

119TH CONGRESS
2D SESSION

S. 5309

To amend the Food Security Act of 1985 to provide payments for alternative manure management practices under the environmental quality incentives program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

AUGUST 6, 2026

Mr. PADILLA (for himself, Mr. HEINRICH, and Mr. SCHIFF) 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 provide payments for alternative manure management practices under the environmental quality incentives program, 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 “Converting Our Waste
5 Sustainably Act of 2026” or the “COWS Act of 2026”.

6 **SEC. 2. DEFINITIONS.**

7 (a) IN GENERAL.—Section 1240A of the Food Secu-
8 rity Act of 1985 (16 U.S.C. 3839aa–1) is amended—

1 (1) by redesignating paragraphs (1) through
2 (10) as paragraphs (3) through (12), respectively;

3 (2) by inserting before paragraph (3) (as so re-
4 designated) the following:

5 “(1) ALTERNATIVE MANURE MANAGEMENT
6 PRACTICE.—The term ‘alternative manure manage-
7 ment practice’ means management measures that re-
8 duce baseline methane and nitrous oxide emissions
9 and, where applicable, reduce nitrate leaching into
10 groundwater or improve carbon sequestration, in-
11 cluding—

12 “(A) converting to or improving pasture-
13 based management, including management-in-
14 tensive rotational grazing (as defined in section
15 1240L(d)(1));

16 “(B) compost-bedded pack barns that com-
17 post manure, slatted floor pit storage that is
18 cleaned out at least once a month, or other
19 similar practices as determined by the Sec-
20 retary; and

21 “(C) solid separation, scrape and vacuum
22 technologies, or other measures, including ma-
23 nure management system retrofits, that pri-
24 marily avoid wet handling and storage infra-
25 structure in conjunction with—

- 1 “(i) open or enclosed solar drying;
- 2 “(ii) composting;
- 3 “(iii) vermiculture or vermifiltration;
- 4 “(iv) forced evaporation;
- 5 “(v) solid storage; or
- 6 “(vi) other similar methods, as deter-
- 7 mined by the Secretary.

8 “(2) COMPOSTING PRACTICE.—The term
 9 ‘composting practice’ means—

10 “(A) an activity (including an activity that
 11 does not require the use of a composting facil-
 12 ity) to produce compost from organic waste
 13 that is—

- 14 “(i) generated on a farm; or
- 15 “(ii) brought to a farm from the near-
 16 by community; and

17 “(B) the use and active management of
 18 compost on a farm to improve water retention
 19 and soil health, subject to the condition that
 20 such use shall be in compliance with applicable
 21 Federal, State, and local laws.”; and

22 (3) in paragraph (8) (as so redesignated), in
 23 subparagraph (A)—

24 (A) in clause (vi), by striking “and” at the
 25 end;

1 (B) by redesignating clause (vii) as clause
 2 (ix); and

3 (C) by inserting after clause (vi) the fol-
 4 lowing:

5 “(vii) composting practices;

6 “(viii) alternative manure manage-
 7 ment practices; and”.

8 (b) CONSERVATION ACTIVITIES.—Section
 9 1240I(2)(B)(i) of the Food Security Act of 1985 (16
 10 U.S.C. 3839aa–21(2)(B)(i)) is amended by inserting “and
 11 composting practices (as defined in section 1240A)” after
 12 “drainage management systems”.

13 **SEC. 3. ESTABLISHMENT AND ADMINISTRATION.**

14 (a) IN GENERAL.—Section 1240B of the Food Secu-
 15 rity Act of 1985 (16 U.S.C. 3839aa–2) is amended—

16 (1) in subsection (d)(7)—

17 (A) in the paragraph heading, by inserting
 18 “STATE-DETERMINED” before “HIGH-PRI-
 19 ORITY”; and

20 (B) in subparagraph (A)—

21 (i) in clause (iii), by striking “or” at
 22 the end;

23 (ii) in clause (iv), by striking the pe-
 24 riod at the end and inserting “; or”; and

1 (iii) by adding at the end the fol-
 2 lowing:

3 “(v) increases carbon sequestration or
 4 reduces greenhouse gas emissions, includ-
 5 ing emissions of methane and nitrous
 6 oxide.”;

7 (2) in subsection (f)(1), by inserting “and alter-
 8 native manure management practices” after “includ-
 9 ing grazing management practices”;

10 (3) by redesignating subsections (h) through (j)
 11 as subsection (i) through (k), respectively; and

12 (4) by inserting after subsection (g) the fol-
 13 lowing:

14 “(h) ALTERNATIVE MANURE MANAGEMENT PRAC-
 15 TICES.—

16 “(1) PAYMENT AMOUNTS.—The Secretary may
 17 provide a payment for an alternative manure man-
 18 agement practice for an amount that is up to 100
 19 percent of the costs associated with planning, design,
 20 materials, equipment, installation, labor, manage-
 21 ment, maintenance, and training related to imple-
 22 menting that practice.

23 “(2) ADVANCED PAYMENTS.—The Secretary
 24 shall provide at least 50 percent of the amount of

1 total payments for an alternative manure manage-
 2 ment practice in advance for all costs related to—

3 “(A) purchasing or contracting materials
 4 and equipment; or

5 “(B) any technical assistance provided by
 6 the Secretary.

7 “(3) TERM.—A contract under the program
 8 that includes an alternative manure management
 9 practice under this subsection shall have a term that
 10 does not exceed 3 years.”.

11 (b) CONFORMING AMENDMENTS.—

12 (1) Section 1240G of the Food Security Act of
 13 1985 (16 U.S.C. 3839aa–7) is amended by striking
 14 “1240B(j)” and inserting “1240B(k)”.

15 (2) Section 1241(i)(2)(D) of the Food Security
 16 Act of 1985 (16 U.S.C. 3841(i)(2)(D)) is amended
 17 by striking “1240B(h)(2)” and inserting
 18 “1240B(i)(2)”.

19 **SEC. 4. PRIORITIZATION OF APPLICATIONS.**

20 Section 1240C(b) of the Food Security Act of 1985
 21 (16 U.S.C. 3839aa–3(b)) is amended—

22 (1) by redesignating paragraphs (1) through
 23 (4) as subparagraphs (A) through (D), respectively,
 24 and indenting the subparagraphs appropriately;

(2) in the matter preceding subparagraph (A) (as so redesignated), by striking “In evaluating” and inserting the following:

“(1) IN GENERAL.—In evaluating”; and

(3) by adding at the end the following:

“(2) ALTERNATIVE MANURE MANAGEMENT APPLICATIONS.—

“(A) IN GENERAL.—The Secretary shall develop criteria for evaluating and ranking applications under the program that include an alternative manure management practice to prioritize applications that will maximize—

“(i) carbon sequestration;

“(ii) greenhouse gas emissions reductions; and

“(iii) overall environmental and public health benefits, including improved water quality and quantity.

“(B) ADDITIONAL CRITERIA.—In awarding contracts under the program that include an alternative manure management practice, the Secretary shall develop criteria to ensure—

“(i) geographical diversity;

1 “(ii) scale diversity, including support
2 for small and medium-sized dairy and live-
3 stock operations; and

4 “(iii) participation by operations with
5 a demonstrated track record of adopting
6 conservation measures and reducing green-
7 house gas emissions.

8 “(C) CLUSTER APPLICATIONS.—The Sec-
9 retary shall establish procedures under which—

10 “(i) a group of producers may submit
11 a joint application under the program for
12 a shared composting facility;

13 “(ii) that group of producers may
14 jointly enter into a contract under the pro-
15 gram with the Secretary; and

16 “(iii) the Secretary allocates payments
17 to each producer that is a party to that
18 joint contract.

19 “(D) SERVING CERTAIN PRODUCERS.—To
20 the maximum extent practicable, the Secretary
21 shall award the majority of contracts under the
22 program that include an alternative manure
23 management practice each fiscal year to small
24 and medium-sized dairy and livestock oper-
25 ations, including—

1 “(i) beginning farmers or ranchers;
2 “(ii) limited resource farmers and
3 ranchers; and
4 “(iii) socially disadvantaged farmers
5 and ranchers.”.

6 **SEC. 5. DUTIES OF THE SECRETARY.**

7 Section 1240F of the Food Security Act of 1985 (16
8 U.S.C. 3839aa–6) is amended—

9 (1) in the matter preceding paragraph (1), by
10 inserting “(a) IN GENERAL.—” before “To the ex-
11 tent”; and

12 (2) by adding at the end the following:

13 “(b) ALTERNATIVE MANURE MANAGEMENT.—With
14 respect to contracts under the program that include an
15 alternative manure management practice, the Secretary
16 shall—

17 “(1) determine and publish factors for esti-
18 mating the carbon sequestration and greenhouse gas
19 emissions reductions for each alternative manure
20 management practice;

21 “(2) identify eligible producers based on the al-
22 ternative manure management practices used at the
23 time of application, including the anaerobic decom-
24 position of volatile solids stored in a lagoon or other
25 predominantly liquid anaerobic environment and

1 their ability to replace or complement that anaerobic
2 system with an alternative manure management
3 practice; and

4 “(3) assist an eligible producer in achieving the
5 carbon sequestration, greenhouse gas emissions re-
6 duction, and other environmental and public health
7 goals of the alternative manure management prac-
8 tices by—

9 “(A) providing payments for designing and
10 implementing 1 or more alternative manure
11 management practices;

12 “(B) providing that eligible producer with
13 information, technical assistance, and training
14 to aid in implementation of the alternative ma-
15 nure management practices;

16 “(C) reviewing the adequacy of existing
17 conservation practice standards for supporting
18 the alternative manure management practices
19 and, if necessary—

20 “(i) revising existing conservation
21 practice standards; and

22 “(ii) developing new conservation
23 practice standards; and

24 “(D) entering into cooperative agreements
25 with third-party technical assistance providers

1 with relevant expertise in alternative manure
2 management practices to ensure adequate tech-
3 nical services are available to that eligible pro-
4 ducer.”.

5 **SEC. 6. LIMITATION ON PAYMENTS.**

6 Section 1240G of the Food Security Act of 1985 (16
7 U.S.C. 3839aa–7) is amended—

8 (1) by inserting “(a) IN GENERAL.—” before
9 “Not including payments”;

10 (2) in subsection (a) (as so designated), by
11 striking “, regardless of the number of contracts en-
12 tered into under this subchapter by the person or
13 legal entity”; and

14 (3) by adding at the end the following:

15 “(b) WAIVER AUTHORITY AND LIMITATION.—The
16 Secretary may—

17 “(1) waive the applicability of the limitations in
18 section 1001D(b) or section 1240G for a payment
19 made under a contract under the program that in-
20 cludes an alternative manure management practice if
21 the Secretary determines that the waiver is nec-
22 essary to fulfill the objectives of the applicable
23 project; and

1 “(2) impose a separate payment limitation for
 2 the contract with respect to which that waiver ap-
 3 plies.”.

4 **SEC. 7. NEW OR INNOVATIVE CONSERVATION APPROACH.**

5 Section 1240H(c)(1)(B)(i) of the Food Security Act
 6 of 1985 (16 U.S.C. 3839aa–8(c)(1)(B)(i)) is amended—

7 (1) in subclause (VI), by striking “and” at the
 8 end; and

9 (2) by adding at the end the following:

10 “(VIII) alternative manure man-
 11 agement practices; and”.

12 **SEC. 8. DELIVERY OF TECHNICAL ASSISTANCE.**

13 Section 1242(h) of the Food Security Act of 1985
 14 (16 U.S.C. 3842(h)) is amended by adding at the end the
 15 following:

16 “(5) DEVELOPMENT OF COMPOSTING PRACTICE
 17 STANDARD.—Not later than 1 year after the date of
 18 enactment of this paragraph, the Secretary shall—

19 “(A) conduct a review of the composting
 20 facilities practice standard and the soil carbon
 21 amendment practice standard to determine the
 22 adequacy of those practice standards in advanc-
 23 ing alternative manure management practices
 24 (as defined in section 1240A) and on-farm
 25 composting generation and utilization; and

- 1 “(B) develop and implement a new con-
- 2 servation practice standard for the on-farm pro-
- 3 duction of compost.”.

