118TH CONGRESS
1ST SESSION

S. _____

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

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 _____

A BILL

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

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Advancing Aviation Emissions Reduction Opportunities Act'' or the ''AAERO Act''.

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

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

(1) in subsection (b)—

(A) by redesignating paragraphs (2) through (5) as paragraphs (4) through (7), respectively;

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

(C) by inserting before paragraph (2) (as redesignated by subparagraph (B)), the following:

''(1) the importance of using grants to assist with capital expenditures for facilities deploying technologies that are scalable and can help meet national long-term sustainable aviation fuel production goals established under the Sustainable Aviation Fuel Grand Challenge Memorandum;''; and

(D) by inserting after paragraph (2) (as redesignated by subparagraph (B)), the following:

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

(2) in subsection (c)—

(A) by striking ''shall be 75 percent'' and inserting ''shall not exceed 75 percent'';

(B) by striking ''shall increase to 90 percent'' and inserting ''may be increased to 90 percent''; and

(C) by inserting '', and requests an increase in the Federal share'' before the period;

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

''(d) LIFECYCLE GREENHOUSE GAS EMISSIONS REDUCTION PERCENTAGE.—For purposes of subsection (e)(6)(C), the term '''lifecycle greenhouse gas emissions reduction percentage'' means, with respect to any sustainable aviation fuel, the percentage reduction in lifecycle greenhouse gas emissions achieved by such fuel as compared with petroleum-based jet fuel, as defined in accordance with any one or more of the following:

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

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

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

''(3) Any similar methodology which satisfies the criteria under section 211(o)(1)(H) of the Clean Air Act (42 U.S.C. 7545(o)(1)(H)), as in effect on the date of enactment of this section, including the methodology established by the Environmental Protection Agency under subpart M of part 80 of title 40, Code of Federal Regulations.'';

(4) in subsection (e)—

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

''(3) LIFECYCLE GREENHOUSE GAS EMISSIONS.—Subject to subsection (d), the term 'lifecycle greenhouse gas emissions' means the aggregate quantity of greenhouse gas emissions (including direct emissions and significant indirect emissions such as significant emissions from land use changes) related to the full fuel lifecycle, including all stages of fuel and feedstock production and distribution, from feedstock generation or extraction through the distribution and delivery and use of the finished fuel to the ultimate consumer, where the mass values for

all greenhouse gases are adjusted to account for their relative global warming potential.'';

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

(C) in paragraph (4)(B) (as redesignated by subparagraph (B)), by striking ''increase utilization'' and inserting ''develop, demonstrate, apply, or produce sustainable aviation fuel that is likely to result in the increased utilization''; and

(D) by striking paragraph (7) and inserting the following:

''(6) SUSTAINABLE AVIATION FUEL.—The term ''sustainable aviation fuel'' means liquid fuel, the portion of which is not kerosene, which—

''(A) meets the requirements of—

''(i) ASTM International Standard D7566; or

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

''(B) is not derived from palm fatty acid distillates or petroleum; and

"(C) in accordance with subsection (d), achieves a lifecycle greenhouse gas emissions reduction percentage of at least 50 percent.

"(7) SUSTAINABLE AVIATION FUEL GRAND CHALLENGE MEMORANDUM.—The term 'Sustainable Aviation Fuel Grand Challenge Memorandum' means the Memorandum of Understanding among the Department of Energy, the Department of Transportation, and the Department of Agriculture (relating to launching a government-wide Sustainable Aviation Fuel Grand Challenge (the Grand Challenge) to reduce the cost, enhance the sustainability, and expand the production and use of Sustainable Aviation Fuel (SAF) that achieves a minimum of a 50 percent reduction in lifecycle greenhouse gas (GHG) emissions compared to conventional fuel to meet a goal of supplying sufficient SAF to meet 100 percent of aviation fuel demand by 2050), signed on September 8, 2021."; and

(5) by adding at the end the following:

"(f) ADDITIONAL FUNDING.—In addition to the amounts appropriated under subsection (a), there is authorized to be appropriated to the Secretary for fiscal year 2024, to remain available until expended—

"(1) $489,258,000 for projects described in subsection (a)(1);

"(2) $209,682,000 for projects described in subsection (a)(2); and

"(3) $4,060,000 to carry out subsection (a)(3).".

(b) RETROACTIVE EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect as if included in the enactment of section 40007 of Public Law 117–169.