

Act Apr. 8, 1935, ch. 48, §14, 49 Stat. 119, formerly classified to section 590 of this title, was repealed by Pub. L. 89-554, §8(a), Sept. 6, 1966, 80 Stat. 649.

CHAPTER 3B—SOIL CONSERVATION

Sec.	
590a.	Purpose.
590b.	Lands on which preventive measures may be taken.
590c.	Conditions under which benefits of law extended to nongovernment controlled lands.
590d.	Cooperation of governmental agencies; officers and employees, appointment and compensation; expenditures for personal services and supplies.
590e to 590e-2.	Repealed or Omitted.
590f.	Authorization of appropriations and conservation technical assistance funds.
590g.	Additional policies and purposes of chapter.
590g-1, 590g-2.	Omitted.
590h.	Payments and grants of aid.
590h-1 to 590h-4.	Omitted or Repealed.
590i.	Surveys and investigations; publication of information.
590i-1, 590i-2.	Omitted.
590j.	Definitions.
590k.	Availability of funds.
590l.	Expansion of domestic and foreign markets for agricultural commodities; advances for crop insurance; transfer of funds to corporation.
590m.	Execution of powers of Secretary by Production and Marketing Administration.
590n.	Payments reviewable only by Secretary.
590o.	Authorization of appropriations; distribution of appropriated funds.
590p.	Repealed.
590p-1.	Limitation on wetlands drainage assistance to aid wildlife preservation; termination of limitation; redetermination of need for assistance upon change of ownership of lands.
590q.	Coverage; "State" defined; short title.
590q-1.	Sale and distribution of supplies, materials, and equipment to other Government agencies; reimbursement.
590q-2.	Voluntary relinquishment of allotments.
590q-3.	Critical lands resource conservation program in Great Plains area.

§ 590a. Purpose

It is recognized that the wastage of soil and moisture resources on farm, grazing, and forest lands of the Nation, resulting from soil erosion, is a menace to the national welfare and that it is declared to be the policy of Congress to provide permanently for the control and prevention of soil erosion to preserve soil, water, and related resources, promote soil and water quality, control floods, prevent impairment of reservoirs, and maintain the navigability of rivers and harbors, protect public health, public lands and relieve unemployment, and the Secretary of Agriculture, from now on, shall coordinate and direct all activities with relation to soil erosion and in order to effectuate this policy is authorized, from time to time—

(1) To conduct surveys, investigations, and research relating to the character of soil erosion and the preventive measures needed, to publish the results of any such surveys, investigations, or research, to disseminate information concerning such methods, and to conduct demonstrational projects in areas subject to erosion by wind or water;

(2) To carry out preventive measures, including, but not limited to, engineering operations,

methods of cultivation, the growing of vegetation, and changes in use of land;

(3) To cooperate or enter into agreements with, or to furnish financial or other aid to, any agency, governmental or otherwise, or any person, subject to such conditions as he may deem necessary, for the purposes of this chapter; and

(4) To acquire lands, or rights or interests therein, by purchase, gift, condemnation, or otherwise, whenever necessary for the purposes of this chapter.

(Apr. 27, 1935, ch. 85, §1, 49 Stat. 163; Pub. L. 110-234, title II, §2802(a)(1), May 22, 2008, 122 Stat. 1085; Pub. L. 110-246, §4(a), title II, §2802(a)(1), June 18, 2008, 122 Stat. 1664, 1813.)

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

2008—Pub. L. 110-246, §2802(a)(1), inserted section catchline and substituted "to preserve soil, water, and related resources, promote soil and water quality," for "and thereby to preserve natural resources," in introductory provisions.

Statutory Notes and Related Subsidiaries

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.

SHORT TITLE

See section 590q of this title.

POLICY

Declaration of policy to continue the Soil Conservation and Domestic Allotment Act, see section 1282 of Title 7, Agriculture.

Executive Documents

TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas transferred to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, until first anniversary of date of initial operation of Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§102(f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

Functions of Soil Conservation Service in Department of Agriculture with respect to soil and moisture

conservation operations conducted on lands under jurisdiction of Department of the Interior transferred to Department of the Interior, to be administered under direction and supervision of Secretary of the Interior through such agency or agencies in Department of the Interior as Secretary shall designate, by Reorg. Plan No. IV of 1940, § 6, eff. June 30, 1940, 5 F.R. 2421, 54 Stat. 1234, set out in the Appendix to Title 5, Government Organization and Employees.

Soil Conservation Service consolidated with other agencies into Agricultural Conservation and Adjustment Administration for duration of World War II, see Ex. Ord. No. 9069, Feb. 23, 1942.

§ 590b. Lands on which preventive measures may be taken

The acts authorized in section 590a(1) and (2) of this title may be performed—

(a) On lands owned or controlled by the United States or any of its agencies, with the cooperation of the agency having jurisdiction thereof; and

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

(Apr. 27, 1935, ch. 85, § 2, 49 Stat. 163.)

§ 590c. Conditions under which benefits of law extended to nongovernment controlled lands

As a condition to the extending of any benefits under this chapter to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this chapter, require the following:

(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion.

(2) Agreements or covenants as to the permanent use of such lands.

(3) Contributions in money, services, materials, or otherwise, to any operations conferring such benefits.

(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

(i) reasonable and appropriate;

(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

(iii) assessed based on the size of the land or the complexity of the resource issues involved.

(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

(i) to beginning farmers or ranchers (as defined in section 1991(a) of title 7);

(ii) to limited resource farmers or ranchers (as defined by the Secretary);

(iii) to socially disadvantaged farmers or ranchers (as defined in section 2003(e) of title 7);

(iv) to qualify for an exemption from ineligibility under section 3812 of this title; or

(v) to comply with Federal, State, or local regulatory requirements.

(Apr. 27, 1935, ch. 85, § 3, 49 Stat. 163; Pub. L. 113-67, div. A, title VII, § 705(a), Dec. 26, 2013, 127 Stat. 1192.)

Editorial Notes

AMENDMENTS

2013—Pub. L. 113-67, § 705(a)(1), substituted “require the following:” for “require—” in introductory provisions.

Par. (1). Pub. L. 113-67, § 705(a)(2), substituted period for semicolon at end.

Par. (2). Pub. L. 113-67, § 705(a)(3), substituted period at end for “; and”.

Par. (4). Pub. L. 113-67, § 705(a)(4), added par. (4).

Executive Documents

TRANSFER OF FUNCTIONS

Enforcement functions of Secretary or other official in Department of Agriculture, insofar as they involve lands and programs under jurisdiction of that Department, related to compliance with this chapter with respect to pre-construction, construction, and initial operation of transportation system for Canadian and Alaskan natural gas transferred to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, until first anniversary of date of initial operation of Alaska Natural Gas Transportation System, see Reorg. Plan No. 1 of 1979, §§ 102(f), 203(a), 44 F.R. 33663, 33666, 93 Stat. 1373, 1376, effective July 1, 1979, set out in the Appendix to Title 5, Government Organization and Employees. Office of Federal Inspector for the Alaska Natural Gas Transportation System abolished and functions and authority vested in Inspector transferred to Secretary of Energy by section 3012(b) of Pub. L. 102-486, set out as an Abolition of Office of Federal Inspector note under section 719e of Title 15, Commerce and Trade. Functions and authority vested in Secretary of Energy subsequently transferred to Federal Coordinator for Alaska Natural Gas Transportation Projects by section 720d(f) of Title 15.

Functions respecting lands under jurisdiction of Department of the Interior, see Transfer of Functions note set out under section 590a of this title.

§ 590d. Cooperation of governmental agencies; officers and employees, appointment and compensation; expenditures for personal services and supplies

For the purposes of this chapter, the Secretary of Agriculture may—

(1) Secure the cooperation of any governmental agency;

(2) Subject to the provisions of the civil-service laws and chapter 51 and subchapter III of chapter 53 of title 5, appoint and fix compensation of such officers and employees as he may deem necessary, except for a period not to exceed eight months from April 27, 1935, the Secretary of Agriculture may make appointments and may continue employees of the organization heretofore established for the purpose of administering those provisions of the National Industrial Recovery Act which relate to the prevention of soil erosion, without regard to the civil-service laws or regulations and the Classification Act, as amended; and any persons with technical or practical knowledge may be employed and compensated under this chapter on a basis to be determined by the Director of the Office of Personnel Management; and