

resources on behalf of the community and in particular for those less fortunate. Her largess is well known and more than one child remembers her for the gift of shoes or school supplies that made it possible to attend school. Each winter she hosts a dinner for senior citizens in need and every spring, in her mother's memory, she throws a banquet for the entire community.

Bernice's efforts on behalf of individuals and the community at large is legendary. Always one to go the extra mile, Bernice has driven to Washington and slept in her car in the battle for a sewer for a small community. She has led countless countywide efforts to improve roads, storm water drainage, sewer, and water conditions. Her constituents have full faith in her ability to make things happen. Whether saving the Lower Richland Rural Health Center, improving recreation facilities for children, or turning out the vote with her "Wrecking Crew", Bernice Scott is always sure to be in the thick of things.

Bernice grew up the 7th of 11 children on a family farm. She is married to Deacon Thomas Gilmore and is the mother of two children and three grandchildren. First elected to county council in September 1988, Bernice Scott is the first African-American to chair Richland County Council. In addition to her duties on county council, she has held the positions of assistant to the court administrator, county ombudsman, records clerk in the county treasurer's office, tax collector and assistant to the clerk of council for Richland County. She is a member and a deaconess of Mount Nebo Baptist Church in Gasden, SC.

A short list of her civic activities include: member of the Central Midlands Regional Planning Council, the HOME Committee, vice-chair of the Transportation Committee, member of the Richland County Administration and Finance Committee, member of the Soil and Water Conservation Board, and chairperson of the board of directors for Richland Community Health Care Association.

Bernice Scott is the embodiment of public service at its very best. •

#### BEAR PROTECTION ACT

Mr. MCCONNELL. Mr. President, on February 5, I introduced the Bear Protection Act, S. 263. This measure is aimed at controlling poaching of bears such as the American black bear which is found in Kentucky. It addresses several enforcement and jurisdictional loopholes that are caused by a patchwork of State laws. The current inconsistencies enable a wildly profitable underground black market for bear parts to flourish in the United States.

Mr. President, my bill would in no way affect legal hunting of bears. Hunters would still be allowed to keep trophies and furs of bears killed during legal hunts. This measure would only prohibit the sale or barter of the inter-

nal organs of the bear which are referred to as bear viscera.

This bill is made necessary because of the booming illegal trade in bear viscera. At least 18 Asian countries are known to participate in the illegal trade in bear parts. Bear viscera are also illegally sold and traded in large urban areas in the United States such as San Francisco, Seattle, Portland, and New York City. These cities serve as primary ports for export shipments of these goods.

Bear parts, such as gall bladders, are used in traditional Asian medicine to treat everything from diabetes to heart disease. Due to the increasing demand for bear viscera, the population of Asian black bears has been totally annihilated over the last few years. This has led poachers to turn to American bears to fill the increasing demand. I, for one, will not stand by and allow our own bear populations to be decimated by poachers.

Mr. President, it is estimated that Kentucky has only 50 to 100 black bears remaining in the wild. Black bears once roamed free across the Appalachian Mountains, through the rolling hills of the bluegrass, all the way to the Mississippi River. Although we cannot restore the numbers we once had, we can ensure that the remaining bears are not sold for profit to the highest bidder.

Poaching has become an astoundingly profitable enterprise. It is estimated that over 40,000 bears are poached in the United States every year. That equals the number that are taken by legal hunting.

Mr. President, the main reason behind these astounding numbers is greed. In South Korea, bear gall bladders are worth their weight in gold, and an average bear gall bladder can bring as high as \$10,000 on the black market.

Currently, U.S. law enforcement officials have little power to address the poaching of bears and the sale of their parts in an effective manner. The United States Fish and Wildlife Service has neither the manpower nor the budget to test all bear parts sold legally in the United States. Without extensive testing, law enforcement officials cannot determine if gall bladders or other parts have come from threatened or endangered species. This problem perpetuates the poaching of endangered or threatened bears.

The Lacey Act currently regulates the interstate commerce of wildlife possessed or transported in violation of State law. Inconsistencies in State law, however, make convictions under this statute difficult. Under the current legal situation, it is impossible to determine whether a gall bladder being sold in Idaho comes from a legally taken local bear or an endangered Louisiana black bear without expensive testing. U.S. Fish and Wildlife Special Agent Corky Roberts illustrates this point in a recent Humane Society publication,

If somebody kills a bear in the state of Washington all they have to do is get it to Idaho. Technically \* \* \*, it's against the law but all it does is make it more difficult to prove that the bear was taken in Washington and traded illegally in interstate commerce. That's where the Lacey Act has problems.

The Bear Protection Act will establish national guidelines for trade in bear parts, but it will not weaken any existing State laws that have been instituted to deal with this issue. My bill will also instruct the Secretary of the Interior and the U.S. Trade Representative to establish a dialog with the appropriate countries to coordinate efforts aimed at curtailing the international bear trade.

Mr. President, this measure is crafted narrowly enough to deal with the poaching of the American black bear for profit, while still ensuring the rights of American sportsmen. I urge my colleagues to join me in support of this much-needed legislation. Mr. President, I ask that the full text of the bill be printed in the CONGRESSIONAL RECORD.

The text of the bill follows:

S. 263

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Bear Protection Act".

#### SEC. 2. FINDINGS.

Congress finds that—

(1) there are 8 extant species of bear: Asian black bear, brown bear, polar bear, American black bear, spectacled bear, giant panda, sun bear, and sloth bear;

(2) the Asian black bear populations have been decimated in recent years by illegal trade to supply the growing demand for medicines and cosmetics containing valuable bear viscera;

(3) without immediate action to end United States involvement in the lucrative black market trade in bear viscera, American bear populations may suffer the same devastating losses as Asian bear populations;

(4) increasingly, undercover operations have discovered that poachers are establishing extensive smuggling networks to illegally commercialize American bears;

(5) because it is practically impossible to distinguish the viscera of CITES Appendix I bears from the viscera of other bear species, there is an urgent need to eliminate the trade in the viscera of all bear species;

(6) as a party to CITES, a world leader in wildlife conservation, and a larger market for and supplier of bear viscera and products, the United States shares responsibility for supporting and implementing measures to stop the illegal trade in CITES Appendix I Asian black bears and CITES Appendix II American black bears;

(7) inconsistency in State prohibition of commercialization of bear gall and inadequate Federal regulation of such commercialization make law enforcement difficult; and

(8) individual States, which have the right to set, maintain, and enforce quotas for the legal hunting of black bears, will be assisted in their management efforts by the enactment of a Federal law banning the import of, export of, and interstate commerce in bear viscera.

#### SEC. 3. PURPOSE.

The purpose of this Act is to ensure the long-term viability of the world's 8 bear species and specifically to perpetuate healthy populations of American bears.

**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, barters, 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