

that the Secretary distribute the available funds among the several States in accordance with their conservation needs as determined by the Secretary and struck out provisions setting out a formula for determining the proper allocation of funds as between the various commodities and making reference to programs of soil-building practices, soil-conserving and water-conserving practices, and agricultural-related pollution prevention and abatement practices.

1972—Pub. L. 92-419 made provisions of last paragraph respecting distribution of funds applicable to programs of agriculture-related pollution prevention and abatement practices.

1954—Act Aug. 28, 1954, inserted last par.

1938—Act Feb. 16, 1938, inserted par. beginning “The funds available”.

#### EFFECTIVE DATE OF 1977 AMENDMENT

Amendment by Pub. L. 95-113 effective Oct. 1, 1977, see section 1901 of Pub. L. 95-113, set out as a note under section 1307 of Title 7, Agriculture.

#### EFFECTIVE DATE OF 1938 AMENDMENT

Act Feb. 16, 1938, ch. 30, title I, §105, 52 Stat. 36, as amended by section 1 of act Apr. 7, 1938, provided that the amendment made by that act, amending this section, “shall first be effective with respect to farming operations carried out in the calendar year 1938. Notwithstanding such amendments, payments with respect to farming operations carried out in the calendar year 1938 and based upon any soil-depleting crop for which special acreage allotments are established shall be made at not less than 90 per centum of the rates announced by the Secretary prior to the enactment of this act. Nothing contained herein shall require reconstituting, for 1938, any county or other local committee which has been constituted prior to February 1, 1938.”

#### 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.

### § 590p. Repealed. Pub. L. 104-127, title III, § 336(b)(1), Apr. 4, 1996, 110 Stat. 1006

Section, act Apr. 27, 1935, ch. 85, §16, as added Feb. 29, 1936, ch. 104, §1, 49 Stat. 1151; amended Aug. 7, 1956, ch. 1030, §1, 70 Stat. 1115; Sept. 14, 1960, Pub. L. 86-793, §1, 74 Stat. 1030; Mar. 22, 1961, Pub. L. 87-5, §2, 75 Stat. 6; Aug. 8, 1961, Pub. L. 87-128, title I, §132, title IV, §401, 75 Stat. 302, 319; Mar. 30, 1962, Pub. L. 87-425, §2, 76 Stat. 50; May 15, 1962, Pub. L. 87-451, §4, 76 Stat. 70; Sept. 27, 1962, Pub. L. 87-703, title I, §101(4), (5), title III, §302, 76 Stat. 606, 607, 612; May 20, 1963, Pub. L. 88-26, §3, 77 Stat. 45; Nov. 3, 1965, Pub. L. 89-321, title III, §302, title VI, §602(g), 79 Stat. 1190, 1208; Oct. 11, 1968, Pub. L. 90-559, §1(1), 82 Stat. 996; Nov. 18, 1969, Pub. L. 91-118, §§1-3, 83 Stat. 194, 195; Nov. 30, 1970, Pub. L. 91-524, title VIII, §801, 84 Stat. 1379; June 6, 1980, Pub. L. 96-263, §1, 94 Stat. 438; Nov. 28, 1990, Pub. L. 101-624, title XIV, §1455, 104 Stat. 3614; Nov. 2, 1994, Pub. L. 103-437, §6(s), 108 Stat. 4587, related to limitation on obligations incurred for purpose of carrying out certain sections and Great Plains conservation program.

### § 590p-1. Limitation on wetlands drainage assistance to aid wildlife preservation; termination of limitation; redetermination of need for assistance upon change of ownership of lands

The Secretary of Agriculture shall not enter into an agreement in the States of North Dakota, South Dakota, and Minnesota to provide financial or technical assistance for wetland drainage on a farm under authority of this chapter, if the Secretary of the Interior has made a

finding that wildlife preservation will be materially harmed on that farm by such drainage and that preservation of such land in its undrained status will materially contribute to wildlife preservation and such finding, identifying specifically the farm and the land on that farm with respect to which the finding was made, has been filed with the Secretary of Agriculture within ninety days after the filing of the application for drainage assistance: *Provided*, That the limitation against furnishing such financial or technical assistance shall terminate (1) at such time as the Secretary of the Interior notifies the Secretary of Agriculture that such limitation should not be applicable, (2) one year after the date on which the adverse finding of the Secretary of the Interior was filed unless during that time an offer has been made by the Secretary of the Interior or a State government agency to lease or to purchase the wetland area from the owner thereof as a waterfowl resource, or (3) five years after the date on which such adverse finding was filed if such an offer to lease or to purchase such wetland area has not been accepted by the owner thereof: *Provided further*, That upon any change in the ownership of the land with respect to which such adverse finding was filed, the eligibility of such land for such financial or technical assistance shall be redetermined in accordance with the provisions of this section.

(Apr. 27, 1935, ch. 85, §16A, as added Pub. L. 87-732, Oct. 2, 1962, 76 Stat. 696.)

### § 590q. Coverage; “State” defined; short title

(a) This chapter shall apply to the States, the Commonwealth of Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands, and, as used in this chapter, the term “State” includes Puerto Rico, Guam, American Samoa, the Northern Mariana Islands, and the Virgin Islands.

(b) This chapter may be cited as the “Soil Conservation and Domestic Allotment Act”.

(Apr. 27, 1935, ch. 85, §17, as added Feb. 29, 1936, ch. 104, §1, 49 Stat. 1151; amended July 26, 1947, ch. 339, §2, 61 Stat. 494; Pub. L. 86-70, §13(b), June 25, 1959, 73 Stat. 143; Pub. L. 86-624, §8(b), July 12, 1960, 74 Stat. 412; Pub. L. 98-454, title VI, §601(d), Oct. 5, 1984, 98 Stat. 1736.)

#### AMENDMENTS

1984—Subsec. (a). Pub. L. 98-454 inserted reference to Guam, American Samoa, and the Northern Mariana Islands in two places.

1960—Subsec. (a). Pub. L. 86-624 substituted “States, the Commonwealth of Puerto Rico” for “States, the Territory of Hawaii, and the possessions of Puerto Rico”, and struck out “Hawaii” from definition of “State”.

1959—Subsec. (a). Pub. L. 86-70 substituted “the States, the Territory of Hawaii,” for “the United States, the Territories of Alaska and Hawaii”, and struck out “Alaska,” after “the term ‘State’ includes”.

1947—Subsec. (a). Act July 26, 1947, included the Virgin Islands.

#### REPEALS

Section 3 of act July 26, 1947, repealed all laws in conflict therewith.