

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

Nation must not forget that while the Midwest United States has recently suffered from severe flooding, and my home State of New Mexico is currently not lacking precious rainfall, last year the Southwest experienced the worst drought in over 100 years. The results were nothing less than disastrous.

In New Mexico, for example, the drought decimated the State's agricultural community. Every county in the State received disaster declarations from the USDA. Farmers in the southern part of the State were forced to go to water wells, depleting an already-taxed aquifer. In northeastern New Mexico, winter wheat crops failed for the first time in anyone's memory. It was estimated that ranchers lost up to 85 percent of their capital, and 40 percent reductions in livestock herds was not uncommon.

The drought also had a catastrophic impact on New Mexico's forests. The incredibly dry conditions brought on by the drought sparked fires, which were exacerbated by the lack of water needed to extinguish them. In all, there were over 1,200 fires in New Mexico last year that burned over 140,000 acres of land and wiped out dozens of homes and businesses.

The drought also taxed municipal water systems to their limits, and forced many cities and towns to consider drastically raised water rates for their citizens. And the drought meant that critical stretches of the Rio Grande River were almost completely dry, which in turn meant vastly reduced amounts of water for wildlife such as the endangered silvery minnow.

However, New Mexico's problems were those of just one State; the 1995-96 drought devastated the entire Southwest. Arizona, California, Colorado, Nevada, Oklahoma, Texas, Utah, and Kansas were all severely damaged by the drought. We in the Southwest are fortunate that this year is proving to be a much better year for precipitation than the last. But we do not know what the next year will bring. Another drought could again send towns scrambling to drill new water wells, sweep fire across bone-dry forests, and force farmers and ranchers to watch their way of life blow away with the dust.

But I do not want to give the impression that severe droughts are solely the curse of the Southwest. Every region in the United States can be hit by these catastrophes. In 1976-77, a short but intense drought struck the Pacific Northwest, requiring the construction of numerous dams and reservoirs to secure millions of additional acre feet of needed water. The 1988 Midwest drought caused over \$5 billion in losses. And the infamous 7-year drought of 1986-93 experienced by California, the Pacific Northwest, and the Great Basin States caused extensive damage to water systems, water quality, fish and wildlife, and recreational activities. Recently, areas of Maryland, Virginia, and Pennsylvania suffered unusual drought conditions.

Yet, while drought is so pervasive and even though it seriously affects the economic and environmental well-being of the entire nation, the United States is poorly prepared to deal with serious drought emergencies. As a result of the hardships being suffered in every part of my State last year, I convened a special Multi-State Drought Task Force of Federal, State, local, and tribal emergency management agencies to coordinate efforts to respond to the drought. The task force was ably headed up by the Federal Emergency Management Agency, and included every Federal agency that has programs designed to deal with drought.

While FEMA has done a tremendous job in responding to sudden disasters such as flooding, the impact of drought emerges gradually rather than suddenly. Unfortunately, what the task force found was this: although the Federal Government has numerous drought related programs on the books, we have no integrated, coordinated system of implementing those programs. Drought victims in this Nation do not know who to turn to for help, and when they finally do find help, it is too late and totally inadequate. The gradual nature of drought devastation underscores the need for drought management rather than drought response.

We must be vigilant, and prepare ourselves for quick action when the next drought cycle begins. Last year's devastating drought and the chaotic manner in which governments responded to it, confirmed my belief that this legislation is needed. With recommendations from the Western Governors' Association, the National Governors' Association, and the Multi-State Drought Task Force, I introduced the National Drought Policy Act of 1997 in January. This legislation, which passed the Senate today, will be the first step toward finally establishing a coherent, effective national drought policy. S. 222 creates a commission comprised of representatives of those Federal, State, local, and tribal agencies and organizations that are most involved with drought issues. S. 222 charges the commission with providing recommendations on a permanent and systematic Federal process to address this particular type of devastating natural disaster. On the Federal side, the Commission will include representatives from USDA, Interior, the Army, FEMA, SBA, and Commerce—agencies which all currently have drought-related programs. Equally important will be the non-Federal members, including representatives from the National Governors' Association, the U.S. Conference of Mayors, and four persons representative of those groups that are always hardest hit by drought emergencies.

The Commission also will be charged with determining what needs exist on the Federal, State, local, and tribal levels with regard to drought; reviewing existing drought programs; and de-

termining what gaps exist between the needs of drought victims and those programs currently designed to deal with drought. The Commission will then make recommendations on how Federal drought laws and programs can be better integrated into a comprehensive national drought policy.

In recognition of the national nature of drought emergencies, this effort has garnered bi-partisan support. Senator BOB KERREY and other witnesses encouraged amendments which include collaboration with the National Drought Mitigation Center as well as the Western Drought Coordination Council. These suggestions ensure that the Commission would receive important input from existing entities on the needs at the Federal, State, local, and tribal levels to prepare for and respond to drought emergencies.

Unfortunately, drought conditions are a way of life in my region of the country. But better planning on our part, and with the recommendations of the Drought Commission established under S. 222, may limit some of the damage. I look forward to passage of this legislation, which is important to the entire United States, in the House of Representatives early next year.

Mr. LOTT. Mr. President, I ask unanimous consent that the committee amendment be agreed to.

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

The committee amendment was agreed to.

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

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

The bill (S. 222), as amended, was read a third time and passed.

#### COMMENDING THOSE WHO WORKED ON THE ISTEAL BILL

Mr. LOTT. Mr. President, before I close, I do want to acknowledge the good work that was done on the ISTEAL highway and transportation infrastructure bill. A number of Senators and Members of Congress worked on this legislation and did a very good job—of course, Senator CHAFEE, the chair of the committee; Senator BAUCUS, the ranking member; Senator WARNER; Senator BOND; and others.

Also, I want to thank their staffs for the work that they did well into the night last night. I know their names have already been mentioned, but I just want to add my commendations because I know that they really worked hard to get an agreement.

Of course, this was just a preliminary bout of what will be a major fight next year in getting the big long-term bill done.