

118TH CONGRESS
1ST SESSION

S. _____

To require the Environmental Protection Agency and the Corps of Engineers to use a certain definition for the term “prior converted cropland”, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. ROUNDS (for himself, Mr. RICKETTS, Mr. THUNE, Mr. MARSHALL, Mr. BRAUN, Mr. HOEVEN, Mr. BARRASSO, and Mr. CRAMER) introduced the following bill; which was read twice and referred to the Committee on

A BILL

To require the Environmental Protection Agency and the Corps of Engineers to use a certain definition for the term “prior converted cropland”, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Farmers Freedom Act
5 of 2023”.

6 **SEC. 2. PRIOR CONVERTED CROPLAND.**

7 For purposes of the definition of the term “waters
8 of the United States” under the Federal Water Pollution

1 Control Act (33 U.S.C. 1251 et seq.) and exclusions from
2 that term, including under section 328.3 of title 33 and
3 section 120.2 of title 40, Code of Federal Regulations (and
4 any successor regulations), the Administrator of the Envi-
5 ronmental Protection Agency and the Secretary of the
6 Army, acting through the Chief of Engineers, shall ensure
7 that the term “prior converted cropland” has the meaning
8 given the term in the final rule of the Corps of Engineers
9 and the Environmental Protection Agency entitled “The
10 Navigable Waters Protection Rule: Definition of ‘Waters
11 of the United States’” (85 Fed. Reg. 22250 (April 21,
12 2020)).