

but meaningful thing we can do to make our current laws more effective and to give consumers and companies the help they need.

Mr. REID. Mr. President, I ask unanimous consent that the Kohl substitute amendment at the desk be agreed to, the bill, as amended, be read three times and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment (No. 4888) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Product Packaging Protection Act of 2002".

**SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 1 year, or both.

"(2) Notwithstanding the provisions of paragraph (1), if any person commits a violation of this subsection after a prior conviction under this section becomes final, such person shall be fined under this title, imprisoned for not more than 3 years, or both.

"(3) In this subsection, the term 'writing' means any form of representation or communication, including hand-bills, notices, or advertising, that contain letters, words, or pictorial representations."

The bill (H.R. 2621), as amended, was passed.

**PRODUCT PACKAGING PROTECTION ACT OF 2001**

Mr. REID. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of Calendar No. 152, S. 1233.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1233) to provide penalties for certain unauthorized writing with respect to consumer products.

There being no objection, the Senate proceeded to the consideration of the bill which had been reported from the Committee on the Judiciary, with an amendment to strike all after the enacting clause and inserting in lieu thereof the following:

[Strike the part shown in black brackets and insert the part shown in italic.]

**[SECTION 1. SHORT TITLE.**

[This Act may be cited as the "Product Packaging Protection Act of 2001".

**[SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

[Section 1365 of title 18, United States Code, is amended—

[(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

[(2) by inserting after subsection (e) the following new subsection (f):

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or authorized distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than three years, or both.

"(2) As used in paragraph (1) of this subsection, the term 'writing' means any form of representation or communication, including handbills, notices, or advertising, that contain letters, words, or pictorial representations.".]

**SECTION 1. SHORT TITLE.**

*This Act may be cited as the "Product Packaging Protection Act of 2001".*

**SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

*Section 1365 of title 18, United States Code, is amended—*

*(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and*

*(2) by inserting after subsection (e) the following:*

*"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 3 years, or both.*

*"(2) In this subsection, the term 'writing' means any form of representation or communication, including handbills, notices, or advertising, that contain letters, words, or pictorial representations."*

Mr. KOHL. Mr. President, today the Senate will pass the Product Packaging Protection Act of 2002. This bill will help prevent and punish a disturbing trend of product tampering—the placement of hate-filled literature into the boxes of cereal or food that millions of Americans bring home from the grocery store every day. I am pleased to have worked on this legislation with Senators HATCH, LEAHY, DEWINE, and DURBIN, as well as Chairman SENSENBRENNER, Congressman SCOTT, Congresswoman BALDWIN, and Congresswoman HART.

Too many Americans have recently opened groceries and found offensive, racist, anti-Semitic, pornographic and hateful leaflets. In the last few years, food manufacturers have received numerous complaints from consumers who report finding such literature. Hundreds more incidents have likely gone unreported. This behavior is outright shameful.

Unfortunately, when consumers or companies turn to the authorities, they cannot be helped. According to the FBI and the Food and Drug Administration's Office of Criminal Investigation, these actions are not covered by federal product tampering statutes. A loophole in Federal anti-tampering law allows it to go unpunished. And only a couple of state laws are in place. So, the Product Packaging Protection Act of 2002 will close this loophole in Fed-

eral product tampering law and protect consumers.

I am pleased that the Senate will pass this measure today. We hope that the House of Representatives will take up the legislation in a timely manner. Then, consumers will be able to rest a little easier when it comes to safety of the products they purchase at their local grocery store. The Product Packaging Protection Act is a small but meaningful thing we can do to make our current laws more effective and to give consumers and companies the help they need.

Mr. REID. Mr. President, I ask unanimous consent that the Kohl substitute amendment at the desk be agreed to, the committee substitute amendment be agreed to, as amended, the bill, as amended, be read a third time and passed, and the motion to reconsider be laid upon the table, with no intervening action or debate and that any statements relating to this matter be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 4889) was agreed to, as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the "Product Packaging Protection Act of 2002".

**SEC. 2. TAMPERING WITH CONSUMER PRODUCTS.**

Section 1365 of title 18, United States Code, is amended—

(1) by redesignating subsections (f) and (g) as subsections (g) and (h), respectively; and

(2) by inserting after subsection (e) the following:

"(f)(1) Whoever, without the consent of the manufacturer, retailer, or distributor, intentionally tampers with a consumer product that is sold in interstate or foreign commerce by knowingly placing or inserting any writing in the consumer product, or in the container for the consumer product, before the sale of the consumer product to any consumer shall be fined under this title, imprisoned not more than 1 year, or both.

"(2) Notwithstanding the provisions of paragraph (1), if any person commits a violation of this subsection after a prior conviction under this section becomes final, such person shall be fined under this title, imprisoned for not more than 3 years, or both.

"(3) In this subsection, the term 'writing' means any form of representation or communication, including hand-bills, notices, or advertising, that contain letters, words, or pictorial representations."

The committee amendment, in the nature of a substitute, as amended, was agreed to.

The bill (S. 1233), as amended, was read the third time and passed.

**PEACE CORPS CHARTER FOR THE 21ST CENTURY ACT**

Mr. REID. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 700, S. 2667.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2667) to amend the Peace Corps Act to promote global acceptance of the