

**AMENDMENT TO THE AMENDMENT OFFERED BY  
MRS. FISCHBACH TO RULES COMMITTEE  
PRINT 119-22**

**[AMENDMENT TO AMENDMENT NUMBER 289]  
OFFERED BY MR. PERRY OF PENNSYLVANIA**

Add at the end the following:

1       (h) ALIGNMENT OF RENEWABLE VOLUME OBLIGA-  
2 TIONS WITH ACTUAL ETHANOL CONSUMPTION.—

3           (1) IN GENERAL.—Section 211(o) of the Clean  
4 Air Act (42 U.S.C. 7545(o)) is amended by adding  
5 at the end the following new paragraph:

6           “(13) CONSUMPTION-BASED SETTING OF RE-  
7 NEWABLE VOLUME OBLIGATIONS.—

8           “(A) REQUIREMENT.—Notwithstanding  
9 any other provision of this subsection, the Ad-  
10 ministrator shall establish the applicable volume  
11 of renewable fuel for conventional biofuel for  
12 each compliance year at a level that does not  
13 exceed the most recent verifiable estimate of do-  
14 mestic consumption of ethanol in transportation  
15 fuel in the United States.

16           “(B) DATA SOURCE.—For purposes of this  
17 paragraph, the Administrator shall base such

1 determination on the most recent annual data  
2 published by the Energy Information Adminis-  
3 tration, including—

4 “(i) national gasoline consumption;

5 and

6 “(ii) total ethanol blended into fin-  
7 ished motor gasoline.

8 “(C) METHODOLOGY.—In establishing the  
9 applicable volume under this paragraph, the  
10 Administrator shall utilize a transparent meth-  
11 odology that reflects actual market conditions,  
12 including fuel demand, blend limitations, and  
13 demonstrated consumption levels, and shall  
14 make such methodology publicly available not  
15 later than 60 days prior to finalizing the appli-  
16 cable volume.

17 “(D) PROHIBITION.—The Administrator  
18 may not set an applicable volume for conven-  
19 tional biofuel that relies on projected consump-  
20 tion levels that exceed demonstrated, historic  
21 consumption as reflected in the data described  
22 in subparagraph (B).

23 “(E) UPDATES.—The Administrator shall  
24 annually update the applicable volume to reflect

1           the most recent finalized data published by the  
2           Energy Information Administration.”.

3           (2)     CONFORMING     AMENDMENT.—Section  
4           211(o)(2)(A)(i) of the Clean Air Act (42 U.S.C.  
5           7545(o)(2)(A)(i)) is amended by adding at the end  
6           the following: “Not later than 1 year after the date  
7           of enactment of the Farm, Food, and National Secu-  
8           rity Act of 2026, the Administrator shall revise the  
9           regulations under this paragraph to implement the  
10          requirements of paragraph (13).”.

