

factors on the recruitment, spawning potential, mortality, and abundance of Atlantic striped bass populations, including the Delaware River population.

“(4) Investigations of—

“(A) the interactions between Atlantic striped bass and other fish, including bluefish, menhaden, mackerel, and other forage fish or possible competitors, stock assessments of these species, to the extent appropriate; and

“(B) the effects of interspecies predation and competition on the recruitment, spawning potential mortality, and abundance of Atlantic striped bass.

“(b) **SOCIO-ECONOMIC STUDY.**—The Secretaries, in consultation with the Atlantic States Marine Fisheries Commission, shall conduct a study of the socio-economic benefits of the Atlantic striped bass resource. The Secretaries shall issue a report to the Congress concerning the findings of this study no later than September 30, 1998.

“(b) **REPORTS.**—The Secretaries shall make biennial reports to the Congress and to the Commission concerning the progress and findings of studies conducted under subsection (a) and shall make those reports public. Such reports shall, to the extent appropriate, contain recommendations of actions which could be taken to encourage the sustainable management of Atlantic striped bass.

“SEC. 7. AUTHORIZATION OF APPROPRIATIONS; COOPERATIVE AGREEMENTS.

“(a) **AUTHORIZATION.**—For each of fiscal years 1998, 1999, and 2000, there are authorized to be appropriated to carry out this Act—

“(1) \$800,000 to the Secretary of Commerce; and

“(2) \$250,000 to the Secretary of the Interior.

“(b) **COOPERATIVE AGREEMENTS.**—The Secretaries may enter into cooperative agreements with the Atlantic States Marine Fisheries Commission or with States, for the purpose of using amounts appropriated pursuant to this section to provide financial assistance for carrying out the purposes of this Act.

“SEC. 8. PUBLIC PARTICIPATION IN PREPARATION OF MANAGEMENT PLANS AND AMENDMENTS.

“(a) **STANDARDS AND PROCEDURES.**—In order to ensure the opportunity for public participation in the preparation of management plans and amendments to management plans for Atlantic striped bass, the Commission shall prepare such plans and amendments in accordance with the standards and procedures established under section 805(a)(2) of the Atlantic Coastal Fisheries Cooperative Management Act.

“(b) **APPLICATION.**—Subsection (a) shall apply to management plans and amendments adopted by the Commission after the 6-month period beginning on the date of enactment of the Atlantic Striped Bass Conservation Act Amendments of 1997.

“SEC. 9. PROTECTION OF STRIPED BASS IN THE EXCLUSIVE ECONOMIC ZONE.

“(a) **REGULATION OF FISHING IN EXCLUSIVE ECONOMIC ZONE.**—The Secretary shall promulgate regulations governing fishing for Atlantic striped bass in the exclusive economic zone that the Secretary determines are—

“(1) consistent with the national standards set forth in section 301 of the Magnuson Act (16 U.S.C. 1851);

“(2) compatible with the Plan and each Federal moratorium in effect on fishing for Atlantic striped bass within the coastal waters of a coastal State; and

“(3) sufficient to assure the long-term conservation of Atlantic striped bass populations.”

“(a) **REGULATION OF FISHING IN EXCLUSIVE ECONOMIC ZONE.**—The Secretary shall promulgate regulations governing fishing for Atlantic striped bass in the exclusive economic zone that the Secretary determines—

“(1) are consistent with the national standards set forth in section 301 of the Magnuson Act (16 U.S.C. 1851);

“(2) are compatible with the Plan and each Federal moratorium in effect on fishing for Atlantic striped bass within the coastal waters of a coastal State; and

“(3) ensure the effectiveness of State regulations on fishing for Atlantic striped bass within the coastal waters of a coastal State; and

“(4) are sufficient to assure the long-term conservation of Atlantic striped bass populations.

“(b) **CONSULTATION; PERIODIC REVIEW OF REGULATIONS.**—In preparing regulations under subsection (a), the Secretary shall consult with the Atlantic States Marine Fisheries Commission, the appropriate Regional Fishery Management Councils, and each affected Federal, State, and local government entity. The Secretary shall periodically review regulations promulgated under subsection (a), and if necessary to ensure their continued consistency with the requirements of subsection (a), shall amend those regulations.

“(c) **APPLICABILITY OF MAGNUSON ACT PROVISIONS.**—The provisions of sections 307, 308, 309, 310, and 311 of the Magnuson Act (16 U.S.C. 1857, 1858, 1859, 1860, and 1861) regarding prohibited acts, civil penalties, criminal offenses, civil forfeitures, and enforcement shall apply with respect to regulations and any plan issued under subsection (a) of this section as if such regulations or plan were issued under the Magnuson Act.”

SEC. 3. REPEALS.

(a) **ANADROMOUS FISH CONSERVATION ACT.**—Section 7 of the Anadromous Fish Conservation Act (16 U.S.C. 757g) is repealed.

(b) **ALBEMARLE SOUND-ROANOKE RIVER BASIN.**—Section 5 of the Act entitled “An Act to authorize appropriations to carry out the Atlantic Striped Bass Conservation Act for fiscal years 1989 through 1991, and for other purposes”, approved November 3, 1988 (16 U.S.C. 1851 note; 102 Stat. 2984), relating to studies of the Albemarle Sound-Roanoke River Basin striped bass stock, is repealed.

(c) **REGULATION OF FISHING IN EXCLUSIVE ECONOMIC ZONE.**—Section 6 of the Act entitled “An Act to authorize appropriations to carry out the Atlantic Striped Bass Conservation Act for fiscal years 1989 through 1991, and for other purposes”, approved November 3, 1988 (102 Stat. 2986; 16 U.S.C. 1851 note) is repealed.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee amendments be agreed to; that the bill be considered read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (H.R. 1658), as amended, was read the third time and passed.

EXTENDING VISA WAIVER PILOT PROGRAM

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 1517, introduced earlier today by Senators ABRAHAM and KENNEDY.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1517) to extend the Visa Waiver Pilot Program.

The Senate proceeded to consider the bill.

Mr. LOTT. Mr. President, I ask unanimous consent that the bill be deemed read a third time and passed; that the motion to reconsider be laid upon the table; and that any statements relating to the bill appear at the appropriate place in the RECORD.

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

The bill (S. 1517) was deemed read the third time and passed, as follows:

S. 1517

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

Section 217(f) of the Immigration and Nationality Act is amended by striking “September 30, 1997.” and inserting “April 30, 1998.”

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LOTT. Mr. President, with regard to the Executive Calendar, I ask unanimous consent that the Senate proceed to executive session to consider the following nominations on the Executive Calendar: No. 275, 392, 410, 412, and 427, and all nominations on the Secretary's desk in the Foreign Service.

I further ask unanimous consent that the nominations be confirmed; that the motion to reconsider be laid upon the table; that any statements relating to the nominations appear at the appropriate place in the RECORD; that the President be immediately notified of the Senate's action; and that the Senate then return to legislative session.

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

The nominations considered and confirmed are as follows:

DEPARTMENT OF STATE

Donna Jean Hrinak, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bolivia.

Carolyn Curiel, of Indiana, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Belize.

Stanley Louis McLelland, of Texas, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Timothy Michael Carney, of Washington, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Haiti.

INTER-AMERICAN FOUNDATION

Frank D. Yturria, of Texas, to be a Member of the Board of Directors of the Inter-American Foundation for a term expiring June 26, 2002.

NOMINATIONS PLACED ON THE SECRETARY'S DESK

IN THE FOREIGN SERVICE

Foreign Service nominations beginning Jeffrey Davidow, and ending Joseph Thomas

Yanci, which nominations were received by the Senate and appeared in the Congressional Record of September 3, 1997.

Foreign Service nominations beginning Dominic Alfred D'Antonio, and ending David Michael Zimov, which nominations were received by the Senate and appeared in the Congressional Record of September 4, 1997.

Foreign Service nominations beginning Carl H. Leonard, and ending Joanne T. Hale, which nominations were received by the Senate and appeared in the Congressional Record of October 8, 1997.

Foreign Service nominations beginning Richard B. Howard, and ending Richard T. Miller, which nominations were received by the Senate and appeared in the Congressional Record of October 9, 1997.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will now return to legislative session.

NATIONAL DROUGHT POLICY ACT OF 1997

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 281, S. 222.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 222) to establish an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

The PRESIDING OFFICER. Is there objection to the immediate consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Governmental Affairs, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the "National Drought Policy Act of 1997".

SEC. 2. FINDINGS.

Congress finds that—

(1) the United States often suffers serious economic and environmental losses from severe regional droughts and there is no coordinated Federal strategy to respond to such emergencies;

(2) at the Federal level, even though historically there have been frequent, significant droughts of national consequences, drought is addressed mainly through special legislation and ad hoc action rather than through a systematic and permanent process as occurs with other natural disasters;

(3) several Federal agencies have a role in drought from predicting, forecasting, and monitoring of drought conditions to the provision of planning, technical, and financial assistance;

(4) there has never been one single Federal agency in a lead or coordinating role with regard to drought;

(5) the State, local, and tribal governments have had to deal individually and separately with each Federal agency involved in drought assistance; and

(6) the President should appoint an advisory commission to provide advice and recommendations on the creation of an integrated, coordinated Federal policy designed to prepare for and respond to serious drought emergencies.

SEC. 3. ESTABLISHMENT OF COMMISSION.

(a) *ESTABLISHMENT.*—There is established a commission to be known as the National Drought Policy Commission (hereafter in this Act referred to as the "Commission").

(b) *MEMBERSHIP.*—

(1) *COMPOSITION.*—The Commission shall be composed of 14 members. The members of the Commission shall include—

(A) the Secretary of Agriculture, or the designee of the Secretary, who shall serve as Chairperson of the Commission;

(B) the Secretary of the Interior, or the designee of the Secretary;

(C) the Secretary of the Army, or the designee of the Secretary;

(D) the Secretary of Commerce, or the designee of the Secretary;

(E) the Director of the Federal Emergency Management Agency, or the designee of the Director;

(F) the Administrator of the Small Business Administration, or the designee of the Administrator;

(G) two persons nominated by the National Governors' Association and appointed by the President, of whom—

(i) one shall be the governor of a State east of the Mississippi River; and

(ii) one shall be a governor of a State west of the Mississippi River;

(H) a person nominated by the National Association of Counties and appointed by the President;

(I) a person nominated by the United States Conference of Mayors and appointed by the President; and

(J) four persons appointed by the Secretary of Agriculture who shall be representative of groups acutely affected by drought emergencies, such as the agricultural production community, the credit community, rural water associations, and Native Americans.

(2) *DATE.*—The appointments of the members of the Commission shall be made no later than 60 days after the date of enactment of this Act.

(c) *PERIOD OF APPOINTMENT; VACANCIES.*—Members shall be appointed for the life of the Commission. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner as the original appointment.

(d) *INITIAL MEETING.*—No later than 30 days after the date on which all members of the Commission have been appointed, the Commission shall hold its first meeting.

(e) *MEETINGS.*—The Commission shall meet at the call of the Chairperson.

(f) *QUORUM.*—A majority of the members of the Commission shall constitute a quorum, but a lesser number of members may hold hearings.

(g) *VICE CHAIRPERSON.*—The Commission shall select a Vice Chairperson from among the members who are not Federal officers or employees.

SEC. 4. DUTIES OF THE COMMISSION.

(a) *STUDY AND REPORT.*—The Commission shall conduct a thorough study and submit a report on national drought policy, as provided under subsection (c).

(b) *CONTENT OF STUDY AND REPORT.*—In conducting the study and report, the Commission shall—

(1) determine, in consultation with the National Drought Mitigation Center in Lincoln, Nebraska, what needs exist on the Federal, State, local, and tribal levels to prepare for and respond to drought emergencies;

(2) review all existing Federal laws and programs relating to drought;

(3) review those State, local, and tribal laws and programs relating to drought the Commission finds pertinent;

(4) determine what differences exist between the needs of those affected by drought and the Federal laws and programs designed to mitigate the impacts of and respond to drought;

(5) collaborate with the Western Drought Coordination Council in order to consider regional

drought initiatives and the application of such initiatives at the national level;

(6) make recommendations on how Federal drought laws and programs can be better integrated with ongoing State, local, and tribal programs into a comprehensive national policy to mitigate the impacts of and respond to drought emergencies without diminishing the rights of States to control water through State law; and

(7) include a recommendation on whether all Federal drought preparation and response programs should be consolidated under one existing Federal agency and, if so, identify such agency.

(c) *SUBMISSION OF REPORT.*—

(1) *IN GENERAL.*—No later than 18 months after the date of enactment of this Act, the Commission shall submit a report to the President and the Committee on Governmental Affairs of the Senate and the Committee on Government Reform and Oversight of the House of Representatives which shall contain a detailed statement of the findings and conclusions of the Commission, together with its recommendations for such legislation and administrative actions as it considers appropriate.

(2) *APPROVAL OF REPORT.*—Before submission of the report, the contents of the report shall be approved by unanimous consent or majority vote. If the report is approved by majority vote, members voting not to approve the contents shall be given the opportunity to submit dissenting views with the report.

SEC. 5. POWERS OF THE COMMISSION.

(a) *HEARINGS.*—The Commission may hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission considers necessary to carry out the purposes of this Act.

(b) *INFORMATION FROM FEDERAL AGENCIES.*—The Commission may secure directly from any Federal department or agency such information as the Commission considers necessary to carry out the provisions of this Act. Upon request of the Chairperson of the Commission, the head of such department or agency shall furnish such information to the Commission.

(c) *POSTAL SERVICES.*—The Commission may use the United States mails in the same manner and under the same conditions as other departments and agencies of the Federal Government.

(d) *GIFTS.*—The Commission may accept, use, and dispose of gifts or donations of services or property.

SEC. 6. COMMISSION PERSONNEL MATTERS.

(a) *COMPENSATION OF MEMBERS.*—Each member of the Commission who is not an officer or employee of the Federal Government shall not be compensated for service on the Commission, except as provided under subsection (b). All members of the Commission who are officers or employees of the United States shall serve without compensation in addition to that received for their services as officers or employees of the United States.

(b) *TRAVEL EXPENSES.*—The members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, at rates authorized for employees of agencies under subchapter 1 of chapter 57 of title 5, United States Code, while away from their homes or regular places of business in the performance of services for the Commission.

(c) *DETAIL OF GOVERNMENT EMPLOYEES.*—Any Federal Government employee may be detailed to the Commission without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(d) *ADMINISTRATIVE SUPPORT.*—The Secretary of Agriculture shall provide all financial, administrative, and staff support services for the Commission.

SEC. 7. TERMINATION OF THE COMMISSION.

The Commission shall terminate 90 days after the date on which the Commission submits its report under section 4.

Mr. DOMENICI. Mr. President, I comment this body for passing the National Drought Policy act of 1997. Our