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October 11, 2018

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The Honorable Andrew Wheeler
Acting Administrator
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue NW
Washington, DC 20460

Dear Acting Administrator Wheeler:

I write to you with significant concerns about the recent proposal to expand the sale of E15 motor fuel.¹ The Renewable Fuel Standard (RFS) has been in place for more than a decade, yet this policy continues to violate the free market and pose a threat to consumers. Expanding to year-round E15 sales would prop up the RFS and continue to subject American consumers and farmers to government-mandated decision making.

I have had a very active role in the debate surrounding fuel blends with higher ethanol contents. Through this work, I have had ongoing conversations with many interested parties—your predecessors at the EPA, industry representatives, consumer groups, and environmental advocates. My work on this issue has always been driven by the belief that the government should not mandate the use of any product—or fuel—and the country would be better served if the RFS mandates are removed completely. Since this is as much a political debate as a policy-centered one, I recognize the barriers to a complete overhaul of the RFS. However, I would like to highlight some of the most glaring issues and how they will be exacerbated by the expanded sale of E15.

Contrary to the special interest arguments, the RFS is unfriendly to consumers. Misfueling with E15 is dangerous for many common machines. For example, lawnmowers, boats, snowmobiles, motorcycles, and vintage automobiles are incompatible with this fuel blend. The EPA acknowledged these issues in the original waiver permitting the use of E15 in newer automobiles. However, there has been insufficient work done to mitigate the potential for misfueling. Allowing for the expanded availability of E15 sales puts American consumers in greater jeopardy of the dangers of misfueling and product failure.

Free markets drive American innovation and sustain our economy. However, the RFS policy is antithetical to free market principles. The complex, government-mandated market for renewable blending credits is ripe for fraud.² Additionally, the EPA's use of its broad authority to grant exemptions from blending obligations demonstrates the standard's unattainability. Furthermore, approximately 40 percent of domestic corn production now feeds into ethanol production, meaning a not-insignificant portion of

¹ <https://www.reuters.com/article/usa-trump-ethanol/refile-update-3-trump-raises-ethanol-use-in-gasoline-appeases-farmers-ahead-of-elections-idUSL2N1WPIAY>

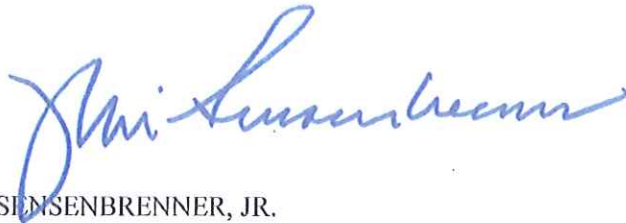
² <https://www.justice.gov/opa/pr/biofuel-company-owners-sentenced-conspiracy-and-fraud-charges>

American farmers are subject to the whims of government policy.³ Rural America needs sustained, dependable growth, rather than programmed agricultural outputs generated by political motivations. The United States must return to its historical reliance on market-driven outcomes.

The RFS was established to strengthen national security by reducing dependence on foreign energy supplies. As an added benefit, it was also touted as decreasing the environmental impacts of automobile use. Some research questions whether increased farming activity correlated with the RFS cancels out its expected environmental benefits.⁴

I understand some industries have exerted significant political pressure to convince the EPA to expand the E15 waiver. However, I urge you to consider the RFS's legacy before propping up this overly-rigid, failed energy policy.

Sincerely,

A handwritten signature in blue ink, reading "F. James Sensenbrenner, Jr.", written in a cursive style.

F. JAMES SENSENBRENNER, JR.
Member of Congress

³ <https://subscriber.politicopro.com/energy/article/2018/10/trumps-ethanol-move-delivers-gift-to-corn-country-831493>

⁴ http://www.gibbs-lab.com/wp-content/uploads/2017/11/spawn_Summary.pdf