

107TH CONGRESS
2D SESSION

H. R. 4227

To codify and extend the current Department of Agriculture program to promote the use of agricultural commodities by bioenergy producers, particularly small-scale producers, to produce ethanol and biodiesel fuels.

IN THE HOUSE OF REPRESENTATIVES

APRIL 15, 2002

Mr. MORAN of Kansas introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To codify and extend the current Department of Agriculture program to promote the use of agricultural commodities by bioenergy producers, particularly small-scale producers, to produce ethanol and biodiesel fuels.

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. BIOENERGY PROGRAM TO PROMOTE INDUS-**
4 **TRIAL CONSUMPTION OF AGRICULTURAL**
5 **COMMODITIES FOR PRODUCTION OF ETH-**
6 **ANOL AND BIODIESEL FUELS.**

7 (a) CONTINUATION OF PROGRAM.—Through fiscal
8 year 2011, the Secretary of Agriculture shall continue the

1 Department of Agriculture program to make cash pay-
2 ments to producers of ethanol and biodiesel fuels to en-
3 courage increased purchases of eligible agricultural com-
4 modities for the purpose of expanding existing production
5 of bioenergy and supporting the construction of new pro-
6 duction capacity.

7 (b) PAYMENT BASIS; EVIDENCE.—The Secretary
8 shall make payments under this section based on the in-
9 crease in the bioenergy production of an eligible producer
10 compared to the producer's bioenergy production of the
11 previous year. To be eligible to receive a payment under
12 this section, a bioenergy producer shall submit to the Sec-
13 retary shall records as the Secretary may require to indi-
14 cate the increased purchases and utilization of eligible ag-
15 ricultural commodities for the production of bioenergy.

16 (c) PRIORITY.—In making payments under this sec-
17 tion, the Secretary shall give priority to bioenergy pro-
18 ducers with less than 65,000,000 gallon annual production
19 capacity.

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

1 (e) ELIGIBLE AGRICULTURAL COMMODITY DE-
2 FINED.—In this section, the term “eligible agricultural
3 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 ethanol or biodiesel fuels; or

10 (2) any other commodity or commodity by-prod-
11 uct produced in the United States that the Secretary
12 determines is suitable for use in ethanol and bio-
13 diesel fuel production.

14 (f) FUNDING.—The Secretary may use up to
15 \$200,000,000 of the funds of the Commodity Credit Cor-
16 poration each fiscal year to make payments under this sec-
17 tion.

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