

U.S. House of Representatives  
Committee on Agriculture

*Wojcik*

Amendment submitted in advance (numbered in order received)

Amendment #: 078

Submitted by Rep. Smith – Title VII – Ethanol By-Products

## **Amendment by Mr. Smith of Nebraska**

### **Research and Development for Ethanol By-Products**

This amendment would include ethanol by-product utilization as a research and development objective of the agricultural bioenergy and biobased products research initiative.

**EN BLOC AMENDMENT TO H.R. 2419  
OFFERED BY MR. SMITH OF NEBRASKA**

**Research Title**

Page 73, line 2, strike “and”.

Page 73, line 3, add “and” after the semicolon.

Page 73, after line 3, insert the following:

- 1 (x) ethanol by-product utilization;

U.S. House of Representatives  
Committee on Agriculture

*vv agreed*

Amendment submitted in advance (numbered in order received)

Amendment #: 064

Submitted by Rep. Conaway Title ~~XII~~ – Foreign Agriculture Service Grant Overhead  
Limitation

## **An Amendment (#\_\_ ) offered by Mr. Conaway of Texas**

### **Summary:**

An amendment to the Research Title dealing with the Foreign Agriculture Service Grant overhead limitation in the Research title to raise the indirect cost cap from 10% to 19%

**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. CONAWAY OF TEXAS**

**Research title**

At the end of the title, add the following:

**1 SEC. 7607. COST RECOVERY.**

2       Section 1473A of the National Agricultural Research,  
3 Extension, and Teaching Policy Act of 1977 (7 U.S.C.  
4 3319a) is amended by striking “not exceeding 10 percent  
5 of the direct cost” and inserting “not exceeding 19 percent  
6 of the direct cost”.

U.S. House of Representatives  
Committee on Agriculture

*Waived*

Amendment submitted in advance (numbered in order received)

Amendment #: 012

Submitted by Rep. Kagen- Title VII – Sense of Congress on Organic Research

### **Kagen Amendment Summary – Sense of Congress on Organic Research**

The amendment would express the sense of Congress that the Secretary of Agriculture should use a share of the Agricultural Research Service's total annual funding for research specific to organic food and agricultural systems.



**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. KAGEN OF WISCONSIN**  
**[Chairman's Mark - Research Title]**

At the end of the title, insert the following new section:

1 **SEC. 7607. ORGANIC FOOD AND AGRICULTURAL SYSTEMS**  
2 **FUNDING.**

3 It is the sense of Congress that the Secretary of Agri-  
4 culture should use a share of Agricultural Research Serv-  
5 ice's total annual funding for research specific to organic  
6 food and agricultural systems that is at least commensu-  
7 rate with the organic sector's market, in order to facilitate  
8 the development of this growing sector. A portion of  
9 these funds should be used to disseminate research results  
10 through the National Agriculture Library's Alternative  
11 Farming Systems Information Center.

U.S. House of Representatives  
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Amendment submitted in advance (numbered in order received)

Amendment #: 042

Submitted by Rep. Herseth Sandlin – Title IX – Biomass Enzyme Research

Herseth Sandlin Amendment \_\_\_\_\_  
Amendment to the Energy Title

To direct research on the development of feedstock crops that are engineered to contain within the plant certain enzymes for breaking down its cellulosic material under the Biomass Research And Development Initiative. The current mark only requires research on “(i) pretreatment in combination with enzymatic or microbial hydrolysis; and (ii) thermochemical approaches, including gasification and pyrolysis.”

It also would assure that none of these lines of research will receive at less than 10 percent of the money distributed under the program.

**AMENDMENT TO H.R. 2419**  
**OFFERED BY MS. HERSETH SANDLIN OF SOUTH**  
**DAKOTA**

Page 26, line 18, strike “and”.

Page 26, line 20, strike “pyrolysis;” and insert “pyrolysis; and”.

Page 26, after line 20 insert the following new clause:

1                   “(iii) self-processing crops that ex-  
2                   press enzymes capable of degrading cel-  
3                   lulosic biomass;”.

Page 30, line 18, strike “(4)(B);” and insert  
“(4)(B), of which not less than 10 percent shall be used  
for activities referred to in each clause of paragraph  
(4)(B);”.

U.S. House of Representatives  
Committee on Agriculture

Amendment submitted in advance (numbered in order received)

*VC*  
*adopted*  
*w/5*

Amendment #: 066

Submitted by Rep. Conaway Title IX – Sense of Congress alternative fuels

## **An Amendment (#\_\_ ) offered by Mr. Conaway of Texas**

### **Summary:**

An amendment to the Energy Title that is a Sense of Congress stating accelerated development of alternative fuels and technology should be a priority of the Federal Government and that the market is an important instrument in determining which forms of renewable energy inputs and technology are the most effective and efficient

**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. CONAWAY OF TEXAS**

At the appropriate place in title IX, insert the following new section:

1 **SEC. \_\_\_\_ . SENSE OF CONGRESS ON RENEWABLE ENERGY.**

2 It is the sense of Congress that—

3 (1) energy demand in the United States is pro-  
4 jected to increase by more than 30 percent over the  
5 next two decades;

6 (2) increased production of renewable energy  
7 and growth of its infrastructure would assist the  
8 United States in meeting the growing energy de-  
9 mand;

10 (3) continued, and even accelerated, develop-  
11 ment of renewable energy inputs and technologies  
12 provide numerous benefits to the United States, in-  
13 cluding improved national security and economic  
14 growth;

15 (4) while it should be a priority of the Federal  
16 Government to continue to promote policies and in-  
17 centives to stimulate growth and development of re-  
18 newable energy infrastructure, it should be recog-  
19 nized that the marketplace is also an important in-

1       strument ██████████ to determine which renewable  
2       energy sources and technologies will provide the  
3       most efficient and effective energy production;

4           (5) renewable energy inputs and technology  
5       must be available in abundant quantities and provide  
6       energy at competitive prices in a reliable manner for  
7       the American consumer; and

8           (6) it is in the interest of the United States to  
9       diversify its energy portfolio and increase the energy  
10      independence of the United States by further devel-  
11      oping alternative forms of energy.



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W adopted

Amendment submitted in advance (numbered in order received)

Amendment #: 115

Submitted by Rep. Barrow - Title IX - Future Farmstead  
Program

**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. BARROW OF GEORGIA**

At the appropriate place in title IX, insert the following new section:

1 **SEC. \_\_\_\_ . FUTURE FARMSTEADS PROGRAM.**

2 (a) **ESTABLISHMENT.**—The Secretary of Agriculture  
3 shall establish a program to equip, in each of 5 regions  
4 of the country chosen to represent different farming prac-  
5 tices, a farm house and its surrounding fields, facilities,  
6 and forested areas with technologies to—

7 (1) improve farm energy production and energy  
8 use efficiencies;

9 (2) provide working examples to farmers; and

10 (3) serve as an education, demonstration, and  
11 research facility that will teach graduate students  
12 whose focus of research is related to either renew-  
13 able energy or energy conservation technologies.

14 (b) **GOALS.**—The goals of the program established  
15 under subsection (a) shall be to—

16 (1) advance farm energy use efficiencies and  
17 the on-farm production of renewable energies, along  
18 with advanced communication and control tech-  
19 nologies with the latest in energy capture and con-

1 version techniques, thereby enhancing rural energy  
2 independence and creating new revenues for rural  
3 economies;

4 (2) accelerate private sector and university re-  
5 search into the efficient on-farm production of re-  
6 newable fuels and help educate the farming industry,  
7 students, and the general public; and

8 (3) accelerate energy independence, including  
9 the production and the conservation of renewable en-  
10 ergies on farms.

11 (c) COLLABORATION PARTNERS.—The program  
12 under this section shall be carried out in partnership with  
13 regional land grant institutions, agricultural commodity  
14 commissions, biofuels companies, sensor and controls com-  
15 panies, and internet technology companies.

16 (d) AUTHORIZATION OF APPROPRIATIONS.—There  
17 are authorized to be appropriated such sums as may be  
18 necessary to carry out this section.

W  
Adopted

U.S. House of Representatives  
Committee on Agriculture

Amendment submitted in advance (numbered in order received)

Amendment #: 040

Submitted by Rep. Herseth Sandlin – Title IX – Include Agronomist on the Biomass  
Advisory Committee

Herseth Sandlin Amendment \_\_\_\_\_  
Amendment to the Energy Title

To direct the Secretary of Agriculture include on the Biomass Research and Development Technical Advisory Committee an individual with expertise in agronomy, crop science, or soil science.

**AMENDMENT TO H.R. 2419**  
**OFFERED BY Ms. HERSETH SANDLIN OF SOUTH**  
**DAKOTA**

(page and line numbers refer to the energy title of the  
Chairman's mark)

Page 21, line 23, strike "and".

page 21, after line 23 insert the following:

1                   “(xi) an individual with expertise in  
2                   agronomy, crop science, or soil science;  
3                   and”.

Page 21, line 24, redesignate clause (xi) as clause  
(xii).

U.S. House of Representatives  
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*Updated*  
*✓ adopted*

Amendment submitted in advance (numbered in order received)

Amendment #: 011

Submitted by Rep. Kagen- Title X - (Farmer's Market Promotion Program)

**Summary of the Amendment Offered By Representative Kagen  
Regarding the Farmers' Market Promotion Program**

This amendment would specify statutorily the categories of farmer-to-consumer direct marketing activities eligible for funding under the program; including the implementation and staffing of electronic benefit transfer (EBT) systems in farmers markets and other enterprises.



**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. KAGEN OF WISCONSIN**

Strike section 10404 and insert the following new  
section:

1 **SEC. 10404. FARMERS' MARKET PROMOTION PROGRAM.**

2 (a) FINDINGS.—Congress finds that—

3 (1) agricultural direct farmer-to-consumer mar-  
4 keting activities, including farmers' markets, road-  
5 side stands, community supported agriculture, inter-  
6 net, mail-order, and other similar direct order mar-  
7 keting activities, significantly enhance the ability of  
8 agricultural producers to retain a greater share of  
9 their products' retail value;

10 (2) direct farmer-to-consumer marketing activi-  
11 ties are a crucial component of the current and fu-  
12 ture viability of small and mid-sized farms and  
13 ranches and beginning and socially disadvantaged  
14 farmers and ranchers; and

15 (3) agricultural direct marketing activities con-  
16 tribute to the health and well-being of consumers in  
17 rural, urban, and tribal communities by providing  
18 access to healthy, fresh, and affordable food.

1 (b) PROGRAM.—Section 6 of the Farmer-to-Con-  
2 sumer Direct Marketing Act of 1976 (7 U.S.C. 3005) is  
3 amended—

4 (1) in subsection (a)—

5 (A) by striking “Farmers’ Market Pro-  
6 motion Program” and inserting “Farmer’s Mar-  
7 keting Assistance Program”; and

8 (B) by striking “promote farmers’ mar-  
9 kets” and inserting “direct producer to con-  
10 sumer marketing”;

11 (2) in subsection (b)(1)—

12 (A) in subparagraph (A), by striking “, do-  
13 mestic farmers’ markets, roadside stands, com-  
14 munity-supported agriculture programs, and  
15 other”; and

16 (B) in subparagraph (B), by striking  
17 “farmers’ markets, roadside stands, commu-  
18 nity-supported agriculture programs, and other  
19 direct producer-to-consumer infrastructure”  
20 and inserting “direct producer-to-consumer  
21 marketing and infrastructure opportunities”;

22 (3) in subsection (c)—

23 (A) by redesignating paragraphs (1)  
24 through (7) as paragraphs (2) through (8), re-  
25 spectively;

1 (B) by inserting before paragraph (2) the  
2 following new paragraph:

3 “(1) two or more farmers or farm vendors who  
4 sell products through a common channel of distribu-  
5 tion;”; and

6 (C) in paragraph (2) (as so redesignated)  
7 by striking “an agricultural cooperative” and  
8 inserting “an agricultural cooperative or pro-  
9 ducer network or association”;

10 (4) by striking subsection (e) and inserting the  
11 following new subsections:

12 “(e) ELIGIBLE ACTIVITIES.—A recipient of a grant  
13 under this section may use the funds for the following ac-  
14 tivities:

15 “(1) Farmers markets.

16 “(2) Roadside stands.

17 “(3) Community supported agriculture oper-  
18 ations, through which a farmer agrees to deliver a  
19 certain quantity of agricultural products to con-  
20 sumers at a set price.

21 “(4) The purchase of equipment or other activi-  
22 ties supporting the use of electronic benefit transfer  
23 systems at farmers markets.

24 “(5) Agritourism activities facilitating the di-  
25 rect sale of agricultural products, including oper-

1       ations where the consumer picks their own agricul-  
2       tural products.

3               “(6) Other activities as determined appropriate  
4       by the Secretary.

5       “(f) FUNDING.—

6               “(1) IN GENERAL.—Of the funds of the Com-  
7       modity Credit Corporation, the Secretary of Agri-  
8       culture use to carry out this section—

9                       “(A) \$5,000,000 in each of fiscals year  
10                      2008, 2009, and 2010; and

11                     “(B) \$10,000,000 in each of fiscal years  
12                      2011 and 2012.

13               “(2) USE OF FUNDS.—Not less than 10 percent  
14       of the funds used to carry out this section in a fiscal  
15       year under paragraph (1) shall be used to support  
16       the use of electronic benefits transfers at farmers’  
17       markets.”.

U.S. House of Representatives  
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Amendment submitted in advance (numbered in order received)

*w adopted*

Amendment #: 104

Submitted by Rep. Cardoza - Title X - Add horticulture  
term to SCCA

**Amendment by Rep. Cardoza**  
**Refining the Definition of “Specialty Crops”**

This amendment would add the term “horticulture” to the definition of specialty crops under the Specialty Crop Competitiveness Act.

**AMENDMENT TO H.R. 2419**

**OFFERED BY MR. CARDOZA OF CALIFORNIA**

(Page and line numbers refer to the horticulture title of the  
chairman's mark)

Page 5, after line 3, insert the following new sub-  
section:

1       (d) DEFINITION OF SPECIALTY CROP.—Section 3(1)  
2 of the Specialty Crops Competitiveness Act of 2004 (Pub-  
3 lic Law 108–465; 7 U.S.C. 1621 note) is amended by in-  
4 serting “horticulture and” before “nursery”.

U.S. House of Representatives  
Committee on Agriculture

Amendment submitted in advance (numbered in order received)

W adopted  
Updated

Amendment #: 059

Submitted by Rep. Mr. Pomeroy – Title I – 508(h) Process



## Pomeroy Amendment - 508(h) Process

This amendment is a revised version of the amendment offered for subcommittee consideration. The amendment improves the Federal crop insurance 508(h) process under which private groups – farm organizations, insurance companies, and others – can present new insurance concepts to the Federal Crop Insurance Corporation (FCIC) Board for incorporation into the FCIC, eligible for subsidy and reinsurance. A recent review by the Congressional Research Service showed that this program is chronically underused, that out of some \$80 million made available for reimbursements under 508(h) during the first 6 years of the program, only \$8,977,260 was spent for that purpose. For the FCIC Board, the current process has raised management concerns since it gives the Board little authority to control its agenda in best use scarce resources.

The amendment (a) makes the process more user-friendly to outside producer groups while (b) giving the FCIC Board greater authority to control its agenda. It creates a new process allowing FCIC to begin sharing the financial risk of developing a new product – often a cost of \$250,000 to \$1 million or more – with the producer group from an early point, rather than the current system's all-or nothing reimbursement mechanism at the end. The amendment also empowers the FCIC Board to determine which proposals to include under the new arrangement. The amendment makes no alteration to funding levels for the process.

With these improvements, the 508(h) system can become a key vehicle for producer organizations to take the initiative for resolving many chronic issues facing the Federal crop insurance program.

updated  
#59  
Title 1  
Pomeroy

**AMENDMENT TO H.R. 2419**  
**OFFERED BY MR. POMEROY OF NORTH DAKOTA**

Add at the appropriate place in the crop insurance subtitle the following new section:

1 **SEC. \_\_\_\_.** REIMBURSEMENT OF RESEARCH AND DEVELOP-  
2 **MENT COSTS RELATED TO NEW CROP INSUR-**  
3 **ANCE PRODUCTS.**

4 (a) REIMBURSEMENT AUTHORIZED.—Paragraph (1)  
5 of section 522(b) of the Federal Crop Insurance Act (7  
6 U.S.C. 1522(b)) is amended to read as follows:

7 “(1) RESEARCH AND DEVELOPMENT REIM-  
8 BURSEMENT.—The Corporation shall provide a pay-  
9 ment to reimburse an applicant for research and de-  
10 velopment costs directly related to a policy that—

11 “(A) is submitted to the Board pursuant  
12 to an FCIC Reimbursement Grant under para-  
13 graph (7); or

14 “(B) is submitted to the Board and ap-  
15 proved by the Board under section 508(h) for  
16 reinsurance and, if applicable, offered for sale  
17 to producers.”.

18 (b) FCIC REIMBURSEMENT GRANTS.—Section  
19 522(b) of the Federal Crop Insurance Act (7 U.S.C.

1 1522(b)) is amended by adding at the end the following  
2 new paragraph:

3 “(7) FCIC REIMBURSEMENT GRANTS.—

4 “(A) GRANTS AUTHORIZED.—The Cor-  
5 poration shall provide FCIC Reimbursement  
6 Grants to persons proposing to prepare for sub-  
7 mission to the Board crop insurance policies  
8 and provisions under subparagraphs (A) and  
9 (B) of section 508(h)(1), who apply and are ap-  
10 proved for such FCIC Reimbursement Grants  
11 under the terms and conditions of this para-  
12 graph.

13 “(B) SUBMISSION OF APPLICATION.—The  
14 Board shall receive and consider applications  
15 for FCIC Reimbursement Grants at least once  
16 annually. An application to receive an FCIC  
17 Reimbursement Grant from the Corporation  
18 shall consist of such materials as the Board  
19 may require, including—

20 “(i) a concept paper that describes the  
21 proposal in sufficient detail for the Board  
22 to determine whether it satisfies the re-  
23 quirements of subparagraph (C);

24 “(ii) a summary of —

1                   “(I) the need for the product, in-  
2                   cluding an assessment of market-  
3                   ability and expected demand among  
4                   affected producers;

5                   “(II) support from producers,  
6                   producer organizations, lenders, or  
7                   other interested parties;

8                   “(III) the impact the product  
9                   would have on producers and on the  
10                  crop insurance delivery system; and

11                  “(IV) that no products are of-  
12                  fered by the private sector providing  
13                  the same benefits and risk manage-  
14                  ment services as the proposal.

15                  “(iii) a summary of data sources  
16                  available demonstrating that the product  
17                  can reasonably be developed and properly  
18                  rated; and

19                  “(iv) identification of the risks the  
20                  proposed product will cover and that the  
21                  risks are insurable under the Act

22                  “(C) APPROVAL CONDITIONS.—Approval of  
23                  an application for a FCIC Reimbursement  
24                  Grant shall be by majority vote of the Board.

1           The Board shall approve the application only if  
2           the Board finds that—

3                   “(i) the proposal contained in the ap-  
4                   plication—

5                           “(I) provides coverage to a crop  
6                           or region not traditionally served by  
7                           the Federal crop insurance program;

8                           “(II) provides crop insurance  
9                           coverage in a significantly improved  
10                          form;

11                          “(III) addresses a recognized  
12                          flaw or problem in the program;

13                          “(IV) introduces a significant  
14                          new concept or innovation to the pro-  
15                          gram; or

16                          “(V) provides coverage, benefits,  
17                          or risk management services not avail-  
18                          able from the private sector;

19                          “(ii) the applicant demonstrates the  
20                          necessary qualifications to complete the  
21                          project successfully in a timely manner  
22                          with high quality;

23                          “(iii) the proposal is in the interests  
24                          of producers and can reasonably be ex-  
25                          pected to be actuarially appropriate;

1                   “(iv) the Board determines that the  
2                   Corporation has sufficient available fund-  
3                   ing to award the FCIC Reimbursement  
4                   Grant; and

5                   “(v) the proposed budget and time-  
6                   table are reasonable.

7                   “(D) PARTICIPATION.—In reviewing pro-  
8                   posals under this paragraph, the Board may  
9                   use the services of persons it deems appropriate  
10                  for expert review. All proposals submitted under  
11                  this paragraph will be treated as confidential in  
12                  accordance with section 508(h)(4).

13                  “(E) ENTERING INTO AGREEMENT.—Upon  
14                  approval of the application, the Board shall  
15                  enter into an agreement with the person for the  
16                  development of a formal submission meeting the  
17                  requirements for a complete submission estab-  
18                  lished by the Board under section 508(h).

19                  “(F) FEASIBILITY STUDIES.—In appro-  
20                  priate cases, the Corporation may structure the  
21                  FCIC Reimbursement Grant to require, as an  
22                  initial step within the overall process, the sub-  
23                  mitter to complete a feasibility study and report  
24                  the results of such study to the Corporation  
25                  prior to proceeding with further development.

1           The Corporation may require such other reports  
2           as necessary to monitor the development ef-  
3           forts.

4           “(G) RATES.—Payment for work per-  
5           formed under this paragraph shall be based on  
6           rates determined by the Corporation for prod-  
7           ucts submitted under section 508(h) of the Act  
8           or for those contracted by the Corporation  
9           under section 522(c) of the Act.

10          “(H) TERMINATION.—The Corporation or  
11          the submitter may terminate any FCIC Reim-  
12          bursement Grant to reimburse expenses at any  
13          time for just cause. If the Corporation or the  
14          submitter terminates the FCIC Reimbursement  
15          Grant before final approval of the product cov-  
16          ered thereby, the submitter shall be entitled to  
17          reimbursement of all costs incurred to that  
18          point, or, in the case of a fixed rate agreement,  
19          to payment of an appropriate percentage. If the  
20          submitter terminates development without just  
21          cause, the Corporation may deny reimburse-  
22          ment.

23          “(I) CONSIDERATION OF PRODUCTS.—The  
24          Board shall consider any product submitted to  
25          it developed under this paragraph under the

1 rules it has established for products submitted  
2 under section 508(h) of this Act.”.