

110TH CONGRESS  
2D SESSION

# H. R. 6134

To restore certain fuels provisions enacted by section 1501 of the Energy Policy Act of 2005, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

MAY 22, 2008

Mr. BARTON of Texas (for himself, Mr. CANTOR, Mr. STEARNS, Mr. DEAL of Georgia, Mr. SHADEGG, Mr. PICKERING, Mr. RADANOVICH, Mrs. BONO MACK, Mrs. MYRICK, Mr. SULLIVAN, Mr. BURGESS, Mrs. BLACKBURN, Mr. GALLEGLY, Mr. PEARCE, Mr. MCCRERY, Mr. MCCAUL of Texas, Mr. KUHL of New York, and Mr. ISSA) introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To restore certain fuels provisions enacted by section 1501 of the Energy Policy Act of 2005, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Renewable Fuel Ad-  
5 justment Act of 2008”.

1 **SEC. 2. RESTORATION OF CERTAIN RENEWABLE FUEL PRO-**  
2 **VISIONS.**

3 Section 202 of the Energy Independence and Security  
4 Act of 2007 is amended to read as follows:

5 **“SEC. 202 RENEWABLE FUEL STANDARD.**

6 “When the Secretary submits to Congress the report  
7 provided for in section 203 of this Act, the President shall  
8 recommend to Congress appropriate changes, if any, to  
9 section 211(o) of the Clean Air Act based upon the find-  
10 ings in the report.”.

11 **SEC. 3. REPEAL AND STUDY.**

12 (a) REPEAL.—Section 201 of the Energy Independ-  
13 ence and Security Act of 2007 is repealed.

14 (b) STUDY.—Paragraph (11) of section 211(o) of the  
15 Clean Air Act, as added by section 203 of the Energy  
16 Independence and Security Act of 2007, is amended to  
17 read as follows:

18 “(11) STUDY.—The Secretary of Energy, in  
19 consultation with the Secretary of Agriculture and  
20 the Administrator of the Environmental Protection  
21 Agency, shall enter into an arrangement with the  
22 National Academy of Sciences under which the  
23 Academy shall assess the impact of Federal and  
24 State requirements to use ethanol on producers of  
25 feed grains, livestock, food, forest products, energy,  
26 and other consumer goods.”.

1 **SEC. 4. REDUCED ETHANOL BLENDER CREDIT FOR ETH-**  
 2 **ANOL DERIVED FROM CORN KERNELS, SOY-**  
 3 **BEANS, OR OTHER FOOD OR FEED SUB-**  
 4 **STANCES.**

5 (a) IN GENERAL.—Subsection (h) of section 40 of the  
 6 Internal Revenue Code of 1986 (relating to reduced credit  
 7 for ethanol blenders) is amended by adding at the end the  
 8 following new paragraph:

9 “(3) ADDITIONAL REDUCTIONS FOR ETHANOL  
 10 DERIVED FROM CORN KERNELS, SOYBEANS, OR  
 11 OTHER FOOD OR FEED SUBSTANCES.—In the case of  
 12 ethanol derived from corn kernels, soybeans, or any  
 13 other substance that is suitable for human food or  
 14 livestock feed consumption, the table contained in  
 15 paragraph (2) shall be applied by substituting the  
 16 amounts in the following table for the otherwise ap-  
 17 plicable blender amounts and low-proof blender  
 18 amounts:

“In the case of any sale or use during calendar year:	The blender amount is:	The low-proof blender amount is:
2009 .....	45	33.33
2010 .....	33	24.44
2011 .....	15	11.11”.

19 (b) EFFECTIVE DATE.—The amendment made by  
 20 this section shall apply to sales and uses after December  
 21 31, 2008.