

118TH CONGRESS  
1ST SESSION

**S.** \_\_\_\_\_

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.

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IN THE SENATE OF THE UNITED STATES

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Mr. WYDEN introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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## 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                  “(1) 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-

1 tion planning, conservation practices, and related adminis-  
2 trative procedures.”.

3 (e) ON-FARM CONSERVATION INNOVATION TRIALS.—

4 Section 1240H(c) of the Food Security Act of 1985 (16  
5 U.S.C. 3839aa–8(c)) is amended—

6 (1) in paragraph (2), in the matter preceding  
7 subparagraph (A), by striking “2031” and inserting  
8 “2023, and \$100,000,000 of the funds made avail-  
9 able to carry out this subchapter for each of fiscal  
10 years 2024 through 2031”; and

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

16 (f) SOIL HEALTH AND CARBON SCIENCE RESEARCH

17 PROGRAM AT AGRICULTURE RESEARCH STATIONS.—The

18 Secretary of Agriculture shall establish a program—

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

22 (A) the effect of various practices on soil  
23 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.