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COMMITTEE ON HOMELAND SECURITY  
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**Congress of the United States**  
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November 17, 2016

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

Dear Administrator McCarthy:

As the Environmental Protection Agency (EPA) finalizes the proposed rule that will set the annual volume requirements for renewable fuels under the Renewable Fuel Standard (RFS), I respectfully urge that the Renewable Volume Obligation (RVO) rule for 2017 be consistent with that of the statutory level. In recent years, the RVO set by EPA has increased, but it remains below the statutory volumes set by Congress. The RFS is the only congressionally authorized program focused on the private sector to reduce greenhouse gases and carbon emissions. It is essential to the health and wellness of our constituencies to get the RFS back on track.

The point of the RFS is to replace or reduce the quantity of petroleum-based transportation fuel. Doing so will reduce greenhouse gas and carbon emissions and increase air quality. Children in high transportation areas are most at risk from the toxic and carcinogenic effect of poor air quality. Poor air quality leads to childhood asthma, emphysema, chronic bronchitis, and other adverse health effects. Our constituents deserve clean air, and increasing the blending of renewable fuels in gasoline will greatly assist the goal of healthier cities and a healthier America.

I applaud the EPA's efforts to support market growth of ethanol and other renewable fuels in the United States. However, the EPA continues to rely on waiver authority not congressionally authorized in the RFS statute to set the Renewable Volume Obligation, and is consistently setting the RVO lower than the statutory level. Such actions have the ability to negate the purpose of the RFS by dissuading biofuels investors and disincentivizing the market to produce or increase production of renewable fuels. Given that this practice does not represent the intent of Congress and has the ability to disrupt progress, I encourage a return to guidelines defined by the statute.

I respectfully urge the Environmental Protection Agency to strengthen the Renewable Fuel Standard by increasing the Renewable Volume Obligation for 2017 and discontinuing the use of the distribution waiver. Both actions will contribute to the health of the nation and be consistent with Congressional intent.

Sincerely,

A handwritten signature in blue ink, appearing to read "DMP, Jr.", is positioned above a horizontal line.

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Donald M. Payne, Jr.  
Member of Congress