home and permanently berthed in her namesake state. Mr. Speaker, Governor Whitman, the state legislature and the people of New Jersey all strongly endorse bringing the Battleship home. We are all united in our desire to have the U.S.S. *New Jersey* come home.

This legislation would help raise money to offset the costs of bringing the Battleship home, where she can serve as a permanent reminder of the brave men who served aboard her, and the important role the U.S.S. *New Jersey* has played on our nation's history.

Mr. Speaker, I urge all my colleagues to join me in cosponsoring this bill to honor the memory of the Battleship *New Jersey*.

INTRODUCTION OF THE ANTI-TAMPERING ACT AMENDMENTS OF 1999

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1999

Mr. GOODLATTE. Mr. Speaker, I rise today with my colleague from California, Congresswoman ZOE LOFGREN, to introduce the Anti-Tampering Act Amendments of 1999. This important legislation, which I introduced last year and which garnered a majority vote in the House, will provide law enforcement the tools they need to combat the growing crime of altering or removing product identification codes from goods and packaging. This bill will also provide manufacturers and consumers with civil and criminal remedies to fight those counterfeiters and illicit distributors of goods with altered or removed product codes. Finally, this bill will protect consumers from the possible health risks that so often accompany tampered goods.

Most of us think of UPC codes when we think of product identification codes—that block of black lines and numbers on the backs of cans and other containers. However, product ID codes are different than UPC codes. Product ID codes can include various combinations of letters, symbols, marks or dates that allow manufacturers to "fingerprint" each product with vital production data, including the batch number, the date and place of manufacture, and the expiration date. These codes also enable manufacturers to trace the date and destination of shipments, if needed.

Product codes play a critical role in the regulation of goods and services. For example, when problems arise over drugs or medical devices regulated by the Food and Drug Administration, the product codes play a vital role in conducting successful recalls. Similarly, the Consumer Product Safety Commission and other regulators rely on product codes to conduct recalls of automobiles, dangerous toys and other items that pose safety hazards.

Product codes are frequently used by law enforcement to conduct criminal investigations as well. These codes have been used to pinpoint the location and sometimes the identity of criminals. Recently, product codes aided in the investigation of terrorist acts, including the bombing of Olympic Park in Atlanta and the bombing of Pan Am Flight 103 over Lockerbie, Scotland.

At the same time, manufacturers have limited weapons to prevent unscrupulous distributors from removing the coding to divert products to unauthorized retailers or place fake codes on counterfeit products. For example, one diverter placed genuine, but outdated, labels of brand-name baby formula on substandard baby formula and resold the product to retailers. Infants who were fed the formula suffered from rashes and seizures.

We cannot take the chance of any baby being harmed by infant formula or any other product that might have been defaced, decoded or otherwise tempered with. FDA enforcement of current law has been vigilant and thorough, but this potentially serious problem must be dealt with even more effectively as counterfeiters and illicit distributors utilize the advanced technologies of the digital age in their crimes.

Manufacturers have attempted, at great expense and with little success, to prevent decoding through new technologies designed to create "invisible" codes, incapable of detection or removal. However, decoders have proven to be equally diligent and sophisticated in their efforts to identify and defeat new coding techniques. We therefore must provide manufacturers with the appropriate legal tools to protect their coding systems in order for them to protect the health and safety of American consumers.

Currently, federal law does not adequately address many of the common methods of decoding products and only applies to a limited category of consumer products, including pharmaceuticals, medical devices and specific foods. Moreover, current law only applies if the decoder exhibits criminal intent to harm the consumer. It does not address the vast majority of decoding cases which are motivated by economic considerations, but may ultimately result in harm to the consumer.

My legislation will provide federal measures which will further discourage tampering and protect the ability of manufacturers to implement successful recalls and trace products when needed. It would prohibit the alteration or removal of product identification codes on goods or packaging for sale in interstate or foreign commerce, including those held in areas where decoding frequently occurs.

The legislation will also prohibit goods that have undergone decoding from entering the country, prohibit the manufacture and distribution of devices primarily used to alter or remove product identification codes, and allow the seizure of decoded goods and decoding devices. It will require offenders to pay monetary damages and litigation costs, and treble damages in the event of repeat violations. The bill will also impose criminal sanctions, including fines and imprisonment for violators who are knowingly engaged in decoding violations.

The bill would not require product codes, prevent decoding by authorized manufacturers, or prohibit decoding by consumers. It is a good approach designed to strengthen the tools of law enforcement, provide greater security for the manufacturers of products, and most importantly, provide consumers with improved safety from tampered or counterfeit goods. I urge my colleagues to join me in supporting passage of this bill, which will go a long way toward closing the final gap in federal law enforcement tools to protect consumers and the products they enjoy.

HIGH TECHNOLOGY

HON. GRACE F. NAPOLITANO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 9, 1999

Mrs. NAPOLITANO. Mr. Speaker, as a Californian, I am fully aware of the impact of the high technology industry has had on my state's economic well-being and the prosperity of our people. California is, after all, the proud home of high-technology—the industry responsible for revitalizing the California economy, ensuring our position as the premier exporting state in the nation, and creating tens of thousands of high-wage jobs for our burgeoning population.

High-tech jobs are well-paying jobs—approximately 73 percent higher than other private sector jobs. This means that, on average, high-tech pays a $49,500 annual salary while other jobs pay $28,500. The most recent data on California's high-tech industry indicate that California ranks first in high-tech employment (about 785,000 jobs) and second in high-tech wages. Moreover, by 1997, 61 percent of all California exports were high-tech products.

In the context of a competitive global economy, America's high-tech products are in growing demand. As a result, America has a huge high-tech goods trade surplus with the European Union, Canada, and Brazil. In 1996, the high-tech industry exported $150 billion in goods making it the nation's leading exporter ahead of transportation equipment and chemicals. In this decade our high-tech exports grew a phenomenal 96 percent.

Our high-tech companies' innovations and business acumen are truly the envy of the world. The New Democrat Coalition's High-Tech Week is a perfect opportunity to put into perspective both our triumphs and our challenges. There is no doubt that the twin engines of technology and trade propel this economy.

The U.S. computer industry serves as a good example of American innovation and leadership. Many of our most successful companies started out as small entrepreneurial ventures with little cash, lots of enthusiasm, vision, hard work and real commitment. Those are the qualities that make me proud to be an American and a Californian.

However, today we are at a crossroads. We approach a new millennium with a workforce that lacks the skills to take advantage of the boundless opportunities that the high-tech industry has to offer. The concerns I hear from both educators and high-tech business people about the lack of skilled workers are serious. This is an ominous situation that deserves our serious attention.

The American Electronics Association is absolutely correct when it states "the technology industry cannot be sustained without workers with solid training in science and math."

It is a national embarrassment that American students do not compete well with high school students from other countries. For example, U.S. high school seniors ranked 19th