

SEC. 4. STATEMENT OF POLICY.

It is the policy of the United States that effective long-term conservation of the world's bear species, including North American bears, depends in part on the prohibition of the lucrative trade in bear viscera.

SEC. 5. DEFINITIONS.

In this Act:

(1) **BEAR VISCERA.**—The term "bear viscera" means the body fluids or internal organs (including the gallbladder) of a species of bear.

(2) **CITES.**—The term "CITES" means the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington on March 3, 1973 (27 UST 1087; TIAS 8249).

(3) **OTHER TERMS.**—The terms "import", "person", "State", and "transport" have the meanings provided in section 2 of the Lacey Act Amendments of 1981 (16 U.S.C. 3371).

SEC. 6. PROHIBITED ACTS.

A person who—

(1) imports into the United States, or exports from the United States, bear viscera or products that contain or claim to contain bear viscera; or

(2) sells, barter, offers to sell or barter, purchases, possesses with intent to sell or barter, transports, acquires, or receives in interstate or foreign commerce, bear viscera or products that contain or claim to contain bear viscera;

shall be subject to section 7(a).

SEC. 7. PENALTIES AND ENFORCEMENT.

(a) **IN GENERAL.**—A person who engages in conduct described in section 6 shall be subject to the penalties and sanctions provided in sections 4 and 5 of the Lacey Act Amendments of 1981 (16 U.S.C. 3373 and 3374).

(b) **ENFORCEMENT.**—

(1) **IN GENERAL.**—This Act shall be enforced in the manner provided in subsections (a), (b), and (c) of section 6 of the Lacey Act Amendments of 1981 (16 U.S.C. 3375).

(2) **USE OF PENALTY AMOUNTS FOR REWARDS AND INCIDENTAL EXPENSES.**—Amounts received as penalties, fines, or forfeiture of property under subsection (a) shall be used in accordance with section 6(d) of the Lacey Act Amendments of 1981 (16 U.S.C. 3375(d)).

SEC. 8. DISCUSSIONS CONCERNING TRADE PRACTICES.

(a) **IN GENERAL.**—The Secretary of the Interior and the United States Trade Representative shall—

(1) discuss issues involving trade in bear viscera with the appropriate representatives of such countries trading with the United States as are determined jointly by the Secretary of the Interior and the Secretary of Commerce to be the leading importers, exporters, or consumers of bear viscera; and

(2) attempt to establish coordinated efforts with the countries to protect bears.

(b) **REPORT.**—Not later than 5 years after the date of enactment of this Act, the Secretary of the Interior shall submit to Congress a report describing the progress of efforts to end illegal trade in bear viscera.●

IN APPRECIATION OF PROCTOR
JONES

● Mrs. MURRAY. Mr. President, on January 31 Proctor Jones spent his last day of service in the U.S. Senate. I join many of my colleagues in thanking him publicly for his work.

Proctor Jones has been an incredible asset to the Senate and to me. When I became a member of the Appropriations Subcommittee on Energy and Water Development in January, 1992, Proctor became my and my staff's

mentor on the workings of this important subcommittee. He led us through the complex and confusing maze of numbers, agencies, and appropriations politics. Proctor was invaluable.

My State of Washington is a major beneficiary of public investments coordinated under the jurisdiction of the Energy and Water Development Subcommittee, such as the Hanford Reservation, the Bonneville Power Administration, and numerous ports and waterways. These entities and projects are sometimes controversial, often complex, and usually expensive. Proctor knew what could be accomplished and what was doomed to failure. He had an answer to every question.

Of course, that ability to divine the realm of the possible was both a source of joy and frustration. When the answer to a request was "yes," I knew my request was a done deal and I could count on the funding or report language. When the answer was "no," convincing Proctor about the error of his views was, shall we say, a daunting task. But he never let me down. If something could not be done the way I had originally envisioned it, he would explain why it would not, and suggest alternative ways to arrive at a similar outcome.

Mr. President, I wish Proctor the best as he starts a new career as a partner with his former boss and one of the most effective Senators I have had the pleasure to serve with, former Senator J. Bennett Johnston. I will sorely miss Proctor's guidance and expertise, but know he is ready for a change and new challenges.

Congratulations, Proctor, on your more than three decades of service to the greatest deliberative body on Earth. And thank you for your guidance to first term Senators like me.●

CONGRESSIONAL PENSION
DISCLOSURE ACT

● Mr. HAGEL. Mr. President, today I join as a cosponsor of the Congressional Pension Disclosure Act of 1997. I commend Senator ABRAHAM for his leadership in drafting this important legislation.

This bill will require that detailed information about the pension of every Member of Congress be published twice a year as a part of a report on Congress that already is required by law. Under our proposal, each report would show how much a Member has contributed to his pension, how much he would receive if he retired, and any other information needed to enable the public to compute the Federal retirement benefits of each Member of Congress.

I strongly support this step because the people have a right to know fully and completely how their Congress works and how the congressional pension system works. There should be nothing hidden here. Nothing should be difficult for the people to determine. No calculations of congressional pensions or other benefits should be murky or confusing.

This bill will shine some sunlight on the congressional pension system. It will be another step toward restoring the confidence and trust of the American people in our National Legislature and in our system of self-government.●

TRIBUTE TO GABRIEL LEWIS
GALINDO

● Mr. DODD. Mr. President, I rise today to pay tribute to a true Panamanian statesman, a renowned diplomat, and a good friend of the United States—Gabriel Lewis Galindo.

Gabriel Lewis was considered his nation's leading expert on foreign affairs. And, over the past 20 years he was an influential figure in nearly all the major issues that dominated United States-Panamanian relations.

As Panama's Ambassador to the United States in the late 1970's, he played an integral role in helping to negotiate the Panama Canal treaties, which will transfer control of the waterway to Panama in the year 2000. In the end, Gabriel Lewis's abundant personal charm and charisma were a guiding force behind not only the resolution of those negotiations, but Senate approval of the treaties.

Gabriel Lewis was also a persistent and powerful voice for democracy in Panama. He became an outspoken and forceful opponent of the regime of Gen. Manuel Noriega seeking exile in the United States after being charged with treason in his native country.

Here in the United States, he continued his tireless struggles on behalf of Panamanian democracy, mobilizing support against the Noriega regime and leading efforts to increase United States economic pressure on Panama.

After the overthrow of Noriega, Gabriel Lewis continued his commitment to public service and the Panamanian people by becoming Panama's Foreign Minister in 1994. Almost immediately, he was working to improve United States-Panamanian relations. Soon after taking office, he recommended that the newly elected President of Panama, Ernesto Balladares, take in up to 10,000 Cuban refugees helping to defuse a growing crisis in the Caribbean.

Often in this body we honor great Americans who are a tribute to their community and their Nation. But we must also take the time to pay homage to those, who from abroad, are the embodiment of the values and precepts we hold dear as Americans. Gabriel Lewis Galindo was just such a man and he will be sorely missed both in his native Panama and by those who knew and respected him here in the United States.

My thoughts and prayers go out to his wife Nita, his 6 children, and his 21 grandchildren.●

ESTATE TAX REFORM

● Mr. ABRAHAM. Mr. President, earlier this year, I joined Senator KYL and others in introducing legislation which

would eliminate the Federal estate tax. In terms of helping families, encouraging economic growth, and simple tax fairness, eliminating the estate tax is one of the most meaningful steps Congress can take, and I intend to work with Members from both parties to move this legislation through Congress and on to the President's desk.

Mr. President, the estate tax was first instituted in 1916 as a means of raising revenue and redistributing wealth. It has largely failed on both accounts. On the other hand, it has had a severe and adverse impact upon millions of families, it has destroyed innumerable family owned businesses, and it has created perverse incentives that encourage parents to spend their savings now, rather than pass them on to their children later. As the National Commission on Economic Growth noted in its report:

It makes little sense and is patently unfair to impose extra taxes on people who choose to pass their assets on to their children and grandchildren instead of spending them lavishly on themselves. Families faced with these confiscatory taxes often find themselves forced to sell off farms or businesses, destroying jobs in the process.

I believe the Kemp Commission was exactly right. The estate tax is simply devastating to entrepreneurs and farmers. By forcing the sale of many businesses, the tax causes untold hardship and turmoil in families already dealing with the loss of a loved one. It has been estimated that 70 percent of all businesses never make it past the first generation, while 90 percent do not make it past the second generation. I believe the estate tax is responsible for much of this failure.

Worse, this destruction of businesses and loss of jobs cannot be justified for budget reasons. The estate tax raises little money for the Federal Government. Historically, the estate tax raises less than 2 percent of total Federal revenues. According to many observers, this amount is less than the cost the estate tax imposes to both government and the economy.

In conclusion, Mr. President, let me say that the estate tax is simply unfair. It tells every American that no matter how hard you work or how wisely you manage your affairs, in the end the Federal Government is going to step in and take it away. The estate tax is double and, in some cases triple taxation, it punishes hard work and wealth creation, and it fails to raise the kind of revenue that could possibly justify the damage it causes. It has been destroying businesses and ruining lives for four generations now, and it is

my hope we can act in this Congress so it will not afflict yet another generation of Americans. •

APPOINTMENT BY THE PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The Chair, on behalf of the President pro tempore, and upon the recommendation of the majority leader, pursuant to Public Law 102-138, appoints the Senator from Alaska [Mr. STEVENS] as chairman of the Senate delegation to the British-American Interparliamentary Group during the 105th Congress.

APPOINTMENTS BY THE VICE PRESIDENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, in accordance with 22 U.S.C. 1928a-1928d, as amended, appoints the Senator from Delaware [Mr. ROTH] as chairman of the Senate delegation to the North Atlantic Assembly during the 105th Congress.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276d-276g, as amended, appoints the Senator from Alaska [Mr. MURKOWSKI] as chairman of the Senate delegation to the Canada-United States Interparliamentary Group during the 105th Congress.

The Chair, on behalf of the Vice President, pursuant to 22 U.S.C. 276h-276k, as amended, appoints the Senator from Texas [Mrs. HUTCHISON] as chairman of the Senate delegation to the Mexico-United States Interparliamentary Group during the 105th Congress.

AMENDMENT OF THE JOURNAL— INDEFINITE POSTPONEMENT OF H.R. 4278

Mr. NICKLES. Mr. President, I ask unanimous consent that the Journal of the Senate of September 30, 1996 be amended to reflect the indefinite postponement of H.R. 4278.

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

ORDER FOR STAR PRINT—S. 24

Mr. NICKLES. I ask unanimous consent that Senate bill 24 be star printed with the changes that are at the desk.

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

READING OF WASHINGTON'S FAREWELL ADDRESS

Mr. NICKLES. Mr. President, I ask unanimous consent, notwithstanding

the order of the Senate of January 24, 1901, that on Monday, February 24, 1997, immediately following the prayer and the disposition of the Journal, the traditional reading of Washington's Farewell Address take place and that the Chair be authorized to appoint a Senator to perform that task.

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

ORDERS FOR TUESDAY, FEBRUARY 11, 1997

Mr. NICKLES. Mr. President, I ask unanimous consent that when the Senate completes its business today it stand in adjournment until the hour of 2:15 p.m. on Tuesday, February 11. I further ask that immediately following the prayer the routine requests through the morning hour be granted and the Senate then proceed to the consideration of Senate Joint Resolution 1, and under a previous consent there will be 1 hour for debate prior to a vote in relation to the Wellstone amendment regarding underprivileged children.

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

PROGRAM

Mr. NICKLES. For the information of all Senators, the Senate will continue the debate on the balanced budget amendment on Tuesday. Under the previous order, the Senate will resume debate on the Wellstone amendment at 2:15 p.m. with a vote occurring on or in relation to that amendment at approximately 3:15 p.m. on Tuesday. Senators, therefore, can expect the next rollcall vote on Tuesday, February 11, at approximately 3:15 p.m.

Also it is my hope we will be able to confirm the nomination of Congressman Richardson to be U.N. Ambassador shortly after the nomination is reported out of the Foreign Relations Committee.

ADJOURNMENT UNTIL 2:15 P.M. TOMORROW

Mr. NICKLES. Mr. President, if there is no further business to come before the Senate, I now ask unanimous consent the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 7:19 p.m., adjourned until Tuesday, February 11, 1997, at 2:15 p.m.