

118TH CONGRESS
2D SESSION

S. 3637

To amend the Farm Security and Rural Investment Act of 2002 with respect to the definition of biofuels and sustainable aviation fuel, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 23, 2024

Mr. MORAN (for himself, Ms. KLOBUCHAR, Ms. ERNST, Mr. GRASSLEY, and Ms. DUCKWORTH) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To amend the Farm Security and Rural Investment Act of 2002 with respect to the definition of biofuels and 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 “Farm to Fly Act of
5 2024”.

6 **SEC. 2. PURPOSES AND FINDINGS.**

7 (a) PURPOSES.—The purposes of this Act are as fol-
8 lows:

1 (1) To enable access for sustainable aviation
2 fuels within Department of Agriculture bio-energy
3 programs to foster alternative biofuels in national
4 aviation, expanding the fuel supply, promoting clean
5 energy sources, and supporting United States agri-
6 culture.

7 (2) To recognize the critical role the United
8 States agricultural sector plays in the production of
9 sustainable aviation fuel and the importance of such
10 fuel to achieving the goals of the Sustainable Avia-
11 tion Fuel Grand Challenge.

12 (b) FINDINGS.—Congress finds the following:

13 (1) Sustainable aviation fuels have the capacity
14 to increase domestic energy security, support the ag-
15 ricultural sector, and foster the farm economy by ac-
16 celerating the availability of a commercially viable
17 and sustainable aviation biofuel industry in the
18 United States.

19 (2) Sustainable aviation fuels provide a critical
20 opportunity to support farmers of the United States
21 and the rest of the agricultural sector in the sector's
22 partnership with the aviation sector to support rural
23 economic development.

24 (3) Feedstocks have been identified for sustain-
25 able aviation fuels due to the collective abundance

1 and perceived sustainability attributes of such feed-
2 stocks.

3 (4) Sustainable aviation fuels will increase do-
4 mestic energy security and create new markets for
5 farmers of the United States while providing a new
6 energy resource for the aviation sector.

7 **SEC. 3. DEFINITIONS.**

8 Section 9001 of the Farm Security and Rural Invest-
9 ment Act of 2002 (7 U.S.C. 8101) is amended—

10 (1) in paragraph (3)(B)—

11 (A) in clause (iv), by inserting “and sus-
12 tainable aviation fuel” after “diesel-equivalent
13 fuel”;

14 (B) by redesignating clauses (v) through
15 (vii) as clauses (vi) through (viii), respectively;
16 and

17 (C) by inserting after clause (iv) the fol-
18 lowing:

19 “(v) biofuel, including sustainable
20 aviation fuel, produced from an inter-
21 mediate ingredient or feedstock;” and

22 (2) by adding at the end the following:

23 “(18) SUSTAINABLE AVIATION FUEL.—

1 “(A) IN GENERAL.—The term ‘sustainable
2 aviation fuel’ means liquid fuel, the portion of
3 which is not kerosene, which—

4 “(i) meets the requirements of—

5 “(I) ASTM International Stand-
6 ard D7566; or

7 “(II) the Fischer Tropsch provi-
8 sions of ASTM International Stand-
9 ard D1655, Annex A1;

10 “(ii) is not derived from coprocessing
11 an applicable material (or materials de-
12 rived from an applicable material) with a
13 feedstock which is not biomass;

14 “(iii) is not derived from palm fatty
15 acid distillates or petroleum; and

16 “(iv) has been certified in accordance
17 with subparagraph (B)(iii) as having a
18 lifecycle greenhouse gas emissions reduc-
19 tion percentage of at least 50 percent.

20 “(B) OTHER DEFINITIONS.—For purposes
21 of subparagraph (A):

22 “(i) APPLICABLE MATERIAL.—The
23 term ‘applicable material’ means—

24 “(I) monoglycerides, diglycerides,
25 and triglycerides;

1 “(II) free fatty acids; and

2 “(III) fatty acid esters.

3 “(ii) BIOMASS.—The term ‘biomass’
4 has the meaning given such term in section
5 45K(c)(3) of the Internal Revenue Code of
6 1986.

7 “(iii) LIFECYCLE GREENHOUSE GAS
8 EMISSIONS REDUCTION PERCENTAGE.—
9 The term ‘lifecycle greenhouse gas emis-
10 sions reduction percentage’ means, with re-
11 spect to any sustainable aviation fuel, the
12 percentage reduction in lifecycle green-
13 house gas emissions achieved by such fuel
14 as compared with petroleum-based jet fuel,
15 as defined in accordance with—

16 “(I) the most recent Carbon Off-
17 setting and Reduction Scheme for
18 International Aviation which has been
19 adopted by the International Civil
20 Aviation Organization with the agree-
21 ment of the United States; or

22 “(II) the most recent determina-
23 tions under the Greenhouse gases,
24 Regulated Emissions, and Energy use
25 in Technologies (GREET) model de-

1 veloped by Argonne National Labora-
2 tory.”.

3 **SEC. 4. FARM TO FLY COLLABORATION INITIATIVE.**

4 The Secretary of Agriculture shall take such actions
5 as are necessary to carry out a comprehensive and inte-
6 grated pursuit of all Department of Agriculture mission
7 areas for the advancement of sustainable aviation fuels
8 through—

9 (1) ensuring leadership working across Depart-
10 ment of Agriculture agencies to maximize effective-
11 ness;

12 (2) identification of opportunities to maximize
13 sustainable aviation fuels development and commer-
14 cialization;

15 (3) leveraging the capabilities of America’s
16 farmers, foresters, and the agricultural sector in
17 capturing the opportunities presented by the emerg-
18 ing sustainable aviation fuels market;

19 (4) supporting rural economic development
20 through improved sustainability for aviation; and

21 (5) advancing public-private partnerships
22 through collaboration complementing Federal Gov-
23 ernment efforts.

1 **SEC. 5. BIOREFINERY, RENEWABLE CHEMICAL, AND**
2 **BIOBASED PRODUCT MANUFACTURING AS-**
3 **SISTANCE.**

4 Section 9003 of the Farm Security and Rural Invest-
5 ment Act of 2002 (7 U.S.C. 8103) is amended—

6 (1) in subsection (a)—

7 (A) in paragraph (3), by striking “and” at
8 the end;

9 (B) in paragraph (4), by striking the pe-
10 riod at the end and inserting “; and”; and

11 (C) by adding at the end the following:

12 “(5) foster and advance sustainable aviation
13 fuels.”; and

14 (2) in subsection (b)(3)—

15 (A) in subparagraph (A)—

16 (i) by indenting the margins of
17 clauses (i) through (iii) appropriately;

18 (ii) by redesignating clauses (ii) and
19 (iii) as clauses (iii) and (iv), respectively;

20 and

21 (iii) by inserting after clause (i) the
22 following:

23 “(ii) sustainable aviation fuel;” and

24 (B) in subparagraph (B)—

25 (i) by indenting the margins of
26 clauses (i) through (iii) appropriately;

1 (ii) by redesignating clauses (ii) and
2 (iii) as clauses (iii) and (iv), respectively;
3 and

4 (iii) by inserting after clause (i) the
5 following:

6 “(ii) sustainable aviation fuel;”.

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