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September 8, 2016

The Honorable Gina McCarthy  
Administrator  
U.S. Environmental Protection Agency  
1200 Pennsylvania Avenue, NW  
Washington, D.C. 20460

Dear Administrator McCarthy:

In November 2013, the House Science Committee held a hearing entitled *Strengthening Transparency and Accountability within the Environmental Protection Agency*, at which you testified<sup>1</sup>. During the hearing, you and I discussed the merits of gasoline containing 15 percent ethanol (E15), and its effects on engines<sup>2</sup>. During this colloquy on E15 fuel – which traces its roots back to the Renewable Fuel Standard (RFS) – you stated that “additional research that’s done credibly and transparent is always welcome.” I appreciate those comments, as I too believe there is value in further research into a host of areas under the Environmental Protection Agency’s (EPA) jurisdiction, including the RFS. Your desire for additional research apparently is not shared by everyone at EPA, however.

According to statute, your agency is required every three years to update Congress on the environmental and conservation impacts of the RFS<sup>3</sup>. As noted by the Office of Inspector General (OIG), EPA hasn’t completed a triannual congressional impact report since 2011 and never issued a backsliding study to determine if the RFS and our national biofuels mandate adversely affects air quality<sup>4</sup>.

Although EPA says some of the required reports were not produced due to scarce resources and other priorities, the Office of Air and Radiation (OAR) stated that in regards to lifecycle greenhouse gas (GHG) emissions, the state of the science (since 2010) has not changed enough to necessitate an updated study on the impacts of the renewable fuels program<sup>5</sup>.

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<sup>1</sup> <https://science.house.gov/legislation/hearings/full-committee-hearing-strengthening-transparency-and-accountability-within>

<sup>2</sup> <https://science.house.gov/legislation/hearings/full-committee-hearing-strengthening-transparency-and-accountability-within>

<sup>3</sup> [https://www.epa.gov/sites/production/files/2016-08/documents/\\_epaig\\_20160818-16-p-0275.pdf](https://www.epa.gov/sites/production/files/2016-08/documents/_epaig_20160818-16-p-0275.pdf)

<sup>4</sup> [https://www.epa.gov/sites/production/files/2016-08/documents/\\_epaig\\_20160818-16-p-0275.pdf](https://www.epa.gov/sites/production/files/2016-08/documents/_epaig_20160818-16-p-0275.pdf)

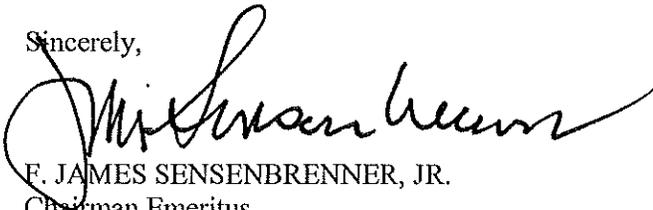
<sup>5</sup> [https://www.epa.gov/sites/production/files/2016-08/documents/\\_epaig\\_20160818-16-p-0275.pdf](https://www.epa.gov/sites/production/files/2016-08/documents/_epaig_20160818-16-p-0275.pdf)

Additional and updated research and analysis allows lawmakers to better gauge the strengths and weaknesses of policy we enact, and science-based decision making is vital when evaluating our biofuel mandate. With this in mind, please answer the following questions by October 8, 2016:

- Considering missed deadlines in the past, how confident is the agency that it can produce a triennial report on biofuels to Congress during the first quarter of 2018?
  - What specifically is EPA doing to ensure this deadline is met?
  
- Would it be beneficial for EPA to complete an anti-backsliding air study on the RFS before proposing new biofuel volume requirements in the future?
  - If yes, why?
  - If no, why not?
  
- Does your statement: “additional research that’s done credibly and transparent is always welcome” only apply to E15? Does this statement also apply to the RFS?
  - If the statement does apply to the RFS, do you support OAR’s decision to forego an additional report on the lifecycle GHG emissions associated with the program?
    - Why or why not?
  - If the statement doesn’t apply to the RFS, why doesn’t it?

Thank you for your attention to these questions.

Sincerely,



F. JAMES SENSENBRENNER, JR.  
Chairman Emeritus  
House Committee on Science, Space, and Technology