

servation Technical Assistance Fund” (referred to in this subsection as the “Fund”), to be administered by the Secretary of Agriculture.

(2) Deposits

An amount equal to the amounts collected as fees under section 590c(4) of this title and late payments, interest, and such other amounts as are authorized to be collected pursuant to section 3717 of title 31 shall be deposited in the Fund.

(3) Availability

Amounts in the Fund shall—

(A) only be available to the extent and in the amount provided in advance in appropriations Acts;

(B) be used for the costs of carrying out this chapter; and

(C) remain available until expended.

(Apr. 27, 1935, ch. 85, §6, 49 Stat. 164; Sept. 21, 1944, ch. 412, title III, §302(a), 58 Stat. 738; Pub. L. 113-67, div. A, title VII, §705(b), Dec. 26, 2013, 127 Stat. 1193.)

AMENDMENTS

2013—Pub. L. 113-67 inserted section catchline, designated existing provisions as subsec. (a), inserted heading, substituted “There is authorized” for “There are hereby authorized”, and added subsec. (b).

1944—Act Sept. 21, 1944, inserted second par.

§ 590g. Additional policies and purposes of chapter

(a) Purposes enumerated

It is hereby declared to be the policy of this chapter also to secure, and the purposes of this chapter shall also include, (1) preservation and improvement of soil and water quality and related resources; (2) promotion of the economic use and conservation of land; (3) diminution of exploitation and wasteful and unscientific use of national soil resources; (4) the protection of rivers and harbors against the results of soil erosion in aid of maintaining the navigability of waters and water courses and in aid of flood control; (5) reestablishment, at as rapid a rate as the Secretary of Agriculture determines to be practicable and in the general public interest, of the ratio between the purchasing power of the net income per person on farms and that of the income per person not on farms that prevailed during the five-year period August 1909–July 1914, inclusive, as determined from statistics available in the United States Department of Agriculture, and the maintenance of such ratio; (6) prevention and abatement of agricultural-related pollution,¹ and (7) the promotion of energy and water conservation through dry land farming. The powers conferred under this section and sections 590h, 590i, and 590j to 590n of this title shall be used to assist voluntary action calculated to effectuate the purposes specified in this section. Such powers shall not be used to discourage the production of supplies of foods and fibers sufficient to maintain normal domestic human consumption as determined by the Secretary from the records of domestic human

consumption in the years 1920 to 1929, inclusive, taking into consideration increased population, quantities of any commodity that were forced into domestic consumption by decline in exports during such period, current trends in domestic consumption and exports of particular commodities, and the quantities of substitutes available for domestic consumption within any general class of food commodities. In carrying out the purposes of this section due regard shall be given to the maintenance of a continuous and stable supply of agricultural commodities adequate to meet consumer demand at prices fair to both producers and consumers.

(b) to (g) Repealed. Pub. L. 87-703, title I, § 101(1), Sept. 27, 1962, 76 Stat. 605

(Apr. 27, 1935, ch. 85, §7, as added Feb. 29, 1936, ch. 104, §1, 49 Stat. 1148; amended June 28, 1937, ch. 395, §1, 50 Stat. 329; Pub. L. 87-703, title I, §101(1), Sept. 27, 1962, 76 Stat. 605; Pub. L. 92-419, title VI, §606(1), Aug. 30, 1972, 86 Stat. 676; Pub. L. 99-198, title XII, §1253, Dec. 23, 1985, 99 Stat. 1517; Pub. L. 110-234, title II, §2802(a)(2), May 22, 2008, 122 Stat. 1085; Pub. L. 110-246, §4(a), title II, §2802(a)(2), June 18, 2008, 122 Stat. 1664, 1813.)

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—Subsec. (a)(1). Pub. L. 110-246, §2802(a)(2), substituted “soil and water quality and related resources” for “soil fertility”.

1985—Subsec. (a)(7). Pub. L. 99-198 added cl. (7).

1972—Subsec. (a)(6). Pub. L. 92-419 added cl. (6).

1962—Subsecs. (b) to (g). Pub. L. 87-703 repealed subsecs. (b) to (g) which provided for State plans as follows: subsec. (b), cooperation with States by making grants; subsec. (c), State plans; subsec. (d), conditions of plans; subsec. (e), approval of plans; subsec. (f), allocation of funds; and subsec. (g), apportionment of funds.

1937—Subsec. (g). Act June 28, 1937, substituted “any such apportionment of funds available for carrying out State plans during any year prior to 1942 may be made at any time prior to or during the year to which such plans relate” for “apportionments of funds available for carrying out the purposes specified in this section for the year 1936 may be made at any time during 1936, and apportionments for 1937 may be made at any time during 1937”.

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.

TRANSFER OF FUNCTIONS

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

§§ 590g-1, 590g-2. Omitted

CODIFICATION

Section 590g-1, acts July 5, 1952, ch. 574, title I, 66 Stat. 347; July 28, 1953, ch. 251, title I, 67 Stat. 216, which related to allocations to the Soil Conservation Service for services of its technicians in formulating and carrying out the agricultural conservation pro-

¹ So in original. The comma probably should be a semicolon.

gram in the participating counties, was apparently restricted to the appropriation acts of which in each case it was a part.

Section 590g-2, act July 5, 1952, ch. 574, title I, 66 Stat. 347, which related to allocations for State agricultural conservation programs to be utilized in determining the most needed conservation practices on individual farms, was apparently restricted to the appropriation act of which it was a part.

§ 590h. Payments and grants of aid

(a) Repealed. Pub. L. 87-703, title I, § 101(2), Sept. 27, 1962, 76 Stat. 605

(b) Conservation and environmental assistance

(1) Environmental quality incentives program

The Secretary shall provide technical assistance, cost-share payments, and incentive payments to operators through the environmental quality incentives program in accordance with chapter 4 of subtitle D of title XII of the Food Security Act of 1985 [16 U.S.C. 3839aa et seq.].

(2) to (4) Repealed. Pub. L. 104-127, title III, § 336(a)(1)(A)(i)(I), Apr. 4, 1996, 110 Stat. 1004

(5) State, county, and area committees

(A) Appointment of State committees

The Secretary shall appoint in each State a State committee composed of not fewer than 3 nor more than 5 members who are fairly representative of the farmers in the State. The members of a State committee shall serve at the pleasure of the Secretary for such term as the Secretary may establish.

(B) Establishment and elections for county, area, or local committees

(i) Establishment

(I) In general

In each county or area in which activities are carried out under this section, the Secretary shall establish a county or area committee.

(II) Local administrative areas

The Secretary may designate local administrative areas within a county or a larger area under the jurisdiction of a committee established under subclause (I).

(ii) Composition of county, area, or local committees

(I) In general

Except as provided in subclause (II), a committee established under clause (i) shall consist of not fewer than 3 nor more than 5 members that—

(aa) are fairly representative of the agricultural producers within the area covered by the county, area, or local committee; and

(bb) are elected by the agricultural producers that participate or cooperate in programs administered within the area under the jurisdiction of the county, area, or local committee.

(II) Combination or consolidation of areas

A committee established by combining or consolidating 2 or more county or

area committees shall consist of not fewer than 3 nor more than 11 members that—

(aa) are fairly representative of the agricultural producers within the area covered by the county, area, or local committee; and

(bb) are elected by the agricultural producers that participate or cooperate in programs administered within the area under the jurisdiction of the county, area, or local committee.

(III) Representation of socially disadvantaged farmers and ranchers

The Secretary shall develop procedures to maintain representation of socially disadvantaged farmers and ranchers on combined or consolidated committees.

(IV) Eligibility for membership

Notwithstanding any other producer eligibility requirements for service on county or area committees, if a county or area is consolidated or combined, a producer shall be eligible to serve only as a member of the county or area committee that the producer elects to administer the farm records of the producer.

(iii) Elections

(I) In general

Subject to subclauses (II) through (V), the Secretary shall establish procedures for nominations and elections to county, area, or local committees.

(II) Nondiscrimination statement

Each solicitation of nominations for, and notice of elections of, a county, area, or local committee shall include the nondiscrimination statement used by the Secretary.

(III) Nominations

(aa) Eligibility

To be eligible for nomination and election to the applicable county, area, or local committee, as determined by the Secretary, an agricultural producer shall be located within the area under the jurisdiction of a county, area, or local committee, and participate or cooperate in programs administered within that area.

(bb) Outreach

In addition to such nominating procedures as the Secretary may prescribe, the Secretary shall solicit and accept nominations from organizations representing the interests of socially disadvantaged groups (as defined in section 355(e)(1) of the Consolidated Farm and Rural Development Act (7 U.S.C. 2003(e)(1)).¹

(IV) Opening of ballots

(aa) Public notice

At least 10 days before the date on which ballots are to be opened and

¹ So in original. The period probably should be preceded by an additional closing parenthesis.