

118TH CONGRESS
1ST SESSION

S. 1962

To provide increased funding and opportunities to achieve national, long-term production goals for sustainable aviation fuel, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 13, 2023

Mr. WARNOCK (for himself, Ms. DUCKWORTH, Mr. OSSOFF, and Mr. BROWN) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To provide increased funding and opportunities to achieve national, long-term production goals for sustainable aviation fuel, and for other purposes.

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 “Advancing Aviation
5 Emissions Reduction Opportunities Act” or the “AAERO
6 Act”.

1 **SEC. 2. ALTERNATIVE FUEL AND LOW-EMISSION AVIATION**
2 **TECHNOLOGY PROGRAM.**

3 (a) IN GENERAL.—Section 40007 of Public Law
4 117–169 (49 U.S.C. 44504 note) is amended—

5 (1) in subsection (b)—

6 (A) by redesignating paragraphs (2)
7 through (5) as paragraphs (4) through (7), re-
8 spectively;

9 (B) by redesignating paragraph (1) as
10 paragraph (2);

11 (C) by inserting before paragraph (2) (as
12 redesignated by subparagraph (B)), the fol-
13 lowing:

14 “(1) the importance of using grants to assist
15 with capital expenditures for facilities deploying
16 technologies that are scalable and can help meet na-
17 tional long-term sustainable aviation fuel production
18 goals established under the Sustainable Aviation
19 Fuel Grand Challenge Memorandum;”;

20 (D) by inserting after paragraph (2) (as
21 redesignated by subparagraph (B)), the fol-
22 lowing:

23 “(3) the capacity of the project to scale to help
24 meet national long-term sustainable aviation fuel
25 production goals established under the Sustainable
26 Aviation Fuel Grand Challenge Memorandum;”;

1 (2) in subsection (c)—

2 (A) by striking “shall be 75 percent” and
3 inserting “shall not exceed 75 percent”;

4 (B) by striking “shall increase to 90 per-
5 cent” and inserting “may be increased to 90
6 percent”; and

7 (C) by inserting “, and requests an in-
8 crease in the Federal share” before the period;

9 (3) by striking subsection (d) and inserting the
10 following:

11 “(d) LIFECYCLE GREENHOUSE GAS EMISSIONS RE-
12 DUCION PERCENTAGE.—For purposes of subsection
13 (e)(6)(C), the term “‘lifecycle greenhouse gas emissions
14 reduction percentage’” means, with respect to any sus-
15 tainable aviation fuel, the percentage reduction in lifecycle
16 greenhouse gas emissions achieved by such fuel as com-
17 pared with petroleum-based jet fuel, as defined in accord-
18 ance with any one or more of the following:

19 “(1) The most recent Carbon Offsetting and
20 Reduction Scheme for International Aviation which
21 has been adopted by the International Civil Aviation
22 Organization with the agreement of the United
23 States.

24 “(2) The most recent version of the Argonne
25 National Laboratory Greenhouse gases, Regulated

1 Emissions, and Energy use in Technologies
2 (GREET) model, as determined by the Secretary of
3 Energy.

4 “(3) Any similar methodology which satisfies
5 the criteria under section 211(o)(1)(H) of the Clean
6 Air Act (42 U.S.C. 7545(o)(1)(H)), as in effect on
7 the date of enactment of this section, including the
8 methodology established by the Environmental Pro-
9 tection Agency under subpart M of part 80 of title
10 40, Code of Federal Regulations.”;

11 (4) in subsection (e)—

12 (A) by striking paragraphs (3) and (4),
13 and inserting the following;

14 “(3) LIFECYCLE GREENHOUSE GAS EMIS-
15 SIONS.—Subject to subsection (d), the term ‘lifecycle
16 greenhouse gas emissions’ means the aggregate
17 quantity of greenhouse gas emissions (including di-
18 rect emissions and significant indirect emissions
19 such as significant emissions from land use changes)
20 related to the full fuel lifecycle, including all stages
21 of fuel and feedstock production and distribution,
22 from feedstock generation or extraction through the
23 distribution and delivery and use of the finished fuel
24 to the ultimate consumer, where the mass values for

1 all greenhouse gases are adjusted to account for
2 their relative global warming potential.”;

3 (B) by redesignating paragraphs (5) and
4 (6) as paragraphs (4) and (5), respectively;

5 (C) in paragraph (4)(B) (as redesignated
6 by subparagraph (B)), by striking “increase
7 utilization” and inserting “develop, dem-
8 onstrate, apply, or produce sustainable aviation
9 fuel that is likely to result in the increased utili-
10 zation”; and

11 (D) by striking paragraph (7) and insert-
12 ing the following:

13 “(6) SUSTAINABLE AVIATION FUEL.—The term
14 “‘sustainable aviation fuel’” means liquid fuel, the
15 portion of which is not kerosene, which—

16 “(A) meets the requirements of—

17 “(i) ASTM International Standard
18 D7566; or

19 “(ii) the co-processing provisions of
20 ASTM International Standard D1655,
21 Annex A1 (or such successor standard);

22 “(B) is not derived from palm fatty acid
23 distillates or petroleum; and

1 “(C) in accordance with subsection (d),
2 achieves a lifecycle greenhouse gas emissions re-
3 duction percentage of at least 50 percent.

4 “(7) SUSTAINABLE AVIATION FUEL GRAND
5 CHALLENGE MEMORANDUM.—The term ‘Sustainable
6 Aviation Fuel Grand Challenge Memorandum’
7 means the Memorandum of Understanding among
8 the Department of Energy, the Department of
9 Transportation, and the Department of Agriculture
10 (relating to launching a government-wide Sustain-
11 able Aviation Fuel Grand Challenge (the Grand
12 Challenge) to reduce the cost, enhance the sustain-
13 ability, and expand the production and use of Sus-
14 tainable Aviation Fuel (SAF) that achieves a min-
15 imum of a 50 percent reduction in lifecycle green-
16 house gas (GHG) emissions compared to conven-
17 tional fuel to meet a goal of supplying sufficient
18 SAF to meet 100 percent of aviation fuel demand by
19 2050), signed on September 8, 2021.”; and

20 (5) by adding at the end the following:

21 “(f) ADDITIONAL FUNDING.—In addition to the
22 amounts appropriated under subsection (a), there is au-
23 thorized to be appropriated to the Secretary for fiscal year
24 2024, to remain available until expended—

1 “(1) \$489,258,000 for projects described in
2 subsection (a)(1);

3 “(2) \$209,682,000 for projects described in
4 subsection (a)(2); and

5 “(3) \$4,060,000 to carry out subsection
6 (a)(3).”.

7 (b) RETROACTIVE EFFECTIVE DATE.—The amend-
8 ments made by subsection (a) shall take effect as if in-
9 cluded in the enactment of section 40007 of Public Law
10 117–169.

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