permission of the manufacturer, authorized distributor, or retailer. An exception would be made where the manufacturer places inserts in the product solely for promotional purposes. The penalty for violation of this measure would be a fine of up to $250,000 per offense and/or imprisonment of up to three years. Closing this gap in Federal law would appropriately punish people whose actions violate the integrity of the food product, compromise consumer’s faith in the food they purchase in the grocery store, and damage the good name and reputation of the food manufacturer.

I look forward to its consideration and passage.

Mr. President, I ask unanimous consent that a copy of the legislation be printed in the RECORD following the completion of my remarks. I also ask unanimous consent that copies of the remarks of cosponsoring Senators be printed immediately following my statement.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to lie on the table.

Mr. HATCH. Mr. President, I am proud to sponsor, along with my good friend and esteemed colleague, Senator KOHL, the Product Packaging Protection Act of 2001. Other cosponsors include Senator DEWINE and the distinguished Chairman of the Judiciary Committee, Senator LEAHY.

This bipartisan legislation addresses a trend that has been increasingly reported over the last several years—the discovery by consumers of unauthorized pamphlets placed inside the packaging of everyday consumer products, such as breakfast cereal and frozen foods. In many cases, unsuspecting consumers, including young children, have found offensive messages inserted into the products they have purchased, including pamphlets explicitly advocating violence against particular racial, ethnic, and religious groups.

While Federal law currently prohibits tampering with consumer products that taints the product, or renders the labeling materially false, the law does not currently prohibit someone placing writings in or on the product after the product has left the manufacturer’s control. The legislation being introduced today will close this loophole—providing the FBI and other Federal law enforcement agencies with jurisdiction to investigate these incidents and bring the perpetrators to justice.

With all the recent focus on protecting our children from corrupting influences on the Internet, we should not ignore old-fashioned “low tech” examples by which harmful and often hateful messages may be disseminated. It is intolerable for the distributors of our foodstuffs and other consumer products to become the unwitting carriers of offensive harmful messages.

I look forward to working with Senator KOHL to ensure passage of this important legislation.

Mr. LEAHY. Madam President, I am pleased to join Senator KOHL, and others, on introducing the Product Packaging Protection Act of 2001.

Over the last few years, consumer complaints have been made about offensive material being inserted in various consumer products. These offensive materials range from neo-Nazi and anti-Semitic passages to pornographic images and disturbing anti-abortion images. Unfortunately, these materials have been found in consumer products often used by children, such as cereal boxes. Moreover, such activities pose risks to the safety of consumer products, which consumers reasonably expect to obtain from the store in pristine condition and without those products having been opened by unauthorized individuals.

To address this problem, this legislation would add a new prohibition to the Federal Anti-Tampering Act, 18 U.S.C. § 1385, to prohibit a person from intentionally tampering with a consumer product, without the consent of the manufacturer, retailer, or authorized distributor by inserting a writing in the consumer product or its container prior to its sale to a consumer. A person convicted of violating this new provision would be subject to a fine or up to two years’ imprisonment. The term “tampering” is defined to mean meddling for the purpose of altering, damaging or misusing a product. See Webster’s Dictionary. The bill describes in precise terms the tampering activity that would fall within the new criminal prohibition, and is intended to extend further protection to consumer products.
SEC. 3. PILOT PROGRAM ON E85 FUELING STATIONS.

(a) DEFINITION OF E85.—In this section, the term "E85" means motor vehicle fuel that consists of 85 percent ethanol and 15 percent gasoline.

(b) ESTABLISHMENT OF PILOT PROGRAM.—The Secretary of Transportation shall establish a pilot program to increase the number of E85 fueling stations in the Chicago, Illinois, metropolitan area to at least 50 by the end of fiscal year 2002.

(c) REPORT TO CONGRESS.—As soon as practicable after the end of fiscal year 2002, the Secretary of Transportation shall submit to Congress a report on the results of the pilot program.

(d) FUNDING.—Notwithstanding any other provision of this Act, the Secretary of Transportation shall use $3,000,000 of funds made available to the Secretary under this Act to carry out this section.

SEC. 4. STUDY OF TRANSPORTATION OF ETHANOL.

In consultation with the Secretary of Agriculture, the Secretary of Transportation shall conduct a study and submit to Congress a report on the ability of the United States transportation system to transport ethanol to

1. areas in the State of California; and
2. other areas in the United States that—
(A) use reformulated gasoline under section 211(k) of the Clean Air Act (42 U.S.C. 7545(k)); and
(B) as of the date of enactment of this Act, use methyl tertiary butyl ether in that reformulated gasoline.

SEC. 5. PLAN TO INCREASE USE OF RENEWABLE FUEL BY FEDERAL FleETS.

In consultation with the heads of other Federal agencies, the Secretary of Transportation shall develop a plan to increase the quantity of motor vehicle fuel used by Federal agencies as defined in section 302(b)(3) of the Energy Policy Act of 1992 (42 U.S.C. 13212(b)(3)) that consists of renewable fuel to not less than 5 percent by calendar year 2016.