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December 18, 2015

The Honorable Tom Vilsack
Secretary
United States Department of Agriculture
1400 Independence Ave., SW
Washington, D.C. 20250

Dear Mr. Secretary:

I write to you regarding my letter dated July 28, 2015. I requested a response by August 31, but to date, I have not received one.

Your response to my questions is very important to me and thousands of my constituents. It is troubling that you failed to respond, and instead decided to announce additional "investments" in the Biofuel Infrastructure Partnership (BIP). Please respond to my letter before the end of this year, and also address some new concerns about blender pumps that have been brought to my attention by the Environmental Protection Agency (EPA).

The EPA has informed my office that there are problems with gasoline sampling from blender pumps. To date, the EPA has not informed me of how to resolve the problems that were discovered when collecting samples from these pumps.

Additionally, there is evidence that some retailers have been relabeling and selling E-15 at blender pumps. The EPA has been unable to determine if it is legal to relabel and/or sell E-15 as a flex fuel.

These are very serious concerns that need to be addressed by the EPA, the USDA, and the National Institute for Standards and Technology (NIST). NIST may need to evaluate the mechanisms in the blender pumps that may be responsible for missampling. I request that you stop funding for the BIP until Congress, consumers, and retailers are certain that blender pump sampling is accurate, and the legality of relabeling and selling mid-level ethanol blends as flex-fuels is determined.

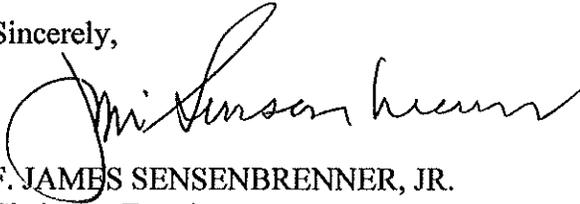
In addition to the questions raised in my July 28 letter, please answer these additional questions before the end of this year.

- Were you aware that there were sampling problems at blender pumps?
- Do you know the cause of blender pump missampling?

- Were you aware of retailers re-labeling and selling E-15 as a flex fuel?
- Will you halt your Biofuel Infrastructure Partnership programs until these issues are addressed, and Congress, consumers, and retailers are confident that fuel sampling is accurate?

Please be more prompt in your response to this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "F. James Sensenbrenner, Jr.", written in a cursive style.

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