June 8, 2020

President Donald J. Trump
The White House
1600 Pennsylvania Ave, NW
Washington, D.C. 20500

Dear President Trump,

We write to express our concern regarding recent requests to waive blending requirements under the Renewable Fuel Standard (RFS). This pandemic has severely strained the market for biofuels, closing plants and dealing another crippling blow to an industry that is already struggling. We urge you to stand with our farmers and rural economies during this challenging time and deny any request for blanket statewide or nationwide waivers from the 2020 RFS blending requirements under the Clean Air Act.

Recently, several governors have asked the Environmental Protection Agency (EPA) to grant a waiver from the RFS. Granting this waiver will only compound the challenges facing rural America and weaken one of the most successful clean air policies in the US. These waivers directly undermine the RFS and only stand to put more pressure on the ethanol and biodiesel industries, which support over 300,000 high-paying American jobs.

The effects of COVID-19, on top of the damage caused by abuse of the small refinery exemption waivers, have caused more than 150 biofuel plants to either completely or partially idle production. This means that over 50 percent of US ethanol production capacity has ceased operations, resulting in economic uncertainty for our rural economies and the loss of a critical market for corn farmers. At an already turbulent time for ethanol and biodiesel producers, we must take action to support—not undermine—the industry and our farmers.

In addition to the economic harm waiving the RFS would cause rural America, these requests are unjustified and run contrary to the EPA’s well-established precedents. The Clean Air Act (Title 42 United States Code §7454(o)(7)) stipulates that the EPA can only grant RFS waivers if the renewable fuel requirement “would severely harm the economy or environment of a state, a region, or the United States” or “that there is an inadequate domestic supply” of renewable fuel. The requests for RFS waivers fail to meet these crucial legal criteria and the EPA must reject these requests because:

- Recent oil market volatility is a result of COVID-19 impacts on travel and lower demand for fuel combined with high production levels in Russia and Saudi Arabia, not the RFS;
- RFS regulations and requirements account for a drop in the demand for fuel with a proportional change in the volume of renewable fuel required; and
• There is an excess supply of RINs currently on the market and available to refiners, offering flexibility for RFS compliance.

We stand ready to work with you on ways to deliver on continued investment and support for biofuels. They offer an immediately available and proven path towards decarbonizing the transportation sector, driving economic growth, creating jobs, and improving air quality. We need to make sure that our rural economies are in the best possible position to recover from this crisis and any move to weaken the RFS would only put us further behind.

Again, we strongly urge you to uphold the integrity of the RFS and decline issuing any blanket statewide or nationwide waivers from the 2020 RFS blending requirements under the Clean Air Act. Thank you for your consideration and please contact us with any questions that you may have.

Sincerely,

Abby Finkenauer  
Member of Congress

Collin C. Peterson  
Member of Congress

Angie Craig  
Member of Congress

Don Bacon  
Member of Congress

Ann Wagner  
Member of Congress

Dave Loebsack  
Member of Congress

Rodney Davis  
Member of Congress

Darin LaHood  
Member of Congress

Mark Pocan  
Member of Congress

Mike Bost  
Member of Congress

Dusty Johnson  
Member of Congress

Emanuel Cleaver  
Member of Congress

Blaine Luetkemeyer  
Member of Congress

Cheri Bustos  
Member of Congress

Vicky Hartzler  
Member of Congress

Jim Hagedorn  
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Mark Pocan  
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Emanuel Cleaver  
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Mike Bost  
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Vicky Hartzler  
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Cindy Axne  
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Jeff Fortenberry  
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Robin L. Kelly  
Member of Congress  

Sam Graves  
Member of Congress  

Ron Estes  
Member of Congress  

Steve Watkins  
Member of Congress  

James Comer  
Member of Congress  

Sean Casten  
Member of Congress  

Jackie Walorski  
Member of Congress  

TJ Cox  
Member of Congress  

Adrian Smith  
Member of Congress  

Steve King  
Member of Congress  

Ron Kind  
Member of Congress  

Rick Crawford  
Member of Congress  

Jim Baird  
Member of Congress  

Jason Smith  
Member of Congress  

Jim Himes  
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Adam Kinzinger  
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Jahana Hayes  
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Joe Courtney  
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David N. Cicilline  
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Lucille Roybal-Allard  
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Ann McLane Kuster  
Member of Congress  

David Scott  
Member of Congress