

CONFERENCE REPORT ON H.R. 2559,  
AGRICULTURAL RISK PROTECTION ACT

SPEECH OF

**HON. F. JAMES SENSENBRENNER, JR.**

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

*Thursday, May 25, 2000*

Mr. SENSENBRENNER. Mr. Speaker, I would like to provide a more detailed explanation—including a section-by-section analysis—of the Biomass Research and Development (R&D) Act of 2000 included as Title III of H.R. 2559, the Agricultural Risk Reduction Act.

The Biomass R&D Act of 2000 combines features of three separate bills that were referred to the Committee on Science: Title I of S. 935 and H.R. 2827, the National Sustainable Fuels and Chemicals Act of 1999; and H.R. 2819, the Biomass Research and Development Act of 1999. This important piece of legislation would help fund the research, development, and demonstration (RD&D) necessary to bring to market affordable biobased industrial products, including fuels, chemicals, building materials, or electric power or heat produced from biomass.

I want to express my appreciation to many Members of the House and Senate for all of their hard work in crafting the Biomass R&D Act of 2000. This includes: the Ranking Minority Member (Mr. HALL of Texas) and Mr. UDALL of Colorado of the House Committee on Science; the Chairman (Mr. COMBEST) and Ranking Minority Member (Mr. STENHOLM) of the House Committee on Agriculture; the Chairman (Mr. EWING) and Ranking Minority Member (Mr. CONDIT) of the House Committee on Agriculture's Subcommittee on Risk Management, Research and Specialty Crops; the Chairman (Mr. LUGAR) and Ranking Minority Member (Mr. HARKIN) of the Senate Committee on Agriculture, Nutrition and Forestry; and the Chairman (Mr. MURKOWSKI) and Ranking Minority Member (Mr. BINGAMAN) of the Senate Committee on Energy and Natural Resources.

SECTION-BY-SECTION ANALYSIS—BIOMASS RESEARCH AND DEVELOPMENT (R&D) ACT OF 2000—(TITLE IV OF H.R. 2559, THE AGRICULTURAL RISK REDUCTION ACT)

SECTION 401. SHORT TITLE.

Section 401 cites Title III as the "Biomass Research and Development Act of 2000" (hereafter, "Act").

SECTION 402. FINDINGS.

Section 2 lists 13 findings.

SECTION 403. DEFINITIONS.

Section 403 defines ten terms: (1) "Advisory Committee," (2) "Biobased Industrial Product," (3) "Biomass," (4) "Board," (5) "Initiative," (6) "Institution of Higher Education," (7) "National Laboratory," (8) "Point of Contact," (9) "Processing," and (10) "Research and Development."

The term "biomass" means "any organic matter that is available on a renewable or recurring basis, including agricultural crops and trees, wood and wood wastes and residues, plants (including aquatic plants), grasses, residues, fibers, and animal wastes, municipal wastes, and other waste materials." The conferees gave specific consideration to a proposal to exclude old-growth timber and unsegregated municipal solid waste (garbage) from the definition of bio-

mass, and rejected the proposal as being scientifically unsound.

Also, the term "research and development" means "research, development, and demonstration." Department of Energy (DOE) activities conducted under this Act are subject to the cost-sharing provisions of section 3002 of the Energy Policy Act of 1992 (Public Law 102-486).

SECTION 404. COOPERATION AND COORDINATION IN BIOMASS RESEARCH AND DEVELOPMENT

Section 404 mandates cooperation and coordination between the Secretary of Agriculture and the Secretary of Energy with respect to policies and procedures that promote R&D leading to the production of biobased industrial products. In order to facilitate this cooperation and coordination, a senior official in each of the U.S. Department of Agriculture (USDA) and DOE is to be designated as a "point of contact." The points of contact are to assist in arranging interlaboratory and site-specific supplemental agreements for research, development, and demonstration projects relating to biobased industrial products; serve as co-chairpersons of the Board; administer the Initiative; and respond in writing to each recommendation of the Advisory Committee.

SECTION 405. BIOMASS RESEARCH AND DEVELOPMENT BOARD.

Section 405 requires the Secretaries of Energy and Agriculture to jointly establish the Biomass Research and Development Board to coordinate programs within and among departments and agencies of the Federal Government for the purpose of promoting the use of biobased industrial products. This Board is to supercede the Interagency Council on Biobased Products and Bioenergy established by Executive Order 13134. This section also specifies the Board's: (b) membership, (c) duties, (d) funding, and (e) frequency of meetings.

SECTION 406. BIOMASS RESEARCH AND DEVELOPMENT TECHNICAL ADVISORY COMMITTEE.

Section 406 establishes the Biomass Research and Development Technical Advisory Committee, which is to supercede the Advisory Committee on Biobased Products and Bioenergy established by Executive Order 13134. This section also specifies: (b) the Advisory Committee's membership and appointment process; (c) duties; (d) coordination; (e) frequency of meetings; and (f) terms. With respect to terms, section 406(f) specifies that members of the Advisory Committee shall be appointed for a term of 3 years, except that—(1) 1/3 of the members initially appointed shall be appointed for a term of 1 year; and (2) 1/3 of the members initially appointed shall be appointed for a term of 2 years.

SECTION 407. BIOMASS RESEARCH AND DEVELOPMENT INITIATIVE.

Section 407(a) requires the Secretary of Agriculture and the Secretary of Energy, acting through their respective points of contact and in consultation with the Biomass Research and Development Board, to establish and carry out a Biomass Research and Development Initiative under which competitively awarded grants, contracts, and other financial assistance are provided to, or entered into with, eligible entities to carry out research, development, and demonstration on biobased industrial products.

Other provisions of Section 407 address: (b) the purposes of grants, contracts, and other financial assistance under this section; (c) eligible entities; (d) uses of grants, contract, and assistance; (e) technology and information transfer to agricultural users; and (f) authorization of appropriations.

Section 407(c)(2)(D) requires that preference be given to applications for grants,

contract, and assistance under this section that: (i) involve a consortia of experts from multiple institutions; and (ii) encourage the integration of disciplines and application of the best technical resources. However, this "preference" is not meant to negate the requirements of Section 407(c)(2)(D) requiring that "grants, contracts, and assistance under this section be awarded competitively, on the basis of merit, after the establishment of procedures that provide for scientific peer review by an independent panel of scientific and technical peers".

Section 407(f) provides that in addition to funds appropriated for biomass R&D under the general authority of the Secretary of Energy (which may also be used to carry out this Act), there are authorized to be appropriated to the Department of Agriculture to carry out this Act \$49.0 million for each of fiscal years 2000 through 2005.

SECTION 408. ADMINISTRATIVE SUPPORT AND FUNDS.

To the extent administrative support and funds are not provided by other agencies under section 408(b), section 408(a) authorizes the Secretary of Energy and the Secretary of Agriculture to provide such administrative support and funds of DOE and USDA to the Board and the Advisory Committee as are necessary to enable the Board and the Advisory Committee to carry out this Act. Section 408(c) provides that not more than 4 percent of the amount appropriated for each fiscal year under section 407(f) may be used to pay the administrative costs of carrying out this Act.

SECTION 409. REPORTS.

Section 409 specifies the Act's reporting requirements, which include: (a) an initial report and (b) annual reports.

SECTION 410. TERMINATION OF AUTHORITY.

Section 410 terminates the authority under this Act on December 31, 2005.

TRIBUTE TO SAUL ZAENTZ

**HON. BILL PASCRELL, JR.**

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. PASCRELL. Mr. Speaker, I would like to call to your attention the deeds of the acclaimed film producer, Saul Zaentz of Passaic, New Jersey, who was feted on Friday, May 19, 2000. It is only fitting that the Second Ward Educational and Charitable Foundation, Inc. in cooperation with the Passaic Board of Education celebrate the dedication of the auditorium at the William B. Cruise Memorial School Number 11 as the Saul Zaentz Auditorium because of his remarkable talents and contributions to the entertainment industry and society as a whole. He is honored for his professional successes and never forgetting his roots.

Saul Zaentz was born on February 28, 1921 in Passaic. He has produced only eight movies since 1975, yet three have won the best picture Oscar. These are *The English Patient* (1996), *Amadeus* (1984), and *One Flew over the Cuckoo's Nest* (1975). In addition, his film *The Unbearable Lightness of Being* (1988) was nominated for multiple Oscars. He has a three-film version of the J.R.R. Tolkien epic *Lord of the Rings* trilogy in production. The first of the three, *The Fellowship of the Ring*, is due out in December of 2000. In 1978, he produced an animated film version of the book.

The 76-year-old's effort, *The English Patient*, won nine Oscars. The making of *The English Patient* is a story in itself. Saul entered a partnership with 20th Century Fox for the film, but the studio insisted on big-name casting. Unwilling to compromise, he found another backer in Miramax. Because of the size of the budget, the producer also persuaded the entire cast and crew to defer half their salaries until the film recouped its costs.

In addition to winning an Oscar for *The English Patient*, Saul garnered the honorary award, the Irving G. Thalberg Memorial Award from the Academy of Motion Picture Arts and Sciences. This only adds to a lifetime of achievement. The special award goes to, "creative producers whose bodies of work reflect a consistently high quality of motion picture production," according to Academy rules.

The audience at the 1997 Academy Awards, the night of his triumph, was filled with actors and other film professionals who have worked with Saul. They all gave him a standing ovation.

In 1937, Darryl F. Zanuck, Jr. won the first Thalberg Award and Saul was the 33rd winner. The previous time the Academy conferred the award, in 1995, it went to Clint Eastwood.

This native of Passaic, who struggled for years to bring *The English Patient* to the screen, was given the Producers Guild's Darryl F. Zanuck Award as producer of the year. He also received its Eastman Kodak Vision Award for his "special cinematic vision" and took home a Golden Laurel marking his movie as the best drama of the year. Although it is only eight years old, the guild's awards have a near perfect record for predicting the best-picture Oscar.

As a producer Saul's filmography includes many notable productions. In addition to his Oscar winning ventures, he has produced *At Play in the Fields of the Lord* (1991), *The Mosquito Coast* (1986) and *Three Warriors* (1977). He served as Executive Producer for *Payday* (1972). In *One Flew Over the Cuckoo's Nest*, he took an uncredited turn as an actor, playing the captain on the shore when the boat returns.

Mr. Speaker, I ask that you join our colleagues, Saul's family and friends, the Second Ward Educational and Charitable Foundation, Inc., the Passaic Board of Education, the City of Passaic, the State of New Jersey and me in recognizing the outstanding and invaluable achievements of Saul Zaentz.

#### HONORING A TRUE AMERICAN HERO, ALFRED RASCON

#### HON. STEVEN T. KUYKENDALL

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. KUYKENDALL. Mr. Speaker, I rise today to honor a true American hero, Medal of Honor recipient Alfred Rascon. Rascon risked his own life suffering serious injury to save the men of his battalion during the Vietnam War.

Alfred Rascon, a soft-spoken Army medic, exhibited the type of heroism that few encounter in a lifetime. On March 16, 1966, Rascon and his unit, a reconnaissance platoon for the 173rd Airborne Brigade's 1st Battalion, 503rd Regiment, was advancing through the jungle in Long Khanh Province to assist another bat-

talion that had come under fire. However, Rascon's unit was ambushed before they reached the besieged battalion. Through heavy gunfire and grenade blasts, Rascon risked his life during the intense battle tending to his fallen comrades.

Twice Rascon jumped on wounded soldiers to shield them from grenades, taking the shrapnel himself. He was also shot while shielding another member of his platoon. Despite these wounds, he was still able to retrieve a machine gun and ammunition that helped keep the enemy at bay, saving his platoon. Rascon served his country with the utmost diligence, and saved the lives of many. The wounds he suffered that day were so serious that he was given last rites.

Alfred Rascon did survive, and despite many years and the red tape of bureaucracy, he was awarded the Medal of Honor this past February. I commend his remarkable display of bravery. His loyalty to his battalion is an inspiration to all.

I congratulate Alfred Rascon on receiving the much-deserved Medal of Honor. His heroic actions that day in March saved the lives of his battalion. He is a great American. He went beyond the call of duty to serve his country. For that, the nation expresses its gratitude.

#### A SPECIAL TRIBUTE TO REINHART "ART" AND MARIE SCHMIDT ON THE OCCASION OF THEIR 70TH WEDDING ANNIVERSARY

#### HON. THOMAS M. DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. DAVIS of Virginia. Mr. Speaker, it gives me great pleasure to rise today to pay tribute to Art and Marie Schmidt, two notable members of the Northern Virginia community. On Wednesday, May 17, 2000, the Schmidt's marked their 70th wedding anniversary. The wedding anniversary was celebrated by the congregation at St. Paul's Episcopal Church in Bailey's Crossroads, Virginia.

Mr. Speaker, I join together today with the extended family of St. Paul's Episcopal Church to commend Art and Marie on this joyous occasion and to share the warm wishes of the citizens of Virginia's 11th Congressional District. Anytime our community honors the 70th anniversary of any accomplishment, it is a moment to cherish. When we then celebrate a marriage of 70 years, a marriage of dedication, patience, love, and understanding, we are struck by the power and beauty of this human commitment. Grand occasions such as this magnify the many blessings that have been bestowed upon this wonderful couple.

The Schmidt's have given generously of their personal time and resources to their family and to our community. Throughout their lives together, they have worked hard, appreciating the opportunities that life has offered them. Art and Marie are fifty-five year residents of the Bailey's Crossroads area of Northern Virginia. They have witnessed the transformation of Fairfax County from a sleepy suburb of our Nation's Capital into a cultural and commercial destination in its own right. The loving couple are the proud parents of three children; Robert, Marilyn, and Doug.

After living in Kansas City, St. Louis, and Chicago, the Schmidt's moved to the Wash-

ington D.C. metro area where Art was in charge of the weather bureau at National Airport in Arlington, Virginia. At that time, the weather bureau was part of the U.S. Department of Commerce and the National Oceanic and Atmospheric Administration had not been created. Marie was a telephone operator for Bell Atlantic. Their commitment to public service, our Nation, and their neighbors are the hallmark of their careers.

Mr. Speaker, I know my colleagues join me, their neighbors, family and friends in wishing Art and Marie Schmidt a happy 70th wedding anniversary. I am grateful to be reminded of such a loving couple and to have the opportunity to recognize such a momentous day in their lives. Art and Marie are to be commended for their commitment to one another, and for the wonderful example they set for their many friends and family. I wish them many more happy and healthy days together.

#### TRIBUTE TO CHERYL DOUGHERTY—FULBRIGHT SCHOLAR

#### HON. SCOTT MCINNIS

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. MCINNIS. Mr. Speaker, I would like to take this moment to congratulate Cheryl Dougherty for receiving the U.S. Department of Education's 2000 Fulbright-Hays Scholarship. She is one of 30 American teachers to receive this prestigious award out of an applicant pool of over 10,000. The scholarship will engage Cheryl in a six-week program that will allow her to travel to Poland and Hungary.

Ms. Dougherty is no stranger to international travel and education. Some of her academic travels have taken her to such destinations as Hawaii and Japan. She is a former participant of the Fulbright Memorial Scholarship program where she was given the opportunity to travel and teach in Japan. Cheryl was even given the opportunity to address Japanese students in their native language, a commendable experience.

She believes it is crucial to educate our youth on different cultures and customs. She is constantly encouraging her student base to interact and become aware of these differences. It is not uncommon for her students to exchange letters or videos with students from different countries.

It is encouraging to honor teachers of Cheryl's caliber. With more teachers like her, we can continue to dissolve cultural barriers and promote international prosperity. I am confident she will continue to strive for academic excellence and further the knowledge of our youth.

#### HONORING OPHELIA YOUNG PERRY

#### HON. EDOLPHUS TOWNS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, June 6, 2000*

Mr. TOWNS. Mr. Speaker, I rise today to honor Ophelia Young Perry. Though a native of Buckingham County, Virginia, she presently resides with her mother, Thelma Jones and