

110TH CONGRESS
1ST SESSION

H. R. 2752

To amend provisions of title IX of the Farm Security and Rural Investment Act of 2002 relating to Federal procurement of biobased products and labeling of such products.

IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 2007

Mr. LAMPSON introduced the following bill; which was referred to the Committee on Agriculture, and in addition to the Committee on Oversight and Government Reform, 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 provisions of title IX of the Farm Security and Rural Investment Act of 2002 relating to Federal procurement of biobased products and labeling of such products.

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 “Market Incentives for
5 Biobased Products Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) There is significant potential for replacing
2 petroleum-based products with products made using
3 farm-grown biomass.

4 (2) The biobased industry provides value-added
5 opportunities for farmers and environmentally
6 friendly options for consumers.

7 (3) The Federal Government can play an im-
8 portant role in the promotion of the biobased indus-
9 try through procurement of biobased products.

10 (4) A labeling program for biobased products
11 would provide consumers with basic, reliable infor-
12 mation about these products and raise awareness of
13 their environmental benefits.

14 (5) By developing the market for biobased
15 products, the Federal Government also encourages
16 increased investment and employment opportunities
17 in rural America.

18 (6) By reducing the use of petroleum and in-
19 creasing reliance on farm-grown raw materials, the
20 Nation will decrease its needs for imported petro-
21 leum.

1 **SEC. 3. AMENDMENTS RELATING TO FEDERAL PROCURE-**
 2 **MENT AND LABELING OF BIOBASED PROD-**
 3 **UCTS.**

4 (a) PROCUREMENT GUIDELINE CONSIDERATIONS.—
 5 Section 9002(e)(2)(B) of the Farm Security and Rural In-
 6 vestment Act of 2002 (7 U.S.C. 8102(e)(2)(B)) is amend-
 7 ed by striking “life cycle costs” and inserting “information
 8 on life cycle costs if such information is appropriate and
 9 available”.

10 (b) LABELING REQUIREMENTS AND REVISED DEAD-
 11 LINE.—Section 9002(h) of the Farm Security and Rural
 12 Investment Act of 2002 (7 U.S.C. 8102(h)) is amended—

13 (1) in paragraph (2)—

14 (A) by striking “Within one year after the
 15 date of enactment of this Act” and inserting
 16 “Not later than 90 days after the date of enact-
 17 ment of the Market Incentives for Biobased
 18 Products Act of 2007,”; and

19 (B) by adding at the end the following:
 20 “Criteria shall be issued for finished products
 21 and intermediate ingredients and feedstocks.”;

22 (2) by redesignating paragraphs (3) and (4) as
 23 paragraphs (4) and (5), respectively, and inserting
 24 after paragraph (2) the following:

25 “(3) CONSULTATION.—In developing the eligi-
 26 bility criteria for the labeling program under this

1 section, the Secretary shall consult with other Fed-
2 eral agencies and with non-governmental groups
3 with an interest in biobased products including small
4 and large producers of biobased materials and prod-
5 ucts, industry, trade organizations, academia, con-
6 sumer organizations, and environmental organiza-
7 tions.”.

8 (c) AUTHORIZATION OF APPROPRIATIONS.—

9 (1) IN GENERAL.—Paragraph (1) of section
10 9002(k) of the Farm Security and Rural Investment
11 Act of 2002 (7 U.S.C. 8102(k)) is amended to read
12 as follows:

13 “(1) AUTHORIZATION OF APPROPRIATIONS.—

14 “(A) FEDERAL PROCUREMENT.—There
15 are authorized to be appropriated \$1,000,000
16 for each of fiscal years 2008 through 2013 to
17 implement the provisions of this section other
18 than subsection (h).

19 “(B) LABELING.—There are authorized to
20 be appropriated \$1,000,000 for each of fiscal
21 years 2008 through 2013 to implement sub-
22 section (h) of this section.”.

23 (2) FUNDING FOR TESTING OF BIOBASED
24 PRODUCTS.—Paragraph (2)(A) of such section is
25 amended by striking “\$1,000,000 for each of fiscal

1 years 2002 through 2007” and inserting
2 “\$2,000,000 for each of fiscal years 2008 through
3 2013”.

4 (d) REPORT REQUIREMENTS.—

5 (1) REPORT BY AGENCIES TO ADMINISTRATOR
6 FOR FEDERAL PROCUREMENT POLICY.—Subsection
7 (f) of section 9002 of the Farm Security and Rural
8 Investment Act of 2002 (7 U.S.C. 8102) is amend-
9 ed—

10 (A) by striking “The Office of” and insert-
11 ing “(1) The Administrator for”; and

12 (B) by adding at the end the following new
13 paragraph:

14 “(2) To assist the Administrator for Federal Pro-
15 curement Policy in preparing the report to Congress re-
16 quired under paragraph (1), each procuring agency each
17 year shall submit to the Administrator a report covering
18 the following:

19 “(A) Actions taken to implement subsections
20 (c), (d), and (g) of this section.

21 “(B) The results of the annual review and mon-
22 itoring program established under subsection
23 (g)(2)(C).

1 “(C) The number of contracts entered into by
2 the agency during the year covered by the report
3 that include the procurement of biobased products.

4 “(D) A list of the biobased products procured
5 by the agency during the year covered by the re-
6 port.”.

7 (2) REPORT BY SECRETARY TO CONGRESS ON
8 IMPLEMENTATION OF SECTION.—Section 9002 of
9 the Farm Security and Rural Investment Act of
10 2002 (7 U.S.C. 8102) is amended by adding at the
11 end the following new subsection:

12 “(1) REPORT BY SECRETARY TO CONGRESS ON IM-
13 PLEMENTATION OF SECTION.—Not later than six months
14 after the date of the enactment of the Market Incentives
15 for Biobased Products Act of 2007, and each year there-
16 after, the Secretary shall submit to Congress a report on
17 the implementation of this section. The report shall in-
18 clude the following:

19 “(1) A comprehensive management plan defin-
20 ing tasks, milestones, and funding allocations for
21 fully implementing this section.

22 “(2) A list of items designated under subsection
23 (e)(1)(A) whose procurement will carry out the ob-
24 jectives of this section, with associated cost and per-
25 formance data.

1 “(3) Information on the current status of im-
2 plementation of the procurement preference under
3 this section, including the procurement program of
4 each Federal agency under subsection (g), and the
5 voluntary labeling program under subsection (h).”.

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