

that may be taken by the United States to mitigate or abate such activity.

(b) Omitted

(Pub. L. 94-429, §9, Sept. 28, 1976, 90 Stat. 1344.)

CODIFICATION

Subsec. (b) provided that within 2 years the Advisory Council on Historic Preservation report to Congress on effect of surface mining activities on natural and historical landmarks, including recommendations for protective legislation.

§ 1909. Severability

If any provision of this chapter is declared to be invalid, such declaration shall not affect the validity of any other provision herein.

(Pub. L. 94-429, §10, Sept. 28, 1976, 90 Stat. 1344.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 94-429, which, in addition to enacting this chapter, amended sections 123 and 450y-2 of this title, and repealed sections 350, 350a, 447, and 450z of this title.

§ 1910. Civil actions for just compensation by mining claim holders

The holder of any patented or unpatented mining claim subject to this chapter who believes he has suffered a loss by operation of this chapter, or by orders or regulations issued pursuant thereto, may bring an action in a United States district court to recover just compensation, which shall be awarded if the court finds that such loss constitutes a taking of property compensable under the Constitution.

(Pub. L. 94-429, §11, Sept. 28, 1976, 90 Stat. 1344; Pub. L. 98-620, title IV, §402(21), Nov. 8, 1984, 98 Stat. 3358.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 94-429, which, in addition to enacting this chapter, amended sections 123 and 450y-2 of this title, and repealed sections 350, 350a, 447, and 450z of this title.

AMENDMENTS

1984—Pub. L. 98-620 struck out provision which required the court to expedite its consideration of any claim brought pursuant to this section.

EFFECTIVE DATE OF 1984 AMENDMENT

Amendment by Pub. L. 98-620 not applicable to cases pending on Nov. 8, 1984, see section 403 of Pub. L. 98-620, set out as an Effective Date note under section 1657 of Title 28, Judiciary and Judicial Procedure.

§ 1911. Acquisition of land by Secretary

Nothing in this chapter shall be construed to limit the authority of the Secretary to acquire lands and interests in lands within the boundaries of any unit of the National Park System. The Secretary is to give prompt and careful consideration to any offer made by the owner of any valid right or other property within the areas named in section 1905 of this title to sell such right or other property, if such owner notifies the Secretary that the continued ownership of such right or property is causing, or would result in, undue hardship.

(Pub. L. 94-429, §12, Sept. 28, 1976, 90 Stat. 1344.)

REFERENCES IN TEXT

This chapter, referred to in text, was in the original “this Act”, meaning Pub. L. 94-429, which, in addition to enacting this chapter, amended sections 123 and 450y-2 of this title, and repealed sections 350, 350a, 447, and 450z of this title.

Section 1905 of this title, referred to in text, was omitted from the Code.

§ 1912. Financial disclosure by officer or employee of Secretary

(a) Filing and availability of written statements; contents

Each officer or employee of the Secretary of the Interior who—

(1) performs any function or duty under this Act, or any Acts amended by this Act concerning the regulation of mining within the National Park System; and

(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.
2005a, 2005b.	Repealed.
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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

Pub. L. 95-192, § 1, Nov. 18, 1977, 91 Stat. 1407, 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