

119TH CONGRESS
1ST SESSION

S. _____

To amend the Internal Revenue Code of 1986 to prohibit the use of foreign feedstocks for purposes of the clean fuel production credit, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Mr. MARSHALL (for himself, Ms. KLOBUCHAR, Ms. ERNST, Mrs. FISCHER, Ms. SLOTKIN, and Ms. BALDWIN) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to prohibit the use of foreign feedstocks for purposes of the clean fuel production credit, 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 “Farmer First Fuel
5 Incentives Act”.

1 **SEC. 2. PROHIBITION ON FOREIGN FEEDSTOCKS FOR**
2 **CLEAN FUEL PRODUCTION CREDIT.**

3 (a) PROHIBITION ON FOREIGN FEEDSTOCKS.—Sec-
4 tion 45Z(f)(1)(A) of the Internal Revenue Code of 1986
5 is amended—

6 (1) in clause (i)(II)(bb), by striking “and” at
7 the end,

8 (2) in clause (ii), by striking the period at the
9 end and inserting “, and”, and

10 (3) by adding at the end the following new
11 clause:

12 “(iii) such fuel is derived from a feed-
13 stock which was produced or grown in the
14 United States.”.

15 (b) EFFECTIVE DATE.—The amendments made by
16 this section shall apply to transportation fuel sold after
17 December 31, 2024.

18 **SEC. 3. DETERMINATION OF EMISSIONS RATE.**

19 (a) IN GENERAL.—Section 45Z(b)(1)(B) of the In-
20 ternal Revenue Code of 1986 is amended by adding at the
21 end the following new clause:

22 “(iv) EXCLUSION OF INDIRECT LAND
23 USE CHANGES.—Notwithstanding clauses
24 (ii) and (iii), the lifecycle greenhouse gas
25 emissions shall be adjusted as necessary to
26 exclude any emissions attributed to indi-

1 rect land use change. Any such adjustment
2 shall be based on regulations or methodolo-
3 gies determined by the Secretary in con-
4 sultation with the Administrator of the En-
5 vironmental Protection Agency and the
6 Secretary of Agriculture.”.

7 (b) CONFORMING AMENDMENT.—Section
8 45Z(b)(1)(B)(i) of such Code is amended by striking
9 “clauses (ii) and (iii)” and inserting “clauses (ii), (iii), and
10 (iv)”.

11 (c) EFFECTIVE DATE.—The amendments made by
12 this section shall apply to emissions rates published for
13 taxable years beginning after December 31, 2025.

14 **SEC. 4. EXTENSION OF CLEAN FUEL PRODUCTION CREDIT.**

15 Section 45Z(g) of the Internal Revenue Code of 1986
16 is amended by striking “December 31, 2027” and insert-
17 ing “December 31, 2034”.

18 **SEC. 5. ROUNDING OF CLEAN FUEL PRODUCTION CREDIT**

19 **EMISSIONS FACTOR.**

20 (a) IN GENERAL.—Section 45Z(b)(2) of the Internal
21 Revenue Code of 1986 is amended by striking “0.1” each
22 place it appears and inserting “0.01”.

23 (b) EFFECTIVE DATE.—The amendments made by
24 this section shall apply to transportation fuel produced
25 after December 31, 2024.