

119TH CONGRESS
1ST SESSION

S. _____

To amend the Farm Security and Rural Investment Act of 2002 to improve the biobased markets program, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. SLOTKIN (for herself, Ms. ERNST, Mr. RICKETTS, and Ms. KLOBUCHAR) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Farm Security and Rural Investment Act of 2002 to improve the biobased markets program, 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 “Biomanufacturing and
5 Jobs Act of 2025”.

6 **SEC. 2. FINDINGS; PURPOSES.**

7 (a) FINDINGS.—Congress finds that—

8 (1) biobased products provide additional mar-
9 kets for farm commodities, reducing the reliance of

1 the United States on petroleum and increasing the
2 use of renewable agricultural resources while driving
3 rural economic development and growth;

4 (2) United States farmers produce feedstock
5 used to produce a variety of biobased products, in-
6 cluding personal care products, industrial paints sol-
7 vents, construction materials, and apparels and tex-
8 tiles;

9 (3) the BioPreferred Program of the Depart-
10 ment of Agriculture is designed to increase the pur-
11 chase and use of biobased products through a man-
12 datory Federal purchasing initiative and a voluntary
13 labeling initiative, thereby supporting additional
14 markets for agricultural commodities and rural eco-
15 nomic development;

16 (4) according to the Department of Agriculture,
17 there are approximately 15,000 biobased products
18 participating in the BioPreferred Program, with ap-
19 proximately 2,600 biobased products authorized to
20 display the “USDA Certified Biobased Product”
21 label under the voluntary labeling initiative;

22 (5) there were 3,940,000 people employed in
23 the United States biobased products industry in
24 2021;

1 (6) the value-added contribution of the biobased
2 products industry to the economy grew even through
3 the COVID–19 pandemic, from \$470,000,000,000 in
4 2017 to \$489,000,000,000 in 2021; and

5 (7) each job in the biobased products industry
6 supports an estimated 1.4 jobs in other sectors of
7 the economy.

8 (b) PURPOSES.—The purposes of this Act are—

9 (1) to recognize the value that biobased prod-
10 ucts bring to agriculture in the United States;

11 (2) to support domestic manufacturing of
12 biobased products made from agricultural commod-
13 ities, including corn and soybeans;

14 (3) to expand the role of the Department of Ag-
15 riculture in the promotion of biobased products;

16 (4) to build on procurement programs adminis-
17 tered by the Department of Agriculture to increase
18 Federal purchasing of biobased products;

19 (5) to strengthen domestic manufacturing of
20 biobased products; and

21 (6) to make a national commitment to the rural
22 and agricultural economies of the United States.

23 **SEC. 3. DEFINITIONS.**

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

1 (1) by redesignating paragraphs (4) through
2 (6), (7) through (12), and (13) through (17) as
3 paragraphs (7) through (9), (11) through (16), and
4 (18) through (22), respectively;

5 (2) by inserting after paragraph (3) the fol-
6 lowing:

7 “(4) BIO-ATTRIBUTED PLASTIC.—The term
8 ‘bio-attributed plastic’ means a plastic product that
9 is a bioproduct and not a biobased product.

10 “(5) BIO-ATTRIBUTED PRODUCT.—

11 “(A) IN GENERAL.—The term ‘bio-attrib-
12 uted product’ means a product that is deter-
13 mined by the Secretary to be a commercial or
14 industrial product (other than food or feed)
15 that is produced from or composed of (in whole
16 or in part) biological products, including a ma-
17 terial or compound subsequently used to make
18 a more complex compound or product.

19 “(B) BIOLOGICAL PRODUCT.—For pur-
20 poses of subparagraph (A), the term ‘biological
21 product’ includes a product that contains, in
22 whole or in part, renewable agricultural mate-
23 rial, a plant-based product, animal-derived ma-
24 terial, or forestry material.

1 “(6) BIOBASED PLASTIC.—The term ‘biobased
2 plastic’ means a plastic product that is a biobased
3 product.”;

4 (3) by inserting after paragraph (9) (as so re-
5 designated) the following:

6 “(10) BIOPRODUCT.—The term ‘bioproduct’
7 means—

8 “(A) a biobased product; or

9 “(B) a bio-attributed product.”; and

10 (4) by inserting after paragraph (16) (as so re-
11 designated) the following:

12 “(17) PLANT-BASED PRODUCT.—The term
13 ‘plant-based product’ means a product (other than
14 food or feed) that—

15 “(A) is composed, in whole or in signifi-
16 cant part, of materials produced by plants or
17 other organisms through photosynthesis; and

18 “(B) is a biobased product.”.

19 **SEC. 4. BIOBASED MARKETS PROGRAM.**

20 Section 9002 of the Farm Security and Rural Invest-
21 ment Act of 2002 (7 U.S.C. 8102) is amended—

22 (1) in subsection (a)—

23 (A) in paragraph (2)—

24 (i) in subparagraph (A)(i)—

1 (I) in subclause (II)(bb), by
2 striking “and” at the end;

3 (II) in subclause (III), by strik-
4 ing the period at the end and insert-
5 ing “; and”; and

6 (III) by adding at the end the
7 following:

8 “(IV) on an annual basis, update
9 the procurement requirement de-
10 scribed in subclause (III) by increas-
11 ing the number of biobased-only con-
12 tracts or the volume purchased under
13 those contracts from the previous
14 year.”;

15 (ii) in subparagraph (B), by striking
16 clause (iii) and inserting the following:

17 “(iii) are available only at a price that
18 exceeds the price premium established
19 under paragraph (3)(B)(viii) for those
20 items.”; and

21 (iii) by adding at the end the fol-
22 lowing:

23 “(G) GUIDANCE.—The Secretary, in co-
24 ordination with the Office of Federal Procure-
25 ment Policy, shall issue guidance to procuring

1 agencies to consider product lifespan, savings,
2 and efficacy when making procurement deci-
3 sions under this subsection.”;

4 (B) in paragraph (3)(B)—

5 (i) in clause (vii), by striking “and” at
6 the end;

7 (ii) by redesignating clause (viii) as
8 clause (ix); and

9 (iii) by inserting after clause (vii) the
10 following:

11 “(viii) establish price premiums for
12 different types of biobased products; and”;
13 and

14 (C) in paragraph (4)—

15 (i) in subparagraph (A)—

16 (I) by striking clause (ii); and

17 (II) by redesignating clauses (iii)
18 and (iv) as clauses (ii) and (iii), re-
19 spectively;

20 (ii) in subparagraph (B)(i)—

21 (I) in the matter preceding sub-
22 clause (I)—

23 (aa) by inserting “and the
24 Secretary” after “Policy”; and

1 (bb) by striking “informa-
2 tion concerning—” and inserting
3 “a report that describes, for the
4 year covered by the report—”;

5 (II) in subclause (I), by inserting
6 “, including the actions taken by the
7 procuring agency to establish and im-
8 plement the biobased procurement
9 program of the procuring agency
10 under that paragraph” before the
11 semicolon;

12 (III) in subclause (IV), by strik-
13 ing “and” at the end;

14 (IV) in subclause (V), by striking
15 “and” at the end; and

16 (V) by adding at the end the fol-
17 lowing:

18 “(VI)(aa) the specific categories
19 of biobased products that are unavail-
20 able to meet the procurement needs of
21 the procuring agency; and

22 “(bb) the desired performance
23 standards and other relevant speci-
24 fications for those products; and

1 “(VII) if applicable, the procure-
2 ment requirement or updated procure-
3 ment requirement established under
4 paragraph (2)(A)(i) that the pro-
5 curing agency failed to meet and rea-
6 sons for the failure; and”;

7 (iii) by adding at the end the fol-
8 lowing:

9 “(D) VERIFICATION.—The Office of Fed-
10 eral Procurement Policy, in consultation with
11 the Secretary, shall—

12 “(i) annually collect the information
13 required to be reported under subpara-
14 graph (B) and make the information pub-
15 licly available; and

16 “(ii) annually verify, using the infor-
17 mation collected under subparagraph (B),
18 that each procuring agency under para-
19 graph (2)(A)(i), as applicable, has estab-
20 lished a procurement program in accord-
21 ance with subclause (I) of that paragraph.

22 “(E) TRAINING.—

23 “(i) IN GENERAL.—Not later than 2
24 years after the date of enactment of this
25 subparagraph, each procuring agency shall

1 have completed training on biobased prod-
2 uct purchasing for the appropriate staff of
3 the procuring agency, including contracting
4 officers, purchase card managers, and pur-
5 chase card holders.

6 “(ii) MATERIALS.—The Office of Fed-
7 eral Procurement Policy, in cooperation
8 with the Secretary, shall provide training
9 materials for procuring agencies con-
10 ducting training pursuant to clause (i).

11 “(F) FEDERAL CATALOG UPDATES.—Not
12 later than 2 years after the date of the enact-
13 ment of this subparagraph, the Administrator
14 for Federal Procurement Policy, in cooperation
15 with the Secretary, shall—

16 “(i) direct the Administrator of Gen-
17 eral Services to update the Federal Pro-
18 curement Data System described in section
19 1122(a)(4) of title 41, United States Code,
20 or any successor system, to include
21 biobased product designations;

22 “(ii) direct that the System for Award
23 Management collect biobased product pur-
24 chasing data;

1 “(iii) direct that Federal online pro-
2 curement systems, including GSA Advan-
3 tage! and FedMall, include designations for
4 products that meet the guidelines under
5 paragraph (3);

6 “(iv) require, to the maximum extent
7 practicable, that Federal online procure-
8 ment systems, including GSA Advantage!
9 and FedMall, use North American Indus-
10 try Classification System codes, North
11 American Product Classification System-
12 based product codes, and other product
13 codes, as determined in consultation with
14 the Secretary, when identifying products
15 that meet the guidelines under paragraph
16 (3); and

17 “(v) require agencies with online Fed-
18 eral sales platforms to include reporting of
19 these purchases in their reporting on prod-
20 ucts that meet the guidelines under para-
21 graph (3).”;

22 (2) in subsection (b)—

23 (A) in paragraph (3), by adding at the end
24 the following:

1 “(C) UNAUTHORIZED USE.—Not later
2 than 120 days after the date of enactment of
3 this subparagraph, the Secretary shall, in co-
4 ordination with the Inspector General of the
5 Department of Agriculture, notify the public of
6 how to report an instance of unauthorized use
7 of the label described in paragraph (1).”; and

8 (B) by adding at the end the following:

9 “(5) PUBLIC MARKETING AND EDUCATION.—
10 The Secretary may conduct outreach to educate the
11 public on and promote the use of biobased products,
12 including by—

13 “(A) conducting outreach to small busi-
14 nesses producing biobased products that seek a
15 label under this subsection;

16 “(B) providing information about biobased
17 product procurement preferences to State pro-
18 curement agencies; and

19 “(C) establishing public-private partner-
20 ships to further increase awareness and use of
21 biobased products.

22 “(6) ACCEPTANCE AND USE OF CONTRIBU-
23 TIONS.—

24 “(A) IN GENERAL.—The Secretary may es-
25 tablish an account to accept contributions of

1 non-Federal funds to carry out public mar-
2 keting and education under paragraph (5).

3 “(B) DEPOSIT AND USE OF CONTRIBU-
4 TIONS.—Contributions of non-Federal funds re-
5 ceived to carry out the activities under para-
6 graph (5) shall—

7 “(i) be deposited into the account es-
8 tablished under this paragraph for those
9 activities;

10 “(ii) be available to and subject to the
11 control of the Secretary, without further
12 appropriation and until expended, to carry
13 out those activities; and

14 “(iii) supplement any funding made
15 available under subsection (k) and allo-
16 cated by the Secretary for those activities.

17 “(7) REPORT.—Not later than December 31,
18 2025, and annually thereafter, the Secretary shall
19 make publicly available on the website of the De-
20 partment of Agriculture and submit to the Com-
21 mittee on Agriculture, Nutrition, and Forestry of
22 the Senate and the Committee on Agriculture of the
23 House of Representatives a report that includes—

1 “(A) a list of the biobased products that
2 were authorized to use the label described in
3 paragraph (1) during the preceding fiscal year;

4 “(B) a description of the audit and compli-
5 ance activities conducted under paragraph
6 (3)(B) during the preceding fiscal year, includ-
7 ing any findings of noncompliance and any ac-
8 tions taken by the Secretary to address the
9 noncompliance;

10 “(C)(i) a description of the public mar-
11 keting and education conducted by the Sec-
12 retary under paragraph (5); and

13 “(ii) a plan for conducting public mar-
14 keting and education under that paragraph for
15 the following two fiscal years that is designed to
16 increase the use of the label described in para-
17 graph (1) and the purchase of biobased prod-
18 ucts; and

19 “(D) the total amount of contributions of
20 non-Federal funds accepted into the account es-
21 tablished under paragraph (6).”;

22 (3) in subsection (f)(1), in the matter preceding
23 subparagraph (A), by striking “The Secretary and
24 the Secretary of Commerce shall jointly” and insert-

1 ing “The Secretary of Commerce, in consultation
2 with the Secretary, shall”;

3 (4) in subsection (j)(3)—

4 (A) in subparagraph (A)—

5 (i) in clause (v), by striking “; and”
6 and inserting “, including greenhouse gas
7 emissions reduced and avoided;”;

8 (ii) in clause (vi), by striking the pe-
9 riod at the end and inserting “; and”; and

10 (iii) by adding at the end the fol-
11 lowing:

12 “(vii) identifying available industry
13 methodologies to establish a lifecycle
14 greenhouse gas emissions assessment
15 methodology for biobased products.”; and

16 (B) in subparagraph (B), by striking “this
17 subparagraph” and inserting “the Biomanufac-
18 turing and Jobs Act of 2025 and every 5 years
19 thereafter”;

20 (5) in subsection (k), by striking “2023” each
21 place it appears and inserting “2031”; and

22 (6) in subsection (l)—

23 (A) by striking “In this section” and in-
24 serting the following:

25 “(1) IN GENERAL.—In this section”; and

1 (B) by adding at the end the following:

2 “(2) STANDARD.—

3 “(A) IN GENERAL.—To determine the con-
4 tents of biobased products, the Secretary shall
5 use—

6 “(i) the most recent version of the
7 ASTM–D–6866 standard of ASTM Inter-
8 national; or

9 “(ii) any alternative standard that the
10 Secretary determines appropriate.

11 “(B) ADMINISTRATIVE PROCEDURE ACT.—
12 In carrying out subparagraph (A)(ii), the Sec-
13 retary shall, to the maximum extent practicable,
14 comply with the requirements for a Federal
15 agency issuing a rule under chapter 5 of title
16 5, United States Code (commonly referred to as
17 the ‘Administrative Procedure Act’).

18 “(C) STAKEHOLDER INPUT.—Prior to
19 issuing any rule or guidance pursuant to this
20 subsection, the Secretary shall consult with
21 stakeholders that the Secretary determines rel-
22 evant, such as farmers, feedstock suppliers and
23 handlers, and biomanufacturers, regarding the
24 potential impact of the rule or guidance on the
25 relevant industry.”.

1 **SEC. 5. BIOBASED TASK FORCE.**

2 Title IX of the Farm Security and Rural Investment
3 Act of 2002 is amended by inserting after section 9003
4 (7 U.S.C. 8103) the following:

5 **“SEC. 9004. BIOBASED TASK FORCE.**

6 “(a) ESTABLISHMENT.—The Secretary shall estab-
7 lish a task force (referred to in this section as the ‘task
8 force’)—

9 “(1) to coordinate programs and activities with-
10 in the Department of Agriculture relating to the re-
11 search, development, promotion, marketing, and
12 analysis of biobased products, including to support
13 the use of agricultural commodities and forest prod-
14 ucts in biobased products;

15 “(2) to maximize the resources allocated to-
16 wards the research, development, promotion, mar-
17 keting, and analysis of biobased products by the De-
18 partment of Agriculture;

19 “(3) to determine the effectiveness of the pro-
20 grams and activities described in paragraph (1); and

21 “(4) to make recommendations for improve-
22 ments to those programs and activities.

23 “(b) MEMBERSHIP.—The task force shall be com-
24 posed of not less than 1 representative from each of the
25 following mission areas or offices of the Department of
26 Agriculture:

1 “(1) The rural development mission area.

2 “(2) The National Institute of Food and Agri-
3 culture.

4 “(3) The Economic Research Service.

5 “(4) The Agricultural Research Service.

6 “(5) The National Agricultural Statistics Serv-
7 ice.

8 “(6) The Office of the Chief Scientist.

9 “(7) The Office of the Chief Economist.

10 “(8) The Office of Energy Policy and New
11 Uses.

12 “(9) Any other mission area or office with re-
13 sponsibilities relating to the research, development,
14 promotion, marketing, or analysis of biobased prod-
15 ucts.

16 “(c) LEAD MISSION AREA.—The rural development
17 mission area of the Department of Agriculture shall be
18 the lead mission area for the task force.

19 “(d) PROCESS FOR PUBLIC INPUT.—The task force
20 shall establish a process for public input to help inform
21 the determination of the task force under subsection
22 (a)(3) of the effectiveness of the programs and activities
23 described in subsection (a)(1).

24 “(e) STUDY AND REPORT.—

1 “(1) IN GENERAL.—The task force shall con-
2 duct a study that—

3 “(A) identifies any existing programs and
4 activities of the Department of Agriculture that
5 may offer new opportunities to advance the re-
6 search, development, promotion, marketing, and
7 analysis of biobased products; and

8 “(B) describes those new opportunities and
9 how those programs and activities may be used
10 to advance and support the research, develop-
11 ment, promotion, marketing, and analysis of
12 biobased products.

13 “(2) REPORT.—Not later than 3 years after the
14 date of enactment of the Biomanufacturing and
15 Jobs Act of 2025, the task force shall submit to the
16 Committee on Agriculture, Nutrition, and Forestry
17 of the Senate and the Committee on Agriculture of
18 the House of Representatives a report that de-
19 scribes—

20 “(A) a summary of the work conducted by
21 the task force;

22 “(B) the findings of the study conducted
23 under paragraph (1); and

24 “(C) recommendations for improvements
25 to the programs and activities described in sub-

1 section (a)(1) and identified under paragraph
2 (1)(A).

3 “(f) TERMINATION.—The task force shall terminate
4 on the date that is 4 years after the date of enactment
5 of the Biomanufacturing and Jobs Act of 2025.

6 “(g) NONAPPLICABILITY.—Chapter 10 of title 5,
7 United States Code, shall not apply to the task force.”.

8 **SEC. 6. BIOPRODUCT LABELING.**

9 (a) IN GENERAL.—Title IX of the Farm Security and
10 Rural Investment Act of 2002 (7 U.S.C. 8101 et seq.)
11 is amended by inserting after section 9008 the following:

12 **“SEC. 9009. BIOPRODUCTS.**

13 “(a) DEFINITION OF COVERED TERM.—In this sec-
14 tion, the term ‘covered term’ means each of the following
15 terms:

16 “(1) Bio-attributed plastic.

17 “(2) Bio-attributed product.

18 “(3) Biobased plastic.

19 “(4) Biobased product.

20 “(5) Intermediate ingredient or feedstock.

21 “(6) Plant-based product.

22 “(7) Renewable biomass.

23 “(8) Renewable chemical.

24 “(b) ALTERNATE DEFINITIONS.—For purposes of
25 only this section, the Secretary, in consultation with the

1 Administrator, may, for any covered term, adopt an alter-
2 native definition to the definition given the term under
3 this title.

4 “(c) PROHIBITION.—It shall be unlawful to sell or
5 label a product using a covered term that does not meet,
6 as applicable—

7 “(1) the definition of that term under this title;

8 or

9 “(2) the alternate definition adopted by the
10 Secretary for that covered term under subsection
11 (b).

12 “(d) CONFIDENTIALITY.—For purposes of enforcing
13 subsection (c), except as directed by the Secretary or the
14 Attorney General, no officer, employee, or agent of the
15 United States shall make available to the public any infor-
16 mation, statistic, or document obtained from, or made
17 available by, any person under this title other than in a
18 manner that ensures that confidentiality is preserved re-
19 garding—

20 “(1) the identity of all relevant persons (includ-
21 ing parties to a contract); and

22 “(2) proprietary business information.”.