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SUBCOMMITTEE ON
CRIME, TERRORISM, AND
HOMELAND SECURITY
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November 18, 2013

The Honorable Gina McCarthy
Administrator
The Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Washington, DC 20004

Dear Administrator McCarthy:

At the House Committee on Science, Space, and Technology hearing on November 14, in discussing E15, you stated, "Additional research that's done credibly and transparent is always welcome." I was pleased to hear that, because my bill, H.R. 875, requires an unbiased assessment from the National Academy of Sciences, which will, once and for all, resolve the lingering worries about E15.

I would very much appreciate the EPA's support for this bill. If you have any reservations with my legislation, please let me know what they are by December 18, 2013. Otherwise, in light of your testimony, I look forward to the EPA's endorsement and support of H.R. 875.

Sincerely,

A handwritten signature in blue ink, appearing to read "F. James Sensenbrenner, Jr.", written over a large, stylized blue scribble.

F. JAMES SENSENBRENNER, JR.
Member of Congress

Enclosure

113TH CONGRESS
1ST SESSION

H. R. 875

[Report No. 113-]

To provide for a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 27, 2013

Mr. SENSENBRENNER (for himself, Mr. HALL, Mr. WESTMORELAND, Mr. BROUN of Georgia, Mr. SMITH of Texas, and Mr. GRIFFIN of Arkansas) introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committee on Energy and Commerce, 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

APRIL --, 2013

Reported from the Committee on Science, Space, and Technology with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

[For text of introduced bill, see copy of bill as introduced on February 27, 2013]

A BILL

To provide for a comprehensive assessment of the scientific and technical research on the implications of the use of mid-level ethanol blends, 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. DEFINITIONS.**

4 *In this Act:*

5 (1) *ADMINISTRATOR.*—*The term “Adminis-*
6 *trator” means the Administrator of the Environ-*
7 *mental Protection Agency.*

8 (2) *MID-LEVEL ETHANOL BLEND.*—*The term*
9 *“mid-level ethanol blend” means an ethanol-gasoline*
10 *blend containing greater than 10 and up to and in-*
11 *cluding 20 percent ethanol by volume that is intended*
12 *to be used in any conventional gasoline-powered*
13 *onroad, nonroad, or marine engine, or onroad or*
14 *nonroad vehicle.*

15 **SEC. 2. EVALUATION.**

16 (a) *IN GENERAL.*—*The Administrator, acting through*
17 *the Assistant Administrator of the Office of Research and*
18 *Development at the Environmental Protection Agency,*
19 *shall—*

20 (1) *not later than 45 days after the date of en-*
21 *actment of this Act, enter into an agreement with the*
22 *National Academy of Sciences to provide, within 18*
23 *months after the date of enactment of this Act, a com-*
24 *prehensive assessment of the scientific and technical*
25 *research on the implications of the use of mid-level*

1 *ethanol blends, comparing mid-level ethanol blends to*
2 *gasoline blends containing 10 percent or zero percent*
3 *ethanol; and*

4 *(2) not later than 30 days after receiving the re-*
5 *sults of the assessment under paragraph (1), submit*
6 *a report to the Committee on Science, Space, and*
7 *Technology of the House of Representatives and the*
8 *Committee on Environment and Public Works of the*
9 *Senate on the findings of the assessment, together with*
10 *the agreement or disagreement of the Administrator*
11 *with each of its findings.*

12 *(b) WAIVERS.—Prior to the submission of the report*
13 *under subsection (a)(2), any waiver granted under section*
14 *211(f)(4) of the Clean Air Act (42 U.S.C. 7545(f)(4)) before*
15 *the date of enactment of this Act that allows the introduc-*
16 *tion into commerce of mid-level ethanol blends for use in*
17 *motor vehicles shall have no force or effect. The Adminis-*
18 *trator shall grant no new waivers under such section*
19 *211(f)(4) until after the submission of the report described*
20 *under subsection (a)(2).*

21 *(c) CONTENTS.—The assessment performed under sub-*
22 *section (a)(1) shall include the following:*

23 *(1) An evaluation of the short-term and long-*
24 *term environmental, safety, durability, and perform-*
25 *ance effects of the introduction of mid-level ethanol*

1 *blends on onroad, nonroad, and marine engines,*
2 *onroad and nonroad vehicles, and related equipment.*
3 *Such evaluation shall consider the impacts of quali-*
4 *fying mid-level ethanol blends or blends with higher*
5 *ethanol concentrations as a certification fuel, and*
6 *shall consider the effect mid-level ethanol blends have*
7 *on carbon emissions, taking into account carbon emis-*
8 *sions from their life-cycle production, as compared to*
9 *gasoline blends containing 10 percent or zero percent*
10 *ethanol. Such evaluation shall include a review of all*
11 *available scientific evidence, including all relevant*
12 *government and industry data and testing, including*
13 *that relied upon by the Administrator and published*
14 *at 75 Fed. Reg. 68094 et seq. (November 4, 2010), 76*
15 *Fed. Reg. 4662 et seq. (January 26, 2011), and 76*
16 *Fed. Reg. 44406 et seq. (July 25, 2011), and identify*
17 *gaps in understanding and research needs related*
18 *to—*

19 *(A) tailpipe emissions;*
20 *(B) evaporative emissions;*
21 *(C) engine and fuel system durability;*
22 *(D) onboard diagnostics;*
23 *(E) emissions inventory and other modeling*
24 *effects;*
25 *(F) materials compatibility;*

1 (G) operability and drivability;
2 (H) fuel efficiency;
3 (I) fuel economy;
4 (J) consumer education and satisfaction;
5 (K) cost-effectiveness for the consumer;
6 (L) catalyst durability; and
7 (M) durability of storage tanks, piping, and
8 dispensers for retail.

9 (2) An identification of areas of research, devel-
10 opment, and testing necessary to—

11 (A) ensure that existing motor fuel infra-
12 structure is not adversely impacted by mid-level
13 ethanol blends, including an examination of po-
14 tential impacts of mid-level ethanol blends on
15 metal, plastic, rubber, or any other materials
16 used in pipes or storage tanks; and

17 (B) reduce the risk of misfueling by users at
18 various points in the distribution and supply
19 chain, including at bulk storage, retail storage,
20 and distribution configurations by—

21 (i) assessing the best methods and
22 practices to prevent misfueling;

23 (ii) examining misfueling mitigation
24 strategies for blender pumps, including vol-

1 *umetric purchase requirements and labeling*
2 *requirements;*

3 *(iii) assessing the adequacy of*
4 *misfueling mitigation plans approved by*
5 *the Environmental Protection Agency; and*
6 *(iv) examining the technical standards*
7 *and recommendations of the National Insti-*
8 *tute of Standards and Technology, the*
9 *American National Standards Institute,*
10 *and the International Organization for*
11 *Standardization regarding fuel pump label-*
12 *ing.*

13 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

14 *In order to carry out this Act, the Administrator shall*
15 *utilize up to \$900,000 from the funds made available for*
16 *science and technology, including research and development*
17 *activities, at the Environmental Protection Agency.*