

118TH CONGRESS
1ST SESSION

S. 2588

To amend the Food Security Act of 1985 to create permanent payments within the environmental quality incentives program for soil health practices and carbon sequestration monitoring, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 27, 2023

Mr. WYDEN 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 create permanent payments within the environmental quality incentives program for soil health practices and carbon sequestration monitoring, 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 “Healthy Soils Healthy
5 Climate Act of 2023”.

1 **SEC. 2. AMENDMENTS TO THE FOOD SECURITY ACT OF**
 2 **1985.**

3 (a) INCREASED PAYMENTS FOR HIGH-PRIORITY
 4 PRACTICES.—Section 1240B(d)(7)(A) of the Food Secu-
 5 rity Act of 1985 (16 U.S.C. 3839aa–2(d)(7)(A)) is amend-
 6 ed—

7 (1) in clause (iii), by striking “or” at the end;

8 (2) in clause (iv), by striking the period at the
 9 end and inserting “; or”; and

10 (3) by adding at the end the following:

11 “(v) increases soil organic carbon lev-
 12 els.”.

13 (b) INCENTIVE PAYMENTS FOR SOIL HEALTH PRAC-
 14 TICES AND CARBON SEQUESTRATION MONITORING.—

15 (1) IN GENERAL.—Section 1240B of the Food
 16 Security Act of 1985 (16 U.S.C. 3839aa–2) is
 17 amended by adding at the end the following:

18 “(k) INCENTIVE PAYMENTS FOR SOIL HEALTH
 19 PRACTICES AND CARBON SEQUESTRATION MONI-
 20 TORING.—

21 “(1) PROVISION OF PAYMENTS.—The Secretary
 22 shall provide incentive payments under this sub-
 23 section to producers to adopt practices designed to
 24 increase soil organic carbon levels.

1 “(2) REQUIREMENTS.—In providing the incen-
2 tive payments under paragraph (1), the Secretary
3 shall establish—

4 “(A) payments to provide an incentive for
5 the use of practices across a variety of geo-
6 graphic regions;

7 “(B) regionally appropriate protocols for
8 measuring soil organic carbon levels and soil
9 microbiology levels before and after treatment
10 under this subsection to measure gains in soil
11 health as a result of the practices; and

12 “(C) protocols and record keeping stand-
13 ards for in-field sampling to ensure consistency
14 and the development of new carbon and eco-
15 system services markets.

16 “(3) PRIORITY.—In providing incentive pay-
17 ments under paragraph (1), the Secretary shall give
18 priority to providing the payments to—

19 “(A) small producers, as determined by the
20 Secretary;

21 “(B) producers in rural areas, as deter-
22 mined by the Secretary; and

23 “(C) socially disadvantaged farmers, as de-
24 termined by the Secretary.

25 “(4) STUDY; REPORT TO CONGRESS.—

1 “(A) STUDY.—Not later than 2 years after
2 the date of enactment of this subsection, and
3 every 2 years thereafter, the Secretary shall
4 conduct a study regarding changes in soil
5 health and soil organic carbon levels as a result
6 of the practices used under this subsection.

7 “(B) REPORT TO CONGRESS.—Not later
8 than 2 years after the date of enactment of this
9 subsection, and every 2 years thereafter, the
10 Secretary shall submit to Congress a report de-
11 scribing and analyzing the results of the study
12 conducted under subparagraph (A).

13 “(C) INCLUSION.—The report under sub-
14 paragraph (B) shall include an analysis of—

15 “(i) the effect of various practices on
16 soil organic carbon levels;

17 “(ii) the extent to which the lessons
18 learned in carrying out this subsection can
19 be transferred to other geographic regions;

20 “(iii) further data required to sub-
21 stantiate the connection between soil or-
22 ganic carbon levels and crop yield and re-
23 siliency, if applicable;

24 “(iv) the effect of multiple practices
25 on soil organic carbon levels;

1 “(v) potential barriers to data collec-
 2 tion across a variety of geographic regions;
 3 and

4 “(vi) carbon permanence and loss of
 5 any sequestered carbon, based on weather,
 6 management, and other relevant factors,
 7 and the depth of sequestered carbon.”.

8 (2) FUNDING.—Section 1240B(f) of the Food
 9 Security Act of 1985 (16 U.S.C. 3839aa–2(f)) is
 10 amended by adding at the end the following:

11 “(3) INCENTIVE PAYMENTS FOR SOIL HEALTH
 12 PRACTICES AND CARBON SEQUESTRATION MONI-
 13 TORING.—For each fiscal year for which funds are
 14 made available under section 1241(a)(3)(A), of the
 15 funds made available for payments under the pro-
 16 gram, \$100,000,000 shall be used to provide incen-
 17 tive payments under subsection (k).”.

18 (c) PRIORITY FOR SOIL HEALTH AND CARBON SE-
 19 QUESTRATION.—Section 1240B of the Food Security Act
 20 of 1985 (16 U.S.C. 3839aa–2) (as amended by subsection
 21 (b)(1)) is amended by adding at the end the following:

22 “(l) PRIORITY FOR SOIL HEALTH AND CARBON SE-
 23 QUESTRATION.—

24 “(1) IN GENERAL.—To the maximum extent
 25 feasible, the Secretary shall manage the program to

1 promote practices that enhance soil health and in-
 2 crease soil organic carbon levels.

3 “(2) SOIL HEALTH AND CARBON SEQUESTRA-
 4 TION ON ELIGIBLE LAND.—The Secretary shall—

5 “(A) develop ranking and scoring criteria
 6 under the program that prioritize soil health
 7 practices that score highest in soil carbon se-
 8 questration on eligible land; and

9 “(B) develop a soil organic carbon con-
 10 servation activity plan under the program to
 11 measure and monitor sequestration and mitiga-
 12 tion improvement levels from the practices de-
 13 scribed in subparagraph (A), such as cover
 14 crops, crop rotation, and improved soil manage-
 15 ment.”.

16 (d) STREAMLINING AND COORDINATION.—Section
 17 1240B of the Food Security Act of 1985 (16 U.S.C.
 18 3839aa–2) (as amended by subsection (c)) is amended by
 19 adding at the end the following:

20 “(m) STREAMLINING AND COORDINATION.—To the
 21 maximum extent feasible, the Secretary shall provide for
 22 streamlined and coordinated procedures for the program
 23 and the conservation stewardship program under sub-
 24 chapter B, including applications, contracting, conserva-

tion planning, conservation practices, and related administrative procedures.”.

(e) ON-FARM CONSERVATION INNOVATION TRIALS.—Section 1240H(c) of the Food Security Act of 1985 (16 U.S.C. 3839aa–8(c)) is amended—

(1) in paragraph (2), in the matter preceding subparagraph (A), by striking “2031” and inserting “2023, and \$100,000,000 of the funds made available to carry out this subchapter for each of fiscal years 2024 through 2031”; and

(2) in paragraph (7), in the matter preceding subparagraph (A), by inserting “including not less than 50 percent of the funds made available to carry out this subsection for each of fiscal years 2024 through 2031,” after “subsection,”.

(f) SOIL HEALTH AND CARBON SCIENCE RESEARCH PROGRAM AT AGRICULTURE RESEARCH STATIONS.—The Secretary of Agriculture shall establish a program—

(1) to provide grants to land-grant colleges and universities to conduct research relating to soil health and carbon science, including—

(A) the effect of various practices on soil organic carbon levels;

1 (B) the extent to which the lessons learned
 2 from the effects described in subparagraph (A)
 3 can be transferred to other geographic regions;

4 (C) the connection between soil organic
 5 carbon levels and crop yield and resiliency;

6 (D) the effect of multiple practices on soil
 7 organic carbon levels;

8 (E) potential barriers to soil health and
 9 carbon data collection across a variety of geo-
 10 graphic regions; and

11 (F) carbon permanence and loss of soil-se-
 12 questered carbon, based on weather, manage-
 13 ment, and other relevant factors, and the depth
 14 of sequestered carbon by different practices;
 15 and

16 (2) to conduct research relating to soil health
 17 and carbon science at agriculture research stations
 18 of the Department of Agriculture.

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