

“Fisheries of the Exclusive Economic Zone Off Alaska; Revision of Single Geographic Location Requirement in the Bering Sea Subarea; Amendments 62/62” (RIN0648-AR06) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2908. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Tilefish; Amendment 1” (RIN0648-AS25) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2909. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Experimental Permitting Process, Exempted Fishing Permits, and Scientific Research Activity” (RIN0648-AR78) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2910. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Atlantic Deep-Sea Red Crab Fishery; Emergency Rule; Extension” (RIN0648-AX61) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2911. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Other Rockfish in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XQ75) received in the Office of the President of the Senate on September 8, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2912. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XQ57) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2913. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Northern Rockfish and Pelagic Shelf Rockfish for Trawl Catcher Vessels Participating in the Entry Level Rockfish Fishery in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XQ58) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2914. A communication from the Director of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific

Ocean Perch for Catcher Processors Participating in the Rockfish Limited Access Fishery in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XQ59) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

EC-2915. A communication from the Acting Assistant Administrator for Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Highly Migratory Species Fisheries” (RIN0648-AW50) as received during adjournment of the Senate in the Office of the President of the Senate on August 19, 2009; to the Committee on Commerce, Science, and Transportation.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. JOHNSON:

S. 1664. A bill to amend title 10, United States Code, to modify the appointment and grade of the Chief of the Army Medical Specialist Corps; to the Committee on Armed Services.

By Mr. LUGAR:

S. 1665. A bill to amend the Andean Trade Preference Act to add Paraguay and Uruguay to the list of countries that are eligible to be designated as beneficiary countries and ATPDEA beneficiary countries, and for other purposes; to the Committee on Finance.

By Ms. COLLINS (for herself, Mr. CARDIN, Mr. WHITEHOUSE, and Ms. LANDRIEU):

S. 1666. A bill to require the Administrator of the Environmental Protection Agency to satisfy certain conditions before issuing to producers of mid-level ethanol blends a waiver from certain requirements under the Clean Air Act, and for other purposes; to the Committee on Environment and Public Works.

By Ms. COLLINS (for herself, Ms. CANTWELL, Ms. SNOWE, Mr. KERRY, and Mrs. GILLIBRAND):

S. 1667. A bill to provide for the development and coordinator of a comprehensive and integrated United States research program that assists the people of the United States and the world to understand past, assess present, and predict future human-induced and natural processes of abrupt climate change, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BENNET:

S. 1668. A bill to amend title 38, United States Code, to provide for the inclusion of certain active duty service in the reserve components as qualifying service for purposes of Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. GRASSLEY (for himself, Mr. DURBIN, and Mrs. FEINSTEIN):

S. Res. 263. A resolution designating October 2009 as “National Medicine Abuse Awareness Month”; to the Committee on the Judiciary.

By Mr. DODD (for himself, Mr. KERRY, Mr. REID, Mr. MCCONNELL, Mr. AKAKA, Mr. ALEXANDER, Mr. BARRASSO, Mr. BAUCUS, Mr. BAYH, Mr. BEGICH, Mr. BENNET, Mr. BENNETT, Mr. BINGAMAN, Mr. BOND, Mrs. BOXER, Mr. BROWN, Mr. BROWNBACK, Mr. BUNNING, Mr. BURR, Mr. BURRIS, Mr. BYRD, Ms. CANTWELL, Mr. CARDIN, Mr. CARPER, Mr. CASEY, Mr. CHAMBLISS, Mr. COBURN, Mr. COCHRAN, Ms. COLLINS, Mr. CONRAD, Mr. CORKER, Mr. CORNYN, Mr. CRAPO, Mr. DEMINT, Mr. DORGAN, Mr. DURBIN, Mr. ENSIGN, Mr. ENZI, Mr. FEINGOLD, Mrs. FEINSTEIN, Mr. FRANKEN, Mrs. GILLIBRAND, Mr. GRAHAM, Mr. GRASSLEY, Mr. GREGG, Mrs. HAGAN, Mr. HARKIN, Mr. HATCH, Mrs. HUTCHISON, Mr. INHOFE, Mr. INOUE, Mr. ISAKSON, Mr. JOHANNES, Mr. JOHNSON, Mr. KAUFMAN, Ms. KLOBUCHAR, Mr. KOHL, Mr. KYL, Ms. LANDRIEU, Mr. LAUTENBERG, Mr. LEMIEUX, Mr. LEAHY, Mr. LEVIN, Mr. LIEBERMAN, Mrs. LINCOLN, Mr. LUGAR, Mr. MCCAIN, Mrs. MCCASKILL, Mr. MENENDEZ, Mr. MERKLEY, Ms. MIKULSKI, Ms. MURKOWSKI, Mrs. MURRAY, Mr. NELSON of Nebraska, Mr. NELSON of Florida, Mr. PRYOR, Mr. REED, Mr. RISCH, Mr. ROBERTS, Mr. ROCKEFELLER, Mr. SANDERS, Mr. SCHUMER, Mr. SESSIONS, Mrs. SHAHEEN, Mr. SHELBY, Ms. SNOWE, Mr. SPECTER, Ms. STABENOW, Mr. TESTER, Mr. THUNE, Mr. UDALL of Colorado, Mr. UDALL of New Mexico, Mr. VITTER, Mr. VOINOVICH, Mr. WARNER, Mr. WEBB, Mr. WHITEHOUSE, Mr. WICKER, and Mr. WYDEN):

S. Res. 264. A resolution designating the Caucus Room of the Russell Senate Office Building as the “Kennedy Caucus Room”; considered and agreed to.

By Mrs. BOXER (for herself and Mrs. FEINSTEIN):

S. Res. 265. A resolution honoring the firefighters who sacrificed their lives while battling the Station Fire in southern California in August 2009; considered and agreed to.

ADDITIONAL COSPONSORS

S. 229

At the request of Mrs. BOXER, the name of the Senator from Illinois (Mr. BURRIS) was added as a cosponsor of S. 229, a bill to empower women in Afghanistan, and for other purposes.

S. 428

At the request of Mr. DORGAN, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 428, a bill to allow travel between the United States and Cuba.

S. 451

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 451, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centennial of the establishment of the Girl Scouts of the United States of America.

S. 461

At the request of Mrs. LINCOLN, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 461, a bill to amend the Internal Revenue Code of 1986 to extend and modify the railroad track maintenance credit.

S. 518

At the request of Mr. CARDIN, the name of the Senator from Virginia (Mr. WEBB) was added as a cosponsor of S. 518, a bill to establish the Star-Spanned Banner and War of 1812 Bicentennial Commission, and for other purposes.

S. 524

At the request of Mr. FEINGOLD, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 524, a bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority.

S. 535

At the request of Mr. NELSON of Florida, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 535, a bill to amend title 10, United States Code, to repeal requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 607

At the request of Mr. UDALL of Colorado, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of S. 607, a bill to amend the National Forest Ski Area Permit Act of 1986 to clarify the authority of the Secretary of Agriculture regarding additional recreational uses of National Forest System land that are subject to ski area permits, and for other purposes.

S. 795

At the request of Mr. HATCH, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 795, a bill to amend the Social Security Act to enhance the social security of the Nation by ensuring adequate public-private infrastructure and to resolve to prevent, detect, treat, intervene in, and prosecute elder abuse, neglect, and exploitation, and for other purposes.

S. 819

At the request of Mr. DURBIN, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 819, a bill to provide for enhanced treatment, support, services, and research for individuals with autism spectrum disorders and their families.

S. 883

At the request of Mr. KERRY, the name of the Senator from Ohio (Mr. VOINOVICH) was added as a cosponsor of S. 883, a bill to require the Secretary of the Treasury to mint coins in recognition and celebration of the establishment of the Medal of Honor in 1861, America's highest award for valor in action against an enemy force which can be bestowed upon an individual serving in the Armed Services of the United States, to honor the American military men and women who have been recipients of the Medal of Honor, and to promote awareness of what the Medal of Honor represents and how or-

dinary Americans, through courage, sacrifice, selfless service and patriotism, can challenge fate and change the course of history.

S. 994

At the request of Ms. KLOBUCHAR, the name of the Senator from Pennsylvania (Mr. SPECTER) was added as a cosponsor of S. 994, a bill to amend the Public Health Service Act to increase awareness of the risks of breast cancer in young women and provide support for young women diagnosed with breast cancer.

S. 1076

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1076, a bill to improve the accuracy of fur product labeling, and for other purposes.

S. 1244

At the request of Mr. MERKLEY, the name of the Senator from Minnesota (Mr. FRANKEN) was added as a cosponsor of S. 1244, a bill to amend the Civil Rights Act of 1964 to protect breastfeeding by new mothers, to provide for a performance standard for breast pumps, and to provide tax incentives to encourage breastfeeding.

S. 1254

At the request of Mr. SCHUMER, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1254, a bill to provide for identification of misaligned currency, require action to correct the misalignment, and for other purposes.

S. 1318

At the request of Mr. GREGG, the names of the Senator from Nebraska (Mr. JOHANN) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of S. 1318, a bill to prohibit the use of stimulus funds for signage indicating that a project is being carried out using those funds.

S. 1340

At the request of Mr. LEAHY, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from Iowa (Mr. GRASSLEY) were added as cosponsors of S. 1340, a bill to establish a minimum funding level for programs under the Victims of Crime Act of 1984 for fiscal years 2010 to 2014 that ensures a reasonable growth in victim programs without jeopardizing the long-term sustainability of the Crime Victims Fund.

S. 1382

At the request of Mr. DODD, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 1382, a bill to improve and expand the Peace Corps for the 21st century, and for other purposes.

S. 1402

At the request of Mr. MERKLEY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1402, a bill to amend the Internal Revenue Code of 1986 to increase the amount allowed as a deduction for start-up expenditures.

S. 1490

At the request of Mr. LEAHY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1490, a bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

S. 1492

At the request of Ms. MIKULSKI, the names of the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Mr. KERRY) and the Senator from Rhode Island (Mr. REED) were added as cosponsors of S. 1492, a bill to amend the Public Health Service Act to fund breakthroughs in Alzheimer's disease research while providing more help to caregivers and increasing public education about prevention.

S. 1511

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. INOUE) was added as a cosponsor of S. 1511, a bill to amend titles XVIII and XIX of the Social Security Act to improve awareness and access to colorectal cancer screening tests under the Medicare and Medicaid programs, and for other purposes.

S. 1606

At the request of Mr. WHITEHOUSE, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1606, a bill to require foreign manufacturers of products imported into the United States to establish registered agents in the United States who are authorized to accept service of process against such manufacturers, and for other purposes.

S.J. RES. 16

At the request of Mr. DEMINT, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S.J. Res. 16, a joint resolution proposing an amendment to the Constitution of the United States relative to parental rights.

S. RES. 242

At the request of Mr. VOINOVICH, the name of the Senator from Louisiana (Mr. VITTER) was added as a cosponsor of S. Res. 242, a resolution supporting the goals and ideals of "National Aerospace Day".

AMENDMENT NO. 2355

At the request of Mr. JOHANN, the names of the Senator from Wyoming (Mr. ENZI), the Senator from Georgia (Mr. CHAMBLISS), the Senator from Kentucky (Mr. BUNNING), the Senator from Arizona (Mr. KYL), the Senator from North Carolina (Mr. BURR), the Senator from South Carolina (Mr. DEMINT), the Senator from Utah (Mr. BENNETT), the Senator from Kansas (Mr. ROBERTS), the Senator from Wyoming (Mr. BARRASSO), the Senator from Oklahoma (Mr. COBURN), the Senator from Georgia (Mr. ISAKSON), the Senator from South Dakota (Mr. THUNE) and the Senator from Mississippi (Mr.

WICKER) were added as cosponsors of amendment No. 2355 proposed to H.R. 3288, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

At the request of Mr. HATCH, his name was added as a cosponsor of amendment No. 2355 proposed to H.R. 3288, *supra*.

AMENDMENT NO. 2356

At the request of Mr. JOHANNIS, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Nebraska (Mr. NELSON) were added as cosponsors of amendment No. 2356 intended to be proposed to H.R. 3288, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

AMENDMENT NO. 2361

At the request of Mr. GREGG, the names of the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON), the Senator from Nebraska (Mr. JOHANNIS) and the Senator from Georgia (Mr. CHAMBLISS) were added as cosponsors of amendment No. 2361 intended to be proposed to H.R. 3288, a bill making appropriations for the Departments of Transportation, and Housing and Urban Development, and related agencies for the fiscal year ending September 30, 2010, and for other purposes.

STATEMENTS ON INTRODUCED
BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. CARDIN, Mr. WHITEHOUSE, and Ms. LANDRIEU):

S. 1666. A bill to require the Administrator of the Environmental Protection Agency to satisfy certain conditions before issuing to producers of mid-level ethanol blends a waiver from certain requirements under the Clean Air Act, and for other purposes; to the Committee on Environment and Public Works.

Ms. COLLINS. Mr. President, today along with Senators CARDIN, WHITEHOUSE, and LANDRIEU I am introducing legislation that requires the administrator of the Environmental Protection Agency to satisfy three conditions before granting a waiver from the Clean Air Act of 1970 to producers of mid-level blends of ethanol. These are fuels that contain more than ten percent ethanol that are destined for use in engines originally designed to work with just gasoline.

While I believe that expanding our capacity to generate and use renewable energy is an important step toward becoming energy independent, I have serious concerns about the impact of ethanol on engines and fuel efficiency. Ethanol blends are more corrosive than gasoline and can cause failure in small

and older engines, such as boat engines.

The 2005 Energy Policy Act required that renewable fuels be introduced into our fuel supply to reduce our dependence on foreign oil. In 2007, that Renewable Fuel Standard was updated to require that by the year 2022 we introduce annually a minimum of 36 billion gallons of renewable fuel into our fuel supply.

The first, easiest route to satisfying the renewable fuel mandate was through blending ethanol, chiefly derived from corn, into gasoline at a level of 10 percent by volume, resulting in a gasoline known as "E10." Due to its high oxygen content, this fuel requires a Clean Air Act waiver, which EPA first granted in 1978. Today, in many areas of the country, people only have E10 as a choice at the pump. This includes my constituents in Maine. While the most modern engines have been designed to work with E10, older engines have well-documented difficulties using this fuel. I am very concerned that they will have even greater problems using ethanol fuel blends with even higher levels of ethanol.

E10 was introduced into Maine in 2008 and now it is the only fuel choice in the State. E10 has caused problems for some of my constituents. One topped off his gas tanks before heading to sea but, two miles out, the boat stopped. He later discovered that his tanks were topped off with E10 that destroyed his boat's fuel lines and caused fuel filters and carburetors to clog. He eventually had to tear up the boat deck and replace the fuel tanks at a cost of thousands of dollars.

In March 2009, manufacturers of mid-level ethanol blends containing as much as 15 percent of ethanol by volume, termed E15, petitioned the Environmental Protection Agency, EPA, to also grant this new fuel a waiver from the Clean Air Act. Many organizations share my concern about this development and are demanding that the performance of E15 in the current fleet of engines be thoroughly investigated before the new fuel can be introduced into commerce.

In June, 21 Senators wrote to the administrator of the EPA urging her to ensure that independent and comprehensive testing of any ethanol blend fuel with greater than 10 percent ethanol was completed prior to any waiver from current EPA guidance as required under the Clean Air Act. The response on July 20 was that a decision to grant a waiver for the new fuel rests entirely on the demonstration that the new fuel will not cause or contribute to the failure of vehicles or engines to meet emission standards. This is not adequate to alleviate my concerns about older and non-road engines.

Thus, today I am introducing the Mid-Level Ethanol Blends bill. This bill requires that the EPA Science Advisory Board carefully evaluate the body of evidence presented about E15's performance in the current inventory

of engines and report back to the Administrator before any waiver is granted. The report would indicate whether or not a sufficient body of evidence exists to support a decision to grant a waiver, which is hotly contested between supporters of E15 and those who caution against introducing the fuel into the market now. Automobile manufacturers who warranty their products to perform with E10 are justifiably concerned about whether they will be able to extend the warranty to users of E15 without putting themselves at significant economic risk. They will require significant testing of all engine and emission systems before accepting such risks.

The Science Advisory Board also would report on the ability of the wholesale and retail gasoline fuel infrastructure to introduce an E15 fuel into commerce without consumer confusion or misfueling. The Science Advisory Board also would estimate whether consumers throughout the country will be able to purchase gasoline other than E15 immediately and for five years after the introduction of the new blend. This will provide the Administrator with information about potential difficulties faced by many millions of vehicle, boat, and small-engine devices, for example, lawnmowers, chainsaws, weed trimmers, snowmobiles, that have engines whose performance could be compromised were they unable to use any fuel other than E15.

Once the Science Advisory Board report is released and the public has an opportunity to comment on the Board's findings, should the administrator decide to grant a waiver, this bill requires that the administrator formally respond to the recommendations of the Science Advisory Board in the waiver announcement. The administrator can only issue a waiver if the findings are that it will not adversely affect conventional gasoline-powered onroad and nonroad vehicles and nonroad engines in widespread use as of the date the new fuel is introduced.

There are over 200 million engines in the U.S. today that could conceivably be damaged by the introduction of new fuel blends containing higher amounts of ethanol. Should this occur, it would result in significant hardship to millions of Americans. We simply cannot place so many people in jeopardy through precipitous actions. Any introduction of a new fuel must be done carefully with ample time for testing.

As we pursue strategies to lessen our dependence on foreign oil, we must also take action to insure that ethanol fuel blends are safe and efficient for current engines. I urge my colleagues to join me, Senator CARDIN, and the coalition of organizations endorsing this legislation, and ensure that the ramifications of introducing mid-level ethanol blends into commerce are thoroughly understood before they are granted a waiver from the Clean Air Act.

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