

Mr. YOUNG of Alaska. Mr. Speaker, I rise in support of H.R. 2807, the Rhino and Tiger Product Labeling Act, a bill introduced by the Chairman of the Subcommittee on Fisheries Conservation, Wildlife and Oceans, JIM SAXTON.

There is no question that intense competition for land has resulted in the destruction of critical rhino and tiger habitat. After all, we are talking about some of the most densely populated countries in the world.

Nevertheless, the major cause of the decline of rhinos and tigers is the huge ongoing demand for products made from these animals. For generations, Oriental medicines have contained ingredients of rhino and tiger parts that are consumed to fight headaches and fever in children, kidney and liver problems, convulsions, and heart conditions. In almost all cases, rhino horn and tiger bones are obtained from illegal sources.

We must eliminate the market for these products and stop their importation into the United States. This is the goal of H.R. 2807. Instead of spending thousands of dollars trying to prove whether a particular Chinese medicine contains rhino or tiger parts, this legislation simply prohibits them from entering this country if the label says they contain these highly endangered species.

By closing the U.S. market, the hope is that the demand for these products will end and the financial incentives to illegally kill rhino or tiger will no longer exist.

Furthermore, there are synthetic alternatives to these products and it is essential that the U.S. Fish and Wildlife Service renew their educational efforts. Based on surveys conducted by the Wildlife Conservation Society, the majority of those people consuming traditional medicines have no idea they might be contributing to the destruction of these flagship species.

I urge an aye vote on this bold wildlife conservation legislation which will hopefully stop the slaughter of rhinos and tigers in the wild.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON WAYS AND MEANS,
Washington, DC, April 23, 1998.

Hon. DON YOUNG,
Chairman, Committee on Resources, U.S. House of Representatives, Washington, DC.

DEAR DON: I am writing to address certain issues with H.R. 2807, as reported by the Committee on Resources on March 11, 1998, which would amend the Rhinoceros and Tiger Conservation Act of 1994. The bill contains import prohibition and Customs forfeiture provisions, which fall within the jurisdiction of the Committee on Ways and Means.

With respect to the import ban, H.R. 2807, as reported by the Committee on Resources, prohibits any person from selling, importing or exporting or attempting to sell, import, or export any product, item or substance intended for human consumption containing or purporting to contain any substance derived from any species of rhinoceros or tiger, creates criminal and civil penalties, and allows for the forfeiture of such products. Because these provisions fall within the Committee's jurisdiction, the Committee would ordinarily meet to consider the bill. However, because the bill, as reported, applies the ban in compliance with the letter and spirit of U.S. obligations under an existing multilateral agreement governing such trade, I do not believe that a markup of the bill is necessary.

With respect to forfeiture, section 2 of H.R. 2807, as reported, includes language within the jurisdiction of the Committee on Ways

and Means. Under normal circumstances the Committee would meet to consider the bill. However, it is my understanding that you will be offering an amendment on the floor of the House of Representatives to substitute the following language so that the existing statutory Customs forfeiture provisions would apply:

(c) Forfeitures.—Any product, item, or substance sold, imported, or exported, or attempted to be sold, imported, or exported, contrary to the provisions of this Act or any regulation made pursuant thereto shall be sized and forfeited to the United States. All equipment, vessels, vehicles, aircraft, and other means of transportation used to aid the selling, exporting, or importing, or an attempt to sell, export, of any product, item, or substance in violation of this Act or any regulation issued pursuant to this Act, may be seized and forfeited to the United States. All laws relating to the seizure, forfeiture, and condemnation of a vessel for violation of the customs laws, the disposition of such vessel or the proceeds from the sale thereof, and the remission or mitigation of such forfeiture, shall apply to the seizures and forfeitures incurred under this Act, insofar as those laws are applicable and not inconsistent with this Act.

Based on your assurances to this effect, and in order to expedite consideration of this legislation, I do not believe that a markup by the Committee on Ways and Means will be necessary on this issue.

I would appreciate your response to this letter, confirming this understanding with respect to H.R. 2807, and would ask that a copy of our exchange of letters on this matter be included in the record during floor consideration. Thank you for your cooperation and assistance on this matter.

With best personal regards,
BILL ARCHER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON RESOURCES,
Washington, DC, April 23, 1998.

Hon. BILL ARCHER,
Chairman, Committee on Ways and Means,
Longworth HOB, Washington, DC.

DEAR MR. CHAIRMAN: Thank you for your letter regarding H.R. 2807, the Rhino and Tiger Product Labeling Act. Enactment of this bill will help enforce the existing ban on the sale, import or export of products containing rhinoceros and tiger parts and therefore help conservation efforts for these endangered species.

I agree that the Committee on Ways and Means has jurisdiction over import prohibitions and U.S. Customs Service forfeitures. As noted in your letter, current law already prohibits imports and exports of products containing endangered species under the Lacey Act and the Convention on International Trade in Endangered Species of Wild Fauna and Flora. In addition, when H.R. 2807 is considered by the House of Representatives, I do intend to substitute the forfeiture language of the bill you have identified regarding Customs powers, as this provision also duplicates Lacey Act authority for the Secretary of the Interior.

Thank you for your cooperation in this matter, and I will place our correspondence on this issue in the Congressional Record during debate on H.R. 2807.

Sincerely,
DON YOUNG,
Chairman.

Mr. SABO. Mr. Speaker, I rise in strong support of H.R. 2807, the Rhinoceros and Tiger Product Labeling Act. This bill is a key bipartisan step to protect two of our planet's most precious and endangered animals—rhinos and tigers.

Rhinos and tigers are coming perilously close to extinction in the wild because of illegal poaching to support the high demand for traditional medications. Congress has worked to protect these majestic animals by creating the Rhinoceros and Tiger Conservation Fund, and by banning the import or sale of products that contain parts of endangered species.

Despite these laws to protect rhinos and tigers, a loophole allows many products to be sold in the United States that explicitly state—on their labels, no less—that they contain rhino and tiger parts.

Proving that these products contain banned substances can be extremely difficult. Even after performing costly tests, the U.S. Customs Service often can't prove what the labels plainly show—that these products contain rhino and tiger parts and are illegal. The result is that many such products end up in stores across America.

The Rhinoceros and Tiger Labeling Act would stop this costly and confusing exercise, and allow us to accept product labels at their face value. If products say they contain parts of endangered animals, we shouldn't let them in the country.

I strongly support this bipartisan legislation to stop the flaunting of our laws and strengthen protections for endangered species.

Mr. SAXTON. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BARRETT). The question is on the motion offered by the gentleman from New Jersey (Mr. SAXTON) that the House suspend the rules and pass the bill, H.R. 2807, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. SAXTON. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 2807.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

CONGRATULATING PEOPLE OF SRI LANKA ON THE 50TH ANNIVERSARY OF THEIR INDEPENDENCE

Mr. BEREUTER. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 350) congratulating the people of Sri Lanka on the occasion of the fiftieth anniversary of their nation's independence.

The Clerk read as follows:

H.RES. 350

Whereas on February 4, 1948, the people of Sri Lanka gained their independence from the British;

Whereas the people of Sri Lanka and the United States have a common interest in the promotion and preservation of democratic systems of government;

Whereas the people of Sri Lanka and the United States have had many shared values