

FOR IMMEDIATE RELEASE
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IER Files Second RFS Related FOIA Request with the USDA

WASHINGTON DC (September 24, 2019) – Today, the Institute for Energy Research (IER) announced it has filed a second open records request with the U.S. Department of Agriculture (USDA) to compel the release of certain documents under the Freedom of Information Act (FOIA) related to the agency’s involvement in the Renewable Fuel Standard (RFS) regulatory process.

IER maintains that the USDA has no statutory authority or involvement in the RFS, and authority over the program resides with the Environmental Protection Agency with an advisory role for the Department of Energy. Nonetheless, public records and news reports demonstrate USDA officials have in fact sought to influence administration RFS policy. Such efforts on the part of USDA are a matter of grave public concern.

IER President Thomas Pyle made the following statement:

“It’s unfortunate that it has come to this, but the public has a right to know if special interests are getting favor within the administration in a way that negatively impacts the budgets of everyday Americans. Deputy Secretary of Agriculture Stephen Censky is the former longtime CEO of the American Soybean Association. Given

that soybeans are the second largest source of biofuels used for compliance with RFS, knowing whether or not Mr. Censky is undertaking actions to materially benefit his former employer is of grave importance. Let's hope he is not.”

"It is no secret that we disagree with the Trump Administration's RFS policy, but this request for transparency is not about our disagreements with the implementation of a flawed program that increases transportation costs for American families. It is about whether the administration is following the law. It is also about whether administration officials are giving favorable treatment to the industry they once represented."

IER submitted its initial FOIA request in May 2019 out of concern that the USDA was interfering with the RFS regulatory process. Having received no records, a lawsuit was filed in the U.S. District Court for the District of Columbia earlier this year. Today’s FOIA request has been expanded to determine what role the USDA has undertaken in the past several months to alter the renewable fuels mandate that would lead to increased costs for American families. IER looks forward to the USDA satisfying its public transparency obligations.

To read IER’s original FOIA Request to the USDA [click here](#).

To read IER’s public lawsuit [click here](#).

To read IER's second FOIA request the USDA [click here](#).

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