

115TH CONGRESS
2D SESSION

H. R. 5055

To amend the Food Security Act of 1985 to make acequias eligible for assistance, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 15, 2018

Mr. BEN RAY LUJÁN of New Mexico (for himself and Ms. MICHELLE LUJAN GRISHAM of New Mexico) introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To amend the Food Security Act of 1985 to make acequias eligible for assistance, 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 “Acequia Conservation
5 Program Eligibility Act”.

6 **SEC. 2. ELIGIBILITY FOR ACEQUIAS.**

7 (a) DEFINITIONS.—Section 1201(a) of the Food Se-
8 curity Act of 1985 (16 U.S.C. 3801(a)) is amended by
9 adding at the end the following:

1 “(28) ACEQUIA.—The term ‘acequia’ means an
2 entity that—

3 “(A) is a political subdivision of a State;

4 “(B) is organized for the purpose of man-
5 aging the operation of an irrigation ditch; and

6 “(C) does not have the authority to impose
7 taxes or levies.”.

8 (b) CONFORMING AMENDMENTS.—

9 (1) DEFINITIONS.—Section 1201(a)(18)(B) of
10 the Food Security Act of 1985 (16 U.S.C.
11 3801(a)(18)(B)) is amended by inserting “acequia,”
12 after “Indian tribe,”.

13 (2) CONSERVATION SECURITY PROGRAM.—Sec-
14 tion 1238A(b)(2) of the Food Security Act of 1985
15 (16 U.S.C. 3838a(b)(2)) is amended by inserting
16 “land of an acequia,” before “and forested land”.

17 (3) CONSERVATION STEWARDSHIP PROGRAM.—
18 Section 1238G(f) of the Food Security Act of 1985
19 (16 U.S.C. 3838g(f)) is amended by inserting “or
20 acequias” after “Indian tribes”.

21 (4) ADMINISTRATIVE REQUIREMENTS FOR CON-
22 SERVATION PROGRAMS.—Section 1244(a) of the
23 Food Security Act of 1985 (16 U.S.C. 3844(a)) is
24 amended—

1 (A) in the subsection header, by inserting
2 “AND ACEQUILAS” after “INDIAN TRIBES”; and

3 (B) by adding at the end of paragraph (2)
4 the following:

5 “(G) Acequias.”.

6 (5) AGRICULTURAL CONSERVATION EASEMENT
7 PROGRAM.—Subtitle H of title XII of the Food Se-
8 curity Act of 1985 (16 U.S.C. 3865 et seq.) is
9 amended—

10 (A) in section 1265A(2)(A), by striking
11 “or an Indian tribe” and inserting “, or an In-
12 dian tribe or acequia,”;

13 (B) in section 1265C—

14 (i) in subsection (b)(1)(D), by insert-
15 ing “and acequias” after “Indian tribes”;

16 (ii) in subsection (d)(2), by striking
17 “or Indian tribe” and inserting “Indian
18 tribe, or acequia”; and

19 (iii) in subsection (e), by striking “or
20 Indian tribe” and inserting “Indian tribe,
21 or acequia”; and

22 (C) in section 1265D(a)(2), by adding “,
23 other than land of an acequia” before the semi-
24 colon.

1 (6) REGIONAL CONSERVATION PARTNERSHIP
2 PROGRAM.—Section 1271A(4)(E) of the Food Secu-
3 rity Act of 1985 (16 U.S.C. 3871a(4)) is amended
4 by inserting “, including an acequia” before the pe-
5 riod at the end.

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