

119TH CONGRESS
2D SESSION

H. R. 10169

To prohibit the provision of Federal financial benefit for the construction, expansion, or substantial rehabilitation of data centers on prime farmland and other certain farmland.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 27, 2026

Mrs. MILLER of Illinois introduced the following bill; which was referred to the Committee on Energy and Commerce

A BILL

To prohibit the provision of Federal financial benefit for the construction, expansion, or substantial rehabilitation of data centers on prime farmland and other certain farmland.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. PROHIBITION ON FEDERAL FINANCIAL BEN-**
2 **EFIT FOR THE CONSTRUCTION, EXPANSION,**
3 **OR SUBSTANTIAL REHABILITATION OF DATA**
4 **CENTERS ON PRIME FARMLAND AND OTHER**
5 **CERTAIN FARMLAND.**

6 (a) IN GENERAL.—Notwithstanding any other provi-
7 sion of law, no Federal agency may provide Federal finan-
8 cial benefit for the construction, expansion, or substantial
9 rehabilitation of any data center (as defined in section
10 453(a)(1) of the Energy Independence and Security Act
11 of 2007 (42 U.S.C. 17112(a)(1))) that is (or is planned
12 to be) located on land that is (or, immediately before such
13 construction, expansion, or rehabilitation, was) described
14 in section 1540(c)(1) of the Farmland Protection Policy
15 Act (7 U.S.C. 4201(c)(1)), if such construction, expan-
16 sion, or substantial rehabilitation begins after the date of
17 the enactment of this Act.

18 (b) FEDERAL FINANCIAL BENEFIT.—For purposes
19 of this section, the term “Federal financial benefit”
20 means—

21 (1) any Federal financial assistance (as defined
22 in section 7501(a)(5) of title 31, United States
23 Code), and

24 (2) any Federal tax credit, Federal tax deduc-
25 tion, Federal accelerated depreciation allowance,

- 1 Federal transferable tax, or other Federal financial
- 2 benefit provided pursuant to Federal law.

