

tion of the agency having jurisdiction thereof; and

(b) On any other lands, upon obtaining proper consent or the necessary rights or interests in such lands.

(Apr. 27, 1935, ch. 85, § 2, 49 Stat. 163.)

§ 590c. Conditions under which benefits of law extended to nongovernment controlled lands

As a condition to the extending of any benefits under this chapter to any lands not owned or controlled by the United States or any of its agencies, the Secretary of Agriculture may, insofar as he may deem necessary for the purposes of this chapter, require the following:

(1) The enactment and reasonable safeguards for the enforcement of State and local laws imposing suitable permanent restrictions on the use of such lands and otherwise providing for the prevention of soil erosion.

(2) Agreements or covenants as to the permanent use of such lands.

(3) Contributions in money, services, materials, or otherwise, to any operations conferring such benefits.

(4)(A) The payment of user fees for conservation planning technical assistance if the Secretary determines that the fees, subject to subparagraph (B), are—

(i) reasonable and appropriate;

(ii) assessed for conservation planning technical assistance resulting in the development of a conservation plan; and

(iii) assessed based on the size of the land or the complexity of the resource issues involved.

(B) Fees under subparagraph (A) may not exceed \$150 per conservation plan for which technical assistance is provided.

(C) The Secretary may waive fees otherwise required under subparagraph (A) in the case of conservation planning technical assistance provided—

(i) to beginning farmers or ranchers (as defined in section 1991(a) of title 7);

(ii) to limited resource farmers or ranchers (as defined by the Secretary);

(iii) to socially disadvantaged farmers or ranchers (as defined in section 2003(e) of title 7);

(iv) to qualify for an exemption from ineligibility under section 3812 of this title; or

(v) to comply with Federal, State, or local regulatory requirements.

(Apr. 27, 1935, ch. 85, § 3, 49 Stat. 163; Pub. L. 113-67, div. A, title VII, § 705(a), Dec. 26, 2013, 127 Stat. 1192.)

AMENDMENTS

2013—Pub. L. 113-67, § 705(a)(1), substituted “require the following:” for “require—” in introductory provisions.

Par. (1). Pub. L. 113-67, § 705(a)(2), substituted period for semicolon at end.

Par. (2). Pub. L. 113-67, § 705(a)(3), substituted period at end for “; and”.

Par. (4). Pub. L. 113-67, § 705(a)(4), added par. (4).

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.

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

§ 590d. Cooperation of governmental agencies; officers and employees, appointment and compensation; expenditures for personal services and supplies

For the purposes of this chapter, the Secretary of Agriculture may—

(1) Secure the cooperation of any governmental agency;

(2) Subject to the provisions of the civil-service laws and chapter 51 and subchapter III of chapter 53 of title 5, appoint and fix compensation of such officers and employees as he may deem necessary, except for a period not to exceed eight months from April 27, 1935, the Secretary of Agriculture may make appointments and may continue employees of the organization heretofore established for the purpose of administering those provisions of the National Industrial Recovery Act which relate to the prevention of soil erosion, without regard to the civil-service laws or regulations and the Classification Act, as amended; and any persons with technical or practical knowledge may be employed and compensated under this chapter on a basis to be determined by the Director of the Office of Personnel Management; and

(3) Make expenditures for personal services and rent in the District of Columbia and elsewhere, for the purchase of law books and books of reference, for printing and binding, for the purchase, operation, and maintenance of passenger-carrying vehicles, and perform such acts, and prescribe such regulations, as he may deem proper to carry out the provisions of this chapter.

(Apr. 27, 1935, ch. 85, § 4, 49 Stat. 164; Oct. 28, 1949, ch. 782, title XI, § 1106(a), 63 Stat. 972; 1978 Reorg. Plan No. 2, § 102, eff. Jan. 1, 1979, 43 F.R. 36037, 92 Stat. 3784.)

REFERENCES IN TEXT

The National Industrial Recovery Act, referred to in par. (2), is act June 16, 1933, ch. 90, 48 Stat. 195, which was classified generally to subchapter I (§ 401 et seq.) of chapter 8 of former Title 40, Public Buildings, Property, and Works, and was terminated June 30, 1943, by act June 27, 1942, ch. 450, § 1, 56 Stat. 410. Provisions of the Act that were classified to former Title 40 were repealed by Pub. L. 107-217, § 6(b), Aug. 21, 2002, 116 Stat.