

113TH CONGRESS
1ST SESSION

H. R. 2290

To amend the Farm Security and Rural Investment Act of 2002 to improve energy programs.

IN THE HOUSE OF REPRESENTATIVES

JUNE 6, 2013

Ms. KAPTUR (for herself, Mr. BRALEY of Iowa, Ms. GABBARD, Ms. WILSON of Florida, Mr. HOLT, Mr. LOEBSACK, Ms. KUSTER, Mrs. CHRISTENSEN, Mr. ENYART, Mr. BUTTERFIELD, and Mr. MICHAUD) introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committees on Oversight and Government Reform, Science, Space, and Technology, and the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Farm Security and Rural Investment Act of 2002 to improve energy programs.

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 “Rural Energy Invest-
5 ment Act of 2013”.

6 **SEC. 2. FINDINGS.**

7 Congress finds that—

1 (1) production of energy from domestic sources
2 offers considerable economic and energy security
3 benefits to the United States, including enduring
4 and desirable jobs;

5 (2) the agricultural and forestry sectors of the
6 United States offer significant potential for produc-
7 tion of renewable energy;

8 (3) both renewable energy production and adop-
9 tion of energy efficiency offer considerable environ-
10 mental benefits; and

11 (4) investments in energy efficiency projects
12 and renewable energy systems in rural areas of the
13 United States provide very significant energy secu-
14 rity, economic, and environmental benefits to the en-
15 tire United States in addition to the rural area bene-
16 fits.

17 **SEC. 3. DEFINITIONS.**

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

20 (1) in paragraph (6)—

21 (A) in subparagraph (C), by striking “or”;

22 (B) in subparagraph (D), by striking the
23 period at the end and inserting “; or”; and

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

25 “(E) renewable chemicals.”;

1 (2) in paragraph (7), by striking subparagraph
2 (A) and inserting the following:

3 “(A) converts renewable biomass into
4 biofuels, renewable chemicals, or biobased prod-
5 ucts; and”;

6 (3) in paragraph (11), by striking “or com-
7 pound” and inserting “, compound, or renewable
8 chemical”;

9 (4) by redesignating paragraphs (13) and (14)
10 as paragraphs (14) and (15), respectively; and

11 (5) by inserting after paragraph (12) the fol-
12 lowing:

13 “(13) RENEWABLE CHEMICAL.—The term ‘re-
14 newable chemical’ means a monomer, polymer, plas-
15 tic, formulated product, or chemical substance pro-
16 duced from renewable biomass.”.

17 **SEC. 4. BIOBASED MARKETS PROGRAM.**

18 Section 9002 of the Farm Security and Rural Invest-
19 ment Act of 2002 (7 U.S.C. 8102) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (3), by adding at the end
22 the following:

23 “(F) BIOBASED PRODUCT DESIGNA-
24 TIONS.—Not later than 1 year after the date of

1 enactment of this subparagraph, the Secretary
2 shall—

3 “(i) begin to designate intermediate
4 ingredients, feedstocks, and complex prod-
5 ucts in the guidelines issued under this
6 paragraph; and

7 “(ii) develop a recommendation for
8 the designation of complex and finished
9 biobased products in those guidelines.

10 “(G) CHANGES IN PROCUREMENT MECHA-
11 NISMS.—

12 “(i) ELECTRONIC PRODUCT PROCURE-
13 MENT CATALOGS.—The Secretary shall
14 work with relevant officials in agencies
15 that have electronic product procurement
16 catalogs to identify and implement solu-
17 tions to increase the visibility of biobased
18 and other sustainable products.

19 “(ii) AGENCY-SPECIFIC PRODUCT
20 SPECIFICATIONS.—

21 “(I) IN GENERAL.—Not later
22 than 1 year after the date of enact-
23 ment of this subparagraph and every
24 4 years thereafter, the Secretary, in
25 coordination with other appropriate

1 officials, shall work with the senior
2 sustainability officer of each agency
3 that has established agency-specific
4 product specifications to review and
5 revise the product specifications to en-
6 sure that, to the maximum extent
7 practicable, the product specifica-
8 tions—

9 “(aa) require the use of sus-
10 tainable products, including
11 biobased products designated in
12 accordance with this section; and

13 “(bb) do not contain any
14 language prohibiting the use of
15 biobased products.

16 “(II) REPORT.—Results of the
17 reviews conducted under subclause (I)
18 shall be reported annually to the Of-
19 fice of Management and Budget, the
20 Office of Science and Technology Pol-
21 icy, and the appropriate committees of
22 Congress.

23 “(H) REPORTING.—

24 “(i) IN GENERAL.—Not later than 1
25 year after the date of enactment of this

1 subparagraph, the Administrator of Gen-
2 eral Services shall implement a system for
3 service and construction contractors to re-
4 port annual purchases of biobased products
5 under Federal Government contracts.

6 “(ii) RELATIONSHIP TO OTHER RE-
7 PORTING SYSTEMS.—The system under
8 clause (i) may be incorporated as an ele-
9 ment of 1 or more other contractor report-
10 ing systems.”; and

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

12 “(5) COMPLIANCE.—The Secretary may take
13 such action as the Secretary determines to be nec-
14 essary—

15 “(A) to determine the compliance rate
16 among Federal agencies in buying designated
17 biobased products; and

18 “(B) to determine whether vendor and con-
19 tractor claims about biobased products meeting
20 item designation definitions and minimum re-
21 quired biobased content are accurate.”;

22 (2) in subsection (b)(3)—

23 (A) by striking “The Secretary” and in-
24 serting the following:

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

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

2 “(B) AUDITING AND COMPLIANCE.—The
3 Secretary may carry out such auditing and
4 compliance activities as the Secretary deter-
5 mines to be necessary to ensure compliance
6 with subparagraph (A), including the imposition
7 of a civil penalty of not more than \$10,000 on
8 a person who misuses the label and, after re-
9 ceiving a notice of violation, fails to take action
10 to correct the misuse described in the notice.”;

11 (3) by redesignating subsections (d) through (h)
12 as subsections (f) through (j), respectively;

13 (4) by inserting after subsection (c) the fol-
14 lowing:

15 “(d) OUTREACH, EDUCATION, AND PROMOTION.—

16 “(1) IN GENERAL.—The Secretary shall carry
17 out a program of outreach, education, and pro-
18 motion activities intended to increase knowledge,
19 awareness, and benefits of biobased products.

20 “(2) AUTHORIZED ACTIVITIES.—In carrying
21 out this subsection, the Secretary, at a minimum,
22 shall—

23 “(A) not later than 1 year after the date
24 of enactment of this paragraph, update all ex-

1 isting BioPreferred and related sustainable ac-
2 quisition training materials of the Department;

3 “(B) work cooperatively with the senior
4 sustainability officers and chief acquisition offi-
5 cers of Federal agencies to immediately imple-
6 ment such BioPreferred program agency edu-
7 cation and outreach programs as are necessary
8 to meet the requirements of this section;

9 “(C) work actively with groups that sup-
10 port employment for the blind or disabled, such
11 as the Committee for Purchase From People
12 Who Are Blind or Severely Disabled, to pro-
13 mote education and outreach regarding BioPre-
14 ferred AbilityOne products to—

15 “(i) program, technical, and con-
16 tracting personnel; and

17 “(ii) Federal agency purchase card
18 holders;

19 “(D) conduct consumer education and out-
20 reach (including consumer and awareness sur-
21 veys);

22 “(E) conduct outreach to and support for
23 State and local governments interested in im-
24 plementing biobased purchasing programs;

1 “(F) partner with industry and nonprofit
2 groups to produce educational and outreach
3 materials and conduct educational and outreach
4 events;

5 “(G) sponsor special conferences and
6 events to bring together buyers and sellers of
7 biobased products; and

8 “(H) support pilot and demonstration
9 projects.

10 “(e) 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—

15 “(1) review and approve forest-related products
16 for which an application is submitted for the pro-
17 gram;

18 “(2) expedite the approval of innovative prod-
19 ucts resulting from technology developed by the For-
20 est Products Laboratory or partners of the Labora-
21 tory; and

22 “(3) provide appropriate technical assistance to
23 applicants, as determined by the Secretary.”;

24 (5) in subsection (i) (as redesignated by para-
25 graph (3)), by adding at the end the following:

1 “(3) JOBS CREATION RESEARCH AND RE-
2 PORT.—Not later than 2 years after the date of en-
3 actment of this paragraph, the Secretary shall carry
4 out a study, and submit to the President and the ap-
5 propriate committees of Congress a report, on job
6 creation and the economic impact associated with
7 the biobased product industry, including—

8 “(A) the number of jobs in the United
9 States originating from the biobased product in-
10 dustry annually over the preceding 10 years, in-
11 cluding the job changes in specific sectors;

12 “(B) the dollar value of the domestic
13 biobased products industry at the time of the
14 report, including intermediates, feedstocks, and
15 finished products, but excluding biofuels;

16 “(C) a forecast for biobased job creation
17 potential over the next 10 years;

18 “(D) a forecast for growth in the biobased
19 industry over the next 10 years; and

20 “(E) jobs data for both biofuels and
21 biobased products, with data generated sepa-
22 rately for each category.”; and

23 (6) in subsection (j) (as redesignated by para-
24 graph (3))—

25 (A) in paragraph (1)—

1 (i) in subparagraph (A), by striking
2 “and” at the end;

3 (ii) in subparagraph (B), by striking
4 the period at the end and inserting “;
5 and”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(C) \$4,000,000 for each of fiscal years
9 2014 through 2018.”; and

10 (B) in paragraph (2), by inserting “and
11 \$4,000,000 for each of fiscal years 2014
12 through 2018” before the period at the end.

13 **SEC. 5. BIOREFINERY ASSISTANCE.**

14 Section 9003 of the Farm Security and Rural Invest-
15 ment Act of 2002 (7 U.S.C. 8103) is amended—

16 (1) in subsection (a), in the matter preceding
17 paragraph (1), by inserting “, renewable chemicals,
18 or biobased products” after “biofuels”;

19 (2) in subsection (b)(2), by inserting “, a re-
20 newable chemical, or a biobased product” after
21 “biofuel” each place it appears in subparagraphs (A)
22 and (B);

23 (3) in subsection (c)(1), by inserting “, renew-
24 able chemicals, or biobased products” after
25 “biofuels”;

1 (4) in subsection (d)(2)(C)—

2 (A) in clause (i), by inserting “, renewable
3 chemical, or biobased product” after “biofuel”;
4 and

5 (B) in clause (iii), by inserting “, renew-
6 able chemicals, or biobased products” after
7 “biofuels”;

8 (5) in subsection (e)(1)(C)—

9 (A) in clause (i), by inserting “, renewable
10 chemical, or biobased product” after “biofuel”;
11 and

12 (B) in clauses (iii) and (vii), by inserting
13 “, renewable chemicals, or biobased products”
14 after “biofuels” each place it appears; and

15 (6) in subsection (h)—

16 (A) in paragraph (1)—

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

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

22 (iii) by adding at the end the fol-
23 lowing:

24 “(C) \$75,000,000 for each of fiscal years
25 2014 through 2018.”;

1 (B) in paragraph (2), by inserting “and
2 \$75,000,000 for each of fiscal years 2014
3 through 2018” before the period at the end;
4 and

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

6 “(3) LIMITATION.—Of the funds made available
7 under this subsection, at least 75 percent for each
8 fiscal year shall be made available for the manufac-
9 ture of advanced biofuels.”.

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

11 Section 9006 of the Farm Security and Rural Invest-
12 ment Act of 2002 (7 U.S.C. 8106) is amended by striking
13 subsection (d) and inserting the following:

14 “(d) FUNDING.—

15 “(1) MANDATORY FUNDING.—Of the funds of
16 the Commodity Credit Corporation, the Secretary
17 shall use to carry out this section \$1,000,000 for
18 each of fiscal years 2014 through 2018, to remain
19 available until expended.

20 “(2) DISCRETIONARY FUNDING.—In addition to
21 any other funds made available to carry out this sec-
22 tion, there is authorized to be appropriated to carry
23 out this section \$1,000,000 for each of fiscal years
24 2014 through 2018.”.

1 **SEC. 7. RURAL ENERGY FOR AMERICA PROGRAM.**

2 Section 9007 of the Farm Security and Rural Invest-
3 ment Act of 2002 (7 U.S.C. 8107) is amended—

4 (1) in subsection (b)(2)—

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

7 (B) by redesignating subparagraph (D) as
8 subparagraph (E); and

9 (C) by inserting after subparagraph (C)
10 the following:

11 “(D) a nonprofit organization; and”;

12 (2) in subsection (c)—

13 (A) by striking paragraph (1) and insert-
14 ing the following:

15 “(1) LOAN GUARANTEE AND GRANT PRO-
16 GRAM.—

17 “(A) IN GENERAL.—In addition to any
18 similar authority, the Secretary shall provide
19 loan guarantees and grants to agricultural pro-
20 ducers and rural small businesses—

21 “(i) to purchase renewable energy sys-
22 tems, including—

23 “(I) systems that may be used to
24 produce and sell electricity, such as
25 for agricultural, and associated resi-
26 dential, purposes; and

1 “(II) unique components of re-
2 newable energy systems; and

3 “(ii) to make energy efficiency im-
4 provements.

5 “(B) APPLICATION PROCESS.—

6 “(i) IN GENERAL.—In carrying out
7 this subsection, the Secretary shall estab-
8 lish a multi-tiered application process that
9 varies based on the cost of the proposed
10 project.

11 “(ii) SIMPLIFICATION.—The multi-
12 tiered process shall ensure that applica-
13 tions are most simplified for the projects
14 with the lowest project costs.

15 “(iii) REQUIREMENTS FOR WIND TUR-
16 BINE PROJECTS.—Each application for a
17 loan guarantee or grant under this para-
18 graph for a project that includes the pur-
19 chase of a wind turbine shall include—

20 “(I) with respect to an applica-
21 tion seeking a loan guarantee or grant
22 of less than \$20,000, a small turbine
23 safety standards certification from an
24 accredited certification body; and

1 “(II) with respect to an applica-
2 tion seeking a loan guarantee or grant
3 of \$20,000 or more, a power perform-
4 ance and acoustic certification from
5 an accredited certification body.”;

6 (B) in paragraph (2)—

7 (i) in the matter preceding subpara-
8 graph (A)—

9 (I) by striking “amount” and in-
10 serting “priority”; and

11 (II) by striking “section” and in-
12 serting “subsection”;

13 (ii) in subparagraph (A), by inserting
14 “and the type of energy efficiency improve-
15 ment to be made so as to ensure that the
16 program supports a diversity of tech-
17 nologies across the United States” before
18 the semicolon at the end;

19 (iii) in subparagraph (C)—

20 (I) by inserting “and public
21 health” before “benefits”; and

22 (II) by inserting “and energy ef-
23 ficiency improvements” before the
24 semicolon at the end; and

1 (iv) by striking paragraph (F) and in-
2 serting the following:

3 “(F) the natural resource conservation
4 benefits of the renewable energy system;”;

5 (C) in paragraph (3)—

6 (i) in subparagraph (B), by striking
7 “The Secretary” and inserting the fol-
8 lowing:

9 “(i) IN GENERAL.—The Secretary”;

10 (ii) by adding at the end the fol-
11 lowing:

12 “(ii) MAXIMUM GRANT AMOUNT.—

13 “(I) IN GENERAL.—Except as
14 provided in subclause (II), the amount
15 of a grant under this paragraph shall
16 not exceed the lesser of \$100,000 or
17 50 percent of the cost of the activity
18 carried out using funds from the
19 grant.

20 “(II) SOCIALLY DISADVANTAGED
21 FARMER OR RANCHER.—In the case
22 of an agricultural producer who is a
23 socially disadvantaged farmer or
24 rancher (as defined in section 2501(e)
25 of the Food, Agriculture, Conserva-

1 tion, and Trade Act of 1990 (7
2 U.S.C. 2279(e)), the amount of a
3 grant under this paragraph shall not
4 exceed the lesser of \$100,000 or 75
5 percent of the cost of the activity car-
6 ried out using funds from the grant.”;
7 and
8 (iii) by striking subparagraph (C);
9 (D) in paragraph (4)—
10 (i) by striking subparagraph (A) and
11 inserting the following:
12 “(A) GRANTS.—Subject to subparagraph
13 (B), the amount of a grant under this sub-
14 section shall not exceed the lesser of—
15 “(i) 25 percent of the cost of the ac-
16 tivity carried out using funds from the
17 grant; or
18 “(ii) as applicable—
19 “(I) if the project is for energy
20 efficiency improvements, \$250,000; or
21 “(II) if the project is for a re-
22 newable energy system, \$500,000.”;
23 and

1 (ii) in subparagraph (C), by striking
2 “75 percent of the cost” and inserting “all
3 eligible costs”; and

4 (E) by adding at the end the following:

5 “(5) REQUIREMENT.—In carrying out this sec-
6 tion, the Secretary shall not require a second meter
7 for on-farm residential portions of rural projects
8 connected to the grid.”;

9 (3) in subsection (e)(2), strike “June 30 of
10 each fiscal year” and insert “a date to be deter-
11 mined each fiscal year by the Secretary”;

12 (4) in subsection (f)—

13 (A) by striking “Not later” and inserting
14 the following:

15 “(1) IN GENERAL.—Not later”; and

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

17 “(2) SUBSEQUENT REPORT.—Not later than 4
18 years after the date of enactment of this paragraph,
19 the Secretary shall submit to Congress a report on
20 activities carried out under this section, including
21 the outcomes achieved by projects funded under this
22 section.”; and

23 (5) in subsection (g)—

24 (A) in paragraph (1)—

1 (i) in subparagraph (C), by striking
2 “and” at the end;

3 (ii) in subparagraph (D), by striking
4 the period at the end and inserting “;
5 and”; and

6 (iii) by adding at the end the fol-
7 lowing:

8 “(E) \$70,000,000 for each of fiscal years
9 2014 through 2018;”;

10 (B) in paragraph (2)(B), strike “April 1 of
11 each fiscal year” and insert “the date deter-
12 mined each fiscal year by the Secretary”; and

13 (C) in paragraph (3), by inserting “and
14 \$70,000,000 for each of fiscal years 2014
15 through 2018” before the period at the end.

16 **SEC. 8. BIOMASS RESEARCH AND DEVELOPMENT.**

17 Section 9008 of the Farm Security and Rural Invest-
18 ment Act of 2002 (7 U.S.C. 8108) is amended—

19 (1) by striking “biofuels and” each place it ap-
20 pears in subsections (b), (c)(3), (d)(2)(A), (e), and
21 (g)(2) and inserting “biofuels, renewable chemicals,
22 and”;

23 (2) in subsection (e)—

24 (A) in paragraph (2)—

25 (i) in subparagraph (A)—

- 1 (I) by striking “at prices com-
2 petitive with fossil fuels” and insert-
3 ing “, renewable chemicals, and
4 biobased products”; and
- 5 (II) by inserting “and” after the
6 semicolon at the end;
- 7 (ii) by striking subparagraph (B);
- 8 (iii) by redesignating subparagraph
9 (C) as subparagraph (B); and
- 10 (iv) in subparagraph (B) (as so reded-
11 icated), by inserting “renewable chemi-
12 cals,” after “bioenergy,”;
- 13 (B) in paragraph (3)—
- 14 (i) in subparagraph (B)—
- 15 (I) in the subparagraph heading,
16 by inserting “, RENEWABLE CHEMI-
17 CALS,” after “BIOFUELS”; and
- 18 (II) in clause (i), by striking
19 “cellulosic”; and
- 20 (ii) in subparagraph (C)—
- 21 (I) in the heading, by striking
22 “BIOFUELS DEVELOPMENT”; and
- 23 (II) in clause (ii), by inserting “,
24 renewable chemical, or biobased prod-
25 uct” after “biofuel”;

1 (C) by striking paragraph (4);

2 (D) by redesignating paragraphs (5) and
3 (6) as paragraphs (4) and (5), respectively; and

4 (E) in paragraph (4) (as redesignated by
5 subparagraph (D))—

6 (i) by redesignating subparagraphs
7 (F) and (G) as subparagraphs (G) and
8 (H), respectively; and

9 (ii) by inserting after subparagraph
10 (E) the following:

11 “(G) a tribal organization (as defined in
12 section 4 of the Indian Self-Determination and
13 Education Assistance Act (25 U.S.C. 450b));”;
14 and

15 (3) in subsection (h)—

16 (A) in paragraph (1)—

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

19 (ii) in subparagraph (D), by striking
20 the period at the end and inserting “;
21 and”; and

22 (iii) by adding at the end the fol-
23 lowing:

24 “(E) \$30,000,000 for each of fiscal years
25 2014 through 2018.”; and

1 (B) in paragraph (2), by inserting “and
2 \$30,000,000 for each of fiscal years 2014
3 through 2018” before the period at the end.

4 **SEC. 9. RURAL ENERGY SELF-SUFFICIENCY INITIATIVE.**

5 Section 9009(d) of the Farm Security and Rural In-
6 vestment Act of 2002 (7 U.S.C. 8109(d)) is amended by
7 inserting “and \$10,000,000 for each of fiscal years 2014
8 through 2018” before the period at the end.

9 **SEC. 10. FEEDSTOCK FLEXIBILITY PROGRAM FOR BIO-
10 ENERGY PRODUCERS.**

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

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

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

17 **SEC. 11. BIOMASS CROP ASSISTANCE PROGRAM.**

18 Section 9011 of the Farm Security and Rural Invest-
19 ment Act of 2002 (7 U.S.C. 8111) is amended—

20 (1) in subsection (a)—

21 (A) in paragraph (4)(B)(ii), by striking
22 “or has the potential to become invasive or nox-
23 ious”;

24 (B) in paragraph (5)—

1 (i) in subparagraph (B), in the matter
2 preceding clause (i), by striking “The
3 term” and inserting “Except as provided
4 in subparagraph (C), the term”; and

5 (ii) by adding at the end the fol-
6 lowing:

7 “(C) CERTAIN CONSERVATION PRO-
8 GRAMS.—Land described in clause (iii), (iv), or
9 (v) of subparagraph (B) may be prepared for
10 biomass production before October 1 of the cur-
11 rent fiscal year, as determined by the Secretary,
12 if a contract described in that clause that cov-
13 ers the land will expire at the end of the cur-
14 rent fiscal year.”; and

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

16 “(9) QUALIFYING ELIGIBLE MATERIAL.—The
17 term ‘qualifying eligible material’ means an eligible
18 material, including residue from crops described in
19 paragraph (6)(B)(i), that before transport and deliv-
20 ery to the biomass conversion facility—

21 “(A) is collected or harvested by the eligi-
22 ble material owner—

23 “(i) directly from—

24 “(I) National Forest System
25 land;

1 “(II) Bureau of Land Manage-
2 ment land;

3 “(III) non-Federal land; or

4 “(IV) land belonging to an In-
5 dian or Indian tribe that is held in
6 trust by the United States or subject
7 to a restriction against alienation im-
8 posed by the United States; and

9 “(ii) in accordance with—

10 “(I) applicable law and land
11 management plans;

12 “(II) a conservation, forest stew-
13 ardship, or equivalent plan, as deter-
14 mined by the Secretary;

15 “(III) Executive Order 13112
16 (42 U.S.C. 4321 note; relating to
17 invasive species); and

18 “(IV) if harvested from Federal
19 land, the requirements for old growth
20 forest maintenance, restoration, and
21 management direction provided by
22 section 102 of the Healthy Forests
23 Restoration Act of 2003 (16 U.S.C.
24 6512) for Federal land; and

- 1 “(B) if woody, is removed as a byproduct
2 of preventive treatments to—
- 3 “(i) reduce hazardous fire fuels;
4 “(ii) reduce or contain disease or in-
5 sect infestation;
6 “(iii) reduce or contain invasive spe-
7 cies; or
8 “(iv) improve ecosystem health in ac-
9 cordance with a landscape scale strategy,
10 as determined by the Secretary.”;
- 11 (2) in subsection (c)—
- 12 (A) in paragraph (2)(B)—
- 13 (i) in clause (vii)—
- 14 (I) in subclause (II), by striking
15 “and” at the end;
16 (II) in subclause (III), by adding
17 “and” at the end; and
18 (III) by adding at the end the
19 following:
20 “(IV) geographic and feedstock
21 diversity of the proposed BCAP
22 project area as compared with existing
23 BCAP project areas;”;
- 24 (ii) in clause (viii), by striking “and”
25 at the end;

1 (iii) by redesignating clause (ix) as
2 clause (x); and

3 (iv) by inserting after clause (viii) the
4 following:

5 “(ix) the prospects for significant pro-
6 ducer participation; and”;

7 (B) in paragraph (3)(C)(ii), by striking
8 “15” and inserting “7”; and

9 (C) in paragraph (5)—

10 (i) in subparagraph (B)—

11 (I) in the matter preceding clause
12 (i), by striking “the amount” and in-
13 serting “Except as provided in sub-
14 paragraph (D), the amount”; and

15 (II) by striking “75 percent” and
16 inserting “50 percent”; and

17 (ii) by adding at the end the fol-
18 lowing:

19 “(D) BEGINNING, SOCIALLY DISADVAN-
20 TAGED, AND GEOGRAPHICALLY DISADVANTAGED
21 FARMERS OR RANCHERS.—In the case of a be-
22 ginning, socially disadvantaged, or geographi-
23 cally disadvantaged farmer or rancher (as de-
24 termined by the Secretary), the amount of an
25 establishment payment under this subsection

1 shall be up to 75 percent of the costs of estab-
2 lishing an eligible perennial crop covered by the
3 contract, including the costs described in
4 clauses (i) through (iii) of subparagraph (B).”;
5 (3) in subsection (d)—

6 (A) in paragraph (1), by inserting “quali-
7 fying” before “eligible material” both places it
8 appears;

9 (B) in paragraph (2)(B)—

10 (i) by striking “paragraph (3)” and
11 inserting “paragraph (4)”; and

12 (ii) by striking “\$45 per ton for a pe-
13 riod of 2 years” and inserting “\$25 per
14 ton for a period of up to 3 years”;

15 (C) by redesignating paragraph (3) as
16 paragraph (4); and

17 (D) by inserting after paragraph (2) the
18 following:

19 “(3) LIMITATION ON ASSISTANCE WITH COL-
20 LECTION, HARVEST, STORAGE, AND TRANSPOR-
21 TATION.—To ensure effective administration of this
22 subsection, the Secretary may—

23 “(A) require such documentation from pro-
24 ducers or persons seeking payments as the Sec-
25 retary considers necessary;

1 “(B) establish limits on the total number
2 and amounts of payments received by any pro-
3 ducer or person under this subsection; and

4 “(C) implement any additional require-
5 ments the Secretary determines necessary.”;
6 and

7 (4) by striking subsection (f) and inserting the
8 following:

9 “(f) FUNDING.—

10 “(1) MANDATORY FUNDING.—Of the funds of
11 the Commodity Credit Corporation, the Secretary
12 shall use to carry out this section \$75,000,000 for
13 each of fiscal years 2014 through 2018, of which not
14 more than \$15,000,000 for each fiscal year may be
15 used for collection, harvest, storage, and transpor-
16 tation.

17 “(2) DISCRETIONARY FUNDING.—In addition to
18 any other funds made available to carry out this sec-
19 tion, there is authorized to be appropriated to carry
20 out this section \$75,000,000 for each of fiscal years
21 2014 through 2018”.

22 **SEC. 12. FOREST BIOMASS FOR ENERGY.**

23 Section 9012(d) of the Farm Security and Rural In-
24 vestment Act of 2002 (7 U.S.C. 8112(d)) is amended by
25 striking “2012” and inserting “2018”.

1 **SEC. 13. COMMUNITY WOOD ENERGY PROGRAM.**

2 Section 9013 of the Farm Security and Rural Invest-
3 ment Act of 2002 (7 U.S.C. 8113) is amended—

4 (1) by redesignating subsection (e) as sub-
5 section (f);

6 (2) by inserting after subsection (d) the fol-
7 lowing:

8 “(e) MANDATORY FUNDING.—Of the funds of the
9 Commodity Credit Corporation, the Secretary shall use to
10 carry out this section \$10,000,000 for each of fiscal years
11 2014 through 2018.”; and

12 (3) in subsection (f) (as redesignated by para-
13 graph (1)), by striking “2013” and inserting
14 “2018”.

15 **SEC. 14. BUDGETARY EFFECTS.**

16 The budgetary effects of this Act, for the purpose of
17 complying with the Statutory Pay-As-You-Go Act of 2010,
18 shall be determined by reference to the latest statement
19 titled “Budgetary Effects of PAYGO Legislation” for this
20 Act, submitted for printing in the Congressional Record
21 by the Chairman of the Senate Budget Committee, pro-
22 vided that such statement has been submitted prior to the
23 vote on passage.

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