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**CONFERENCE COMMITTEE ON H.R. 2419**

**Title IX – Energy**

**Section-by-Section Comparison of House Bill,  
Senate Amendment, and Current Law**

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Item	Item Heading	CURRENT LAW	HOUSE BILL (H.R. 2419)	SENATE AMENDMENT	CONF. AGREEMENT
T9-1	Table Of Contents		§9001. Table of Contents.	<p>§9001. Energy.</p> <p>This is a strike-and-replace amendment to title IX of the FSRIA of 2002.</p> <p>§9001. Definitions.</p> <p>The amendment makes the new §9001 the definitions section and includes definitions for: Administrator, Advisory Committee, advanced biofuel, biobased product, biofuel, biomass conversion facility, biorefinery, board, Indian Tribe, Institute of Higher Education, intermediate ingredient or feedstock, renewable biomass, renewable energy, rural area and Secretary.</p>	
T9-2	Federal Procurement Of Biobased Products. Composition Of Biobased Products	7 U.S.C. 8102(c)(1) requires federal agencies making procurement decisions to give preference to items composed of the highest percentage of biobased products practicable.	§9002(a). Federal Procurement of Biobased Products. Clarifies that products with at least 5% of intermediate ingredients and feedstocks that are biobased should be considered.	<p>§9002. Biobased Markets Program.</p> <p>Changes name of this section to Biobased Markets Program and clarifies that products to be considered for procurement preference should be composed of at least 5% of biobased intermediate ingredients and feedstocks or a lesser percentage that the Secretary determines to be appropriate</p>	
T9-3	Designation and Information Provided		No comparable provision.	<p>§9002(a)(5). Biobased Markets Program.</p> <p>Provides for designation of items for which there is only one product or manufacturer in the category and automatic designation of items composed of at least 50% biobased intermediate ingredients or feedstocks. Also specifies that information provided for a biobased intermediate ingredients or feedstock shall be considered to be provided for an item composed of the ingredient or feedstock. This subsection also specifies that the Secretary may not require more information from manufacturers or vendors of biobased products than is required from other vendors or manufacturers.</p>	
T9-4	State Procurement Models		No comparable provision.	<p>§9002(a)(5)(E). Biobased Markets Program.</p> <p>Directs the Secretary to offer models for States for procurement of biobased products within 180 days of enactment.</p>	
T9-5	Procurement Guideline Considerations	7 USC 8102(e)(2)(B) requires the Secretary to consider economic and technological feasibility of using biobased products, including life cycle costs.	<p>§9002(b). Federal Procurement of Biobased Products.</p> <p>Clarifies that the Secretary should consider life cycle costs only to the extent information on life cycle costs is appropriate and available.</p>	No comparable provision.	
T9-6	Labeling Requirements And Revised Deadline	7 U.S.C. 8102(h) authorizes a voluntary biobased labeling program.	<p>§9002(c). Federal Procurement of Biobased Products.</p> <p>Requires Secretary to issue new regulations for the</p>	<p>§9002(b)(2). Biobased Markets Program.</p> <p>Same, except consultation is with Administrator and representatives from small and large</p>	

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			program within 90 days of enactment with criteria for finished products and intermediate ingredients and feedstocks, and to consult with other Federal agencies and non-governmental groups with an interest in biobased products, including small and large producers of biobased materials and products, industry, trade organizations, academia, consumer organizations, and environmental organizations.	businesses, academia, other Federal agencies and such other persons as the Secretary considers appropriate.	
T9-7			No comparable provision.	<b>§9002(b)(4). Biobased Markets Program.</b> Establishes a voluntary program under which the Secretary is directed to recognize agencies, contractors and persons that use significant amounts of biobased products.	
T9-8			No comparable provision.	<b>§9002(d). Biobased Markets Program.</b> Requires that Capitol Complex procurement shall comply with the biobased product mandate within 90 days of enactment. The subsection also requires the secretary to sponsor or support a biobased products showcase annually.	
T9-9			No comparable provision.	<b>§9002(e). Biobased Markets Program.</b> Permits the secretary to establish one or more national testing centers for biobased products, giving preference to entities with establish biobased testing capabilities.	
T9-10			No comparable provision.	<b>§9002(f). Biobased Markets Program.</b> Establishes a new Education and Awareness campaign for bioenergy (other than biodiesel) and biobased products that is to be carried out through competitive grants to eligible entities.	
T9-11	Authorization Of Appropriations. Federal Procurement	7 USC 8102(k)(1) authorizes such sums to carry out the section (without time limit). Provides mandatory funding of \$1 million annually (FY2002-FY2007) for testing.	<b>§9002(d). Federal Procurement of Biobased Products.</b> Replaces such sums language with an authorization of \$1 million annually for 2008-13 to implement the section (other than the labeling provisions).	<b>§9002(h). Biobased Markets Program.</b> Provides for mandatory funding of \$3 million annually for 2008 through 2012 to carry out mandatory testing and implement the bioenergy education and awareness campaign and additional sums as necessary are authorized.	
T9-12	Authorization Of Appropriations. LABELING	See above.	<b>§9002(d). Federal Procurement of Biobased Products.</b> Authorizes \$1 million annually for 2008-13 for labeling.	No comparable provision.	
T9-13	Report Requirements. Report By Agencies To Administrator For Federal Procurement	7 USC 8102(f) requires Office of Federal Procurement to report to Congress on implementation every 2 years.	<b>§9002(e). Federal Procurement of Biobased Products.</b> Requires procurement agencies to assist the Administrator for Federal Procurement by submitting annual reports and requires Secretary of	<b>§9002(a)(6) and (g). Biobased Markets Program.</b> Provides that the Office of Federal Procurement Policy submit a report to Congress every 2 years describing implementation progress, including	

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	Policy		Agriculture to submit a report to Congress on implementation 6 months after enactment and annually thereafter.	information provided by the Agencies with specific data related to the biobased procurement requirement. Requires the Secretary to report to Congress on program implementation within 180 days and each year thereafter.	
T9-14	<b>Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b> Loan Guarantees—In General.	7 USC 8103 creates grant program to finance the cost of developing and constructing biorefineries and biofuel production plants.	<p><b>§9003(3). Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b> No comparable provision.</p> <p>No comparable provision – maintains grant program as it appears in current law.</p> <p>Provides for loan guarantees to help pay for development, construction of biorefineries and biofuel production plants and retrofitting of other facilities to demonstrate the commercial viability of converting biomass to fuels or chemicals.</p>	<p><b>§9005. Biorefinery and Repowering Assistance Program.</b> Renamed the Biorefinery and Repowering Assistance Program.</p> <p>Establishes grants for pilot or demonstration scale biorefineries, for repowering projects, and for repowering feasibility studies.</p> <p>Establishes loan guarantees for commercial scale biorefineries and repowering projects. Biorefineries limited to advanced biofuels production. Repowering projects replace fossil fuel energy systems with renewable energy systems for biorefineries (including corn ethanol plants), power plants, or manufacturing facilities.</p>	
T9-15	Grants -- Limitations	7 USC 8103(f) Amount of grants generally limited to 30% of project cost.	No comparable provision – maintains grant limitations as they appears in current law	<p><b>§9005(e)(3). Biorefinery and Repowering Assistance Program.</b> Grants for pilot or demonstration scale biorefineries limited to 50% of project costs. Grants for repowering projects limited to 20% of project costs. Grants for repowering feasibility studies limited to the lesser of 50% of study costs and \$150,000.</p>	
T9-16	Loan Guarantees-- Limitations	No loan program in current law.	<p><b>§9003(3). Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b> Requires loan guarantees not exceed 90 percent of the principal and interest due on the loan. Provides that the total amount of principal and interest guaranteed may not exceed \$1 billion for relatively small plants (up to \$100 million) and may not exceed \$1 billion for larger plants (\$100 - \$250 million). No comparable provision The Secretary determines the maximum loan term.</p>	<p><b>§9005(f)(4). Biorefinery and Repowering Assistance Program.</b> The Secretary may guarantee up to 100% of the principal and interest on such loans.</p> <p>The principal amount of a loan guaranteed for commercial biorefineries is limited to \$250 million. The principal amount of a loan guaranteed for repowering projects is limited to \$70 million</p> <p>A loan guaranteed for a commercial biorefinery or repowering a biomass conversion facility shall not exceed 80% of project costs. .</p> <p>No comparable provision.</p>	

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T9-17	Loan Guarantees (AND GRANT)--Priority	7 USC 8103(e) sets out selection criteria for grants.	<p><b>§9003(4). Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b>  Selection criteria for the loans follow those for the existing grants program in section 9003 of the 2002 Farm Bill. Two new selection criteria are added: the level of local ownership and (§9003(8)) whether the impact on distribution of funds would have on existing manufacturing and other facilities that utilize similar feedstocks would be minimal.</p> <p>No comparable provision</p> <p>No comparable provision</p>	<p><b>§9005(c)(2) and (f)(2). Biorefinery and Repowering Assistance Program.</b>  Selection criteria for grants follow those for the existing grant program in Section 9003 of the 2002 Farm Bill. One new selection criterion is added: whether the distribution of funds would have minimal impact on existing manufacturing and other facilities that use similar feedstocks.</p> <p>Selection criteria for grants for repowering projects include the change in energy efficiency, the reduction in fossil fuel use, and the volume of biomass feedstock such proximity to make local sourcing economically practicable.</p> <p>Preference for grants and loan guarantees is to be given to projects that receive financial support from the state in which they are located and priority is given to projects with significant local ownership.</p>	
T9-18	Loan Guarantees (AND GRANTS) Condition Of Assistance	No similar provision.	<p><b>§9003(5). Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b>  Requires prevailing wages for workers on projects financed under the section.</p>	No comparable provision.	
T9-19	Requirement for Commitment		No comparable provision.	<p><b>§9005(f)(1). Biorefinery and Repowering Assistance Program.</b>  Conditions for assistance in the form of a loan guarantee include a binding commitment to cover at least 20% of project costs from non-Federal funds, demonstration of technology readiness, and demonstration that investment opportunities have been offered to local investors.</p>	
T9-20	Loan Guarantees (AND GRANTS) Funding	Discretionary funding for grants of such sums as necessary.	<p><b>§9003(6) and (7). Grants And Loan Guarantees For Biorefineries And Biofuel Production Plants.</b>  Extends grant program through FY2012. §9003(7) specifies mandatory funding levels for loan guarantees that total \$800 million over FY2008-FY2012.</p>	<p><b>§9005(h). Biorefinery and Repowering Assistance Program.</b>  Provides mandatory funding of \$300 million for FY2008 to remain available until expended.</p>	

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T9-21	<b>Energy Audit And Renewable Energy Development Program</b>	(7 U.S.C. 8105; §9005 of the 2002 farm bill) requires the Secretary make competitive grants to assist farmers, ranchers, and rural small businesses in becoming more energy efficient and in using renewable energy technology and resources.	<b>§9004. Energy Audit And Renewable Energy Development Program.</b> Extends program through 2012.	<b>§9007. Rural Energy for America Program.</b> Folds the Energy Audit program into the new REAP program §9007, below.	
T9-22	<b>Renewable Energy Systems And Energy Efficiency Improvements.</b> Name.	(7 U.S.C. 8106; §9006 of the 2002 farm bill) Renewable energy systems and energy efficiency improvements	<b>§9005(1). Renewable Energy Systems And Energy Efficiency Improvements.</b> Renames program under Section 9006 the RURAL ENERGY FOR AMERICA PROGRAM	<b>§9007. Rural Energy for America Program.</b> Same as House, except that Section 9006 is renumbered to become Section 9007.	
T9-23	Eligible Participants— Grants, Loans and Loan Guarantees	farmers, ranchers, and rural small businesses	<b>§9005(2) and (3). Renewable Energy Systems And Energy Efficiency Improvements.</b> Expands program eligibility to include “other agricultural producers”.	<b>§9007(b), (c) and (d). Rural Energy for America Program.</b> For grants or loan guarantees for renewable energy systems and energy efficiency improvements: agricultural producers and rural small businesses.	
T9-24	Eligible Participants – Energy Audit and Renewable Energy Development Assistance		No comparable provision.	<b>§9007(b). Rural Energy for America Program.</b> Adds state agencies and public power entities to eligible participants in Energy Audit and Renewable Energy Assistance Program.	
T9-25	Eligible Participants – Energy from Animal Manure		No comparable provision.	<b>§9007(d). Rural Energy for America Program.</b> Agricultural producers; rural small businesses; rural cooperatives; and other similar entities.	
T9-26	Eligible Activities – Grants, Loans and Loan Guarantees	Makes grants and authorizes loans and loan guarantees to purchase renewable energy systems and make energy efficiency improvements.	<b>§9005(2). Renewable Energy Systems And Energy Efficiency Improvements.</b> Expands to include sale of electricity generated by new renewable energy systems	<b>§9007(c). Rural Energy for America Program.</b> Adds production-based incentives for renewable energy to eligible activities, eliminates direct loans and renewable energy systems.	
T9-27	Eligible Activities – Energy from Animal Manure	No comparable provision.	No comparable provision.	<b>§9007(d). Rural Energy for America Program.</b> Grants and loan guarantees for facilities to convert animal manure to energy, including associated feedstock gathering systems and gas pipelines, as well as first-year operating costs. For new technologies, the first 2 years of operation are eligible. This section also directs extension of the Energy Star program to address equipment and facilities for the agricultural sector (§9007(h)).	
T9-28	Criteria and Preferences – Grants, Loans and Loan Guarantees	No comparable provision.	No comparable provision.	<b>§9007(c)(2) and (g). Rural Energy for America Program.</b> Award considerations for energy efficiency improvements and renewable energy systems (§9007(c)(2)) include type of renewable energy system; estimated quantity of renewable energy to be produced; expected environmental benefits; quantity of energy savings expected; expected energy savings payback time; and expected system’s energy efficiency. Preferences	

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				for grants and loan guarantees under §9007 are to be given to projects that receive financial support from the state in which they are located.	
T9-29	Criteria and Preferences – Energy from Animal Manure	No comparable provision.	No comparable provision.	<b>§9007(d). Rural Energy for America Program.</b> Selection considerations for energy from animal manure projects include quality of energy produced, net energy conversion efficiency, environmental issues, net impact on greenhouse gas emissions, diversity factors, and proposed costs.	
T9-30	Cost Sharing	Limit on the maximum amount of the combined loan and grant is 50% of the funded activity	<p><b>§9005(4). Renewable Energy Systems And Energy Efficiency Improvements.</b> Increases the limit on the maximum amount of the combined loan and grant from 50% to 75% of the funded activity.</p> <p>Limits maximum amount of loan guaranteed to 75% of the funded activity and not more than \$25 million.</p> <p>No comparable provision.</p> <p>Creates a priority for participants who provide a higher percentage of cost share.</p>	<p><b>§9007(c) and (d). Rural Energy for America Program.</b> No comparable provision</p> <p>Same as House provision. For energy from animal manure projects: grants are limited to 50% of project costs for smaller systems costing less than \$500,000; for larger projects, grants are limited to the greater of \$250,000 or 25% of project costs, with a cap of \$2 million; loan guarantees are limited to loans not exceeding \$25 million and 80% of developer’s project costs.</p> <p>No comparable provision.</p>	
T9-31	Feasibility Studies	No comparable provision.	<p><b>§9005(6). Renewable Energy Systems And Energy Efficiency Improvements.</b> Allows Secretary to use up to 10% of funds available under the section to provide assistance to eligible participants to conduct feasibility studies for eligible projects, but provides that if such assistance is provided, the participant is ineligible for assistance under other law for such assistance.</p>	<b>§9007(c)(3). Rural Energy for America Program.</b> Same as the House provision.	
T9-32	Reserve	No comparable provision.	<p><b>§9005(6). Renewable Energy Systems And Energy Efficiency Improvements.</b> Also reserves 15% of funds for projects costing \$50,000 or less.</p>	<b>§9007(f). Rural Energy for America Program.</b> Directs the Secretary to develop a streamlined process for projects seeking less than \$20,000, and it directs that not less than 20% of the funds for this section be made available for such projects.	

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T9-33	Funding	\$3 million mandatory funding for 2007	<p><b>§9005(7). Renewable Energy Systems And Energy Efficiency Improvements.</b>  Reauthorizes the program and increases mandatory funding to \$50,000,000 for fiscal year 2008; \$75,000,000 for fiscal year 2009;; \$100,000,000 for fiscal year 2010;; \$125,000,000 for fiscal year 2011; and \$150,000,000 for fiscal year 2012.</p>	<p><b>§9007(j). Rural Energy for America Program.</b>  Provides mandatory funding of \$230 million in FY 2008, to remain available until expended, for audits, loan guarantees and grants for energy efficiency improvements and renewable energy systems and loan guarantees and grants for animal manure facilities. Specifies that not less than 5% is to be used for Energy Audit and Renewable Energy Development Program and not less than 15% is to be used for animal manure facilities. Also authorizes additional funds as necessary to carry out this section from FY2008 through FY2012.</p>	
T9-34	<b>Biomass Research And Development Act Of 2000.</b>	(116 Stat. 486) (Title III of the Agricultural Risk and Protection Act of 2000) Provides for coordination of Federal programs to promote the use of biobased fuels and products. Provides \$14 million in mandatory funds and authorizes annual appropriations of \$200 million through 2015.	<p><b>§9006. Biomass Research And Development Act Of 2000.</b>  Modifies findings to include biodiesel.</p> <p>No comparable provision.</p> <p>Increases number or individuals affiliated with an environmental or conservation organization on the Advisory Committee from 1 to 2.</p> <p>Adds an individual with expertise in agronomy, crop science, or soil science to the Advisory Committee.</p> <p>Includes language to improve dried distillers grain quality and clarifies the role of commercial applications in the objectives of the Biomass Research and Development Initiative.</p> <p>Requires the Secretary to submit a management plan to Congress every five years evaluating the</p>	<p><b>§9008. Biomass Research And Development Act Of 2000.</b>  Removes findings from the language.</p> <p>Changes “biobased fuel” to “biofuel” and “biomass” to “renewable biomass” for consistency across the Title.</p> <p>Adds an individual with expertise in plant biology and biomass feedstock development</p> <p>Same as House provision. .</p> <p>Same as House</p> <p>No comparable provision.</p> <p>Adds language to emphasize research on harvest,</p>	

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			<p>success of the Initiative.</p> <p>No comparable provision.</p> <p>No comparable provision.</p> <p>Provides mandatory funding of \$35,000,000 for fiscal year 2008;; \$60,000,000 for fiscal year 2009; \$75,000,000 for fiscal year 2010; \$100,000,000 for fiscal year 2011; and \$150,000,000 for fiscal year 2012.</p> <p>Does not change current law provision that authorizes an additional annual appropriation of \$200 million through 2015.</p> <p>Amends technical study areas to clarify that research areas include sugar processing and refining plants and self-processing crops that express enzymes capable of degrading cellulosic biomass</p>	<p>collection, transportation and storage of renewable biomass feedstocks.</p> <p>Removes specific funding allocations to the different technical areas and instead requires that at least 15% of funds go to each technical area. Requires the Secretary to submit a management plan to Congress every five years evaluating the success of the Initiative.</p> <p>Provides mandatory funding of \$15,000,000 for fiscal year 2008;; \$25,000,000 for fiscal year 2009; and \$35,000,000 for fiscal year 2010;. Authorizes an additional annual appropriation of \$85 million through 2012.</p> <p>Same as House.</p>	
T9-35	Adjustments To The Bioenergy Program. Eligibility.	(7 U.S.C. 8108) §9010 of the 2002 Farm Bill provides payments to producers to encourage increased purchases of eligible commodities (feedstock) for expanding production of bioenergy. Under current law the term “bioenergy” includes biodiesel and fuel grade ethanol.	<p><b>§9007. Adjustments To The Bioenergy Program.</b></p> <p>Clarifies that the term “bioenergy” also includes the production of heat and power at a biofuels plant, biomass gasification, hydrogen made from cellulosic commodities for fuel cells, and renewable diesel. Excludes corn starch from the list of eligible feedstock under the program.</p>	<p><b>§9006(a) (b) and (c). Bioenergy Program for Advanced Biofuels.</b></p> <p>Clarifies that this program is intended to support increased production of advanced biofuels, which includes fuels derived from renewable biomass excluding those derived from corn starch.</p>	
T9-36	Renewable Diesel	No comparable provision.	<b>§9007(1). Adjustments To The Bioenergy Program.</b>	No comparable provision.	

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			Defines renewable diesel		
T9-37	Payment Rate and Priority	No comparable provision.	<b>§9007(2). Adjustments To The Bioenergy Program.</b> Provides for a priority based on factors listed in §9003(e)(2)(B) of the 2002 farm bill.	<b>§9006(d) and (f). Bioenergy Program for Advanced Biofuels.</b> Directs the Secretary to base payments on: level of production; price of feedstock; net nonrenewable energy content; other appropriate factors. Restricts the payment to producers that do not receive the small producer tax credits and to production from facilities with less than 150 million gal/year capacity.	
T9-38	Project Viability	No comparable provision.	<b>§9007(2). Adjustments To The Bioenergy Program.</b> Requires Secretary to review project viability before renewing contracts.	No comparable provision.	
T9-39	Funding	No comparable provision.	<b>§9007(3). Adjustments To The Bioenergy Program.</b> Provides mandatory funds of \$225,000,000 for fiscal year 2008; \$250,000,000 for fiscal year 2009; \$275,000,000 for fiscal year 2010; \$300,000,000 for fiscal year 2011; and \$350,000,000 for fiscal year 2012.	<b>§9006(h). Bioenergy Program for Advanced Biofuels.</b> Provides mandatory funds of \$245M for FY 2008 to remain available until expended.	
T9-40	<b>Research, Extension and Educational Programs on Biobased Energy Technologies and Products.</b>	(7 USC 8109) Sun Grants (section 9011 of the 2002 Farm Bill) to promote research, extension, and education related to biobased energy and product technologies. The current authorization for appropriations is \$75 million annually for 2007-2010	<b>§9008. Research, Extension and Educational Programs on Biobased Energy Technologies and Products.</b> Extends current authorization for appropriations at a level of \$75 million through 2012. Provides a research focus for insular and Pacific areas.	<b>§9009. Sun Grant Program.</b> Provides for mandatory funding of \$5M for FY 2008; and \$10M for FYs 2009 and 2010 and provides for authorization for appropriations at a level of \$70 million through 2012. Provides for a “subcenter” at the University of Hawaii with a research focus for insular and Pacific areas.	
T9-41	<b>Regional Biomass Crop Experiments</b>	No comparable provision.	No comparable provision.	<b>§9010. Regional Biomass Crop Experiments.</b> Establishes a program of regional biomass crop experiments at 10 geographically dispersed and competitively selected land-grant universities. Crop experiments are to include all appropriate biomass species, including perennials, annuals, and woody biomass species. Selection criteria include crop experiment capabilities and experience, species and cropping practices proposed, crop experiment plan, and commitment of adequate acreage and resources. Calls for coordination among participants, with the Biomass Research and Development Board and with the Sun Grant Centers, and the establishment of a “best practices” database on all aspects of biomass	

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				crop production. Provides mandatory funding of \$40 million over the life of the bill, to be allocated as \$1 million, \$2 million, and \$1 million per institution for years FY2008, FY2009, and FY2010, respectively.	
T9-42	USDA Energy Council	§602 of the Agricultural Research, Extension, and Education Reform Act of 1998 created the Office of Energy Policy and New Uses.	<b>§9009. USDA Energy Council.</b> Creates an Energy Council in the Office of the Secretary at USDA to coordinate energy policy at the Department and consult with other agencies. (Existing Office of Energy Policy and New Uses will support the activities of the Council.)	<b>§9017. Administration.</b> Directs the Secretary to assign coordination of projects and information, liaison work with other agencies and public outreach on USDA's energy programs to one entity within the Department.	
T9-43	Farm Energy Production Pilot Program.	No comparable provision	<b>§9010. Farm Energy Production Pilot Program.</b> Establishes a pilot program to provide grants to farmers for the purpose of demonstrating the feasibility of making a farm energy neutral using existing technologies. Authorizes \$5 million for FY 2008-12.	No comparable provision	
T9-44	Rural Energy Self-Sufficiency Initiative And Rural Energy Systems Renewal	No comparable provision	<b>§9011. Rural Energy Self-Sufficiency Initiative.</b> Authorizes the Secretary to make cost-share grants to enable eligible rural communities develop renewable energy systems to increase their energy self-sufficiency.  Authorizes appropriations of \$5 million in 2008 and such sums as necessary in 2009-2012.	<b>§9015. Rural Energy Systems Renewal.</b> Establishes a program of competitive cost-shared grants for rural communities to assess their energy systems and formulate strategies for improvements. Specifies appropriate activities. Federal cost share is 50%. Directs the USDA in consultation with DOE to provide technical assistance.  Authorizes \$5 million per year for FY2008-12.	
T9-45	Agricultural Biofuels From Biomass Internship Pilot Program	No comparable provision	<b>§9012. Agricultural Biofuels From Biomass Internship Pilot Program.</b> Authorizes such sums as necessary for an internship program to encourage students to pursue employment in renewable energy related jobs.	No comparable provision.	
T9-46	Feedstock Flexibility Program For Bioenergy Producers.	No comparable provision	<b>§9013. Feedstock Flexibility Program For Bioenergy Producers.</b> Amends the Energy Title of the 2002 Farm Bill to require the Secretary to purchase of sugar to produce bioenergy if necessary to avoid forfeitures of sugar to the Commodity Credit Corporation, and to ensure that the sugar loan program is operated at no cost to the Federal Government.	<b>§1501(f). Sugar.</b> Same as House, except that it appears in the Sugar Subtitle of Title I and amends Section 156 of the Federal Agricultural Improvement Act of 1996 (Sugar Program) instead of the Energy title	
T9-47	Biomass Inventory Report.	No comparable provision	<b>§9014. Biomass Inventory Report.</b> Requires the Secretary to conduct an inventory of biomass resources on a county by county basis and report to Congress within 1 year of enactment.	<b>§9024. Report on the Growth Potential for Cellulosic Material.</b> Requires the Secretary to conduct an assessment of the growth potential for cellulosic material on a	

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				state-by-state basis, and to report to Congress within 18 months.	
T9-48	<b>Future Farmsteads Program.</b>	No comparable provision	<b>§9015. Future Farmsteads Program.</b> Establishes a program to advance farm energy use efficiencies and on farm production of renewable energies.	<b>§9025. Future Farmsteads Program.</b> Same as House provision.	
T9-49	<b>Sense Of Congress On Renewable Energy.</b>	No comparable provision	<b>§9016. Sense Of Congress On Renewable Energy.</b> Provides a sense of Congress on renewable energy.	No comparable provision.	
T9-50	<b>Biodiesel Fuel Education Program.</b>	§9004 of the 2002 farm bill provides authority for the Secretary of Agriculture to make competitive grants to eligible entities to educate governmental and private entities that operate vehicle fleets, other interested entities, and the public about the benefits of biodiesel fuel use. Provides mandatory funding of \$1 million annually for FY 2003-07.	<b>§9017. Biodiesel Fuel Education Program.</b> Doubles funding to \$2 million annually for FY 2008-12.	<b>§9003. Biodiesel Fuel Education Program.</b> Same as House provision except adds oil refiners, automotive companies and owners and operators of watercraft fleets to the list of entities targeted for education about biodiesel.	
T9-51	<b>Biomass Energy Reserve--</b>		<b>§9018. Biomass Energy Reserve.</b>  Establishes a biomass energy reserve (BER) and provides financial and technical assistance to landowners and operators to produce energy crops and harvest, store, and transport cellulosic material. BER project areas must be within a 50 mile radius of an existing bioenergy facility.  BER eligible crop land must have been tilled in the current or immediately preceding crop year, and does <u>not</u> include Federal land, certain forest land, or land enrolled in specified conservation programs (unless biomass harvest occurs in accordance with a conservation plan outside of nesting and rearing season, and payments under the conservation program are reduced—subsection (h)). (Forest land is covered in subsection (e), which provides \$5 million for grants to help owners develop plans for sustainable management of biomass from forest land.)	<b>§9004. Biomass Crop Transition Assistance Program.</b>  Establishes a Biomass Crop Transition Assistance Program (BCTAP) to provide transitional assistance (including grants) for the establishment and production of eligible crops to be used in the production of advanced biofuels. The program includes assistance for the harvesting, transportation and storage of renewable biomass.  Producers are not eligible to receive assistance for the establishment and production of crops eligible to receive benefits under title I and that are invasive or noxious. Eligible land is defined as private agriculture or forest land planted or considered to be planted for at least 4 of the 6 years preceding enactment.  §9004(b)(3)(C) Contract requirements include adherence to conservation compliance and implementation of a conservation plan approved by the local soil conservation district. The conservation plans should advance the goals and objectives of fish and wildlife conservation plans and initiatives and comply with mandatory environmental requirements for a producer under Federal, State and local law.	

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			<p>Groups of owners and operators, energy and agricultural companies, and Agricultural Innovation Centers (AICs) are all “Eligible Applicants” that may submit proposals for BER project areas. AICs have dual role in the program, and may also serve as “Qualified Organizations”, which assist other Eligible Applicants in developing proposals for approval by USDA.</p> <p>Under the program, the Secretary will select 10 Qualified Organizations across the country. Qualified Organizations, which may also be colleges and universities, help Eligible Applicants structure projects that will advance the goal of sustainable production of dedicated energy crops. Specifically, a Qualified Organization will help Eligible Applicants to identify suitable land and crop mixtures and get a commitment from a bioenergy facility. Program crops and invasive or noxious species are ineligible. Qualified Organizations will then rate the various project area applications according to a ranking system established by the Secretary, based on criteria set out in subsection (d)(5). The Secretary will select at least one project area in each of the 10 Qualified Organizations, which will be regionally dispersed.</p> <p>The Secretary will enter into 5-year contracts with owners and operators (Eligible Participants) in the BER project area. Such contracts must comply with certain conservation requirements and provide for information sharing. The Secretary will make Establishment Payments to Eligible Participants to cover seeds, stock, and the cost of planting, and annual Rental Payments in an amount to be determined by the Secretary.</p>	<p>§9004(a)(3) &amp; (b)(3)(B) Eligible participants include individual agricultural producers, forest land owners or other individuals holding the right to collect or harvest the crop. Farmer-owned cooperatives, agricultural trade associations (or similar entities on behalf of producer members) may serve as aggregators and enter into contracts as eligible participants.</p> <p>§9004(b)(7) The Secretary is directed to provide planning grants of up to \$50,000 (with a required 100% match) to assist in assessing the viability for, or assembling of, a regional supply.</p> <p>§9004(b)(4) The Secretary will enter into three year contracts for perennial crops, the first year covering the cost of establishing the crop/s and each subsequent year the Secretary will make an incentive payment determined by the Secretary to encourage the participant to produce renewable biomass. All participants in this Section are required to keep records determined by the Secretary to allow for best practices to be studied and shared.</p> <p>§9004(a)(3) Assistance is restricted to the</p>	

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			<p>The Secretary may also provide Matching Payments of not more than \$45 per ton for collecting, harvesting, storing, and transporting biomass. (Matching Payments are at a rate of \$1 for every \$1 per ton paid by the bioenergy facility for the biomass. The Secretary must reduce Rental Payments if making a Matching Payment to an Eligible Participant.)</p> <p>Forest land owners are eligible for this Matching Payment if acting under a forest stewardship plan.</p>	<p>production, collection and harvesting of crops for use in the production of advanced biofuels, other biobased products, heat or power from a biomass conversion facility. Participants must have a letter of intent or proof of financial commitment from a biomass conversion facility and the production operation must be located in proximity of a biomass conversion facility to make delivery to the location economically practicable. Eligibility is also conditioned on the impact on wildlife, air, soil and water quality and availability and the local and regional economic impacts/benefits.</p> <p>§9004(c) allows the Secretary to provide technical assistance and establishment cost-sharing for eligible participants planting annual biomass crops. The crop shall not be eligible for benefits under Title I and assistance is conditioned on adherence to conservation compliance requirements.</p> <p>§9004(d) creates a program that provides fixed-rate payments to eligible participants for the estimated cost of collection, harvest, storage and transport of renewable biomass.</p> <p>§9004(e) provides for forest biomass planning grants to help forest landowners sustainably harvest woody biomass for heat, energy or biobased products in a facility.</p>	

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				Funding for this section includes \$130M in mandatory funding for FY 2008, to remain available until expended, for transition assistance for biomass crops, with no more than \$5M dedicated to biomass planning grants and no more than 5% expended for forest biomass planning grants. Subsection (d) is funded at \$10M per year in mandatory money for each of FYs 2008 and 2009 to remain available until expended.	
T9-52	<b>Forest Biomass For Energy.</b>	No comparable provision	<b>§9019 (sic). Forest Biomass for Energy.</b> Requires the Secretary of Agriculture, through the Forest Service, to conduct a competitive research and development program to encourage use of forest biomass for energy. <i>Note that there are 2 sections numbered 9019 in the House bill.</i>	<b>§9013. Forest Biomass for Energy.</b> Same as House provision.	
T9-53	<b>Community Wood Energy Program.</b>	No comparable provision	<b>§9019 (sic). Community Wood Energy Program.</b> Provides grants for community wood energy systems. <i>Note that there are 2 sections numbered 9019 in the House bill.</i>	<b>§9014. Community Wood Energy Program.</b> Similar to House provision.	
T9-54	<b>Supplementing Corn As An Ethanol Feedstock.</b>	No comparable provision	<b>§9020. Supplementing Corn As An Ethanol Feedstock.</b> Requires the Secretary of Agriculture to establish a program to make grants of not to exceed \$1,000,000 each to no more than 20 universities for a 3-year program of demonstration of supplementing corn as an ethanol feedstock with sweet sorghum and switchgrass.	No comparable provision.	
T9-55	<b>New Century Farm Project</b>	No comparable provision	No comparable provision.	<b>§9011. New Century Farm Project.</b> Authorizes support for the development and operation of an integrated and sustainable biomass, feedstock, and biofuels production system to serve as a model for a new century farm. Authorizes \$15,000,000 for years FY2008 through FY2012, to remain available until expended.	
T9-56	<b>Biochar Research, Development and Demonstration</b>	No comparable provision	No comparable provision.	<b>§9012. Biochar Research, Development and Demonstration.</b> Establishes a program of competitive grants for research and demonstration of the production and use of biochar in the agricultural sector. Activity areas include biochar production and use, agronomic effects, biochar characterization, soil carbon and greenhouse gas emission effects, integration with renewable energy systems, and	

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				economics. Authorizes \$3 million for each of FY2008-12.	
T9-57	<b>Voluntary Renewable Biomass Certification</b>	No comparable provision	No comparable provision.	<b>§9016. Voluntary Renewable Biomass Certification.</b> Establishes a voluntary certification program for renewable biomass that is grown using sustainable practices, in consultation with EPA. Standards are to be designed to reduce greenhouse gases and improve soil carbon, protect wildlife habitat, and protect air, soil, and water quality.	
T9-58	<b>Biofuels Infrastructure Study</b>	No comparable provision	No comparable provision.	<b>§9018. Biofuels Infrastructure Study.</b> Directs USDA, in collaboration with the Secretaries of Energy and Transportation and the Administrator of the EPA, to conduct a study of the infrastructure needs associated with a significant expansion in biofuel production and use. Specifically includes dedicated ethanol pipeline feasibility studies and examination of water resource needs. Requires a report to Congress including recommendations. Authorizes \$1 million in each of FY2008 and FY2009.	
T9-59	<b>Nitrogen Fertilizer Study</b>	No comparable provision	No comparable provision.	<b>§9019. Nitrogen Fertilizer Study.</b> Directs USDA to assess the feasibility of producing nitrogen fertilizer from renewable energy, including formulation of recommendations for an R&D program. Authorizes \$1 million for FY2008.	
T9-60	<b>Study of Life-cycle Analysis of Biofuels</b>	No comparable provision	No comparable provision.	<b>§9020. Study of Life-cycle Analysis of Biofuels.</b> Directs USDA in consultation with the Secretary of Energy and the Administrator of the EPA to conduct a study of methods for evaluating the life-cycle greenhouse gas emissions of conventional fuels and biofuels, and to provide recommendations for a streamlined, simplified method for evaluating the lifecycle greenhouse gas emissions of fuels.	
T9-61	<b>E-85 Fuel Program</b>	No comparable provision	No comparable provision.	<b>§9021. E-85 Fuel Program</b> Authorizes \$20M for the period FY 2008 through FY 2012 for the USDA to award grants to locally-owned ethanol production facilities to install blending and retail fueling infrastructure.	
T9-62	<b>Research and Development of Renewable Energy</b>	No comparable provision	No comparable provision.	<b>§9022. Research and Development of Renewable Energy</b> directs the Secretary to carry out a program of	

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				biomass and other renewable energy research in coordination with the Colorado Renewable Energy Collaboratory and authorizes funding to USDA and DOE for this purpose.	
T9-63	<b>Northeast Dairy Nutrient Management and Energy Development Program</b>	No comparable provision	No comparable provision	<b>§9023. Northeast Dairy Nutrient Management and Energy Development Program.</b>	<b>Moved to Research SBS</b>
T9-64	<b>Sense of the Senate concerning higher levels of ethanol blended gasoline</b>	No comparable provision	No comparable provision.	<b>§9002. Sense of the Senate concerning higher levels of ethanol blended gasoline.</b> Sense of the Senate encouraging the federal government to investigate and authorize the use of higher blends of ethanol in gasoline.	
T9-65	<b>Conforming Amendments</b>	No comparable provision	No comparable provision.	<b>§9003. Conforming Amendments.</b>	
T9-66	<b>Sense of Senate concerning regional bioenergy consortia</b>	No comparable provision	No comparable provision.	<b>§9004. Sense of Senate concerning regional bioenergy consortia.</b> Directs the Secretary to continue to allow and support regional consortia of public institutions to support the bioeconomy.	