

117TH CONGRESS
1ST SESSION

S. 1356

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

APRIL 22, 2021

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 2021”.

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) IN GENERAL.—The Secretary shall provide
 22 incentive payments to producers to adopt practices
 23 designed to improve soil health through increasing
 24 carbon levels in soil (referred to in this section as
 25 ‘soil organic carbon levels’).

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

4 “(A) establish payments to provide an in-
5 centive for the use of practices across a variety
6 of geographic regions that—

7 “(i) improve soil health;

8 “(ii) sequester carbon in the soil; or

9 “(iii) meet the goals described in
10 clauses (i) and (ii); and

11 “(B) establish protocols for measuring soil
12 organic carbon levels before and after treatment
13 under this subsection to measure gains in soil
14 health as a result of the practices.

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

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

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

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

24 “(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; and

1 “(v) potential barriers to data collec-
 2 tion across a variety of geographic re-
 3 gions.”.

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

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

14 (3) CONFORMING AMENDMENTS.—Section
 15 1240H of the Food Security Act of 1985 (16 U.S.C.
 16 3839aa–8) is amended—

17 (A) in subsection (c), by striking para-
 18 graph (7); and

19 (B) in subsection (d)(1)—

20 (i) in subparagraph (B), by adding
 21 “and” at the end;

22 (ii) in subparagraph (C), by striking
 23 “; and” and inserting a period; and

24 (iii) by striking subparagraph (D).

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

5 “(1) PRIORITY FOR SOIL HEALTH AND CARBON SE-
 6 QUESTRATION.—

7 “(1) IN GENERAL.—To the maximum extent
 8 feasible, the Secretary shall manage the program to
 9 promote practices at least 1 of the benefits of which
 10 is enhancement of soil health or increasing soil or-
 11 ganic carbon levels.

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

14 “(A) develop ranking and scoring criteria
 15 under the program that prioritize practices that
 16 score highest in soil carbon sequestration on eli-
 17 gible land; and

18 “(B) develop a soil organic carbon con-
 19 servation activity plan under the program to
 20 measure and monitor sequestration and mitiga-
 21 tion improvement levels from the practices de-
 22 scribed in subparagraph (A), such as cover
 23 crops, crop rotation, and improved soil manage-
 24 ment.”.

1 (d) STREAMLINING AND COORDINATION.—Section
 2 1240B of the Food Security Act of 1985 (16 U.S.C.
 3 3839aa–2) (as amended by subsection (c)) is amended by
 4 adding at the end the following:

5 “(m) STREAMLINING AND COORDINATION.—To the
 6 maximum extent feasible, the Secretary shall provide for
 7 streamlined and coordinated procedures for the program
 8 and the conservation stewardship program under sub-
 9 chapter B, including applications, contracting, conserva-
 10 tion planning, conservation practices, and related adminis-
 11 trative procedures.”.

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

15 (1) to provide grants to land-grant colleges and
 16 universities to conduct research relating to soil
 17 health and carbon science; and

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

