

119TH CONGRESS
2D SESSION

S. 4851

To amend the Food Security Act of 1985 to establish State assistance for soil health and wildlife habitat, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 22, 2026

Mr. HOEVEN 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 establish State assistance for soil health and wildlife habitat, 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 “Supporting Conserva-
5 tion through Advancing Local Efforts Act of 2026” or the
6 “SCALE Act of 2026”.

1 **SEC. 2. STATE ASSISTANCE FOR SOIL HEALTH AND WILD-**
 2 **LIFE HABITAT.**

3 Subchapter B of chapter 4 of subtitle D of title XII
 4 of the Food Security Act of 1985 (16 U.S.C. 3839aa–21
 5 et seq.) is amended by adding at the end the following:

6 **“SEC. 1240L–2. STATE ASSISTANCE FOR SOIL HEALTH AND**
 7 **WILDLIFE HABITAT.**

8 “(a) DEFINITIONS.—In this section:

9 “(1) AGRICULTURAL LAND.—The term ‘agricul-
 10 tural land’ means—

11 “(A) cropland;

12 “(B) grassland;

13 “(C) rangeland;

14 “(D) pasture land;

15 “(E) nonindustrial private forest land; and

16 “(F) other land in agricultural areas (in-
 17 cluding wetlands, marshes, and agricultural
 18 land used or capable of being used for the pro-
 19 duction of livestock), as determined by the Sec-
 20 retary.

21 “(2) ELIGIBLE INDIAN TRIBE.—The term ‘eligi-
 22 ble Indian Tribe’ means an Indian Tribe that is—

23 “(A) implementing a soil health and wild-
 24 life habitat program for the area over which the
 25 Indian Tribe has jurisdiction; and

1 “(B) meeting or exceeding performance
2 measures established by the Indian Tribe for
3 the soil health and wildlife habitat program.

4 “(3) ELIGIBLE STATE.—The term ‘eligible
5 State’ means a State that is—

6 “(A) implementing a new or existing soil
7 health and wildlife habitat program for the
8 State; and

9 “(B) meeting or exceeding performance
10 measures established by the State for the soil
11 health and wildlife habitat program.

12 “(4) SOIL HEALTH AND WILDLIFE HABITAT
13 PROGRAM.—The term ‘soil health and wildlife habi-
14 tat program’ means a program to improve soil
15 health and wildlife habitat on agricultural land
16 that—

17 “(A) is broadly consistent with the soil
18 health principles of the Natural Resources Con-
19 servation Service, as determined by the Sec-
20 retary, including the use of perennial grasses;
21 and

22 “(B) may include—

23 “(i) technical assistance;

24 “(ii) financial assistance;

1 “(iii) on-farm research and dem-
2 onstration;

3 “(iv) education, outreach, and train-
4 ing;

5 “(v) monitoring and evaluation; or

6 “(vi) such other components as the
7 Secretary determines appropriate.

8 “(b) AVAILABILITY AND PURPOSE OF GRANTS.—For
9 fiscal years 2027 through 2031, the Secretary shall make
10 grants to eligible States and eligible Indian Tribes for the
11 purpose of improving soil health and wildlife habitat on
12 agricultural lands through the implementation of State
13 and Tribal soil health and wildlife habitat programs.

14 “(c) APPLICATIONS.—

15 “(1) IN GENERAL.—To receive a grant under
16 this section, an eligible State or eligible Indian Tribe
17 shall submit to the Secretary an application that
18 shall contain—

19 “(A) a description of performance meas-
20 ures to be used to evaluate the State or Tribal
21 soil health and wildlife habitat program and the
22 expected results of any activities carried out
23 using grant funds received under this section;
24 and

1 “(B) an assurance that grant funds re-
2 ceived under this section will supplement the
3 expenditure of State or Tribal funds in support
4 of soil health and wildlife habitat, rather than
5 replace such funds.

6 “(2) TRIBAL OPTION.—An Indian Tribe shall
7 have the option, at the sole discretion of the Indian
8 Tribe, to be incorporated into the application of an
9 eligible State.

10 “(d) GRANTS.—

11 “(1) AMOUNT.—The amount of a grant to an
12 eligible State or eligible Indian Tribe under this sec-
13 tion for a fiscal year may not exceed \$10,000,000.

14 “(2) TERM.—A grant under this section shall
15 be for 5 years, and may be renewed.

16 “(3) MATCHING FUNDS.—

17 “(A) IN GENERAL.—Except as provided in
18 subparagraph (B), to be eligible to receive a
19 grant under this section, a State shall provide
20 matching funds in the form of cash or an in-
21 kind contribution in an amount equal to the
22 amount of Federal funds provided.

23 “(B) EXCEPTION.—If a State is unable to
24 provide matching funds under subparagraph
25 (A) sufficient to receive the full amount for

1 which the State is otherwise eligible, the Sec-
 2 retary shall provide the State a proportional
 3 amount of Federal funds equal to the amount
 4 of matching funds the State commits to pro-
 5 vide.

6 “(e) AUDITS AND REVIEWS.—An eligible State or eli-
 7 gible Indian Tribe receiving a grant under this section
 8 shall submit to the Secretary, for each year for which the
 9 State or Indian Tribe receives such a grant, the results
 10 of an audit of the expenditures of the grant funds.

11 “(f) EFFECT OF NONCOMPLIANCE.—If the Secretary,
 12 after reasonable notice to an eligible State or eligible In-
 13 dian Tribe receiving a grant under this section, finds that
 14 the State or Indian Tribe has failed to comply with the
 15 terms of the grant, the Secretary may disqualify, for 1
 16 or more years, the State or Indian Tribe from receipt of
 17 future grants under this section.

18 “(g) FUNDING.—Of the funds of the Commodity
 19 Credit Corporation, the Secretary shall use to carry out
 20 this section \$50,000,000 for each of fiscal years 2027
 21 through 2031.

22 “(h) ADMINISTRATION.—

23 “(1) DEPARTMENT.—The Secretary may not
 24 use more than 3 percent of the funds made available

1 to carry out this section for a fiscal year for admin-
2 istrative expenses.

3 “(2) STATES OR INDIAN TRIBES.—An eligible
4 State or eligible Indian Tribe receiving a grant
5 under this section may not use more than 7 percent
6 of the granted funds for a fiscal year for administra-
7 tive expenses.

8 “(3) DEADLINE.—The Secretary shall award
9 the grants under this section not later than 180
10 days after the date of enactment of this section.

11 “(4) NO CONDITIONS.—A grant awarded under
12 this section shall not—

13 “(A) be conditioned on any requirement,
14 guideline, technical standard, or administrative
15 directive of the Department of Agriculture; or

16 “(B) direct or require modification of any
17 soil health and wildlife habitat program estab-
18 lished, funded, or administered by a State or
19 local government.”.

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