

112TH CONGRESS  
1ST SESSION

# H. R. 426

To repeal certain incentives and subsidies for renewable fuels.

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## IN THE HOUSE OF REPRESENTATIVES

JANUARY 25, 2011

Mr. FLAKE introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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 repeal certain incentives and subsidies for renewable fuels.

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 “Remove Incentives for  
5       Producing Ethanol Act of 2011” or the “RIPE Act of  
6       2011”.

7       **SEC. 2. REPEAL OF RENEWABLE FUEL STANDARD.**

8       Section 211(o) of the Clean Air Act (42 U.S.C.  
9       7545(o)) is repealed.

1 **SEC. 3. IMMEDIATE TERMINATION OF EXCISE TAX CREDIT**  
2 **FOR ALCOHOL FUEL MIXTURES.**

3 Sections 6426(b)(6) and 6427(e)(6)(A) of the Inter-  
4 nal Revenue Code of 1986 are each amended by striking  
5 “December 31, 2011” and inserting “the date of the en-  
6 actment of the RIPE Act of 2011”.

7 **SEC. 4. IMMEDIATE TERMINATION OF INCOME TAX CREDIT**  
8 **FOR ALCOHOL USED AS FUEL.**

9 Paragraph (1) of section 40(e) of the Internal Rev-  
10 enue Code of 1986 is amended by striking “any sale or  
11 use—” and all that follows and inserting “any sale or use  
12 for any period after the date of the enactment of the RIPE  
13 Act of 2011.”.

14 **SEC. 5. REMOVAL OF TARIFFS ON ETHANOL.**

15 (a) DUTY-FREE TREATMENT.—Chapter 98 of the  
16 Harmonized Tariff Schedule of the United States is  
17 amended by adding at the end the following new sub-  
18 chapter:

“Subchapter XXIII  
Alternative Fuels

Head- ing/ Sub- heading	Article Description	Rates of Duty		
		1		2
		General	Special	
9823.01.01	Ethyl alcohol (provided for in subheadings 2207.10.60 and 2207.20) or any mixture containing such ethyl alcohol (provided for in heading 2710 or 3824) if such ethyl alcohol or mixture is to be used as a fuel or in producing a mixture of gasoline and alcohol, a mixture of a special fuel and alcohol, or any other mixture to be used as fuel (including motor fuel provided for in subheading 2710.11.15, 2710.19.15 or 2710.19.21), or is suitable for any such uses .....	Free	Free	20%”.

1 (b) CONFORMING AMENDMENTS.—Subchapter I of  
2 chapter 99 of the Harmonized Tariff Schedule of the  
3 United States is amended—

4 (1) by striking heading 9901.00.50; and

5 (2) by striking U.S. notes 2 and 3.

6 (c) EFFECTIVE DATE.—The amendments made by  
7 this section apply to goods entered, or withdrawn from  
8 warehouse for consumption, on or after the 15th day after  
9 the date of the enactment of this Act.

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