

116TH CONGRESS
2D SESSION

S. 4850

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

OCTOBER 23 (legislative day, OCTOBER 19), 2020

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 2020”.

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) STUDY; REPORT TO CONGRESS.—

16 “(A) STUDY.—Not later than 2 years after
17 the date of enactment of this subsection, and
18 every 2 years thereafter, the Secretary shall
19 conduct a study regarding changes in soil
20 health and soil organic carbon levels as a result
21 of the practices used under this subsection.

22 “(B) REPORT TO CONGRESS.—Not later
23 than 2 years after the date of enactment of this
24 subsection, and every 2 years thereafter, the
25 Secretary shall submit to Congress a report de-

1 scribing and analyzing the results of the study
 2 conducted under subparagraph (A).

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

5 “(i) the effect of various practices on
 6 soil organic carbon levels;

7 “(ii) the extent to which the lessons
 8 learned in carrying out this subsection can
 9 be transferred to other geographic regions;

10 “(iii) further data required to sub-
 11 stantiate the connection between soil or-
 12 ganic carbon levels and crop yield and re-
 13 siliency, if applicable;

14 “(iv) the effect of multiple practices
 15 on soil organic carbon levels; and

16 “(v) potential barriers to data collec-
 17 tion across a variety of geographic re-
 18 gions.”.

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

22 “(3) INCENTIVE PAYMENTS FOR SOIL HEALTH
 23 PRACTICES AND CARBON SEQUESTRATION MONI-
 24 TORING.—For each fiscal year for which funds are
 25 made available under section 1241(a)(3)(A), of the

1 funds made available for payments under the pro-
 2 gram, \$100,000,000 shall be used to provide incen-
 3 tive payments under subsection (k).”.

4 (3) CONFORMING AMENDMENTS.—Section
 5 1240H of the Food Security Act of 1985 (16 U.S.C.
 6 3839aa–8) is amended—

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

9 (B) in subsection (d)(1)—

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

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

14 (iii) by striking subparagraph (D).

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

19 “(1) PRIORITY FOR SOIL HEALTH AND CARBON SE-
 20 QUESTRATION.—

21 “(1) IN GENERAL.—To the maximum extent
 22 feasible, the Secretary shall manage the program to
 23 promote practices at least 1 of the benefits of which
 24 is enhancement of soil health or increasing soil or-
 25 ganic carbon levels.

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

3 “(A) develop ranking and scoring criteria
4 under the program that prioritize practices that
5 score highest in soil carbon sequestration on eli-
6 gible land; and

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

14 (d) STREAMLINING AND COORDINATION.—Section
15 1240B of the Food Security Act of 1985 (16 U.S.C.
16 3839aa–2) (as amended by subsection (c)) is amended by
17 adding at the end the following:

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

1 (e) SOIL HEALTH AND CARBON SCIENCE RESEARCH
2 PROGRAM AT AGRICULTURE RESEARCH STATIONS.—The
3 Secretary of Agriculture shall establish a program—
4 (1) to provide grants to land-grant colleges and
5 universities to conduct research relating to soil
6 health and carbon science; and
7 (2) to conduct research relating to soil health
8 and carbon science at agriculture research stations
9 of the Department of Agriculture.

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