

118TH CONGRESS  
1ST SESSION

# S. 2696

To amend the Food Security Act of 1985 to modify the water conservation or irrigation efficiency practice waiver authority.

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IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mrs. FEINSTEIN (for herself, Mr. MARSHALL, Mr. BENNET, Mr. LUJÁN, Mr. PADILLA, Mr. KELLY, Ms. SINEMA, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

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## A BILL

To amend the Food Security Act of 1985 to modify the water conservation or irrigation efficiency practice waiver authority.

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 “EQIP Water Conserva-  
5 tion Act of 2023”.

1 **SEC. 2. WATER CONSERVATION OR IRRIGATION EFFI-**  
 2 **CIENCY PRACTICE WAIVER AUTHORITY.**

3 Section 1240B(h)(2) of the Food Security Act of  
 4 1985 (16 U.S.C. 3839aa–2(h)(2)) is amended by striking  
 5 subparagraphs (C) and (D) and inserting the following:

6 “(C) WAIVER AUTHORITY.—The Secretary  
 7 shall waive the applicability of the limitations in  
 8 sections 1001D(b) and 1240G for a payment  
 9 made under a contract entered into under this  
 10 paragraph if the payment does not exceed—

11 “(i) the product obtained by multi-  
 12 plying—

13 “(I) the maximum payment  
 14 under section 1240G; and

15 “(II) the number of producers  
 16 served by the contract through the en-  
 17 tity that is party to the contract; less

18 “(ii) the sum of any other payments  
 19 received under the program during the pe-  
 20 riod of fiscal years 2024 through 2028  
 21 by—

22 “(I) producers served by the con-  
 23 tract; and

24 “(II) the entity that is party to  
 25 the contract, limited to the proportion

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1 of those payments that benefit the  
2 producers served by the contract.”.

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