



August 11, 2021

The Honorable Joseph R. Biden
President of the United States
The White House
Washington, D.C. 20500

Dear Mr. President:

On behalf of the members of the American Coalition for Ethanol (ACE), I write today to urge you to set the maximum statutory conventional renewable fuel volumes under the Renewable Fuel Standard (RFS) in the 2021 and 2022 Renewable Volume Obligation (RVO) rulemaking and pursue every option at your disposal to ensure uninterrupted market access for E15. These actions are the quickest way to reduce greenhouse gas (GHG) emissions from the U.S. transportation fleet in the near term and advance net-negative biofuel production that can help achieve a fully decarbonized transportation future.

ACE's 250-member grassroots organization of U.S. farmers, ethanol biorefineries, investors and local companies that supply goods and services to the ethanol industry is depending upon this Administration to restore integrity to the RFS and provide market signals that higher blends of ethanol are part of your plan to tackle climate change in the transportation sector.

Congress enacted the RFS to displace fossil fuels with lower carbon renewable fuels such as ethanol. The program has succeeded in this goal by increasing use of domestically produced biofuels that benefit the climate, the price consumers pay at the pump, and rural economies. Today, U.S. ethanol companies can produce over 15 billion gallons of corn ethanol with average lifecycle GHG emissions which are 50 percent cleaner than gasoline according to a recent Harvard and Tufts [report](#).¹

As climate scientists continue to warn we need to make immediate and rapid CO₂ reductions, maximizing ethanol usage now is the best way to curb GHG emissions quickly at scale. Today, 97 percent of all U.S. vehicles are legally approved to use E15 and nearly 25 million flexible fuel vehicles (FFVs) can operate on blends of ethanol and gasoline up to E85. We recognize your goal is to electrify the vehicle fleet in the future, but the inconvenient truth is there are hundreds of millions more people driving vehicles capable of using low-carbon substitutes to petroleum such as E15 and E85 today than any other alternative. Since this reality will exist well into the future, increasing the use of ethanol today will immediately reduce GHGs while the production of electric vehicles (EVs) ramps up.

Additionally, U.S. produced ethanol is the *only* transportation fuel alternative that can reach net-negative lifecycle GHG emissions with proper long-term technology-neutral federal policies. This week's Intergovernmental Panel on Climate Change (IPCC) report titled "Climate Change 2021, The Physical Science Basis" makes the case for policies that drive anthropogenic CO₂ removal, such as through the sequestration of carbon with climate-smart farming practices and biofuel production, to lower the Earth's temperature.² Today, the policy drivers for scaling carbon sequestration through biofuels are the RFS and state low carbon fuel standards.

¹ <https://iopscience.iop.org/article/10.1088/1748-9326/abde08/pdf>

² https://www.ipcc.ch/report/ar6/wg1/downloads/report/IPCC_AR6_WGI_SPM.pdf on page 39.

Unfortunately, decisions by the past two Administrations to side with oil refiners have undermined the RFS and slowed the replacement of petroleum with cleaner alternatives. In 2015, EPA illegally reduced annual RVOs based on improper interpretation of the RFS general waiver authority. ACE and others successfully challenged this action in the D.C. Circuit Court, and we are still waiting on EPA to comply with the court's order to replace those low-carbon gallons.³ From 2017 through 2020, the Trump Administration abused the Small Refinery Exemption provision of the RFS to undercut biofuel use. In both instances, EPA chose the petroleum industry's bottom line rather than faithfully execute Congress' directive to expand low-carbon renewable fuel use under the RFS.

ACE members are concerned your Administration is currently deliberating a similar tradeoff. Reuters indicates your chief of staff has intervened in the discussions between EPA and OMB on the pending 2021 and 2022 RVOs in part to contemplate whether they should reflect petroleum interests desire for the status quo or uphold your commitment to support low-carbon biofuels.⁴

In the near-term, a properly implemented RFS and year-round availability of E15 will meaningfully reduce the carbon intensity of the U.S. transportation sector by capitalizing on the existing vehicle fleet's ability to use lower-carbon biofuels. The pending decision on the 2021 and 2022 RVOs will determine whether the Administration will allow those GHG reductions to occur.

In the mid-term, the pending RVO decision will act as a harbinger for companies on how much to rely on your commitment to net-zero emissions by 2050 when making investment decisions. Net-negative biofuels and EVs will both be needed to attain net-zero emissions in the U.S. transportation sector. That said, inconsistent implementation of such policies will stall progress. The Administration's willingness, or lack thereof, to enforce existing policies designed to displace status quo petroleum market share with low-carbon alternatives will be noted. If your Administration is not willing to ensure the RFS will call for 15 billion gallons of low-carbon ethanol already being produced to replace petroleum at the pump, legitimate questions will be asked about the merits of non-binding executive orders setting national goals for less deployable decarbonization technologies.

With your support and leadership, ACE members stand ready to deliver on biofuels' promise to meaningfully decarbonize the U.S. transportation sector.

Sincerely,

A handwritten signature in black ink, appearing to read "B. Jennings".

Brian Jennings, CEO
American Coalition for Ethanol

³ Americans for Clean Energy, Inc. vs EPA

⁴ <https://www.reuters.com/world/us/exclusive-white-house-delays-biofuel-mandates-due-political-concerns-sources-2021-07-20/>