

[DISCUSSION DRAFT]

1

TITLE IX—ENERGY

- Sec. 1. Federal procurement of biobased products.
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- Sec. 10. Dedicated ethanol pipeline feasibility studies.
- Sec. 11. Biomass Research and Development Act of 2000.

2 **SEC. 1. FEDERAL PROCUREMENT OF BIOBASED PRODUCTS.**

3 (a) IN GENERAL.—Section 9002 of the Farm Secu-
4 rity and Rural Investment Act of 2002 (7 U.S.C. 8102)
5 is amended—

6 (1) in subsection (c)(1), by inserting “, com-
7 posed of at least five percent of intermediate ingredi-
8 ents and feedstocks (such as biopolymers, methyl
9 soyate, and soy polyols) as designated by the Sec-
10 retary,” after “highest percentage of biobased prod-
11 ucts practicable”; and

12 (2) by striking subsection (h)(2) and inserting
13 the following:

14 “(2) ELIGIBILITY CRITERIA.—

15 “(A) IN GENERAL.—Not later than 90
16 days after the date of the enactment of the

1 **【2007 Farm Bill】**, the Secretary, in consulta-
2 tion with the Administrator and representatives
3 from small and large businesses, academia,
4 other Federal agencies and departments, and
5 other persons as the Secretary considers appro-
6 priate, shall issue criteria for determining which
7 products may qualify to receive the label under
8 paragraph (1). The criteria shall encourage the
9 purchase of products with the maximum
10 biobased content, and should, to the maximum
11 extent possible, be consistent with the guide-
12 lines issued under subsection (e).

13 “(B) INTERMEDIATE INGREDIENTS.—The
14 criteria issued under subparagraph (A) shall
15 provide that the Secretary may designate inter-
16 mediate ingredients and feedstocks (such as
17 biopolymers, methyl soyate, and soy polyols) as
18 biobased for the purposes of the voluntary pro-
19 gram established under this subsection.”.

20 (3) by striking subsection (k)(2)(A) and insert-
21 ing the following:

22 “(A) IN GENERAL.—There is authorized to
23 be appropriated \$2,000,000 for each of fiscal
24 years 2008 through 2012 to continue manda-
25 tory funding for bio-product testing and sup-

1 port ongoing operations of the Designation Pro-
2 gram, the Voluntary Labeling Program, pro-
3 curement program models, procurement re-
4 search, promotion, education, and awareness of
5 the BioPreferred Program.”.

6 (b) CONTINGENCY AMENDMENT.—In title XI of this
7 Act—

8 (1) if a change in law or laws not pertaining to
9 the Federal procurement of biobased products re-
10 duces outlays and/or increases revenue by an
11 amount sufficient to offset the increased outlays that
12 would occur over the period of fiscal years 2007
13 through 2012 and the period of fiscal years 2007
14 through 2017 if total funding for the Federal pro-
15 curement of biobased products were increased to
16 \$2,000,000 in each of fiscal years 2008 through
17 2012 to continue mandatory funding for bio-product
18 testing and support ongoing operations of the Des-
19 ignation Program, the Voluntary Labeling Program,
20 procurement program models, procurement research,
21 promotion, education, and awareness of the BioPre-
22 ferred Program (as estimated by the House Com-
23 mittee on the Budget at the time of enactment of
24 this act); and

1 (2) if such reductions in outlays or increases in
2 revenue in paragraph (1) are specifically and exclu-
3 sively dedicated to increasing total funding for the
4 Federal procurement of biobased products to
5 \$2,000,000 in each of fiscal years 2008 through
6 2012 to continue mandatory funding for bio-product
7 testing and support ongoing operations of the Des-
8 ignation Program, the Voluntary Labeling Program,
9 procurement program models, procurement research,
10 promotion, education, and awareness of the BioPre-
11 ferred Program; then

12 (3) in subsection (k)(2)(A) of such section, as
13 amended by subsection (a)(3), strike “There is au-
14 thorized to be appropriated” and insert “Of the
15 funds of the Commodity Credit Corporation, the
16 Secretary of Agriculture shall use”.

17 **SEC. 2. LOAN GUARANTEES FOR BIOREFINERIES AND**
18 **BIOFUEL PRODUCTION PLANTS.**

19 (a) IN GENERAL.—Section 9003 of the Farm Secu-
20 rity and Rural Investment Act of 2002 (7 U.S.C. 8103)
21 is amended—

22 (1) in the section heading, by inserting “;
23 **LOAN GUARANTEES FOR BIOREFINERIES AND**
24 **BIOFUEL PRODUCTION PLANTS**” after
25 “GRANTS”;

1 (2) in subsection (c), by redesignating sub-
2 sections (d) through (h) as subsections (e) through
3 (i), respectively, and inserting after subsection (c)
4 the following:

5 “(d) LOAN GUARANTEES.—

6 “(1) IN GENERAL.—The Secretary shall make
7 loan guarantees to eligible entities to assist in pay-
8 ing the cost of development and construction of bio-
9 refineries and biofuel production plants (including
10 retrofitting) to carry out projects to demonstrate the
11 commercial viability of 1 or more processes for con-
12 verting biomass to fuels or chemicals.

13 “(2) LIMITATIONS.—

14 “(A) MAXIMUM PERCENTAGE OF LOAN
15 GUARANTEED.—A loan guarantee under para-
16 graph (1) shall be for not more than 90 percent
17 of the principal and interest due on the loan.

18 “(B) TOTAL AMOUNTS GUARANTEED.—
19 The total amount of principal and interest
20 guaranteed under paragraph (1) shall not ex-
21 ceed—

22 “(i) \$1,000,000,000, in the case of
23 projects valued at not more than
24 \$100,000,000; or

1 “(ii) \$1,000,000,000, in the case of
2 projects valued at more than \$100,000,000
3 but not more than \$250,000,000.

4 “(C) MAXIMUM TERM OF LOAN GUARAN-
5 TEED.—The Secretary shall determine the max-
6 imum term of a loan guarantee provided under
7 paragraph (1).”;

8 (3) in subsection (e) (as so redesignated), by in-
9 serting “or a loan guarantee under subsection (d)”
10 before the period;

11 (4) in subsection (f) (as so redesignated)—

12 (A) in paragraph (1), by inserting “and
13 loan guarantees under subsection (d)” after
14 “(e)”; and

15 (B) in paragraph (2)(A), by inserting “or
16 loan guarantees under subsection (d)” after
17 “(e)”; and

18 (5) by striking subsection (i) (as so redesign-
19 ated) and inserting the following:

20 “(i) FUNDING.—There is authorized to be appro-
21 priated such sums as may be necessary for the cost of
22 providing not more than \$2,000,000,000 in loan guaran-
23 tees under subsection (d) for the period of fiscal years
24 2008 through 2012.”.

1 (c) CONTINGENCY AMENDMENT.—In title XI of this
2 Act—

3 (1) if a change in law or laws not pertaining to
4 loan guarantees for biorefineries and biofuel produc-
5 tion plants reduces outlays and/or increases revenue
6 by an amount sufficient to offset the increased out-
7 lays that would occur over the period of fiscal years
8 2007 through 2012 and the period of fiscal years
9 2007 through 2017 if total funding for loan guaran-
10 tees for biorefineries and biofuel production plants
11 were increased to the amount necessary for the cost
12 of providing not more than \$2,000,000,000 in loan
13 guarantees for the period of fiscal years 2008
14 through 2012 (as estimated by the House Com-
15 mittee on the Budget at the time of enactment of
16 this act); and

17 (2) if such reductions in outlays or increases in
18 revenue in paragraph (1) are specifically and exclu-
19 sively dedicated to increasing total funding for loan
20 guarantees for biorefineries and biofuel production
21 plants to the amount necessary for the cost of pro-
22 viding not more than \$2,000,000,000 in loan guar-
23 antees for the period of fiscal years 2008 through
24 2012; then

1 (3) in subsection (i) of such section, as amend-
2 ed by subsection (a)(5), strike “There is authorized
3 to be appropriated” and insert “Of the funds of the
4 Commodity Credit Corporation, the Secretary of Ag-
5 riculture shall use”.

6 **SEC. 3. BIODIESEL FUEL EDUCATION PROGRAM.**

7 (a) **IN GENERAL.**—Section 9004(d) of the Farm Se-
8 curity and Rural Investment Act of 2002 (7 U.S.C.
9 8104(d)) is amended to read as follows:

10 “(d) **FUNDING.**—There is authorized to be appro-
11 priated to carry out this section \$2,000,000 for each of
12 fiscal years 2008 through 2012.”.

13 (b) **CONTINGENCY AMENDMENT.**—In title XI of this
14 Act—

15 (1) if a change in law or laws not pertaining to
16 the biodiesel fuel education program reduces outlays
17 and/or increases revenue by an amount sufficient to
18 offset the increased outlays that would occur over
19 the period of fiscal years 2007 through 2012 and
20 the period of fiscal years 2007 through 2017 if total
21 funding for the biodiesel fuel education program
22 were increased to \$2,000,000 in each of fiscal years
23 2008 through 2012 (as estimated by the House
24 Committee on the Budget at the time of enactment
25 of this act); and

1 (2) if such reductions in outlays or increases in
2 revenue in paragraph (1) are specifically and exclu-
3 sively dedicated to increasing total funding for the
4 biodiesel fuel education program to \$2,000,000 for
5 each of fiscal years 2008 through 2012; then

6 (3) in subsection (d) of such section, as amend-
7 ed by subsection (a), strike “There is authorized to
8 be appropriated” and insert “Of the funds of the
9 Commodity Credit Corporation, the Secretary of Ag-
10 riculture shall make available”.

11 **SEC. 4. RENEWABLE ENERGY SYSTEMS AND ENERGY EFFI-**
12 **CIENCY IMPROVEMENTS.**

13 (a) **IN GENERAL.**—Section 9006 of the Farm Secu-
14 rity and Rural Investment Act of 2002 (7 U.S.C. 8106)
15 is amended by striking subsection (f) and inserting the
16 following new subsections:

17 “(f) **SMALL PROJECTS.**—The Secretary shall use not
18 less than 15 percent of the funds available under this sec-
19 tion to provide grants for projects that have a total cost
20 \$50,000 or less.

21 “(g) **FUNDING.**—There are authorized to be appro-
22 priated to carry out this section—

23 “(1) \$50,000,000 for fiscal year 2008;

24 “(2) \$75,000,000 for fiscal year 2009;

25 “(3) \$100,000,000 for fiscal year 2010;

1 “(4) \$125,000,000 for fiscal year 2011; and

2 “(5) \$150,000,000 for fiscal year 2012.”.

3 (b) CONTINGENCY AMENDMENT.—In title XI of this
4 Act—

5 (1) if a change in law or laws not pertaining to
6 renewable energy systems and energy efficiency im-
7 provements reduces outlays and/or increases revenue
8 by an amount sufficient to offset the increased out-
9 lays that would occur over the period of fiscal years
10 2007 through 2012 and the period of fiscal years
11 2007 through 2017 if total funding for renewable
12 energy systems and energy efficiency improvements
13 were increased to \$50,000,000 in fiscal year 2008,
14 \$75,000,000 in fiscal year 2009, \$100,000,000 in
15 fiscal year 2010, \$125,000,000 in fiscal year 2011,
16 and \$150,000,000 in fiscal year 2012 (as estimated
17 by the House Committee on the Budget at the time
18 of enactment of this act); and

19 (2) if such reductions in outlays or increases in
20 revenue in paragraph (1) are specifically and exclu-
21 sively dedicated to increasing total funding for re-
22 newable energy systems and energy efficiency im-
23 provements to \$50,000,000 in fiscal year 2008,
24 \$75,000,000 in fiscal year 2009, \$100,000,000 in

1 fiscal year 2010, \$125,000,000 in fiscal year 2011,
2 and \$150,000,000 in fiscal year 2012; then

3 (3) in subsection (g) of such section, as amend-
4 ed by subsection (a), strike “There are authorized to
5 be appropriated” and insert “Of the funds of the
6 Commodity Credit Corporation, the Secretary of Ag-
7 riculture shall make available”.

8 **SEC. 5. ADJUSTMENTS TO THE BIOENERGY PROGRAM.**

9 (a) IN GENERAL.—Section 9010 of the Farm Secu-
10 rity and Rural Investment Act of 2002 (7 U.S.C. 8108)
11 is amended—

12 (1) in subsection (a)—

13 (A) by redesignating paragraphs (1)
14 through (4) as paragraphs (2) through (5) re-
15 spectively;

16 (B) by inserting before paragraph (2), as
17 redesignated by subparagraph (A), the following
18 new paragraph:

19 “(1) AGRICULTURAL CELLULOSIC BIOMASS.—
20 The term ‘agricultural cellulosic biomass’ means—

21 “(A) any plant material grown or collected
22 for the purpose of being converted to energy
23 (including aquatic plants);

24 “(B) any organic byproduct or residue
25 from agriculture and forestry (including wastes

1 from food production and processing, used vege-
2 table oil, mill residues (including pulping resi-
3 dues), and storm-damaged, insect-damaged, and
4 diseased-damaged crops and trees) that can be
5 converted into energy; or

6 “(C) any waste material that can be con-
7 verted to energy and is derived from—

8 “(i) vegetative waste material (includ-
9 ing wood waste and wood residues);

10 “(ii) invasive plants;

11 “(iii) fibers; or

12 “(iv) animal waste and byproducts.”.

13 (C) in paragraph (2), as redesignated by
14 subparagraph (A)—

15 (i) in subparagraph (A), by striking
16 “and”;

17 (ii) in subparagraph (B), by striking
18 the final period and inserting a semicolon;
19 and

20 (iii) by adding at the end the fol-
21 lowing new subparagraphs:

22 “(C) production of heat and power from
23 agricultural cellulosic biomass materials at a
24 biofuels plant;

25 “(D) biomass gasification;

1 “(E) hydrogen made from cellulosic com-
2 modities for fuel cells; and

3 “(F) such other items as the Secretary
4 considers appropriate.”;

5 (D) in paragraph (4), as redesignated by
6 subparagraph (B)—

7 (i) in subparagraph (A), by inserting
8 “(but excludes corn starch)” after “corn”;
9 and

10 (ii) in subparagraph (B), by striking
11 “a cellulosic commodity (such as hybrid
12 poplar and switch grass)” and inserting
13 “agricultural cellulosic biomass” ; and

14 (2) by striking subsection (c) and inserting the
15 following:

16 “(c) FUNDING.—There is authorized to be appro-
17 priated to carry out this section \$1,500,000,000 for the
18 period of fiscal years 2008 through 2012.”.

19 (b) CONTINGENCY AMENDMENT.—In title XI of this
20 Act—

21 (1) if a change in law or laws not pertaining to
22 the bioenergy program reduces outlays and/or in-
23 creases revenue by an amount sufficient to offset the
24 increased outlays that would occur over the period of
25 fiscal years 2007 through 2012 and the period of

1 fiscal years 2007 through 2017 if total funding for
2 the bioenergy program were increased to
3 \$1,500,000,000 for the period of fiscal years 2008
4 through 2012 (as estimated by the House Com-
5 mittee on the Budget at the time of enactment of
6 this act); and

7 (2) if such reductions in outlays or increases in
8 revenue in paragraph (1) are specifically and exclu-
9 sively dedicated to increasing total funding for the
10 bioenergy program to \$1,500,000,000 for the period
11 of fiscal years 2008 through 2012; then

12 (3) in subsection (c) of such section, as amend-
13 ed by subsection (a), strike “There is authorized to
14 be appropriated” and insert “Of the funds of the
15 Commodity Credit Corporation, the Secretary of Ag-
16 riculture shall use”.

17 **SEC. 6. RESEARCH, EXTENSION, AND EDUCATIONAL PRO-**
18 **GRAMS ON BIOBASED ENERGY TECH-**
19 **NOLOGIES AND PRODUCTS.**

20 Section 9011(j)(1)(C) of the Farm Security and
21 Rural Investment Act of 2002 (7 U.S.C. 8109(j)(1)(C))
22 is amended by striking “2010” and inserting “2012”.

1 **SEC. 7. BIOMASS ENERGY TRANSITION RESERVE.**

2 **SEC. 8. FOREST BIOENERGY RESEARCH PROGRAM.**

3 (a) IN GENERAL.—The Secretary of Agriculture,
4 working through the Forest Service, in cooperation with
5 other Federal agencies, land grant colleges and univer-
6 sities, and private entities, shall conduct a competitive re-
7 search and development program to encourage new forest-
8 to-energy technologies. The Secretary may use grants, co-
9 operative agreements, and other methods to partner with
10 cooperating entities on projects that the Secretary deter-
11 mines shall best promote new forest-to-energy tech-
12 nologies.

13 (b) PRIORITY FOR PROJECT SELECTION.—The Sec-
14 retary shall give priority to projects that—

15 (1) develop technology and techniques to use
16 low value forest materials, such as byproducts of for-
17 est health treatments and hazardous fuel reduction,
18 for the production of energy;

19 (2) develop processes for the conversion of cel-
20 lulosic forest materials that integrate production of
21 energy into existing manufacturing streams or in in-
22 tegrated forest biorefineries;

23 (3) develop new transportation fuels that use
24 forest materials as a feedstock for the production of
25 such fuels; or

1 (4) improve the of growth and yield of trees for
2 the purpose of renewable energy and other forest
3 product use.

4 (c) FUNDING.—There is authorized to be appro-
5 priated to carry out this section \$15,000,000 for each of
6 fiscal years 2008 through 2012.

7 (d) CONTINGENCY AMENDMENT.—In title XI of this
8 Act—

9 (1) if a change in law or laws not pertaining to
10 the forest bioenergy research program reduces out-
11 lays and/or increases revenue by an amount suffi-
12 cient to offset the increased outlays that would occur
13 over the period of fiscal years 2007 through 2012
14 and the period of fiscal years 2007 through 2017 if
15 total funding for the forest bioenergy research pro-
16 gram were increased to \$15,000,000 in each of fiscal
17 years 2008 through 2012 (as estimated by the
18 House Committee on the Budget at the time of en-
19 actment of this act); and

20 (2) if such reductions in outlays or increases in
21 revenue in paragraph (1) are specifically and exclu-
22 sively dedicated to increasing total funding for the
23 forest bioenergy research program to \$15,000,000 in
24 each of fiscal years 2008 through 2012; then

1 (3) in subsection (c) , strike “There is author-
2 ized to be appropriated” and insert “Of the funds of
3 the Commodity Credit Corporation, the Secretary of
4 Agriculture shall make available”.

5 **SEC. 9. ENERGY COUNCIL OF THE DEPARTMENT OF AGRI-**
6 **CULTURE.**

7 (a) **IN GENERAL.**—The Secretary of Agriculture shall
8 establish an energy council in the Office of the Secretary
9 (in this section referred to as the “Council”) to coordinate
10 the energy policy of the Department of Agriculture and
11 consult with other departments and agencies of the Fed-
12 eral Government.

13 (b) **MEMBERSHIP.**—

14 (1) **IN GENERAL.**—The Secretary shall appoint
15 the members of the Council from among the staff of
16 the agencies and mission areas of the Department of
17 Agriculture with responsibilities relating to energy
18 programs or policies.

19 (2) **CHAIR.**—The chief economist of the Depart-
20 ment of Agriculture shall serve as the Chair of the
21 Council.

22 (c) **DUTIES OF OFFICE OF ENERGY POLICY AND**
23 **NEW USES.**—The Council shall assume the duties of the
24 Office of Energy Policy and New Uses of the Department
25 of Agriculture.

1 (d) TERMINATION OF OFFICE OF ENERGY POLICY
2 AND NEW USES.—

3 (1) REPEAL.—Section 220 of the Department
4 of Agriculture Reorganization Act of 1994 (7 U.S.C.
5 6920) is hereby repealed.

6 (2) TERMINATION.—The Secretary shall wind-
7 up and terminate the operations of the Office of En-
8 ergy Policy and New Uses of the Department of Ag-
9 riculture.

10 **SEC. 10. DEDICATED ETHANOL PIPELINE FEASIBILITY**
11 **STUDIES.**

12 (a) IN GENERAL.—The Secretary of Agriculture, in
13 coordination with the Secretary of Energy and the Sec-
14 retary of Transportation, shall spend up to \$1,000,000 to
15 fund feasibility studies for the construction of dedicated
16 ethanol pipelines.

17 (b) CONDUCT OF STUDIES.—

18 (1) IN GENERAL.—The Secretary of Agriculture
19 shall—

20 (A) through a competitive solicitation proc-
21 ess, select 1 or more firms having capabilities in
22 the planning, development, and construction of
23 dedicated pipelines to carry out the feasibility
24 studies described in subsection (a); or

1 (B) carry out the feasibility studies in con-
2 junction with such firms.

3 (2) TIMING.—

4 (A) IN GENERAL.—If the Secretary elects
5 to select 1 or more firms under paragraph
6 (1)(A), the Secretary shall award funding under
7 this section not later than 120 days after the
8 date of enactment of this Act.

9 (B) STUDIES.—As a condition of receiving
10 funds under this section, a recipient of funding
11 shall agree to submit to the Secretary a com-
12 pleted feasibility study not later than one year
13 after the date on which the recipient is awarded
14 funds pursuant to paragraph (1)(A).

15 (c) STUDY FACTORS.—Feasibility studies funded
16 under this section shall include consideration of—

17 (1) existing or potential barriers to dedicated
18 ethanol pipelines, including technical, siting, financ-
19 ing, and regulatory barriers;

20 (2) potential evolutionary pathways for the de-
21 velopment of an ethanol pipeline transport system,
22 such as starting with localized gathering networks as
23 compared to major interstate ethanol pipelines to
24 carry larger volumes from the Midwest to the East
25 or West coast;

1 (3) market risk, including throughput risk, and
2 ways of mitigating the risk;

3 (4) regulatory, financing, and siting options
4 that would mitigate risk in these areas and help en-
5 sure the construction of dedicated ethanol pipelines;

6 (5) financial incentives that may be necessary
7 for the construction of dedicated ethanol pipelines,
8 including the return on equity that sponsors of the
9 first dedicated ethanol pipelines will require to invest
10 in the pipelines;

11 (6) ethanol production of 20,000,000,000,
12 30,000,000,000, and 40,000,000,000 gallons per
13 year by 2020; and

14 (7) such other factors that the Secretary con-
15 siders to be appropriate.

16 (d) CONFIDENTIALITY.—If a recipient of funding
17 under this section requests confidential treatment for crit-
18 ical energy infrastructure information or commercially-
19 sensitive data contained in a feasibility study submitted
20 by the recipient under subsection (b)(2)(B), the Secretary
21 shall offer to enter into a confidentiality agreement with
22 the recipient to maintain the confidentiality of the sub-
23 mitted information.

24 (e) REVIEW; REPORT.—The Secretary of Agriculture
25 shall—

1 (1) review the feasibility studies submitted
2 under subsection (b)(2)(B) or carried out under sub-
3 section (b)(1)(B); and

4 (2) not later than 90 days after the date on
5 which all studies are completed under subsection (b),
6 submit to Congress a report that includes—

7 (A) information about the potential bene-
8 fits of constructing dedicated ethanol pipelines;
9 and

10 (B) recommendations for legislation that
11 could help provide for the construction of dedi-
12 cated ethanol pipelines.

13 (f) FUNDING.—There are authorized to be appro-
14 priated to the Secretary of Agriculture to carry out this
15 section \$1,000,000 for fiscal year 2008, to remain avail-
16 able until expended.

17 **SEC. 11. BIOMASS RESEARCH AND DEVELOPMENT ACT OF**
18 **2000.**

19 (a) RESTATEMENT OF ACT.—

20 (1) IN GENERAL.—Section 9008 of the Farm
21 Security and Rural Investment Act of 2002 (116
22 Stat. 486) is amended to read as follows:

1 **“SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT ACT**
2 **OF 2000.**

3 “(a) **SHORT TITLE.**—This section may be cited as the
4 ‘Biomass Research and Development Act of 2000’.

5 “(b) **FINDINGS.**—Congress finds that—

6 “(1) conversion of biomass into biobased indus-
7 trial products offers outstanding potential for benefit
8 to the national interest through—

9 “(A) improved strategic security and bal-
10 ance of payments;

11 “(B) healthier rural economies;

12 “(C) improved environmental quality;

13 “(D) near-zero net greenhouse gas emis-
14 sions;

15 “(E) technology export; and

16 “(F) sustainable resource supply;

17 “(2) the key technical challenges to be overcome
18 in order for biobased industrial products to be cost-
19 competitive are finding new technology and reducing
20 the cost of technology for converting biomass into
21 desired biobased industrial products;

22 “(3) biobased fuels, such as ethanol and bio-
23 diesel, have the clear potential to be sustainable, low
24 cost, and high performance fuels that are compatible
25 with both current and future transportation systems
26 and provide near-zero net greenhouse gas emissions;

1 “(4) biobased chemicals have the clear potential
2 for environmentally benign product life cycles;

3 “(5) biobased power can—

4 “(A) provide environmental benefits;

5 “(B) promote rural economic development;

6 and

7 “(C) diversify energy resource options;

8 “(6) many biomass feedstocks suitable for in-
9 dustrial processing show the clear potential for sus-
10 tainable production, in some cases resulting in im-
11 proved soil fertility and carbon sequestration;

12 “(7)(A) grain processing mills are biorefineries
13 that produce a diversity of useful food, chemical,
14 feed, and fuel products; and

15 “(B) technologies that result in further diver-
16 sification of the range of value-added biobased in-
17 dustrial products can meet a key need for the grain
18 processing industry;

19 “(8)(A) cellulosic feedstocks are attractive be-
20 cause of their low cost and widespread availability;
21 and

22 “(B) research resulting in cost-effective tech-
23 nology to overcome the recalcitrance of cellulosic bio-
24 mass would allow biorefineries to produce fuels and
25 bulk chemicals on a very large scale, with a commen-

1 surately large realization of the benefit described in
2 paragraph (1);

3 “(9) research into the fundamentals to under-
4 stand important mechanisms of biomass conversion
5 can be expected to accelerate the application and ad-
6 vancement of biomass processing technology by—

7 “(A) increasing the confidence and speed
8 with which new technologies can be scaled up;
9 and

10 “(B) giving rise to processing innovations
11 based on new knowledge;

12 “(10) the added utility of biobased industrial
13 products developed through improvements in proc-
14 essing technology would encourage the design of
15 feedstocks that would meet future needs more effec-
16 tively;

17 “(11) the creation of value-added biobased in-
18 dustrial products would create new jobs in construc-
19 tion, manufacturing, and distribution, as well as new
20 higher-valued exports of products and technology;

21 “(12)(A) because of the relatively short-term
22 time horizon characteristic of private sector invest-
23 ments, and because many benefits of biomass proc-
24 essing are in the national interest, it is appropriate
25 for the Federal Government to provide

1 precommercial investment in fundamental research
2 and research-driven innovation in the biomass pro-
3 cessing area; and

4 “(B) such an investment would provide a valu-
5 able complement to ongoing and past governmental
6 support in the biomass processing area; and

7 “(13) several prominent studies, including stud-
8 ies by the President’s Committee of Advisors on
9 Science and Technology and the National Research
10 Council—

11 “(A) support the potential for large re-
12 search-driven advances in technologies for pro-
13 duction of biobased industrial products as well
14 as associated benefits; and

15 “(B) document the need for a focused, in-
16 tegrated, and innovation-driven research effort
17 to provide the appropriate progress in a timely
18 manner.

19 “(c) DEFINITIONS.—In this section:

20 “(1) ADVISORY COMMITTEE.—The term ‘Advi-
21 sory Committee’ means the Biomass Research and
22 Development Technical Advisory Committee estab-
23 lished by this section.

1 “(2) BIOBASED FUEL.—The term ‘biobased
2 fuel’ means any transportation fuel produced from
3 biomass.

4 “(3) BIOBASED PRODUCT.—The term ‘biobased
5 product’ means an industrial product (including
6 chemicals, materials, and polymers) produced from
7 biomass, or a commercial or industrial product (in-
8 cluding animal feed and electric power) derived in
9 connection with the conversion of biomass to fuel.

10 “(4) BIOMASS.—The term ‘biomass’ means any
11 organic matter that is available on a renewable or
12 recurring basis, including agricultural crops and
13 trees, wood and wood wastes and residues, plants
14 (including aquatic plants), grasses, residues, fibers,
15 and animal wastes, municipal wastes, and other
16 waste materials.

17 “(5) BOARD.—The term ‘Board’ means the
18 Biomass Research and Development Board estab-
19 lished by this section.

20 “(6) DEMONSTRATION.—The term ‘demonstra-
21 tion’ means demonstration of technology in a pilot
22 plant or semi-works scale facility.

23 “(7) INITIATIVE.—The term ‘Initiative’ means
24 the Biomass Research and Development Initiative
25 established under this section.

1 “(8) INSTITUTION OF HIGHER EDUCATION.—

2 The term ‘institution of higher education’ has the
3 meaning given the term in section 102(a) of the
4 Higher Education Act of 1965 (20 U.S.C. 1002(a)).

5 “(9) NATIONAL LABORATORY.—The term ‘Na-
6 tional Laboratory’ has the meaning given that term
7 in section 2 of the Energy Policy Act of 2005.

8 “(10) POINT OF CONTACT.—The term ‘point of
9 contact’ means a point of contact designated under
10 this section.

11 “(d) COOPERATION AND COORDINATION IN BIOMASS
12 RESEARCH AND DEVELOPMENT.—

13 “(1) IN GENERAL.—The Secretary of Agri-
14 culture and the Secretary of Energy shall cooperate
15 with respect to, and coordinate, policies and proce-
16 dures that promote research and development lead-
17 ing to the production of biobased fuels and biobased
18 products.

19 “(2) POINTS OF CONTACT.—

20 “(A) IN GENERAL.—To coordinate re-
21 search and development programs and activities
22 relating to biobased fuels and biobased products
23 that are carried out by their respective Depart-
24 ments—

1 “(i) the Secretary of Agriculture shall
2 designate, as the point of contact for the
3 Department of Agriculture, an officer of
4 the Department of Agriculture appointed
5 by the President to a position in the De-
6 partment before the date of the designa-
7 tion, by and with the advice and consent of
8 the Senate; and

9 “(ii) the Secretary of Energy shall
10 designate, as the point of contact for the
11 Department of Energy, an officer of the
12 Department of Energy appointed by the
13 President to a position in the Department
14 before the date of the designation, by and
15 with the advice and consent of the Senate.

16 “(B) DUTIES.—The points of contact shall
17 jointly—

18 “(i) assist in arranging interlabora-
19 tory and site-specific supplemental agree-
20 ments for research and development
21 projects relating to biobased fuels and
22 biobased products;

23 “(ii) serve as cochairpersons of the
24 Board;

25 “(iii) administer the Initiative; and

1 “(iv) respond in writing to each rec-
2 ommendation of the Advisory Committee
3 made under subsection (f).

4 “(e) BIOMASS RESEARCH AND DEVELOPMENT
5 BOARD.—

6 “(1) ESTABLISHMENT.—There is established
7 the Biomass Research and Development Board,
8 which shall supersede the Interagency Council on
9 Biobased Products and Bioenergy established by Ex-
10 ecutive Order No. 13134, to coordinate programs
11 within and among departments and agencies of the
12 Federal Government for the purpose of promoting
13 the use of biobased fuels and biobased products by—

14 “(A) maximizing the benefits deriving from
15 Federal grants and assistance; and

16 “(B) bringing coherence to Federal stra-
17 tegic planning.

18 “(2) MEMBERSHIP.—The Board shall consist
19 of—

20 “(A) the point of contact of the Depart-
21 ment of Energy designated under subsection
22 (d), who shall serve as cochairperson of the
23 Board;

24 “(B) the point of contact of the Depart-
25 ment of Agriculture designated under sub-

1 section (d), who shall serve as cochairperson of
2 the Board;

3 “(C) a senior officer of each of the Depart-
4 ment of the Interior, the Environmental Protec-
5 tion Agency, the National Science Foundation,
6 and the Office of Science and Technology Pol-
7 icy, each of whom shall—

8 “(i) be appointed by the head of the
9 respective agency; and

10 “(ii) have a rank that is equivalent to
11 the rank of the points of contact; and

12 “(D) at the option of the Secretary of Ag-
13 riculture and the Secretary of Energy, other
14 members appointed by the Secretaries (after
15 consultation with the members described in sub-
16 paragraphs (A) through (C)).

17 “(3) DUTIES.—The Board shall—

18 “(A) coordinate research and development
19 activities relating to biobased fuels and biobased
20 products—

21 “(i) between the Department of Agri-
22 culture and the Department of Energy;
23 and

24 “(ii) with other departments and
25 agencies of the Federal Government;

1 “(B) provide recommendations to the
2 points of contact concerning administration of
3 this title;

4 “(C) ensure that—

5 “(i) solicitations are open and com-
6 petitive with awards made annually; and

7 “(ii) objectives and evaluation criteria
8 of the solicitations are clearly stated and
9 minimally prescriptive, with no areas of
10 special interest; and

11 “(D) ensure that the panel of scientific
12 and technical peers assembled under subsection
13 (g) to review proposals is composed predomi-
14 nantly of independent experts selected from out-
15 side the Departments of Agriculture and En-
16 ergy.

17 “(4) FUNDING.—Each agency represented on
18 the Board is encouraged to provide funds for any
19 purpose under this section.

20 “(5) MEETINGS.—The Board shall meet at
21 least quarterly to enable the Board to carry out the
22 duties of the Board under paragraph (3).

23 “(f) BIOMASS RESEARCH AND DEVELOPMENT TECH-
24 NICAL ADVISORY COMMITTEE.—

1 “(1) ESTABLISHMENT.—There is established
2 the Biomass Research and Development Technical
3 Advisory Committee, which shall supersede the Advi-
4 sory Committee on Biobased Products and Bio-
5 energy established by Executive Order No. 13134—

6 “(A) to advise the Secretary of Energy, the
7 Secretary of Agriculture, and the points of con-
8 tact concerning—

9 “(i) the technical focus and direction
10 of requests for proposals issued under the
11 Initiative; and

12 “(ii) procedures for reviewing and
13 evaluating the proposals;

14 “(B) to facilitate consultations and part-
15 nerships among Federal and State agencies, ag-
16 ricultural producers, industry, consumers, the
17 research community, and other interested
18 groups to carry out program activities relating
19 to the Initiative; and

20 “(C) to evaluate and perform strategic
21 planning on program activities relating to the
22 Initiative.

23 “(2) MEMBERSHIP.—

24 “(A) IN GENERAL.—The Advisory Com-
25 mittee shall consist of—

1 “(i) an individual affiliated with the
2 biofuels industry;

3 “(ii) an individual affiliated with the
4 biobased industrial and commercial prod-
5 ucts industry;

6 “(iii) an individual affiliated with an
7 institution of higher education who has ex-
8 pertise in biobased fuels and biobased
9 products;

10 “(iv) two prominent engineers or sci-
11 entists from government or academia who
12 have expertise in biobased fuels and
13 biobased products;

14 “(v) an individual affiliated with a
15 commodity trade association;

16 “(vi) 2 individuals affiliated with an
17 environmental or conservation organiza-
18 tion;

19 “(vii) an individual associated with
20 State government who has expertise in
21 biobased fuels and biobased products;

22 “(viii) an individual with expertise in
23 energy and environmental analysis;

1 “(ix) an individual with expertise in
2 the economics of biobased fuels and
3 biobased products;

4 “(x) an individual with expertise in
5 agricultural economics; and

6 “(xi) at the option of the points of
7 contact, other members.

8 “(B) APPOINTMENT.—The members of the
9 Advisory Committee shall be appointed by the
10 points of contact.

11 “(3) DUTIES.—The Advisory Committee
12 shall—

13 “(A) advise the points of contact with re-
14 spect to the Initiative; and

15 “(B) evaluate whether, and make rec-
16 ommendations in writing to the Board to en-
17 sure that—

18 “(i) funds authorized for the Initiative
19 are distributed and used in a manner that
20 is consistent with the objectives, purposes,
21 and considerations of the Initiative;

22 “(ii) solicitations are open and com-
23 petitive with awards made annually and
24 that objectives and evaluation criteria of
25 the solicitations are clearly stated and

1 minimally prescriptive, with no areas of
2 special interest;

3 “(iii) the points of contact are funding
4 proposals under this title that are selected
5 on the basis of merit, as determined by an
6 independent panel of scientific and tech-
7 nical peers predominantly from outside the
8 Departments of Agriculture and Energy;
9 and

10 “(iv) activities under this section are
11 carried out in accordance with this section.

12 “(4) COORDINATION.—To avoid duplication of
13 effort, the Advisory Committee shall coordinate its
14 activities with those of other Federal advisory com-
15 mittees working in related areas.

16 “(5) MEETINGS.—The Advisory Committee
17 shall meet at least quarterly to enable the Advisory
18 Committee to carry out the duties of the Advisory
19 Committee.

20 “(6) TERMS.—Members of the Advisory Com-
21 mittee shall be appointed for a term of 3 years, ex-
22 cept that—

23 “(A) one-third of the members initially ap-
24 pointed shall be appointed for a term of 1 year;
25 and

1 “(B) one-third of the members initially ap-
2 pointed shall be appointed for a term of 2
3 years.

4 “(g) BIOMASS RESEARCH AND DEVELOPMENT INI-
5 TIATIVE.—

6 “(1) IN GENERAL.—The Secretary of Agri-
7 culture and the Secretary of Energy, acting through
8 their respective points of contact and in consultation
9 with the Board, shall establish and carry out a Bio-
10 mass Research and Development Initiative under
11 which competitively awarded grants, contracts, and
12 financial assistance are provided to, or entered into
13 with, eligible entities to carry out research on, and
14 development and demonstration of, biobased fuels
15 and biobased products, and the methods, practices
16 and technologies, for their production.

17 “(2) OBJECTIVES.—The objectives of the Initia-
18 tive are to develop—

19 “(A) technologies and processes necessary
20 for abundant commercial production of biobased
21 fuels at prices competitive with fossil fuels;

22 “(B) high-value biobased products—

23 “(i) to enhance the economic viability
24 of biobased fuels and power; and

1 “(ii) as substitutes for petroleum-
2 based feedstocks and products; and

3 “(C) a diversity of sustainable domestic
4 sources of biomass for conversion to biobased
5 fuels and biobased products.

6 “(3) PURPOSES.—The purposes of the Initiative
7 are—

8 “(A) to increase the energy security of the
9 United States;

10 “(B) to create jobs and enhance the eco-
11 nomic development of the rural economy;

12 “(C) to enhance the environment and pub-
13 lic health; and

14 “(D) to diversify markets for raw agricul-
15 tural and forestry products.

16 “(4) TECHNICAL AREAS.—To advance the ob-
17 jectives and purposes of the Initiative, the Secretary
18 of Agriculture and the Secretary of Energy, in con-
19 sultation with the Administrator of the Environ-
20 mental Protection Agency and heads of other appro-
21 priate departments and agencies (referred to in this
22 subsection as the ‘Secretaries’), shall direct research
23 and development toward—

24 “(A) feedstock production through the de-
25 velopment of crops and cropping systems rel-

1 evant to production of raw materials for conver-
2 sion to biobased fuels and biobased products,
3 including—

4 “(i) development of advanced and
5 dedicated crops with desired features, in-
6 cluding enhanced productivity, broader site
7 range, low requirements for chemical in-
8 puts, and enhanced processing;

9 “(ii) advanced crop production meth-
10 ods to achieve the features described in
11 clause (i);

12 “(iii) feedstock harvest, handling,
13 transport, and storage; and

14 “(iv) strategies for integrating feed-
15 stock production into existing managed
16 land;

17 “(B) overcoming recalcitrance of cellulosic
18 biomass through developing technologies for
19 converting cellulosic biomass into intermediates
20 that can subsequently be converted into
21 biobased fuels and biobased products, includ-
22 ing—

23 “(i) pretreatment in combination with
24 enzymatic or microbial hydrolysis; and

1 “(ii) thermochemical approaches, in-
2 cluding gasification and pyrolysis;

3 “(C) product diversification through tech-
4 nologies relevant to production of a range of
5 biobased products (including chemicals, animal
6 feeds, and cogenerated power) that eventually
7 can increase the feasibility of fuel production in
8 a biorefinery, including—

9 “(i) catalytic processing, including
10 thermochemical fuel production;

11 “(ii) metabolic engineering, enzyme
12 engineering, and fermentation systems for
13 biological production of desired products or
14 cogeneration of power;

15 “(iii) product recovery;

16 “(iv) power production technologies;
17 and

18 “(v) integration into existing biomass
19 processing facilities, including starch eth-
20 anol plants, sugar processing or refining
21 plants, paper mills, and power plants; and

22 “(D) analysis that provides strategic guid-
23 ance for the application of biomass technologies
24 in accordance with realization of improved sus-
25 tainability and environmental quality, cost ef-

1 fectiveness, security, and rural economic devel-
2 opment, usually featuring system-wide ap-
3 proaches.

4 “(5) ADDITIONAL CONSIDERATIONS.—Within
5 the technical areas described in paragraph (4), and
6 in addition to advancing the purposes described in
7 paragraph (3) and the objectives described in para-
8 graph (2), the Secretaries shall support research and
9 development—

10 “(A) to create continuously expanding op-
11 portunities for participants in existing biofuels
12 production by seeking synergies and continuity
13 with current technologies and practices, such as
14 the use of dried distillers grains as a bridge
15 feedstock;

16 “(B) to maximize the environmental, eco-
17 nomic, and social benefits of production of
18 biobased fuels and biobased products on a large
19 scale through life-cycle economic and environ-
20 mental analysis and other means; and

21 “(C) to assess the potential of Federal
22 land and land management programs as feed-
23 stock resources for biobased fuels and biobased
24 products, consistent with the integrity of soil

1 and water resources and with other environ-
2 mental considerations.

3 “(6) ELIGIBLE ENTITIES.—To be eligible for a
4 grant, contract, or assistance under this subsection,
5 an applicant shall be—

6 “(A) an institution of higher education;

7 “(B) a National Laboratory;

8 “(C) a Federal research agency;

9 “(D) a State research agency;

10 “(E) a private sector entity;

11 “(F) a nonprofit organization; or

12 “(G) a consortium of two or more entities
13 described in subparagraphs (A) through (F).

14 “(7) ADMINISTRATION.—

15 “(A) IN GENERAL.—After consultation
16 with the Board, the points of contact shall—

17 “(i) publish annually one or more
18 joint requests for proposals for grants,
19 contracts, and assistance under this sub-
20 section;

21 “(ii) require that grants, contracts,
22 and assistance under this section be
23 awarded competitively, on the basis of
24 merit, after the establishment of proce-
25 dures that provide for scientific peer review

1 by an independent panel of scientific and
2 technical peers; and

3 “(iii) give some preference to applica-
4 tions that—

5 “(I) involve a consortia of experts
6 from multiple institutions;

7 “(II) encourage the integration
8 of disciplines and application of the
9 best technical resources; and

10 “(III) increase the geographic di-
11 versity of demonstration projects.

12 “(B) DISTRIBUTION OF FUNDING BY
13 TECHNICAL AREA.—Of the funds authorized to
14 be appropriated for activities described in this
15 subsection, funds shall be distributed for each
16 of fiscal years 2007 through 2012 so as to
17 achieve an approximate distribution of—

18 “(i) 20 percent of the funds to carry
19 out activities for feedstock production
20 under paragraph (4)(A);

21 “(ii) 45 percent of the funds to carry
22 out activities for overcoming recalcitrance
23 of cellulosic biomass under paragraph
24 (4)(B);

1 “(iii) 30 percent of the funds to carry
2 out activities for product diversification
3 under paragraph (4)(C); and

4 “(iv) 5 percent of the funds to carry
5 out activities for strategic guidance under
6 paragraph (4)(D).

7 “(C) DISTRIBUTION OF FUNDING WITHIN
8 EACH TECHNICAL AREA.—Within each technical
9 area described in subparagraphs (A) through
10 (C) of paragraph (4), funds shall be distributed
11 for each of fiscal years 2007 through 2012 so
12 as to achieve an approximate distribution of—

13 “(i) 15 percent of the funds for ap-
14 plied fundamentals;

15 “(ii) 35 percent of the funds for inno-
16 vation; and

17 “(iii) 50 percent of the funds for dem-
18 onstration.

19 “(D) MATCHING FUNDS.—

20 “(i) IN GENERAL.—A minimum 20
21 percent funding match shall be required
22 for demonstration projects under this sec-
23 tion.

24 “(ii) COMMERCIAL APPLICATIONS.—A
25 minimum of 50 percent funding match

1 shall be required for commercial applica-
2 tion projects under this section.

3 “(E) TECHNOLOGY AND INFORMATION
4 TRANSFER TO AGRICULTURAL USERS.—The Ad-
5 ministrators of the Cooperative State Research,
6 Education, and Extension Service and the Chief
7 of the Natural Resources Conservation Service
8 shall ensure that applicable research results and
9 technologies from the Initiative are adapted,
10 made available, and disseminated through those
11 services, as appropriate.

12 “(h) ADMINISTRATIVE SUPPORT AND FUNDS.—

13 “(1) IN GENERAL.—To the extent administra-
14 tive support and funds are not provided by other
15 agencies under paragraph (2)(b), the Secretary of
16 Energy and the Secretary of Agriculture may pro-
17 vide such administrative support and funds of the
18 Department of Energy and the Department of Agri-
19 culture to the Board and the Advisory Committee as
20 are necessary to enable the Board and the Advisory
21 Committee to carry out their duties under this sec-
22 tion.

23 “(2) OTHER AGENCIES.—The heads of the
24 agencies referred to in subsection (e)(2)(C), and the
25 other members appointed under subsection

1 (e)(2)(D), may, and are encouraged to, provide ad-
2 ministrative support and funds of their respective
3 agencies to the Board and the Advisory Committee.

4 “(3) LIMITATION.—Not more than 4 percent of
5 the amount appropriated for each fiscal year under
6 subsection (g)(6) may be used to pay the adminis-
7 trative costs of carrying out this section.

8 “(i) REPORTS.—

9 “(1) ANNUAL REPORTS.—For each fiscal year
10 for which funds are made available to carry out this
11 section, the Secretary of Energy and the Secretary
12 of Agriculture shall jointly submit to Congress a de-
13 tailed report on—

14 “(A) the status and progress of the Initia-
15 tive, including a report from the Advisory Com-
16 mittee on whether funds appropriated for the
17 Initiative have been distributed and used in a
18 manner that—

19 “(i) is consistent with the objectives,
20 purposes, and additional considerations de-
21 scribed in paragraphs (2) through (5) of
22 subsection (g);

23 “(ii) uses the set of criteria estab-
24 lished in the initial report submitted under

1 title III of the Agricultural Risk Protection
2 Act of 2000;

3 “(iii) achieves the distribution of
4 funds described in subparagraphs (B) and
5 (C) of subsection (g)(7); and

6 “(iv) takes into account any rec-
7 ommendations that have been made by the
8 Advisory Committee;

9 “(B) the general status of cooperation and
10 research and development efforts carried out at
11 each agency with respect to biobased fuels and
12 biobased products, including a report from the
13 Advisory Committee on whether the points of
14 contact are funding proposals that are selected
15 under subsection (g)(3)(B)(iii); and

16 “(C) the plans of the Secretary of Energy
17 and the Secretary of Agriculture for addressing
18 concerns raised in the report, including con-
19 cerns raised by the Advisory Committee.

20 “(2) UPDATES.—The Secretary and the Sec-
21 retary of Energy shall update the Vision and Road-
22 map documents prepared for Federal biomass re-
23 search and development activities.

24 “(j) FUNDING.—

1 “(1) COMMODITY CREDIT CORPORATION
2 FUNDS.—There is authorized to be appropriated to
3 carry out this section—

4 “(A) \$50,000,000 for fiscal year 2008,

5 “(B) \$75,000,000 for fiscal year 2009,

6 “(C) \$100,000,000 for fiscal year 2010,

7 “(D) \$125,000,000 for fiscal year 2011,

8 and

9 “(E) \$150,000,000 for fiscal year 2012,

10 “(2) ADDITIONAL FUNDING.—In addition to
11 amounts authorized to be appropriated under para-
12 graph (1), there are authorized to be appropriated to
13 carry out this section \$200,000,000 for each of fis-
14 cal years 2006 through 2015.”.

15 (2) CONTINGENCY AMENDMENT.—In title XI of
16 this Act—

17 (A) if a change in law or laws not per-
18 taining to the Biomass Research and Develop-
19 ment Act of 2000 reduces outlays and/or in-
20 creases revenue by an amount sufficient to off-
21 set the increased outlays that would occur over
22 the period of fiscal years 2007 through 2012
23 and the period of fiscal years 2007 through
24 2017 if total funding for the Biomass Research
25 and Development Act of 2000 were increased to

1 \$50,000,000 in fiscal year 2008, \$75,000,000
2 in fiscal year 2009, \$100,000,000 in fiscal year
3 2010, \$125,000,000 in fiscal year 2011, and
4 \$150,000,000 in fiscal year 2012 (as estimated
5 by the House Committee on the Budget at the
6 time of enactment of this act); and

7 (B) if such reductions in outlays or in-
8 creases in revenue in paragraph (1) are specifi-
9 cally and exclusively dedicated to increasing
10 total funding for the Biomass Research and De-
11 velopment Act of 2000 to \$50,000,000 in fiscal
12 year 2008, \$75,000,000 in fiscal year 2009,
13 \$100,000,000 in fiscal year 2010,
14 \$125,000,000 in fiscal year 2011, and
15 \$150,000,000 in fiscal year 2012; then

16 (C) section 9008(j) of the Farm Security
17 and Rural Investment Act of 2002, as amended
18 by paragraph (1), is amended—

19 (i) in paragraph (1) in the matter pre-
20 ceding subparagraph (A), by striking
21 “‘There is authorized to be appropriated”
22 and inserting “‘Of the funds of the Com-
23 modity Credit Corporation, the Secretary
24 of Agriculture shall make available”’; and

1 (ii) in paragraph (2), by striking
2 “amounts authorized to be appropriated”
3 and inserting “amounts transferred”.

4 (b) REPEAL.—Title III of the Agricultural Risk Pro-
5 tection Act of 2000 (Public Law 106-224) is hereby re-
6 pealed.