

(2) has any known financial interest (A) in any person subject to such Acts, or (B) in any person who holds a mining claim within the boundaries of units of the National Park System;

shall, beginning on February 1, 1977, annually file with the Secretary a written statement concerning all such interests held by such officer or employee during the preceding calendar year. Such statement shall be available to the public.

**(b) Enforcement procedures**

The Secretary shall—

(1) act within ninety days after September 28, 1976—

(A) to define the term “known financial interest” for purposes of subsection (a) of this section; and

(B) to establish the methods by which the requirement to file written statements specified in subsection (a) of this section will be monitored and enforced, including appropriate provisions for the filing by such officers and employees of such statements and the review by the Secretary of such statements; and

(2) report to the Congress on June 1 of each calendar year with respect to such disclosures and the actions taken in regard thereto during the preceding calendar year.

**(c) Exemptions**

In the rules prescribed in subsection (b) of this section, the Secretary may identify specific positions within such agency which are of a non-regulatory or nonpolicymaking nature and provide that officers or employees occupying such positions shall be exempt from the requirements of this section.

**(d) Violation; penalty**

Any officer or employee who is subject to, and knowingly violates, this section or any regulation issued thereunder, shall be fined not more than \$2,500 or imprisoned not more than one year, or both.

(Pub. L. 94-429, §13, Sept. 28, 1976, 90 Stat. 1344.)

REFERENCES IN TEXT

This Act, referred to in subsec. (a)(1), is Pub. L. 94-429, which enacted this chapter, amended sections 123 and 450y-2 of this title, and repealed sections 350, 350a, 447, and 450z of this title. For complete classification of this Act to the Code, see Tables.

TERMINATION OF REPORTING REQUIREMENTS

For termination, effective May 15, 2000, of reporting provisions in subsec. (b)(2) of this section, see section 3003 of Pub. L. 104-66, as amended, set out as a note under section 1113 of Title 31, Money and Finance, and page 110 of House Document No. 103-7.

**CHAPTER 40—SOIL AND WATER RESOURCES CONSERVATION**

Sec.	
2001.	Congressional findings.
2002.	Definitions.
2003.	Congressional policy and declaration of purpose.
2004.	Continuing appraisal of soil, water, and related resources.
2005.	Soil and water conservation program.

Sec.	
2005a, 2005b.	Repealed.
2006.	Reports to Congress.
2007.	Authorization of appropriations.
2008.	Utilization of available information and data.
2009.	Termination of program.

**§ 2001. Congressional findings**

The Congress finds that:

(1) There is a growing demand on the soil, water, and related resources of the Nation to meet present and future needs.

(2) The Congress, in its concern for sustained use of the resource base of the United States, has ensured that the Department of Agriculture possesses information, technical expertise, and a delivery system for providing assistance to land users with respect to conservation and use of soils; plants; woodlands; watershed protection and flood prevention; the conservation, development, utilization, and disposal of water; animal husbandry; fish and wildlife management; recreation; community development; and related resource uses.

(3) Appraisal and inventory of resources, assessment and inventory of conservation needs, evaluation of the effects of conservation practices, and analyses of alternative approaches to existing conservation programs are basic to effective soil, water, and related natural resource conservation.

(4) Since individual and governmental decisions concerning soil and water resources often transcend administrative boundaries and affect other programs and decisions, a coordinated appraisal and program framework are essential.

(Pub. L. 95-192, §2, Nov. 18, 1977, 91 Stat. 1407; Pub. L. 103-354, title II, §246(f)(2)(A), Oct. 13, 1994, 108 Stat. 3225; Pub. L. 110-234, title II, §2804(a), May 22, 2008, 122 Stat. 1086; Pub. L. 110-246, §4(a), title II, §2804(a), June 18, 2008, 122 Stat. 1664, 1814.)

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—Par. (2). Pub. L. 110-246, §2804(a)(1), substituted “base of the” for “base, of the”.

Pars. (3), (4). Pub. L. 110-246, §2804(a)(2), added par. (3), redesignated former par. (3) as (4), and struck out “Resource appraisal is basic to effective soil and water conservation.” before “Since individual”.

1994—Par. (2). Pub. L. 103-354 struck out “created the Soil Conservation Service” after “resource base,” and substituted “, has ensured that the Department of Agriculture” for “Department of Agriculture which” after “United States”.

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

Section 1 of Pub. L. 95-192 provided: “That this Act [enacting this chapter] may be cited as the ‘Soil and Water Resources Conservation Act of 1977.’”

**§ 2002. Definitions**

As used in this chapter:

(1) The term “Secretary” means the Secretary of Agriculture.

(2) The term “soil, water, and related resources” means those resources which come within the scope of the programs administered and participated in by the Secretary of Agriculture.

(3) The term “soil and water conservation program” means a set of guidelines for attaining the purposes of this chapter.

(Pub. L. 95-192, §3, Nov. 18, 1977, 91 Stat. 1407; Pub. L. 103-354, title II, §246(f)(2)(B), Oct. 13, 1994, 108 Stat. 3225.)

#### AMENDMENTS

1994—Par. (2). Pub. L. 103-354 struck out “through the Soil Conservation Service” after “Agriculture”.

#### 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.

### § 2003. Congressional policy and declaration of purpose

#### (a) Responsiveness to long-term needs

In order to further the conservation of soil, water, and related resources, it is declared to be the policy of the United States and purpose of this chapter that the conduct of programs administered by the Secretary of Agriculture for the conservation of such resources shall be responsive to the long-term needs of the Nation, as determined under the provisions of this chapter.

#### (b) Full utilization of cooperative arrangements with State agencies

Recognizing that the arrangements under which the Federal Government cooperates with State soil and water conservation agencies and other appropriate State natural resource agencies such as those concerned with forestry and fish and wildlife and, through conservation districts, with other local units of government and land users, have effectively aided in the protection and improvement of the Nation’s basic resources, including the restoration and maintenance of resources damaged by improper use, it is declared to be the policy of the United States that these arrangements and similar cooperative arrangements should be utilized to the fullest extent practicable to achieve the purpose of

this chapter consistent with the roles and responsibilities of the non-Federal agencies, landowners and land users.

#### (c) Attainment of policies and purposes

The Secretary shall promote the attainment of the policies and purposes expressed in this chapter by—

(1) appraising on a continuing basis the soil, water, and related resources of the Nation;

(2) developing and updating periodically a program for furthering the conservation, protection, and enhancement of the soil, water, and related resources of the Nation consistent with the roles and program responsibilities of other Federal agencies and State and local governments; and

(3) providing to Congress and the public, through reports, the information developed pursuant to paragraphs (1) and (2) of this subsection, and by providing Congress with an annual evaluation report as provided in section 2006 of this title.

(Pub. L. 95-192, §4, Nov. 18, 1977, 91 Stat. 1407.)

#### TRANSFER OF FUNCTIONS

For transfer of certain enforcement functions of Secretary or other official in Department of Agriculture under this chapter to Federal Inspector, Office of Federal Inspector for Alaska Natural Gas Transportation System, and subsequent transfer to Secretary of Energy, then to Federal Coordinator for Alaska Natural Gas Transportation Projects, see note set out under section 2002 of this title.

### § 2004. Continuing appraisal of soil, water, and related resources

#### (a) Data

In recognition of the importance of and need for obtaining and maintaining information on the current status of soil, water, and related resources, the Secretary is authorized and directed to carry out a continuing appraisal of the soil, water, and related resources of the Nation. The appraisal shall include, but not be limited to—

(1) data on the quality and quantity of soil, water, and related resources, including fish and wildlife habitats;

(2) data on the capability and limitations of those resources for meeting current and projected demands on the resource base;

(3) data on the changes that have occurred in the status and condition of those resources resulting from various past uses, including the impact of farming technologies, techniques, and practices;

(4) data on current Federal and State laws, policies, programs, rights, regulations, ownerships, and their trends and other considerations relating to the use, development, and conservation of soil, water, and related resources;

(5) data on the costs and benefits of alternative soil and water conservation practices;

(6) data on alternative irrigation techniques regarding their costs, benefits, and impact on soil and water conservation, crop production, and environmental factors; and

(7) data on conservation plans, conservation practices planned or implemented, environ-