

118TH CONGRESS  
1ST SESSION

# S. 3366

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.

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## IN THE SENATE OF THE UNITED STATES

NOVEMBER 30, 2023

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

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## 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)).

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