

[As Amended Through P.L. 107-195, June 16, 2002]

SOIL CONSERVATION AND LAND USE PROGRAMS— APPENDIX

OMNIBUS BUDGET RECONCILIATION ACT OF 1987

SEC. 1305(d)¹³⁰⁵⁻¹ [7 U.S.C. 1308 note] CONSERVATION RESERVE APPLICATION.—Notwithstanding section 1234(f)(2) of the Food Security Act of 1985 (16 U.S.C. 3834(f)), paragraphs (5) through (7) of section 1001, as amended by this subtitle, and sections 1001A through 1001C of the Food Security Act of 1985 shall apply to the conservation reserve program under subtitle D of title XII of such Act (16 U.S.C. 3831 et seq.) with respect to rental payments to persons under contracts entered into after the date of the enactment of this Act, except with respect to landlords that receive cash rent, or a crop share guaranteed as to the amount of the commodity to be paid in rent, for the use of the land.

FARM DISASTER ASSISTANCE ACT OF 1987

CONSERVATION RESERVE

SEC. 10.¹⁰⁻¹ [16 U.S.C. 3835 note] Section 1235(a) of the Food Security Act of 1985 should be reviewed by the Secretary of Agriculture to ensure that the provisions thereof relating to exceptions to the three-year ownership requirement with respect to eligibility for the conservation reserve are being implemented in a manner to encourage inclusion of producer-owned land in the conservation reserve. However, any such exception to the three-year requirement should be made only if the Secretary determines that the land involved (1) was not acquired for the purpose of placing the land in the conservation reserve or (2) otherwise meets the criteria for exceptions made under section 1235(a).

URGENT SUPPLEMENTAL APPROPRIATIONS ACT, 1986

DEPARTMENT OF AGRICULTURE

COMMODITY CREDIT CORPORATION

* * * * *

Provided further,¹⁻¹ That after fiscal year 1987, funds available to the Corporation may be used to carry out section 1241(a)(1) of the Food Security Act of 1985, only to such extent or in such amounts as provided in advance in appropriations Acts. The signup agreement should not reduce total production below levels needed to meet domestic needs, maintain the supply line, and provide for an adequate supply for export by either the Commodity Credit Corporation or private corporations or individuals at competitive prices; since by law the proceeds from sales become available for use by the Commodity Credit Corporation, such sales should reduce future appropriations: *Provided further*, That the conservation reserve program shall not replace or reduce any existing conservation program.

¹³⁰⁵⁻¹ P.L. 100-203, 101 Stat. 1330-18, Dec. 22, 1987.

¹⁰⁻¹ P.L. 100-45, 101 Stat. 323, May 27, 1987.

¹⁻¹ P.L. 99-263, H.J. Res. 534, 101 Stat. 59, Mar. 24, 1986.

AGRICULTURAL CREDIT ACT OF 1978

[Public Law 95-334; 92 Stat. 420; 16 U.S.C. 2201-2205]

TITLE IV—EMERGENCY CONSERVATION PROGRAM

SEC. 401. [16 U.S.C. 2201] The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency measures to control wind erosion on farmlands or to rehabilitate farmlands damaged by wind erosion, floods, hurricanes, or other natural disasters when, as a result of the foregoing, new conservation problems have been created that (1) if not treated, will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage that is unusual in character and, except for wind erosion, is not the type that would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is or will be required to return the land to productive agricultural use.

SEC. 402. [16 U.S.C. 2202] The Secretary of Agriculture is authorized to make payments to agricultural producers who carry out emergency water conservation or water enhancing measures (including measures carried out to assist confined livestock)⁴⁰²⁻¹ during periods⁴⁰²⁻² of severe drought as determined by the Secretary.

SEC. 403. [16 U.S.C. 2203] The Secretary of Agriculture is authorized to undertake emergency measures, including the purchase of floodplain easements,⁴⁰³⁻¹ for runoff retardation and soil-erosion prevention, in cooperation with landowners and land users, as the Secretary deems necessary to safeguard lives and property from floods, drought, and the products of erosion on any watershed whenever fire, flood, or any other natural occurrence is causing or has caused a sudden impairment of that watershed.

SEC. 404. [16 U.S.C. 2204] There are authorized to be appropriated such funds as may be necessary to carry out the purposes of this title. Such funds shall remain available until expended. In implementing the provisions of this title, the Secretary of Agriculture may use the facilities, services, and authorities of the Commodity Credit Corporation. The Corporation shall not make any expenditures to carry out the provisions of this title unless funds specifically appropriated for such purpose have been transferred to it.

SEC. 405. [16 U.S.C. 2205] The Secretary of Agriculture is authorized to prescribe such regulations as the Secretary determines necessary to carry out the provisions of this title.

SEC. 406. [16 U.S.C. 2201, note] The provisions of this title shall become effective October 1, 1978.

⁴⁰²⁻¹ Sec. 502(1) of P.L. 101-82, 103 Stat. 586, Aug. 14, 1989, amended this sec. by inserting after "measures" the following: "(including measures carried out to assist confined livestock)".

⁴⁰²⁻² Effective only for fiscal year 1989, sec. 502(2) of P.L. 101-82, 103 Stat. 586, Aug. 14, 1989, amended this sec. by striking "periods" and inserting "any fiscal year in which there is a period".

⁴⁰³⁻¹ Sec. 382 of the Federal Agriculture Improvement and Reform Act of 1996, P.L. 104-127, 110 Stat. 1016, April 4, 1996, amended this section by inserting "including the purchase of floodplain easements," after "emergency measures".