

Sec.

SUBCHAPTER II—ACREAGE RESERVE PROGRAM  
1821 to 1824. Repealed.

SUBCHAPTER III—CONSERVATION RESERVE PROGRAM

1831. Repealed.

1831a. Contract restrictions.

1832 to 1837. Repealed.

SUBCHAPTER IV—CROPLAND ADJUSTMENTS

1838. Conversion of cropland into vegetative cover, water storage, wildlife and conservation uses; contracts with farmers.

SUBCHAPTER I—GENERAL PROVISIONS

**§§ 1801 to 1816. Repealed. Pub. L. 89-321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206**

Section 1801, act May 28, 1956, ch. 327, title I, §102, 70 Stat. 188, set out Congressional declaration of policy underlying Soil Bank Program set out in subchapters I to III of this chapter.

Section 1802, acts May 28, 1956, ch. 327, title I, §114, 70 Stat. 196; Aug. 28, 1957, Pub. L. 85-203, §3, 71 Stat. 478; Apr. 7, 1958, Pub. L. 85-369, 72 Stat. 81, placed an ineligibility sanction upon failure to comply with acreage allotments.

Section 1803, act May 28, 1956, ch. 327, title I, §115, 70 Stat. 196, prohibited reapportionment or allotment to any other farm of acreage diverted from production as a result of participation in acreage reserve or conservation reserve programs.

Section 1804, act May 28, 1956, ch. 327, title I, §116, 70 Stat. 196, provided for filing of certificate of claimants for payment or compensation in form prescribed by Secretary attesting to claimant's compliance with all requirements.

Section 1805, act May 28, 1956, ch. 327, title I, §117, 70 Stat. 196, directed Secretary to utilize services of local, county, and State soil conservation committees.

Section 1806, act May 28, 1956, ch. 327, title I, §118, 70 Stat. 196, directed Secretary to consult with conservation, forestry, and agricultural agencies in formation of State and local programs and to utilize Federal agencies to coordinate programs and to provide technical background.

Section 1807, act May 28, 1956, ch. 327, title I, §119, 70 Stat. 196, directed Secretary to utilize existing land use capability data including Soil Conservation Service's capability surveys and to carry forward to completion the nation's basic land inventory.

Section 1808, act May 28, 1956, ch. 327, title I, §120, 70 Stat. 197, authorized Secretary to utilize Commodity Credit Corporation in carrying out Soil Bank Program and allowed transfer to Federal and State agencies of funds available for carrying out purposes of program.

Section 1809, act May 28, 1956, ch. 327, title I, §121, 70 Stat. 197, provided for finality of determinations forming basis of payment or compensation by Secretary and authorized him to make payment in any fair or reasonable manner reflected in appropriate regulations in case of death, incompetence, or disappearance of producers entitled to payment.

Section 1810, act May 28, 1956, ch. 327, title I, §122, 70 Stat. 197, required Secretary to provide adequate safeguards for tenants and sharecroppers.

Section 1811, act May 28, 1956, ch. 327, title I, §123, 70 Stat. 198, set penalty for grazing or harvesting any crop on acreage in violation of a Soil Bank contract and provided for recovery of penalties by means of civil suits.

Section 1812, act May 28, 1956, ch. 327, title I, §124, 70 Stat. 198, authorized Secretary to promulgate rules and regulations to carry out Soil Bank Program.

Section 1813, acts May 28, 1956, ch. 327, title I, §125, 70 Stat. 198; Apr. 9, 1960, Pub. L. 86-423, §2, 74 Stat. 42, restricted leasing of government owned land for production of price supported crops in surplus supply.

Section 1814, act May 28, 1956, ch. 327, title I, §126, 70 Stat. 198, authorized Secretary to permit farmers to

pool their rights to participate jointly in conservation reserve program on property other than their home farms.

Section 1815, act May 28, 1956, ch. 327, title I, §127, as added May 16, 1958, Pub. L. 85-413, 72 Stat. 118, authorized Secretary to provide fair and equitable treatment for producers who entered into acreage reserve or conservation reserve contracts based upon incorrect information furnished under 1956 program through compensation for losses.

Section 1816, act May 28, 1956, ch. 327, title I, §128, as added Sept. 14, 1959, Pub. L. 86-265, 73 Stat. 552, authorized Secretary to pay compensation to a producer in order to provide fair and equitable treatment when producer has suffered losses because of inaccurate information forming the basis for contract if producer relied in good faith upon inaccurate information.

#### SAVINGS PROVISION

Pub. L. 89-321, title VI, §601, Nov. 3, 1965, 79 Stat. 1206, provided that the Soil Bank Act of 1956 [former subchapters I to III of this chapter] shall remain in effect with respect to contracts entered into thereunder prior to its repeal by section 601 of Pub. L. 89-321.

#### SUBCHAPTER II—ACREAGE RESERVE PROGRAM

**§§ 1821 to 1824. Repealed. Pub. L. 89-321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206**

Section 1821, act May 28, 1956, ch. 327, title I, §103, 70 Stat. 189, authorized Secretary to carry out acreage reserve program and spelled out terms of eligibility, provisions of contract, and acreage reduction compensation.

Section 1822, act May 28, 1956, ch. 327, title I, §104, 70 Stat. 190, required Secretary to establish a national reserve acreage goal and to set limits to be placed upon individual participation in program.

Section 1823, act May 28, 1956, ch. 327, title I, §105, 70 Stat. 190, established method of compensating producers for participating in program through issuance of negotiable certificates redeemable by Commodity Credit Corporation, provided for setting of rates of compensation, and set limits upon total compensation to be paid for wheat, cotton, corn, peanuts, rice, and tobacco.

Section 1824, act May 28, 1956, ch. 327, title I, §106, 70 Stat. 191, required crediting of reserve acreages as though such acreages had actually been devoted to production of commodity when establishing farm acreage allotments under Agricultural Adjustment Act of 1938, as amended.

#### SAVINGS PROVISION

Pub. L. 89-321, title VI, §601, Nov. 3, 1965, 79 Stat. 1206, provided that the Soil Bank Act of 1956 [former subchapters I to III of this chapter] shall remain in effect with respect to contracts entered into thereunder prior to its repeal by section 601 of Pub. L. 89-321.

#### SUBCHAPTER III—CONSERVATION RESERVE PROGRAM

**§ 1831. Repealed. Pub. L. 89-321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206**

Section, acts May 28, 1956, ch. 327, title I, §107, 70 Stat. 191; June 11, 1960, Pub. L. 86-507, §1(8), 74 Stat. 200; June 29, 1961, Pub. L. 87-62, §1(a), 75 Stat. 129; July 3, 1962, Pub. L. 87-521, 76 Stat. 135, set out terms to be included in producers' contracts under conservation reserve program and made provisions for use of advertising and bid procedures, termination of contracts, and notice, hearing, and judicial review of Secretary's action in terminating a contract.

#### SAVINGS PROVISION

Pub. L. 89-321, title VI, §601, Nov. 3, 1965, 79 Stat. 1206, provided that the Soil Bank Act of 1956 [former sub-

chapters I to III of this chapter] shall remain in effect with respect to contracts entered into thereunder prior to its repeal by section 601 of Pub. L. 89-321.

### § 1831a. Contract restrictions

On and after June 13, 1958 no conservation reserve contract shall be entered into which provides for (1) payments for conservation practices in excess of the average rate for comparable practices under the environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985 [16 U.S.C. 3839aa et seq.], or (2) annual rental payments in excess of 20 per cent of the value of the land placed under contract, such value to be determined without regard to physical improvements thereon or geographic location thereof. In determining the value of the land for this purpose, the county committee shall take into consideration the estimate of the landowner or operator as to the value of such land as well as his certificate as to the production history and productivity of such land.

(Pub. L. 85-459, title I, § 101, June 13, 1958, 72 Stat. 195; Pub. L. 104-127, title III, § 336(a)(2)(A), Apr. 4, 1996, 110 Stat. 1005.)

#### REFERENCES IN TEXT

The Food Security Act of 1985, referred to in text, is Pub. L. 99-198, Dec. 23, 1985, 99 Stat. 1354, as amended. Chapter 4 of subtitle D of title XII of the Act is classified generally to part IV (§ 3839aa et seq.) of subchapter IV of chapter 58 of Title 16, Conservation. For complete classification of this Act to the Code, see Short Title of 1985 Amendment note set out under section 1281 of this title and Tables.

#### CODIFICATION

Section was not enacted as part of the Soil Bank Act which comprised this chapter.

#### AMENDMENTS

1996—Pub. L. 104-127 substituted “environmental quality incentives program established under chapter 4 of subtitle D of title XII of the Food Security Act of 1985” for “Agricultural Conservation Program”.

### §§ 1832 to 1837. Repealed. Pub. L. 89-321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206

Section 1832, act May 28, 1956, ch. 327, title I, § 108, 70 Stat. 194, required Secretary to make and announce determination of a national conservation reserve goal, set out considerations to be used in distributing goal among States and major crop production regions, and provided for a report to Congress.

Section 1833, act May 28, 1956, ch. 327, title I, § 109, 70 Stat. 194, authorized Secretary to enter into conservation reserve program contracts, set term for such contracts, and placed a limit of \$450,000,000 annually upon payments made to producers.

Section 1834, act May 28, 1956, ch. 327, title I, § 110, 70 Stat. 194, authorized Secretary to terminate or modify contracts by mutual agreement with producers.

Section 1835, act May 28, 1956, ch. 327, title I, § 111, 70 Stat. 195, authorized Secretary to purchase or produce conservation materials and services and make them available to producers under conservation reserve program.

Section 1836, acts May 28, 1956, ch. 327, title I, § 112, 70 Stat. 195; Sept. 14, 1960, Pub. L. 86-793, § 2, 74 Stat. 1030, prohibited reduction of cropland acreage by reason of any action taken in carrying out a conservation reserve program contract and required inclusion of acreage changed from cultivated cropland to permanent

vegetation as acreage devoted to commodity for purpose of determining future acreage allotments.

Section 1837, acts May 28, 1956, ch. 327, title I, § 113, 70 Stat. 195; June 25, 1959, Pub. L. 86-70, § 5, 73 Stat. 142; July 12, 1960, Pub. L. 86-624, § 3, 74 Stat. 411, authorized Secretary to apply Soil Bank Program to Puerto Rico and Virgin Islands in addition to several States if such application would be in national interest.

#### SAVINGS PROVISION

Pub. L. 89-321, title VI, § 601, Nov. 3, 1965, 79 Stat. 1206, provided that the Soil Bank Act of 1956 [former subchapters I to III of this chapter] shall remain in effect with respect to contracts entered into thereunder prior to its repeal by section 601 of Pub. L. 89-321.

### SUBCHAPTER IV—CROPLAND ADJUSTMENTS

### § 1838. Conversion of cropland into vegetative cover, water storage, wildlife and conservation uses; contracts with farmers

#### (a) Authority for calendar years 1965 through 1970; term of agreements

Notwithstanding any other provision of law, for the purpose of reducing the costs of farm programs, assisting farmers in turning their land to nonagricultural uses, promoting the development and conservation of the Nation's soil, water, forest, wildlife, and recreational resources, establishing, protecting, and conserving open spaces and natural beauty, the Secretary of Agriculture is authorized to formulate and carry out a program during the calendar years 1965 through 1970 under which agreements would be entered into with producers as hereinafter provided for periods of not less than five nor more than ten years. No agreement shall be entered into under this section concerning land with respect to which the ownership has changed in the three-year period preceding the first year of the agreement period unless the new ownership was acquired by will or succession as a result of the death of the previous owner, or unless the new ownership was acquired prior to January 1, 1965, under other circumstances which the Secretary determines, and specifies by regulation, will give adequate assurance that such land was not acquired for the purpose of placing it in the program: *Provided*, That this provision shall not be construed to prohibit the continuation of an agreement by a new owner after an agreement has once been entered into under this section: *Provided further*, That the Secretary shall not require a person who has operated the land to be covered by an agreement under this section for as long as three years preceding the date of the agreement and who controls the land for the agreement period to own the land as a condition of eligibility for entering into the agreement. The foregoing provision shall not prevent a producer from placing a farm in the program if the farm was acquired by the producer to replace an eligible farm from which he was displaced because of its acquisition by any Federal, State, or other agency having the right of eminent domain.

#### (b) Terms of agreement; specifically designated acreage; land use

The producer shall agree (1) to carry out on a specifically designated acreage of land on the