

or an officer of the Federal Government, such board is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a board established by the Congress, its duration is otherwise provided for by law. See sections 3(2) and 14 of Pub. L. 92-463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

**§ 3457. Repealed. Pub. L. 110-234, title II, § 2805(d), May 22, 2008, 122 Stat. 1089, and Pub. L. 110-246, § 4(a), title II, § 2805(d), June 18, 2008, 122 Stat. 1664, 1817**

Section, Pub. L. 97-98, title XV, §1534, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 273, related to evaluation of program established under this subchapter and submission of report not later than June 30, 2005.

CODIFICATION

Pub. L. 110-234 and Pub. L. 110-246 repealed this section. Pub. L. 110-234 was repealed by section 4(a) of Pub. L. 110-246.

PRIOR PROVISIONS

A prior section 3457, Pub. L. 97-98, title XV, §1534, Dec. 22, 1981, 95 Stat. 1340, related to the Resource Conservation and Development Policy Board, prior to the general amendment of this subchapter by Pub. L. 107-171.

EFFECTIVE DATE OF REPEAL

Repeal 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.

**§ 3458. Limitation on assistance**

In carrying out this subchapter, the Secretary shall provide technical assistance and financial assistance with respect to not more than 450 active designated areas.

(Pub. L. 97-98, title XV, §1535, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

A prior section 3458, Pub. L. 97-98, title XV, §1535, Dec. 22, 1981, 95 Stat. 1340, related to program evaluation, prior to the general amendment of this subchapter by Pub. L. 107-171.

**§ 3459. Supplemental authority of the Secretary**

The authority of the Secretary under this subchapter to assist councils in the development and implementation of area plans shall be supplemental to, and not in lieu of, any authority of the Secretary under any other provision of law.

(Pub. L. 97-98, title XV, §1536, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

A prior section 3459, Pub. L. 97-98, title XV, §1536, Dec. 22, 1981, 95 Stat. 1340; Pub. L. 101-624, title XIV, §1452(a), Nov. 28, 1990, 104 Stat. 3611, related to limitation on assistance, prior to the general amendment of this subchapter by Pub. L. 107-171.

**§ 3460. Authorization of appropriations**

**(a) In general**

There are authorized to be<sup>1</sup> such sums as are necessary to carry out this subchapter.

**(b) Loans**

The Secretary shall not use more than \$15,000,000 of any funds made available for a fiscal year to make loans under this subchapter.

**(c) Availability**

Funds appropriated to carry out this subchapter shall remain available until expended.

(Pub. L. 97-98, title XV, §1537, as added Pub. L. 107-171, title II, §2504, May 13, 2002, 116 Stat. 274.)

PRIOR PROVISIONS

Prior sections 3460 and 3461 were omitted in the general amendment of this subchapter by Pub. L. 107-171.

Section 3460, Pub. L. 97-98, title XV, §1537, Dec. 22, 1981, 95 Stat. 1340, related to supplemental authority of Secretary.

Section 3461, Pub. L. 97-98, title XV, §1538, Dec. 22, 1981, 95 Stat. 1341; Pub. L. 101-624, title XIV, §1452(b), Nov. 28, 1990, 104 Stat. 3611; Pub. L. 104-127, title III, §383, Apr. 4, 1996, 110 Stat. 1016, authorized appropriations for each of the fiscal years 1996 through 2002.

SUBCHAPTER VI—MISCELLANEOUS PROVISIONS

**§ 3471. Payments for land removed from production for conservation purposes; authorization of appropriations**

(a) The Secretary of Agriculture may enter into contracts to provide financial assistance in the form of payments to owners and operators of cropland located in counties where the soil normally freezes to a depth of at least four inches annually who remove such land from agricultural production for a period not to exceed one year for the purpose of installing enduring conservation measures which involve excavation of the soil. The payments under such contracts shall be in such amounts as determined by the Secretary to be necessary to effectuate the purposes of this subchapter but shall not exceed an amount equal to the number of acres of cropland removed from agricultural production for such purpose multiplied by 50 per centum of the typical annual rent, as determined by the Secretary, paid for similar land in the county. Financial assistance may not be provided under this section with respect to any conservation measure without the approval of the soil and water conservation district board for the district in which the land is located, and may not, in the aggregate, be provided in any year with respect to more than one-half of 1 per centum of the cropland in any county.

(b) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section, such sums to remain available until expended.

(Pub. L. 97-98, title XV, §1552, Dec. 22, 1981, 95 Stat. 1344.)

REFERENCES IN TEXT

This subchapter, referred to in subsec. (a), was in the original "this subtitle", meaning subtitle J

<sup>1</sup>So in original. Probably should be followed by "appropriated".

(§§1550-1554) of title XV of Pub. L. 97-98, Dec. 22, 1981, 95 Stat. 1344, which enacted this subchapter and section 2273 of Title 7, Agriculture, and amended section 1236 of Title 30, Mineral Lands and Mining. For complete classification of subtitle J to the Code, see Tables.

#### § 3472. Conservation tillage; Congressional findings, etc.

(a) Congress finds that—

(1) domestic and international demand for agricultural products from the United States is great and is expected to significantly increase over the next twenty years;

(2) the ability of the United States to provide agricultural products to meet that demand is seriously impaired by the annual loss of five billion tons of soil due to wind and water erosion;

(3) the battle against soil erosion is being lost despite the annual expenditure of millions of dollars by the Federal Government on research, technical assistance, and conservation incentives to control soil erosion;

(4) conservation tillage practices are estimated to reduce soil erosion by 50 to 90 per centum over conventional farming practices; and

(5) conservation tillage may result in better yields, greater land use flexibility, decreased fuel use, decreased labor and equipment costs, increased retention of soil moisture, and more productive land than conventional farming practices and may be adaptable to a broad range of soil types and slopes throughout the country.

(b) It is the sense of Congress that the Secretary of Agriculture should, and is hereby urged and requested to—

(1) direct the attention of our Nation's farmers to the costs and benefits of conservation tillage as a means of controlling soil erosion and improving profitability; and

(2) conduct a program of research designed to resolve any unanswered questions regarding the advantages and disadvantages of conservation tillage over other soil conservation practices.

(Pub. L. 97-98, title XV, §1553, Dec. 22, 1981, 95 Stat. 1345.)

#### § 3473. Regulations

The Secretary of Agriculture shall prescribe such regulations as may be necessary to carry out the provisions of this chapter.

(Pub. L. 97-98, title XV, §1554, Dec. 22, 1981, 95 Stat. 1345.)

#### REFERENCES IN TEXT

This chapter, referred to in text, was in the original "this title", meaning title XV of Pub. L. 97-98, Dec. 22, 1981, 95 Stat. 1328, which enacted this chapter and sections 2272 and 2273 and chapter 73 (§4201 et seq.) of Title 7, Agriculture, amended sections 1002 to 1005 of this title, section 1010 of Title 7, section 714b of Title 15, Commerce and Trade, and section 1236 of Title 30, Mineral Lands and Mining, and enacted a provision set out as a note under section 2272 of Title 7.

#### CHAPTER 55—COASTAL BARRIER RESOURCES

Sec.  
3501. Congressional statement of findings and purpose.

Sec.  
3502. Definitions.  
3503. Establishment of John H. Chafee Coastal Barrier Resources System.  
3504. Limitations on Federal expenditures affecting the System.  
3505. Exceptions to limitations on expenditures.  
3506. Certification of compliance.  
3507. Priority of laws.  
3508. Separability.  
3509. Repealed.  
3510. Authorization of appropriations.

#### § 3501. Congressional statement of findings and purpose

(a) The Congress finds that—

(1) coastal barriers along the Atlantic and Gulf coasts and along the shore areas of the Great Lakes of the United States and the adjacent wetlands, marshes, estuaries, inlets and nearshore waters provide—

(A) habitats for migratory birds and other wildlife; and

(B) habitats which are essential spawning, nursery, nesting, and feeding areas for commercially and recreationally important species of finfish and shellfish, as well as other aquatic organisms such as sea turtles;

(2) coastal barriers contain resources of extraordinary scenic, scientific, recreational, natural, historic, archeological, cultural, and economic importance; which are being irretrievably damaged and lost due to development on, among, and adjacent to, such barriers;

(3) coastal barriers serve as natural storm protective buffers and are generally unsuitable for development because they are vulnerable to hurricane and other storm damage and because natural shoreline recession and the movement of unstable sediments undermine manmade structures;

(4) certain actions and programs of the Federal Government have subsidized and permitted development on coastal barriers and the result has been the loss of barrier resources, threats to human life, health, and property, and the expenditure of millions of tax dollars each year; and

(5) a program of coordinated action by Federal, State, and local governments is critical to the more appropriate use and conservation of coastal barriers.

(b) The Congress declares that it is the purpose of this chapter to minimize the loss of human life, wasteful expenditure of Federal revenues, and the damage to fish, wildlife, and other natural resources associated with the coastal barriers along the Atlantic and Gulf coasts and along the shore areas of the Great Lakes by restricting future Federal expenditures and financial assistance which have the effect of encouraging development of coastal barriers, by establishing the John H. Chafee Coastal Barrier Resources System, and by considering the means and measures by which the long-term conservation of these fish, wildlife, and other natural resources may be achieved.

(Pub. L. 97-348, §2, Oct. 18, 1982, 96 Stat. 1653; Pub. L. 100-707, title II, §204(c)(1), Nov. 23, 1988, 102 Stat. 4714; Pub. L. 106-167, §3(c)(1), Dec. 9, 1999, 113 Stat. 1804.)