to carry out this section \$20,000,000 for each of fiscal years 2008 through 2012.”

2008—Subsec. (b). Pub. L. 110-246, §2603, substituted “\$20,000,000 for each of fiscal years 2008 through 2012” for “\$5,000,000 for each of fiscal years 2002 through 2007”.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2023 AMENDMENT

Amendment by Pub. L. 118-22 to be applied and administered as if enacted on Sept. 30, 2023, see section 102(g) of Pub. L. 118-22, set out in an Extension of Agricultural Programs note under section 9001 of Title 7, Agriculture.

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 Title 7, Agriculture.

§ 3839bb-3. Repealed. Pub. L. 113-79, title II, § 2708, Feb. 7, 2014, 128 Stat. 770

Section, Pub. L. 99-198, title XII, §1240P, as added Pub. L. 107-171, title II, §2502(a), May 13, 2002, 116 Stat. 267; amended Pub. L. 110-234, title II, §2604, May 22, 2008, 122 Stat. 1068; Pub. L. 110-246, §4(a), title II, §2604, June 18, 2008, 122 Stat. 1664, 1796, related to Great Lakes basin program for soil erosion and sediment control.

§ 3839bb-4. Repealed. Pub. L. 113-79, title II, § 2709(a), Feb. 7, 2014, 128 Stat. 770

Section, Pub. L. 99-198, title XII, §1240Q, as added Pub. L. 110-234, title II, §2605, May 22, 2008, 122 Stat. 1069, and Pub. L. 110-246, §4(a), title II, §2605, June 18, 2008, 122 Stat. 1664, 1797, related to conservation activities on agricultural lands in the Chesapeake Bay watershed.

Statutory Notes and Related Subsidiaries

REPEAL; TRANSITIONAL PROVISIONS

Pub. L. 113-79, title II, §2709, Feb. 7, 2014, 128 Stat. 770, provided that:

“(a) REPEAL.—Except as provided in subsection (b), section 1240Q of the Food Security Act of 1985 (16 U.S.C. 3839bb-4) is repealed.

“(b) TRANSITIONAL PROVISIONS.—

“(1) EFFECT ON EXISTING CONTRACTS, AGREEMENTS, AND EASEMENTS.—The amendment made by this section [repealing section 3839bb-4 of this title] shall not affect the validity or terms of any contract, agree-