

107TH CONGRESS
2^D SESSION

H. R. 3708

To continue the Department of Agriculture program that promotes the use of certain agricultural commodities to produce bioenergy and to expand the program to include animal fats, animal by-products, and oils as eligible agricultural commodities under the program.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 7, 2002

Mr. THUNE (for himself and Mr. BOSWELL) introduced the following bill;
which was referred to the Committee on Agriculture

A BILL

To continue the Department of Agriculture program that promotes the use of certain agricultural commodities to produce bioenergy and to expand the program to include animal fats, animal by-products, and oils as eligible agricultural commodities under the program.

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 “Bioenergy Investment
5 and Opportunity Act of 2002”.

1 **SEC. 2. BIOENERGY PROGRAM TO PROMOTE INDUSTRIAL**
2 **CONSUMPTION OF AGRICULTURAL COMMOD-**
3 **ITIES FOR PRODUCTION OF BIOENERGY.**

4 (a) CONTINUATION OF PROGRAM.—Through fiscal
5 year 2011, the Secretary of Agriculture shall continue the
6 Department of Agriculture program under chapter 1424
7 of title 7, Code of Federal Regulations, under which the
8 Secretary makes payments to producers of bioenergy from
9 agriculturally derived sources to encourage increased pur-
10 chases of eligible agricultural commodities for the purpose
11 of expanding production of such bioenergy and supporting
12 the construction of new production capacity.

13 (b) PAYMENT BASIS; EVIDENCE.—The Secretary
14 shall make payments under the program based on the in-
15 crease in the bioenergy production of an eligible producer
16 compared to the producer's bioenergy production of the
17 previous year. To be eligible to receive a payment under
18 the program, a bioenergy producer shall submit to the Sec-
19 retary such records as the Secretary may require to indi-
20 cate the increased purchases and utilization of eligible ag-
21 ricultural commodities for the production of bioenergy.

22 (c) PAYMENT LIMITATION.—The amount of funds
23 that any single producer may obtain under the program
24 in a fiscal year may not exceed five percent of the total
25 amount expended under the program in that year or
26 \$10,000,000, whichever is less.

1 (d) ELIGIBLE AGRICULTURAL COMMODITY DE-
2 FINED.—For purposes of the program, the term “eligible
3 agricultural commodity” means—

4 (1) barley, corn, grain sorghum, oats, rice,
5 wheat, soybeans, sunflower seed, canola, crambe,
6 rapeseed, safflower, flaxseed, mustard seed, and cel-
7 lulosic crops, such as switchgrass and short rotation
8 trees, grown on farms in the United States for the
9 purpose of producing bioenergy.

10 (2) animal fats, animal by-products, and oils
11 from animals raised in the United States; and

12 (3) any other agricultural commodity or com-
13 modity by-product produced in the United States
14 that the Secretary determines is suitable for use in
15 bioenergy production.

16 (e) FUNDING.—The Secretary may use up to
17 \$200,000,000 of the funds of the Commodity Credit Cor-
18 poration each fiscal year to make payments under the pro-
19 gram.

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