

118TH CONGRESS
1ST SESSION

S. 658

To amend the Food Security Act of 1985 to make adjustments to the environmental quality incentives program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 6, 2023

Mr. BOOKER (for himself and Mr. LEE) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Food Security Act of 1985 to make adjustments to the environmental quality incentives program, 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 “EQIP Improvement
5 Act of 2023”.

6 **SEC. 2. ENVIRONMENTAL QUALITY INCENTIVES PROGRAM**
7 **REFORMS.**

8 (a) IN GENERAL.—Section 1240B of the Food Secu-
9 rity Act of 1985 (16 U.S.C. 3839aa–2) is amended—

1 (1) in subsection (d), by striking paragraph (2)
2 and inserting the following:

3 “(2) LIMITATION ON PAYMENTS.—A payment
4 to a producer for performing a practice may not ex-
5 ceed, as determined by the Secretary—

6 “(A) except as provided in subparagraphs
7 (B) through (D), 75 percent of the costs associ-
8 ated with planning, design, materials, equip-
9 ment, installation, labor, management, mainte-
10 nance, or training;

11 “(B) 40 percent of the costs associated
12 with planning, design, materials, equipment, in-
13 stallation, labor, management, maintenance, or
14 training for—

15 “(i) an access road;

16 “(ii) an animal mortality facility;

17 “(iii) an aquaculture pond;

18 “(iv) clearing and snagging;

19 “(v) a dam;

20 “(vi) a dam using a diversion;

21 “(vii) a dike;

22 “(viii) a diversion;

23 “(ix) a fish raceway or tank;

24 “(x) an irrigation pipeline;

25 “(xi) an irrigation reservoir;

- 1 “(xii) land clearing;
- 2 “(xiii) land smoothing;
- 3 “(xiv) a livestock pipeline;
- 4 “(xv) obstruction removal;
- 5 “(xvi) a pond;
- 6 “(xvii) a pumping plant;
- 7 “(xviii) spoil spreading;
- 8 “(xix) a surface drain using a field
9 ditch;
- 10 “(xx) a main or lateral surface drain;
- 11 “(xxi) a vertical drain;
- 12 “(xxii) a waste facility closure;
- 13 “(xxiii) a waste storage facility;
- 14 “(xxiv) waste transfer; or
- 15 “(xxv) a waste treatment lagoon;
- 16 “(C) 100 percent of income foregone by
17 the producer; or
- 18 “(D) in the case of a practice that includes
19 1 or more elements described in subparagraphs
20 (A) through (C)—
- 21 “(i) 75 percent of the costs incurred
22 with respect to any elements described in
23 subparagraph (A);

1 “(ii) 40 percent of the costs incurred
2 with respect to any elements described in
3 subparagraph (B); and

4 “(iii) 100 percent of the income for-
5 gone with respect to any elements de-
6 scribed in subparagraph (C).”; and

7 (2) in subsection (f), by striking the subsection
8 designation and heading and all that follows through
9 “*For each*” in paragraph (2)(B) and inserting the
10 following:

11 “(f) ALLOCATION OF FUNDING FOR WILDLIFE HABITAT.—*For each*”.

12 (b) LIMITATION ON PAYMENTS.—Section 1240G of
13 the Food Security Act of 1985 (16 U.S.C. 3839aa–7) is
14 amended by striking “\$450,000” and inserting
15 “\$150,000”.

16 (c) REPORT TO CONGRESS.—Section 1240B of the
17 Food Security Act of 1985 (16 U.S.C. 3839aa–2) is
18 amended by adding at the end the following:

19 “(k) ANNUAL REPORT TO CONGRESS.—Not less fre-
20 quently than once each year, the Secretary shall submit
21 to Congress a report describing—

22 “(1) the amount obligated under the program
23 with respect to each category of practice, with infor-
24 mation categorized by fiscal year and State; and
25

1 “(2) the amount obligated under the program
2 in each State, with information categorized by fiscal
3 year and the size of the operation of each pro-
4 ducer.”.

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