

1 **TITLE IX—ENERGY**

2 **SEC. 9001. DEFINITIONS.**

3 Section 9001 of the Farm Security and Rural Invest-
4 ment Act of 2002 (7 U.S.C. 8101) is amended by—

5 (1) redesignating paragraphs (9), (10), (11),
6 (12), (13), and (14) as paragraphs (10), (11), (12),
7 (13), (15), and (17);

8 (2) inserting after paragraph (8), the following
9 new paragraph:

10 “(9) FOREST PRODUCT.—

11 “(A) IN GENERAL.—The term ‘forest prod-
12 uct’ means a product made from materials de-
13 rived from the practice of forestry or the man-
14 agement of growing timber.

15 “(B) INCLUSIONS.—The term ‘forest prod-
16 uct’ includes—

17 “(i) pulp, paper, paperboard, pellets,
18 lumber, and other wood products; and

19 “(ii) any recycled products derived
20 from forest materials.”;

21 (3) by inserting after paragraph (13) (as reded-
22 ignated by paragraph (1) of this section) the fol-
23 lowing:

24 “(14) RENEWABLE CHEMICAL.—The term ‘re-
25 newable chemical’ means a monomer, polymer, plas-

1 tic, formulated product, or chemical substance pro-
2 duced from renewable biomass.”; and

3 (4) inserting after paragraph (15) (as so reded-
4 ignated), the following new paragraph:

5 “(16) RENEWABLE ENERGY SYSTEM.—

6 “(A) IN GENERAL.—Subject to subpara-
7 graph (B), the term ‘renewable energy system’
8 means a system that—

9 “(i) produces usable energy from a re-
10 newable energy source; and

11 “(ii) may include distribution compo-
12 nents necessary to move energy produced
13 by such system to the initial point of sale.

14 “(B) LIMITATION.—A system described in
15 subparagraph (A) may not include a mechanism
16 for dispensing energy at retail.”.

17 **SEC. 9002. BIOBASED MARKETS PROGRAM.**

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

21 (1) in subsection (a)—

22 (A) in paragraph (2)(A)(i)—

23 (i) in subclause (I), by striking “and”
24 at the end;

1 (ii) in subclause (II)(bb), by striking
2 the period at the end and inserting “;
3 and”; and

4 (iii) by adding at the end the fol-
5 lowing:

6 “(III) establish a targeted
7 biobased-only procurement require-
8 ment under which the procuring agen-
9 cy shall issue a certain number of
10 biobased-only contracts when the pro-
11 curing agency is purchasing products,
12 or purchasing services that include the
13 use of products, that are included in
14 a biobased product category des-
15 ignated by the Secretary.”; and

16 (B) in paragraph (3)—

17 (i) in subparagraph (B)—

18 (I) in clause (v), by inserting “as
19 determined to be necessary by the
20 Secretary based on the availability of
21 data,” before “provide information”;

22 (II) by redesignating clauses (v)
23 and (vi) as clauses (vii) and (viii), re-
24 spectively; and

1 (III) by inserting after clause (iv)
2 the following:

3 “(v) require reporting of quantities
4 and types of biobased products purchased
5 by procuring agencies;

6 “(vi) promote biobased products, in-
7 cluding forest products, that apply an in-
8 novative approach to growing, harvesting,
9 sourcing, procuring, processing, manufac-
10 turing, or application of biobased products
11 regardless of the date of entry into the
12 marketplace;”; and

13 (ii) by adding at the end the fol-
14 lowing:

15 “(F) REQUIRED DESIGNATIONS.—Not
16 later than 1 year after the date of enactment of
17 this subparagraph, the Secretary shall begin to
18 designate intermediate ingredients or feedstocks
19 and assembled and finished biobased products
20 in the guidelines issued under this paragraph.”;

21 (2) in subsection (b)—

22 (A) in paragraph (3)—

23 (i) by striking “The Secretary” and
24 inserting the following:

25 “(A) IN GENERAL.—The Secretary”; and

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

3 “(B) AUDITING AND COMPLIANCE.—The
4 Secretary may carry out such auditing and
5 compliance activities as the Secretary deter-
6 mines to be necessary to ensure compliance
7 with subparagraph (A).”; and

8 (B) by adding at the end the following:

9 “(4) ASSEMBLED AND FINISHED PRODUCTS.—
10 Not later than 1 year after the date of enactment
11 of this paragraph, the Secretary shall begin issuing
12 criteria for determining which assembled and fin-
13 ished products may qualify to receive the label under
14 paragraph (1).”;

15 (3) in subsection (g)—

16 (A) in paragraph (2)—

17 (i) in the matter preceding subpara-
18 graph (A) by striking “The report” and in-
19 serting “Each report under paragraph
20 (1)”;

21 (ii) in subparagraph (A), by striking
22 “and” at the end;

23 (iii) in subparagraph (B)(ii), by strik-
24 ing the period at the end and inserting “;
25 and” ; and

1 (iv) by adding at the end the following
2 new subparagraph:

3 “(C) the progress made by other Federal
4 agencies in compliance with the biobased pro-
5 curement requirements, including the quantity
6 of purchases made.”; and

7 (B) by adding at the end the following:

8 “(3) ECONOMIC IMPACT STUDY AND REPORT.—

9 “(A) IN GENERAL.—The Secretary shall
10 conduct a study to assess the economic impact
11 of the biobased products industry, including—

12 “(i) the quantity of biobased products
13 sold;

14 “(ii) the value of the biobased prod-
15 ucts;

16 “(iii) the quantity of jobs created;

17 “(iv) the quantity of petroleum dis-
18 placed;

19 “(v) other environmental benefits; and

20 “(vi) areas in which the use or manu-
21 facturing of biobased products could be
22 more effectively used, including identifying
23 any technical and economic obstacles and
24 recommending how those obstacles can be
25 overcome.

1 “(B) REPORT.—Not later than 1 year
2 after the date of enactment of this subpara-
3 graph, the Secretary shall submit to Congress a
4 report describing the results of the study con-
5 ducted under subparagraph (A).”;

6 (4) by redesignating subsections (g) and (h) as
7 subsections (h) and (i), respectively;

8 (5) by inserting after subsection (f) the fol-
9 lowing new subsection:

10 “(g) FOREST PRODUCTS LABORATORY COORDINA-
11 TION.—In determining whether products are eligible for
12 the ‘USDA Certified Biobased Product’ label, the Sec-
13 retary (acting through the Forest Products Laboratory)
14 shall provide appropriate technical and other assistance to
15 the program and applicants for forest products.”; and

16 (6) in subsection (i) (as redesignated by para-
17 graph (4)), by striking paragraphs (1) and (2) and
18 inserting the following new paragraphs:

19 “(1) MANDATORY FUNDING.—Of the funds of
20 the Commodity Credit Corporation, the Secretary
21 shall use to carry out this section \$3,000,000 for
22 each of fiscal years 2014 through 2018.

23 “(2) DISCRETIONARY FUNDING.—There is au-
24 thorized to be appropriated to carry out this section

1 \$2,000,000 for each of fiscal years 2014 through
2 2018.”; and

3 (7) by adding at the end the following new sub-
4 section:

5 “(j) **BIOBASED PRODUCT INCLUSION.**—In this sec-
6 tion, the term ‘biobased product’ (as defined in section
7 9001) includes, with respect to forestry materials, forest
8 products that meet biobased content requirements, not-
9 withstanding the market share the product holds, the age
10 of the product, or whether the market for the product is
11 new or emerging.”.

12 (b) **CONFORMING AMENDMENT.**—Section
13 944(c)(2)(A) of the Energy Policy Act of 2005 (42 U.S.C.
14 16253(c)(2)(A)) is amended by striking “section
15 9002(h)(1)” and inserting “section 9002(b)”.

16 **SEC. 9003. BIOREFINERY ASSISTANCE.**

17 (a) **PROGRAM ADJUSTMENTS.**—Section 9003 of the
18 Farm Security and Rural Investment Act of 2002 (7
19 U.S.C. 8103) is amended—

20 (1) in the section heading, by inserting “, **RE-**
21 **NEWABLE CHEMICAL, AND BIOBASED PROD-**
22 **UCT MANUFACTURING**” after “**BIOREFINERY**”;

23 (2) in subsection (a), in the matter preceding
24 paragraph (1), by inserting “renewable chemicals,

1 and biobased product manufacturing” after “ad-
2 vanced biofuels,”;

3 (3) in subsection (b)—

4 (A) by redesignating paragraphs (1) and
5 (2) as paragraphs (2) and (3), respectively; and

6 (B) by inserting before paragraph (2) (as
7 so redesignated) the following:

8 “(1) BIOBASED PRODUCT MANUFACTURING.—

9 The term ‘biobased product manufacturing’ means
10 development, construction, and retrofitting of tech-
11 nologically new commercial-scale processing and
12 manufacturing equipment and required facilities that
13 will be used to convert renewable chemicals and
14 other biobased outputs of biorefineries into end-user
15 products on a commercial scale.”;

16 (4) in subsection (c), by striking “to eligible en-
17 tities” and all that follows through “guarantees for
18 loans” and inserting “to eligible entities guarantees
19 for loans”;

20 (5) by striking subsection (d);

21 (6) by redesignating subsections (e), (f), (g),
22 and (h) as subsections (d), (e), (f), and (g), respec-
23 tively; and

24 (7) in subsection (d) (as so redesignated)—

1 (A) in paragraph (1), by adding at the end
2 the following new subparagraph:

3 “(D) PROJECT DIVERSITY.—In approving
4 loan guarantee applications, the Secretary shall
5 ensure that, to the extent practicable, there is
6 diversity in the types of projects approved for
7 loan guarantees to ensure that as wide a range
8 as possible of technologies, products, and ap-
9 proaches are assisted.”.

10 (B) by striking “subsection (c)(2)” each
11 place it appears and inserting “subsection (c)”;
12 and

13 (C) in paragraph (2)(C), by striking “sub-
14 section (h)” and inserting “subsection (g)”.

15 (b) FUNDING.—Subsection (g) of section 9003 of the
16 Farm Security and Rural Investment Act of 2002 (7
17 U.S.C. 8103) (as redesignated by paragraph (6)) is
18 amended—

19 (1) by striking paragraph (1) and inserting the
20 following:

21 “(1) MANDATORY FUNDING.—

22 “(A) IN GENERAL.—Subject to subpara-
23 graph (B), of the funds of the Commodity
24 Credit Corporation, the Secretary shall use for

1 the cost of loan guarantees under this section,
2 to remain available until expended—

3 “(i) \$100,000,000 for fiscal year
4 2014; and

5 “(ii) \$50,000,000 for each of fiscal
6 years 2015 and 2016.

7 “(B) BIOBASED PRODUCT MANUFAC-
8 TURING.—Of the total amount of funds made
9 available for fiscal years 2014 and 2015 under
10 subparagraph (A), the Secretary may use for
11 the cost of loan guarantees under this section
12 not more than 15 percent of such funds to pro-
13 mote biobased product manufacturing.”; and

14 (2) in paragraph (2), by striking
15 “\$150,000,000 for each of fiscal years 2009 through
16 2013” and inserting “\$75,000,000 for each of fiscal
17 years 2014 through 2018”.

18 **SEC. 9004. REPOWERING ASSISTANCE PROGRAM.**

19 Section 9004(d) of the Farm Security and Rural In-
20 vestment Act of 2002 (7 U.S.C. 8104(d)) is amended—

21 (1) in paragraph (1), by striking “\$35,000,000
22 for fiscal year 2009” and inserting “\$12,000,000 for
23 fiscal year 2014”; and

24 (2) in paragraph (2), by striking “\$15,000,000
25 for each of fiscal years 2009 through 2013” and in-

1 serting “\$10,000,000 for each of fiscal years 2014
2 through 2018”.

3 **SEC. 9005. BIOENERGY PROGRAM FOR ADVANCED**
4 **BIOFUELS.**

5 Section 9005(g) of the Farm Security and Rural In-
6 vestment Act of 2002 (7 U.S.C. 8105(g)) is amended—

7 (1) in paragraph (1)—

8 (A) in subparagraph (C), by striking “;
9 and” and inserting a semicolon;

10 (B) in subparagraph (D), by striking the
11 period and inserting “; and”; and

12 (C) by adding at the end the following new
13 subparagraph:

14 “(E) \$15,000,000 for each of fiscal years
15 2014 through 2018.”; and

16 (2) in paragraph (2), by striking “\$25,000,000
17 for each of fiscal years 2009 through 2013” and in-
18 serting “\$20,000,000 for each of fiscal years 2014
19 through 2018”.

20 **SEC. 9006. BIODIESEL FUEL EDUCATION PROGRAM.**

21 Section 9006(d) of the Farm Security and Rural In-
22 vestment Act of 2002 (7 U.S.C. 8106(d)) is amended—

23 (1) in paragraph (1)—

1 (A) in the heading, by striking “FISCAL
2 YEARS 2009 THROUGH 2012” and inserting
3 “MANDATORY FUNDING” ; and

4 (B) by striking “2012” and inserting
5 “2018”; and

6 (2) in paragraph (2)—

7 (A) in the heading, by striking “AUTHOR-
8 IZATION OF APPROPRIATIONS” and inserting
9 “DISCRETIONARY FUNDING” ; and

10 (B) by striking “fiscal year 2013” and in-
11 serting “each of fiscal years 2014 through
12 2018”.

13 **SEC. 9007. RURAL ENERGY FOR AMERICA PROGRAM.**

14 (a) PROGRAM ADJUSTMENTS.—Section 9007 of the
15 Farm Security and Rural Investment Act of 2002 (7
16 U.S.C. 8107) is amended—

17 (1) in subsection (b)(2)—

18 (A) in subparagraph (C), by striking
19 “and” at the end;

20 (B) by redesignating subparagraph (D) as
21 subparagraph (E); and

22 (C) by inserting after subparagraph (C)
23 the following:

1 “(D) a council (as defined in section 1528
2 of the Agriculture and Food Act of 1981 (16
3 U.S.C. 3451)); and”;

4 (2) in subsection (c)—

5 (A) by striking paragraph (3);

6 (B) by redesignating paragraph (4) as
7 paragraph (3); and

8 (C) by adding at the end the following:

9 “(4) TIERED APPLICATION PROCESS.—

10 “(A) IN GENERAL.—In providing loan
11 guarantees and grants under this subsection,
12 the Secretary shall use a 3-tiered application
13 process that reflects the size of proposed
14 projects in accordance with this paragraph.

15 “(B) TIER 1.—The Secretary shall estab-
16 lish a separate application process for projects
17 for which the cost of the activity funded under
18 this subsection is not more than \$80,000.

19 “(C) TIER 2.—The Secretary shall estab-
20 lish a separate application process for projects
21 for which the cost of the activity funded under
22 this subsection is greater than \$80,000 but less
23 than \$200,000.

24 “(D) TIER 3.—The Secretary shall estab-
25 lish a separate application process for projects

1 for which the cost of the activity funded under
2 this subsection is equal to or greater than
3 \$200,000.

4 “(E) APPLICATION PROCESS.—The Sec-
5 retary shall establish an application, evaluation,
6 and oversight process that is the most sim-
7 plified for tier I projects and more comprehen-
8 sive for each subsequent tier.”.

9 (b) FUNDING.—Section 9007(g) of the Farm Secu-
10 rity and Rural Investment Act of 2002 (7 U.S.C. 8107(g))
11 is amended—

12 (1) in paragraph (1)—

13 (A) in subparagraph (C), by striking “;
14 and” and inserting a semicolon;

15 (B) in subparagraph (D), by striking the
16 period and inserting “; and”; and

17 (C) by adding at the end the following new
18 subparagraph:

19 “(E) \$50,000,000 for fiscal year 2014 and
20 each fiscal year thereafter.”; and

21 (2) in paragraph (3), by striking “\$25,000,000
22 for each of fiscal years 2009 through 2013” and in-
23 serting “\$20,000,000 for each of fiscal years 2014
24 through 2018”.

1 **SEC. 9008. BIOMASS RESEARCH AND DEVELOPMENT.**

2 Section 9008(h) of the Farm Security and Rural In-
3 vestment Act of 2002 (7 U.S.C. 8108(h)) is amended—

4 (1) in paragraph (1)—

5 (A) in subparagraph (C), by striking “;
6 and” and inserting a semicolon;

7 (B) in subparagraph (D), by striking the
8 period and inserting “; and”; and

9 (C) by adding at the end the following new
10 subparagraph:

11 “(E) \$3,000,000 for each of fiscal years
12 2014 through 2017.”; and

13 (2) in paragraph (2), by striking “\$35,000,000
14 for each of fiscal years 2009 through 2013” and in-
15 serting “\$20,000,000 for each of fiscal years 2014
16 through 2018”.

17 **SEC. 9009. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIO-
18 ENERGY PRODUCERS.**

19 Section 9010(b) of the Farm Security and Rural In-
20 vestment Act of 2002 (7 U.S.C. 8110(b)) is amended—

21 (1) in paragraph (1)(A), by striking “2013”
22 and inserting “2018”; and

23 (2) in paragraph (2)(A), by striking “2013”
24 and inserting “2018”.

1 **SEC. 9010. BIOMASS CROP ASSISTANCE PROGRAM.**

2 Section 9011 of the Farm Security and Rural Invest-
3 ment Act of 2002 (7 U.S.C. 8111) is amended to read
4 as follows:

5 **“SEC. 9011. BIOMASS CROP ASSISTANCE PROGRAM.**

6 “(a) DEFINITIONS.—In this section:

7 “(1) BCAP.—The term ‘BCAP’ means the Bio-
8 mass Crop Assistance Program established under
9 this section.

10 “(2) BCAP PROJECT AREA.—The term ‘BCAP
11 project area’ means an area that—

12 “(A) has specified boundaries that are sub-
13 mitted to the Secretary by the project sponsor
14 and subsequently approved by the Secretary;

15 “(B) includes producers with contract
16 acreage that will supply a portion of the renew-
17 able biomass needed by a biomass conversion
18 facility; and

19 “(C) is physically located within an eco-
20 nomically practicable distance from the biomass
21 conversion facility.

22 “(3) CONTRACT ACREAGE.—The term ‘contract
23 acreage’ means eligible land that is covered by a
24 BCAP contract entered into with the Secretary.

25 “(4) ELIGIBLE CROP.—

1 “(A) IN GENERAL.—The term ‘eligible
2 crop’ means a crop of renewable biomass.

3 “(B) EXCLUSIONS.—The term ‘eligible
4 crop’ does not include—

5 “(i) any crop that is eligible to receive
6 payments under title I of the Agricultural
7 Act of 2014 or an amendment made by
8 that title; or

9 “(ii) any plant that is invasive or nox-
10 ious or species or varieties of plants that
11 credible risk assessment tools or other
12 credible sources determine are potentially
13 invasive, as determined by the Secretary in
14 consultation with other appropriate Fed-
15 eral or State departments and agencies.

16 “(5) ELIGIBLE LAND.—

17 “(A) IN GENERAL.—The term ‘eligible
18 land’ includes—

19 “(i) agricultural and nonindustrial
20 private forest lands (as defined in section
21 5(c) of the Cooperative Forestry Assistance
22 Act of 1978 (16 U.S.C. 2103a(c))); and

23 “(ii) land enrolled in the conservation
24 reserve program established under sub-
25 chapter B of chapter I of subtitle D of title

1 XII of the Food Security Act of 1985 (16
2 U.S.C. 3831 et seq.), or the Agricultural
3 Conservation Easement Program estab-
4 lished under subtitle H of title XII of that
5 Act, under a contract that will expire at
6 the end of the current fiscal year.

7 “(B) EXCLUSIONS.—The term ‘eligible
8 land’ does not include—

9 “(i) Federal- or State-owned land;

10 “(ii) land that is native sod, as of the
11 date of enactment of the Food, Conserva-
12 tion, and Energy Act of 2008 (7 U.S.C.
13 8701 et seq.);

14 “(iii) land enrolled in the conservation
15 reserve program established under sub-
16 chapter B of chapter 1 of subtitle D of
17 title XII of the Food Security Act of 1985
18 (16 U.S.C. 3831 et seq.), other than land
19 described in subparagraph (A)(ii); or

20 “(iv) land enrolled in the Agricultural
21 Conservation Easement Program estab-
22 lished under subtitle H of title XII of that
23 Act, other than land described in subpara-
24 graph (A)(ii).

25 “(6) ELIGIBLE MATERIAL.—

1 “(A) IN GENERAL.—The term ‘eligible ma-
2 terial’ means renewable biomass harvested di-
3 rectly from the land, including crop residue
4 from any crop that is eligible to receive pay-
5 ments under title I of the Agricultural Act of
6 2014 or an amendment made by that title.

7 “(B) INCLUSIONS.—The term ‘eligible ma-
8 terial’ shall only include—

9 “(i) eligible material that is collected
10 or harvested by the eligible material
11 owner—

12 “(I) directly from—

13 “(aa) National Forest Sys-
14 tem;

15 “(bb) Bureau of Land Man-
16 agement land;

17 “(cc) non-Federal land; or

18 “(dd) land owned by an in-
19 dividual Indian or Indian tribe
20 that is held in trust by the
21 United States for the benefit of
22 the individual Indian or Indian
23 tribe or subject to a restriction
24 against alienation imposed by the
25 United States;

1 “(II) in a manner that is con-
2 sistent with—
3 “(aa) a conservation plan;
4 “(bb) a forest stewardship
5 plan; or
6 “(cc) a plan that the Sec-
7 retary determines is equivalent to
8 a plan described in item (aa) or
9 (bb) and consistent with Execu-
10 tive Order 13112 (42 U.S.C.
11 4321 note; relating to invasive
12 species);
13 “(ii) if woody eligible material, woody
14 eligible material that is produced on land
15 other than contract acreage that—
16 “(I) is a byproduct of a preventa-
17 tive treatment that is removed to re-
18 duce hazardous fuel or to reduce or
19 contain disease or insect infestation;
20 and
21 “(II) if harvested from Federal
22 land, is harvested in accordance with
23 section 102(e) of the Healthy Forests
24 Restoration Act of 2003 (16 U.S.C.
25 6512(e)); and

1 “(iii) eligible material that is delivered
2 to a qualified biomass conversion facility to
3 be used for heat, power, biobased products,
4 research, or advanced biofuels.

5 “(C) EXCLUSIONS.—The term ‘eligible ma-
6 terial’ does not include—

7 “(i) material that is whole grain from
8 any crop that is eligible to receive pay-
9 ments under title I of the Agricultural Act
10 of 2014 or an amendment made by that
11 title, including—

12 “(I) barley, corn, grain sorghum,
13 oats, rice, or wheat;

14 “(II) honey;

15 “(III) mohair;

16 “(IV) oilseeds, including canola,
17 crambe, flaxseed, mustard seed,
18 rapeseed, safflower seed, soybeans,
19 sesame seed, and sunflower seed;

20 “(V) peanuts;

21 “(VI) pulse;

22 “(VII) chickpeas, lentils, and dry
23 peas;

24 “(VIII) dairy products;

25 “(IX) sugar; and

- 1 “(X) wool and cotton boll fiber;
- 2 “(ii) animal waste and byproducts, in-
- 3 cluding fat, oil, grease, and manure;
- 4 “(iii) food waste and yard waste;
- 5 “(iv) algae;
- 6 “(v) woody eligible material that—
- 7 “(I) is removed outside contract
- 8 acreage; and
- 9 “(II) is not a byproduct of a pre-
- 10 ventative treatment to reduce haz-
- 11 ardous fuel or to reduce or contain
- 12 disease or insect infestation;
- 13 “(vi) any woody eligible material col-
- 14 lected or harvested outside contract acre-
- 15 age that would otherwise be used for exist-
- 16 ing market products; or
- 17 “(vii) bagasse.
- 18 “(7) PRODUCER.—The term ‘producer’ means
- 19 an owner or operator of contract acreage that is
- 20 physically located within a BCAP project area.
- 21 “(8) PROJECT SPONSOR.—The term ‘project
- 22 sponsor’ means—
- 23 “(A) a group of producers; or
- 24 “(B) a biomass conversion facility.

1 “(9) SOCIALLY DISADVANTAGED FARMER OR
2 RANCHER.—The term ‘socially disadvantaged farmer
3 or rancher’ has the meaning given the term in sec-
4 tion 2501(e) of the Food, Agriculture, Conservation,
5 and Trade Act of 1990 (7 U.S.C. 2279(e)).

6 “(b) ESTABLISHMENT AND PURPOSE.—The Sec-
7 retary shall establish and administer a Biomass Crop As-
8 sistance Program to—

9 “(1) support the establishment and production
10 of eligible crops for conversion to bioenergy in se-
11 lected BCAP project areas; and

12 “(2) assist agricultural and forest land owners
13 and operators with the collection, harvest, storage,
14 and transportation of eligible material for use in a
15 biomass conversion facility.

16 “(c) BCAP PROJECT AREA.—

17 “(1) IN GENERAL.—The Secretary shall provide
18 financial assistance to a producer of an eligible crop
19 in a BCAP project area.

20 “(2) SELECTION OF PROJECT AREAS.—

21 “(A) IN GENERAL.—To be considered for
22 selection as a BCAP project area, a project
23 sponsor shall submit to the Secretary a pro-
24 posal that, at a minimum, includes—

1 “(i) a description of the eligible land
2 and eligible crops of each producer that
3 will participate in the proposed BCAP
4 project area;

5 “(ii) a letter of commitment from a
6 biomass conversion facility that the facility
7 will use the eligible crops intended to be
8 produced in the proposed BCAP project
9 area;

10 “(iii) evidence that the biomass con-
11 version facility has sufficient equity avail-
12 able, as determined by the Secretary, if the
13 biomass conversion facility is not oper-
14 ational at the time the proposal is sub-
15 mitted to the Secretary; and

16 “(iv) any other information about the
17 biomass conversion facility or proposed bio-
18 mass conversion facility that the Secretary
19 determines necessary for the Secretary to
20 be reasonably assured that the plant will
21 be in operation by the date on which the
22 eligible crops are ready for harvest.

23 “(B) BCAP PROJECT AREA SELECTION
24 CRITERIA.—In selecting BCAP project areas,
25 the Secretary shall consider—

1 “(i) the volume of the eligible crops
2 proposed to be produced in the proposed
3 BCAP project area and the probability
4 that those crops will be used for the pur-
5 poses of the BCAP;

6 “(ii) the volume of renewable biomass
7 projected to be available from sources
8 other than the eligible crops grown on con-
9 tract acres;

10 “(iii) the anticipated economic impact
11 in the proposed BCAP project area;

12 “(iv) the opportunity for producers
13 and local investors to participate in the
14 ownership of the biomass conversion facil-
15 ity in the proposed BCAP project area;

16 “(v) the participation rate by—

17 “(I) beginning farmers or ranch-
18 ers (as defined in accordance with sec-
19 tion 343(a) of the Consolidated Farm
20 and Rural Development Act (7 U.S.C.
21 1991(a))); or

22 “(II) socially disadvantaged
23 farmers or ranchers;

24 “(vi) the impact on soil, water, and
25 related resources;

1 “(vii) the variety in biomass produc-
2 tion approaches within a project area, in-
3 cluding (as appropriate)—

4 “(I) agronomic conditions;

5 “(II) harvest and postharvest
6 practices; and

7 “(III) monoculture and
8 polyculture crop mixes;

9 “(viii) the range of eligible crops
10 among project areas;

11 “(ix) existing project areas that have
12 received funding under this section and the
13 continuation of funding of such project
14 areas to advance the maturity of such
15 project areas; and

16 “(x) any additional information that
17 the Secretary determines to be necessary.

18 “(3) CONTRACT.—

19 “(A) IN GENERAL.—On approval of a
20 BCAP project area by the Secretary, each pro-
21 ducer in the BCAP project area shall enter into
22 a contract directly with the Secretary.

23 “(B) MINIMUM TERMS.—At a minimum, a
24 contract under this subsection shall include
25 terms that cover—

1 “(i) an agreement to make available
2 to the Secretary, or to an institution of
3 higher education or other entity designated
4 by the Secretary, such information as the
5 Secretary considers to be appropriate to
6 promote the production of eligible crops
7 and the development of biomass conversion
8 technology;

9 “(ii) compliance with the highly erod-
10 ible land conservation requirements of sub-
11 title B of title XII of the Food Security
12 Act of 1985 (16 U.S.C. 3811 et seq.) and
13 the wetland conservation requirements of
14 subtitle C of title XII of that Act (16
15 U.S.C. 3821 et seq.);

16 “(iii) the implementation of (as deter-
17 mined by the Secretary)—

18 “(I) a conservation plan;

19 “(II) a forest stewardship plan;

20 or

21 “(III) a plan that is equivalent to
22 a conservation or forest stewardship
23 plan; and

24 “(iv) any additional requirements that
25 Secretary determines to be necessary.

1 “(C) DURATION.—A contract under this
2 subsection shall have a term of not more
3 than—

4 “(i) 5 years for annual and perennial
5 crops; or

6 “(ii) 15 years for woody biomass.

7 “(4) RELATIONSHIP TO OTHER PROGRAMS.—In
8 carrying out this subsection, the Secretary shall pro-
9 vide for the preservation of cropland base and yield
10 history applicable to the land enrolled in a BCAP
11 contract.

12 “(5) PAYMENTS.—

13 “(A) IN GENERAL.—The Secretary shall
14 make establishment and annual payments di-
15 rectly to producers to support the establishment
16 and production of eligible crops on contract
17 acreage.

18 “(B) AMOUNT OF ESTABLISHMENT PAY-
19 MENTS.—

20 “(i) IN GENERAL.—Subject to clause
21 (ii), the amount of an establishment pay-
22 ment under this subsection shall be not
23 more than 50 percent of the costs of estab-
24 lishing an eligible perennial crop covered

1 by the contract but not to exceed \$500 per
2 acre, including—

3 “(I) the cost of seeds and stock
4 for perennials;

5 “(II) the cost of planting the pe-
6 rennial crop, as determined by the
7 Secretary; and

8 “(III) in the case of nonindus-
9 trial private forestland, the costs of
10 site preparation and tree planting.

11 “(ii) SOCIALLY DISADVANTAGED
12 FARMERS OR RANCHERS.—In the case of
13 socially disadvantaged farmers or ranchers,
14 the costs of establishment may not exceed
15 \$750 per acre.

16 “(C) AMOUNT OF ANNUAL PAYMENTS.—

17 “(i) IN GENERAL.—Subject to clause
18 (ii), the amount of an annual payment
19 under this subsection shall be determined
20 by the Secretary.

21 “(ii) REDUCTION.—The Secretary
22 shall reduce an annual payment by an
23 amount determined to be appropriate by
24 the Secretary, if—

1 “(I) an eligible crop is used for
2 purposes other than the production of
3 energy at the biomass conversion fa-
4 cility;

5 “(II) an eligible crop is delivered
6 to the biomass conversion facility;

7 “(III) the producer receives a
8 payment under subsection (d);

9 “(IV) the producer violates a
10 term of the contract; or

11 “(V) the Secretary determines a
12 reduction is necessary to carry out
13 this section.

14 “(D) EXCLUSION.—The Secretary shall
15 not make any BCAP payments on land for
16 which payments are received under the con-
17 servation reserve program established under
18 subchapter B of chapter 1 of subtitle D of title
19 XII of the Food Security Act of 1985 (16
20 U.S.C. 3831 et seq.) or the agricultural con-
21 servation easement program established under
22 subtitle H of title XII of that Act.

23 “(d) ASSISTANCE WITH COLLECTION, HARVEST,
24 STORAGE, AND TRANSPORTATION.—

1 “(1) IN GENERAL.—The Secretary shall make a
2 payment for the delivery of eligible material to a bio-
3 mass conversion facility to—

4 “(A) a producer of an eligible crop that is
5 produced on BCAP contract acreage; or

6 “(B) a person with the right to collect or
7 harvest eligible material, regardless of whether
8 the eligible material is produced on contract
9 acreage.

10 “(2) PAYMENTS.—

11 “(A) COSTS COVERED.—A payment under
12 this subsection shall be in an amount described
13 in subparagraph (B) for—

14 “(i) collection;

15 “(ii) harvest;

16 “(iii) storage; and

17 “(iv) transportation to a biomass con-
18 version facility.

19 “(B) AMOUNT.—Subject to paragraph (3),
20 the Secretary may provide matching payments
21 at a rate of up to \$1 for each \$1 per ton pro-
22 vided by the biomass conversion facility, in an
23 amount not to exceed \$20 per dry ton for a pe-
24 riod of 2 years.

1 “(3) LIMITATION ON ASSISTANCE FOR BCAP
2 CONTRACT ACREAGE.—As a condition of the receipt
3 of an annual payment under subsection (c), a pro-
4 ducer receiving a payment under this subsection for
5 collection, harvest, storage, or transportation of an
6 eligible crop produced on BCAP acreage shall agree
7 to a reduction in the annual payment.

8 “(e) REPORT.—Not later than 4 years after the date
9 of enactment of the Agricultural Act of 2014, the Sec-
10 retary shall submit to the Committee on Agriculture of
11 the House of Representatives and the Committee on Agri-
12 culture, Nutrition, and Forestry of the Senate a report
13 on the dissemination by the Secretary of the best practice
14 data and information gathered from participants receiving
15 assistance under this section.

16 “(f) FUNDING.—

17 “(1) IN GENERAL.—Of the funds of the Com-
18 modity Credit Corporation, the Secretary shall use
19 to carry out this section \$25,000,000 for each of fis-
20 cal years 2014 through 2018.

21 “(2) COLLECTION, HARVEST, STORAGE, AND
22 TRANSPORTATION PAYMENTS.—Of the amount made
23 available under paragraph (1) for each fiscal year,
24 the Secretary shall use not less than 10 percent, nor
25 more than 50 percent, of the amount to make collec-

1 tion, harvest, transportation, and storage payments
2 under subsection (d)(2).

3 “(3) TECHNICAL ASSISTANCE.—

4 “(A) IN GENERAL.—Effective for fiscal
5 year 2014 and each subsequent fiscal year,
6 funds made available under this subsection shall
7 be available for the provision of technical assist-
8 ance with respect to activities authorized under
9 this section.

10 “(B) RELATIONSHIP TO OTHER LAWS.—To
11 the extent funds obligated or expended under
12 subparagraph (A) include funds of the Com-
13 modity Credit Corporation, such funds shall not
14 be considered an allotment or fund transfer
15 from the Commodity Credit Corporation for
16 purposes of the limit on expenditures for tech-
17 nical assistance imposed by section 11 of the
18 Commodity Credit Corporation Charter Act (15
19 U.S.C. 714i).”.

20 **SEC. 9011. REPEAL OF FOREST BIOMASS FOR ENERGY.**

21 Section 9012 of the Farm Security and Rural Invest-
22 ment Act of 2002 (7 U.S.C. 8112) is repealed.

1 **SEC. 9012. COMMUNITY WOOD ENERGY PROGRAM.**

2 (a) DEFINITION OF BIOMASS CONSUMER COOPERA-
3 TIVE.—Section 9013(a) of the Farm Security and Rural
4 Investment Act of 2002 (7 U.S.C. 8113(a)) is amended—

5 (1) by redesignating paragraphs (1) and (2) as
6 paragraphs (2) and (3), respectively; and

7 (2) by inserting before paragraph (2) (as so re-
8 designated) the following:

9 “(1) BIOMASS CONSUMER COOPERATIVE.—The
10 term ‘biomass consumer cooperative’ means a con-
11 sumer membership organization the purpose of
12 which is to provide members with services or dis-
13 counts relating to the purchase of biomass heating
14 products or biomass heating systems.”.

15 (b) GRANT PROGRAM.—Section 9013(b)(1) of the
16 Farm Security and Rural Investment Act of 2002 (7
17 U.S.C. 8113(b)(1)) is amended—

18 (1) in subparagraph (A), by striking “and”
19 after the semicolon at the end;

20 (2) in subparagraph (B), by striking the period
21 at the end and inserting “; and”; and

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

23 “(C) grants of up to \$50,000 to biomass
24 consumer cooperatives for the purpose of estab-
25 lishing or expanding biomass consumer coopera-

1 tives that will provide consumers with services
2 or discounts relating to—

3 “(i) the purchase of biomass heating
4 systems;

5 “(ii) biomass heating products, includ-
6 ing wood chips, wood pellets, and advanced
7 biofuels; or

8 “(iii) the delivery and storage of bio-
9 mass of heating products.”.

10 (c) MATCHING FUNDS.—Section 9013(d) of the
11 Farm Security and Rural Investment Act of 2002 (7
12 U.S.C. 8113(d)) is amended—

13 (1) by striking “A State or local government
14 that receives a grant under subsection (b)” and in-
15 serting the following:

16 “(1) STATE AND LOCAL GOVERNMENTS.—A
17 State or local government that receives a grant
18 under subparagraph (A) or (B) of subsection
19 (b)(1)”;

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

21 “(2) BIOMASS CONSUMER COOPERATIVES.—A
22 biomass consumer cooperative that receives a grant
23 under subsection (b)(1)(C) shall contribute an
24 amount of non-Federal funds (which may include
25 State, local, and nonprofit funds and membership

1 dues) toward the establishment or expansion of a
2 biomass consumer cooperative that is at least equal
3 to 50 percent of the amount of Federal funds re-
4 ceived for that purpose.”.

5 (d) AUTHORIZATION OF APPROPRIATIONS.—Section
6 9013(e) of the Farm Security and Rural Investment Act
7 of 2002 (7 U.S.C. 8113(e)) is amended by striking
8 “2013” and inserting “2018”.

9 **SEC. 9013. REPEAL OF BIOFUELS INFRASTRUCTURE STUDY.**

10 Section 9002 of the Food, Conservation, and Energy
11 Act of 2008 (Public Law 110–246; 122 Stat. 2095) is re-
12 pealed.

13 **SEC. 9014. REPEAL OF RENEWABLE FERTILIZER STUDY.**

14 Section 9003 of the Food, Conservation, and Energy
15 Act of 2008 (Public Law 110–246; 122 Stat. 2096) is re-
16 pealed.

17 **SEC. 9015. ENERGY EFFICIENCY REPORT FOR USDA FACILI-**
18 **TIES.**

19 (a) REPORT.—Not later than 180 days after the date
20 of the enactment of this Act, the Secretary of Agriculture
21 shall submit to the Committee on Agriculture of the House
22 of Representatives and the Committee on Agriculture, Nu-
23 trition, and Forestry of the Senate a report on energy use
24 and energy efficiency projects at the Washington, District

1 of Columbia, headquarters and the major regional facili-
2 ties of the Department of Agriculture.

3 (b) CONTENTS.—The report required by subsection
4 (a) shall include the following:

5 (1) An analysis of energy use by the Depart-
6 ment of Agriculture headquarters and major re-
7 gional facilities.

8 (2) A list of energy audits that have been con-
9 ducted at such facilities.

10 (3) A list of energy efficiency projects that have
11 been conducted at such facilities.

12 (4) A list of energy savings projects that could
13 be achieved with enacting a consistent, timely, and
14 proper mechanical insulation maintenance program
15 and upgrading mechanical insulation at such facili-
16 ties.

17 **TITLE X—HORTICULTURE**

18 **SEC. 10001. SPECIALTY CROPS MARKET NEWS ALLOCATION.**

19 Section 10107(b) of the Food, Conservation, and En-
20 ergy Act of 2008 (7 U.S.C. 1622b(b)) is amended by strik-
21 ing “2012” and inserting “2018”.