

119TH CONGRESS
1ST SESSION

H. R. 1594

To support the sustainable aviation fuel market, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 26, 2025

Ms. BROWNLEY (for herself and Mr. SCHNEIDER) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Transportation and Infrastructure, Armed Services, Science, Space, and Technology, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To support the sustainable aviation fuel market, 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 “Sustainable Aviation
5 Fuel Act”.

6 **SEC. 2. NATIONAL GOAL.**

7 It is hereby declared that it is the national goal for
8 the United States to reach—

1 (1) a net 35-percent reduction in greenhouse
2 gas emissions for United States domestic and inter-
3 national aviation flights by 2035, as compared to
4 2005; and

5 (2) net zero greenhouse gas emissions for
6 United States domestic and international aviation
7 flights by 2050.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) **SUSTAINABLE AVIATION FUEL.**—The term
11 “sustainable aviation fuel” has the meaning given
12 such term in section 40B of the Internal Revenue
13 Code of 1986.

14 (2) **QUALIFIED FEEDSTOCK.**—The term “quali-
15 fied feedstock” means sources of hydrogen and car-
16 bon not originating from unrefined or refined petro-
17 chemicals.

18 (3) **LIFECYCLE GREENHOUSE GAS EMIS-**
19 **SIONS.**—The term “lifecycle greenhouse gas emis-
20 sions” means the combined greenhouse gas emis-
21 sions from feedstock production, collection of feed-
22 stock, transportation of feedstock to fuel production
23 facilities, conversion of feedstock to fuel, transpor-
24 tation and distribution of fuel, and fuel combustion
25 in an aircraft engine, as well as from induced land-

1 use change emissions, as calculated using appro-
2 priate modeling techniques approved by a regulating
3 authority.

4 (4) INDUCED LAND-USE CHANGE EMISSIONS.—
5 The term “induced land-use change emissions”
6 means the greenhouse gas emissions resulting from
7 the conversion of land to the production of feed-
8 stocks and from the conversion of other land due to
9 the displacement of crops or animals for which the
10 original land was previously used, as calculated
11 using appropriate modeling techniques approved by
12 a regulating authority.

13 (5) CONVENTIONAL JET FUEL.—The term
14 “conventional jet fuel” means liquid hydrocarbon
15 fuel used for aviation that is derived or refined from
16 petrochemicals.

17 **SEC. 4. ALTERNATIVE FUEL AND LOW-EMISSION AVIATION**
18 **TECHNOLOGY PROGRAM.**

19 Section 40007 of the Inflation Reduction Act (49
20 U.S.C. 44504 note) is amended by adding at the end the
21 following:

22 “(f) ADDITIONAL PROJECTS.—For purposes of con-
23 tinuing the competitive grant program established under
24 subsection (a) for eligible entities to carry out projects lo-
25 cated in the United States that produce, transport, blend,

1 or store sustainable aviation fuel, or develop, demonstrate,
 2 or apply low- emission aviation technologies, in addition
 3 to amounts otherwise available, there are authorized to be
 4 appropriated to the Secretary for each of fiscal years 2026
 5 through 2030, out of any money in the Treasury not oth-
 6 erwise appropriated, to remain available until September
 7 30, 2030, \$200,000,000 for the purposes described in sub-
 8 section (a).”.

9 **SEC. 5. LOW CARBON AVIATION FUEL STANDARD.**

10 (a) ESTABLISHMENT OF LOW CARBON AVIATION
 11 FUEL STANDARD.—Section 211 of the Clean Air Act (42
 12 U.S.C. 7545) is amended by adding at the end the fol-
 13 lowing:

14 “(w) LOW CARBON AVIATION FUEL STANDARD.—

15 “(1) DEFINITIONS.—In this subsection:

16 “(A) AVIATION FUEL.—The term ‘aviation
 17 fuel’ means fuel that is produced, sold, or dis-
 18 pensed in the United States, for civil or military
 19 purposes, for turbine-powered aviation.

20 “(B) CARBON INTENSITY.—The term ‘car-
 21 bon intensity’ means the quantity of lifecycle
 22 greenhouse gas emissions per unit of fuel en-
 23 ergy.

24 “(C) CREDIT EXCHANGE.—The term ‘cred-
 25 it exchange’ means a central marketplace with

1 established rules and regulations where buyers
2 and sellers meet to conduct trades.

3 “(D) FUEL STANDARD.—The term ‘fuel
4 standard’ means the low carbon fuel standard
5 established under paragraph (2).

6 “(2) ESTABLISHMENT.—Not later than 1 year
7 after the date of enactment of this subsection, the
8 Administrator shall promulgate regulations to estab-
9 lish a low carbon fuel standard for aviation fuels
10 that requires a reduction in carbon intensity for
11 aviation fuels each calendar year such that by 2050,
12 and thereafter, the average carbon intensity of all
13 aviation fuel used annually in the United States is
14 reduced by at least 50 percent, as compared to the
15 average carbon intensity of all aviation fuel used in
16 the United States in 2005.

17 “(3) TARGETS.—In promulgating regulations
18 under paragraph (2), the Administrator shall set a
19 target of a reduction of at least 20 percent in the
20 average carbon intensity of all aviation fuel used an-
21 nually in the United States by 2030, and of at least
22 50 percent by 2050, as compared to the average car-
23 bon intensity of all aviation fuel used in the United
24 States in 2005.

1 “(4) REQUIREMENTS.—In promulgating regula-
2 tions under paragraph (2), the Administrator
3 shall—

4 “(A) establish a benchmark for the average
5 carbon intensity of aviation fuels for each cal-
6 endar year, beginning with the first full cal-
7 endar year that begins 2 years after the date of
8 enactment of this subsection, suitable to achiev-
9 ing the targets specified in paragraph (3);

10 “(B) apply the fuel standard to persons
11 who produce or import aviation fuel;

12 “(C) establish procedures for calculating
13 the carbon intensity of an aviation fuel, ex-
14 pressed in grams of carbon dioxide equivalent
15 per megajoule, in accordance with—

16 “(i) the standards, recommended
17 practices, requirements and criteria, sup-
18 porting documents, implementation ele-
19 ments, and any other technical guidance
20 for sustainable aviation fuels that are
21 adopted by the International Civil Aviation
22 Organization with the agreement of the
23 United States; and

24 “(ii) any other more stringent ac-
25 counting practices determined by the Ad-

1 ministrator to be the best lifecycle green-
2 house gas emission accounting practices,
3 provided that such practices account for
4 the aggregate quantity of greenhouse gas
5 emissions (including direct emissions and
6 significant indirect emissions such as sig-
7 nificant emissions from land use changes),
8 as determined by the Administrator, re-
9 lated to the full fuel lifecycle, including all
10 stages of fuel and feedstock production and
11 distribution, from feedstock generation or
12 extraction through the distribution and de-
13 livery and use of the finished fuel to the
14 ultimate consumer, where the mass values
15 for all greenhouse gases are adjusted to ac-
16 count for their relative global warming po-
17 tential;

18 “(D) determine how long the calculation of
19 the carbon intensity of an aviation fuel (pursu-
20 ant to the procedures established under sub-
21 paragraph (C)), will remain in effect before
22 needing to be reevaluated;

23 “(E) allow a person described in subpara-
24 graph (B), who, for a calendar year, produces
25 or imports aviation fuel—

1 “(i) that has an average carbon inten-
2 sity that is less than the benchmark for av-
3 erage carbon intensity for that calendar
4 year to, except as provided in paragraph
5 (8), generate credits, to be used, or trans-
6 ferred to another person, to demonstrate
7 compliance with this subsection; and

8 “(ii) that has an average carbon in-
9 tensity that is greater than the benchmark
10 for average carbon intensity for that cal-
11 endar year to purchase credits to be used
12 to demonstrate compliance with this sub-
13 section;

14 “(F) determine the—

15 “(i) appropriate amount of credits
16 generated and used to demonstrate compli-
17 ance pursuant to subparagraph (E);

18 “(ii) appropriate conditions, if any,
19 on—

20 “(I) the duration of such credits;

21 and

22 “(II) the transfer of such credits
23 through a credit exchange; and

24 “(G) consult with all relevant stakeholders,
25 including aviation industry groups, renewable

1 fuel industry groups, researchers at institutions
2 of higher education, labor unions, consumer ad-
3 vocates, and any other stakeholders the Admin-
4 istrator determines to be appropriate.

5 “(5) CONSULTATION.—In carrying out this sub-
6 section, the Administrator shall consult with the Ad-
7 ministrator of the Federal Aviation Administration,
8 the Secretary of Energy, and the Secretary of Agri-
9 culture.

10 “(6) COORDINATION WITH STATES.—The Ad-
11 ministrator shall, after notice and opportunity for
12 public hearing, waive application of the fuel stand-
13 ard in any State that has adopted a standard for
14 aviation fuels that the Administrator determines is
15 at least as stringent as the fuel standard.

16 “(7) REVISION.—If Congress enacts a standard
17 or similar law that the Administrator, in consulta-
18 tion with the Administrator of the Federal Aviation
19 Administration, determines accomplishes the pur-
20 poses of the fuel standard for sectors of the economy
21 that include the aviation sector, the Administrator
22 may revoke the fuel standard in favor of the other
23 standard or law.

24 “(8) RELATIONSHIP TO RENEWABLE FUEL PRO-
25 GRAM.—No credit may be generated under this sub-

1 section with respect to renewable fuel for which a
2 credit is generated under subsection (o).

3 “(9) REPORT.—Not later than 180 days after
4 the date of enactment of this subsection, the Admin-
5 istrator shall submit to Congress and make publicly
6 available a report describing—

7 “(A) the status of the development of the
8 fuel standard; and

9 “(B) the considerations the Administrator
10 is using in developing the fuel standard.”.

11 (b) ENFORCEMENT.—Section 211(d) of the Clean Air
12 Act (42 U.S.C. 7545(d)) is amended—

13 (1) in paragraph (1)—

14 (A) by striking “or (o) of this section or
15 the regulations” and inserting “(o), or (w) of
16 this section or the regulations”;

17 (B) by striking “or (o) of this section or
18 who fails” and inserting “(o), or (w) of this sec-
19 tion or who fails”; and

20 (C) by striking “or (o) of this section
21 which establishes” and inserting “(o), or (w) of
22 this section which establishes”; and

23 (2) in paragraph (2), by striking “and (o) of
24 this section” each place it appears and inserting
25 “(o), and (w) of this section”.

1 **SEC. 6. PROCUREMENT OF SUSTAINABLE AVIATION FUEL**
2 **BY THE DEPARTMENT OF DEFENSE.**

3 (a) IN GENERAL.—Effective October 1, 2025, the
4 Secretary of Defense shall make a bulk purchase of an
5 amount of sustainable aviation fuel that is not less than
6 10 percent of the total amount of aviation fuel procured
7 for operational purposes (as defined in section 2922h of
8 title 10, United States Code) if—

9 (1) the cost of sustainable aviation fuel is com-
10 petitive with the fully burdened cost of conventional
11 jet fuel available for the same purpose; and

12 (2) the sustainable aviation fuel is refined or
13 produced in the United States.

14 (b) BLENDED FUEL.—If the Secretary of Defense
15 purchases sustainable aviation fuel that is blended with
16 conventional jet fuel, the percentage of sustainable avia-
17 tion fuel in such blend will be counted towards the per-
18 centage described in subsection (a).

19 (c) CERTIFICATION.—Before making a purchase
20 under subsection (a), the Secretary of Defense or the Sec-
21 retary concerned (as defined in section 101(a)(9) of title
22 10, United States Code) shall certify that the sustainable
23 aviation fuel is suitable for use in aircrafts of the Depart-
24 ment of Defense.

25 (d) WAIVER.—

1 (1) IN GENERAL.—Subject to the requirements
2 of paragraph (2), the Secretary of Defense may
3 waive the requirement under subsection (a) for rea-
4 sons of national security, including the lack of avail-
5 able, qualifying sustainable aviation fuel.

6 (2) NOTICE.—Not later than 30 days after
7 issuing a waiver under this subsection, the Secretary
8 shall submit to the congressional defense committees
9 (as defined in section 101(a)(16) of title 10, United
10 States Code) notice of the waiver. Any such notice
11 shall include each of the following:

12 (A) The rationale of the Secretary for
13 issuing the waiver.

14 (B) A certification that the waiver is in the
15 national security interest of the United States.

16 (e) DEFINITIONS.—The terms “fully burdened cost”
17 and “operational purposes” have the meanings given such
18 terms, respectively, in section 2922h of title 10, United
19 States Code.

20 **SEC. 7. FEDERAL AVIATION ADMINISTRATION RESEARCH.**

21 (a) IN GENERAL.—Section 911(a) of the FAA Mod-
22 ernization and Reform Act of 2012 (49 U.S.C. 44504
23 note) is amended—

24 (1) by striking “assist in the development” and
25 inserting the following:

1 “(1) assist in the development”;

2 (2) by striking “and other” and inserting “,
3 other”;

4 (3) by striking the period and inserting “, and
5 sustainable fuel that can be used without the need
6 to blend with any other type of aviation fuel;”; and

7 (4) by adding at the end the following:

8 “(2) promote the efforts of the aviation sector
9 to become a net-zero greenhouse gas emitting sector;

10 “(3) study the climate impacts of non-carbon
11 dioxide greenhouse gas emissions, water vapor, and
12 contrails and ways to minimize such impacts; and

13 “(4) develop a methodology for quantifying the
14 non-carbon dioxide climate impacts of aviation in a
15 lifecycle analysis, including the benefits of sustain-
16 able aviation fuel other than the reduction in carbon
17 dioxide emissions.”.

18 (b) DEFINITIONS.—Section 911 of such Act is
19 amended by adding at the end the following:

20 “(e) DEFINITIONS.—In this section:

21 “(1) SUSTAINABLE AVIATION FUEL.—The term
22 ‘sustainable aviation fuel’ means liquid fuel con-
23 sisting of synthesized hydrocarbons that—

24 “(A) is derived from a qualified feedstock;

25 and

1 “(B) conforms to the standards, rec-
2 ommended practices, requirements and criteria,
3 supporting documents, implementation ele-
4 ments, and any other technical guidance for
5 sustainable aviation fuels that are adopted by
6 the International Civil Aviation Organization
7 with the agreement of the United States.

8 “(2) QUALIFIED FEEDSTOCK.—The term ‘quali-
9 fied feedstock’ means sources of hydrogen and car-
10 bon not originating from unrefined or refined petro-
11 chemicals.

12 “(f) AUTHORIZATION OF APPROPRIATIONS.—There
13 is authorized to be appropriated to the Administrator of
14 the Federal Aviation Administration \$35,000,000 for each
15 of fiscal years 2026 through 2030 to carry out this sec-
16 tion.”.

17 **SEC. 8. DEPARTMENT OF ENERGY RESEARCH.**

18 (a) IN GENERAL.—The Secretary of Energy shall
19 carry out a program to research the use of cover crops
20 or other crops grown for conservation purposes rather
21 than for sale in the production of sustainable aviation fuel.

22 (b) COLLABORATION.—In carrying out the program
23 under subsection (a), the Secretary shall collaborate with
24 the national laboratories, the Department of Agriculture,
25 and industry partners.

1 (c) DEFINITIONS.—In this section:

2 (1) SUSTAINABLE AVIATION FUEL.—The term
3 “sustainable aviation fuel” means liquid fuel con-
4 sisting of synthesized hydrocarbons that—

5 (A) is derived from a qualified feedstock;
6 and

7 (B) conforms to the standards, rec-
8 ommended practices, requirements and criteria,
9 supporting documents, implementation ele-
10 ments, and any other technical guidance for
11 sustainable aviation fuels that are adopted by
12 the International Civil Aviation Organization
13 with the agreement of the United States.

14 (2) NATIONAL LABORATORY.—The term “na-
15 tional laboratory” has the meaning given the term in
16 section 2(3) of the Energy Policy Act of 2005 (42
17 U.S.C. 15801(3)).

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

21 **SEC. 9. EXTENSION OF CLEAN FUEL PRODUCTION CREDIT**
22 **FOR SUSTAINABLE AVIATION FUEL.**

23 (a) IN GENERAL.—Section 45Z(g) of the Internal
24 Revenue Code of 1986 is amended to read as follows:

25 “(g) TERMINATION.—This section shall not apply—

1 “(1) in the case of transportation fuel which is
 2 not sustainable aviation fuel, to fuel sold after De-
 3 cember 31, 2027, and

4 “(2) in the case of sustainable aviation fuel, to
 5 fuel sold after December 31, 2032.”.

6 (b) EFFECTIVE DATE.—The amendments made by
 7 this section shall apply to fuel produced after December
 8 31, 2027.

9 **SEC. 10. SUSTAINABLE AVIATION FUEL PRODUCTION PROP-**
 10 **ERTY ADDED TO ENERGY CREDIT.**

11 (a) IN GENERAL.—Section 48 of the Internal Rev-
 12 enue Code of 1986 is amended—

13 (1) in subsection (a)—

14 (A) in paragraph (2)(A)(i)—

15 (i) in subclause (VIII), by striking
 16 “and”, and

17 (ii) by adding at the end the following
 18 new subclause:

19 “(X) sustainable aviation fuel
 20 production property, and”,

21 (B) in paragraph (3)(A), by striking “or”
 22 at the end of clause (x), inserting “or” at the
 23 end of clause (xi), and by adding at the end the
 24 following new clause:

1 “(xii) sustainable aviation fuel produc-
2 tion property,” and

3 (C) by redesignating paragraph (16) as
4 paragraph (17) and by inserting after para-
5 graph (15) the following new paragraph:

6 “(16) PHASEOUT FOR SUSTAINABLE AVIATION
7 FUEL PRODUCTION PROPERTY.—In the case of any
8 energy property described in paragraph (3)(A)(xii)
9 the construction of which begins before January 1,
10 2039, the energy percentage determined under para-
11 graph (2) shall be equal to—

12 “(A) in the case of any property the con-
13 struction of which begins after December 31,
14 2030, and before January 1, 2032, 24 percent,

15 “(B) in the case of any property the con-
16 struction of which begins after December 31,
17 2031, and before January 1, 2033, 18 percent,
18 and

19 “(C) in the case of any property the con-
20 struction of which begins after December 31,
21 2032, and before January 1, 2039, 12 per-
22 cent.”, and

23 (2) in subsection (c), by adding at the end the
24 following new paragraph:

1 “(9) SUSTAINABLE AVIATION FUEL PRODUC-
2 TION PROPERTY.—

3 “(A) IN GENERAL.—The term ‘sustainable
4 aviation fuel production property’ means—

5 “(i) property which produces sustain-
6 able aviation fuel (as defined in section
7 40B(d)), or

8 “(ii) property directly related to ena-
9 bling the production or distribution of sus-
10 tainable aviation fuel.

11 “(B) RECAPTURE OF CREDIT.—The Sec-
12 retary shall, by regulations, provide for recap-
13 turing the benefit of any credit allowable under
14 subsection (a)(3)(A)(xii) with respect to any
15 sustainable aviation fuel production property if
16 the sustainable aviation fuel production of such
17 property comprises less than 80 percent of the
18 total fuel production of such property in any of
19 the 5 taxable years immediately following the
20 taxable year in which such property was placed
21 in service.”.

22 (b) EFFECTIVE DATE.—The amendments made by
23 this section shall apply to fuel produced after December
24 31, 2025.

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