It is one of the most important things that we need to do around here in terms of economic development, transportation and safety. But it will take some time. I would envision that whenever the majority leader wants to schedule it, it would take at least a couple of weeks and maybe more. So while we are doing that, we should not cut off the transit, the safety, or the contracting obligation that the States would normally do.

As I said, we presented this at the EPW hearing this morning. We had a very good discussion with representatives of the National Governors' Association and the Department of Transportation.

Mr. President, the National Governors' Association has sent a letter signed by 39 Governors. Getting 39 Governors—having been one—I can tell you, to sign on a letter is not easy. But the Governors very simply said:

. . .it is imperative for the Senate to consider and pass short-term legislation providing funding for highway, transit, and safety programs and to complete a conference on that legislation with the House of Representatives. Such legislation would minimize the interruption in funding to State and local governments. It would also avoid the disastrous effects that a several-month lapse in authorization would have on many States' transportation programs.

Mr. President, I ask unanimous consent that that letter be printed in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL GOVERNORS ASSOCIATION,
Washington, DC, November 4, 1997.

Hon. TRENT LOTT,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. THOMAS A. DASCHLE,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SENATOR LOTT AND SENATOR DASCHLE: Given the very limited time remaining in this legislative session, it is imperative for the Senate to consider and pass short-term legislation providing funding for highway, transit, and safety programs and to complete a conference on that legislation with the House of Representatives. Such legislation would minimize the interruption in funding to state and local governments. It would also avoid the disastrous effects that a several-month lapse in authorization would have on many states' transportation programs.

Sincerely,

Governor George V. Voinovich; Governor Thomas R. Carper; Governor Edward T. Schafer, Co-Chair, Transportation Task Force; Governor Paul E. Patton, Co-Chair, Transportation Task Force; Governor Mike Huckabee; Governor Roy Romer; Governor Lawton Chiles; Governor Philip E. Batt; Governor Terry E. Brandstad; Governor Mike Foster; Governor Parris N. Glendening; Governor Arne H. Carlson; Governor Marc Racicot; Governor Jeanne Shaheen; Governor Jane Dee Hull; Governor Pete Wilson; Governor John G. Rowland; Governor Zell Miller; Governor Frank O'Bannon; Governor Bill Graves; Governor Angus S. King Jr.; Governor John Engler; Governor Mel Carnahan; Governor Bob Miller; Governor Christine T. Whitman; Governor James B. Hunt Jr.; Governor David M. Beasley; Governor Don Sundquist; Governor Howard Dean, M.D.; Governor Gary Locke; Governor Tommy G. Thompson; Governor Benjamin J. Cayetano; Governor John A. Kitzlaber; Governor William J. Janklow; Governor Michael O. Leavitt; Governor Roy Lester Schneider, M.D.; Governor Cecil H. Underwood; Governor E. Benjamin Nelson; Governor Pedro Rosselló.

Mr. BOND. Mr. President, in conclusion, let me say that we have had good ideas from both sides of the aisle in the EPW Committee. We look forward to working with Chairman WARNER, Senator BAUCUS, Chairman CHAFEE, the other members of the committee.

I hope this is something that we could agree on and move forward on quickly so that our States and the traveling public will not suffer while we go through the very important discussions on coming up with a new highway funding formula.

I invite comments. I look forward to working with my colleagues. This one I hope we can do on a bipartisan basis without the regional differences that will inevitably arise when we begin discussion of the funding formula.

Mr. President, I appreciate the time, and I yield the floor.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Monday, November 3, 1997, the Federal debt stood at $5,427,078,768,247.28 (Five trillion, four hundred twenty-seven billion, seventy-eight million, seven hundred sixty-eight thousand, two hundred forty-seven dollars and twenty-eight cents).

Five years ago, November 3, 1992, the Federal debt stood at $4,068,937,000,000 (Four trillion, sixty-eight billion, nine hundred thirty-seven million).

Ten years ago, November 3, 1987, the Federal debt stood at $2,392,685,000,000 (Two trillion, three hundred ninety-two billion, six hundred eighty-five million).

Fifteen years ago, November 3, 1982, the Federal debt stood at $1,142,065,000,000 (One trillion, one hundred forty-two billion, sixty-five million).

Twenty-five years ago, November 3, 1972, the Federal debt stood at $435,625,000,000 (Four hundred thirty-five billion, six hundred twenty-five million) which reflects a debt increase of nearly $5 trillion—$4,991,453,768,247.28 (Four trillion, nine hundred ninety-one billion, four hundred fifty-three million, seven hundred sixty-eight thousand, two hundred forty-seven dollars and twenty-eight cents) during the past 25 years.

ENSURING THE HEALTH OF INTERNATIONALLY ADOPTED CHILDREN UNDER 10

Mr. ABRAHAM. Mr. President, I rise to express my support for H.R. 2464, legislation to exempt internationally adopted children under age 10 from the immunization requirement that was contained in last year's immigration bill.

Mr. President, in my view it is important that the Federal Government not unnecessarily burden American parents who adopt foreign born children. The process of adopting a child abroad is already quite arduous and involves great emotional risk. The Federal Government should not make that process yet more difficult. It is particularly important that we not endanger the health of these children.

Last year's immigration bill unnecessarily and unintentionally made the process of adopting foreign born children more difficult.

I am, however, concerned that this bill did not go far enough. There are adopted children 10 years of age and older who do not need to be treated differently than those under 10 years old. Moreover, the problems with infected needles in many countries should give us serious pause as to whether immigrant children who are not adopted are undergoing undue risk.

I also want to call attention to a provision that I would have preferred not be in this bill—the provision requiring that parents of the exempted adopted children must sign an affidavit promising to vaccinate their children within 30 days or when it is medically appropriate. I think we do not want to imply in this or other legislation that the Federal Government cares more about children than parents do and, unfortunately, I think that is what this provision says.

Despite these reservations, I think that this is a good bill and it is an important bill for the many Americans who will be adopting children internationally both this year and in the years to come. I want to commend the sponsors of the bill and commend the leadership on this issue of the two Senators from Arizona, Senator KYL and Senator MCCAIN, who have helped see to it that this important correction in law will become a reality and thus help ensure the safe adoption of foreign-born children by American citizens.

ONE-CALL NOTIFICATION PROVISIONS

Mr. FAIRCLOTH. I would like to clarify the intent of the Commerce Committee's ISTEA transportation safety amendment as it relates to State one-call—call-before-you-dig—programs. It is my understanding that the one-call provisions of this amendment are the same as the provisions of S. 1115, the Comprehensive One-Call Notification Act of 1997.

Mr. LOTT. The Senator is correct. The minority leader and I introduced as S. 1115 on July 31. Thirteen of our colleagues have joined us as cosponsors to the bill, and the Committee on Commerce, Science, and Transportation held a hearing on the bill on September

17. I will be happy to respond to the Senator's questions.

Mr. FAIRCLOTH. I have received a number of calls and letters from North Carolina contractors concerned about this bill and its inclusion in ISTEA. As the leader knows, these companies are overwhelmingly small businesses, and they provide a large number of jobs for people in our States. However, when they think of the Federal Government and its regulators, they think of the Occupational Safety and Health Administration. Their experience with OSHA has not been good. The contractors are definitely not interested in seeing a toehold established for further regulation of this type under the guise of one-call notification. Can the leader tell me that the provisions we are talking about here will not be converted into a Federal regulatory program effecting small business?

Mr. LOTT. I can assure the Senator, most emphatically, that this will not happen. This is not a regulatory bill. The Lott-Daschle bill presumes that each State provides the legislative foundation for the one-call notification program in that State. Remember, all one-call programs are currently State programs, and this will remain unchanged. The sole aim of the bill is to encourage States to act voluntarily to improve their own State one-call programs by providing fiscal assistance for those States who want to do more.

Furthermore, this legislation does not regulate through the back door by imposing a Federal mandate on the States to modify their existing one-call programs. Rather, it makes funding available to improve these programs. To be eligible for the funding, the programs must meet certain minimum standards, but even those standards are performance-based, not prescriptive. And States will be involved in the rulemaking which establishes these standards. No State has to apply for these funds if it doesn't wish to.

The bill does not preempt State law. Let me repeat that; no State law will be preempted. States continue to their responsibility for the regulations for notification prior to excavation and for location and for marking of underground facilities. Nothing in this bill changes this. States prescribe the details of one-call notification programs. This not something the Federal Government should do or is able to do effectively.

This bill is not intended to lead to a Federal regulatory program on the backs of small business. It is not intended to do this, and it will not do this.

Mr. FAIRCLOTH. I thank leader for that assurance.

Among the minimum standards required for a one-call notification program to be eligible for Federal assistance is the requirement for ''appropriate participation'' by all excavators and underground facility operators. ''Appropriate participation'' would be determined based on the ''risks to public safety, the environment, excavators and vital public services.''

Contractors who visited my office see this as a loophole that could actually weaken State programs. The contractors are very concerned that the Federal Government would declare some situations to be low risk, and this would in turn encourage facility operators to seek exemptions from one-call requirements because their participation would be deemed no longer ''appropriate''.

Mr. LOTT. First, let me say to my colleague that I am very much in favor of encouraging Federal and State agencies put regulatory effort where the real risks are. We don't have so much money and so much desire to regulate that we can afford to spend our time and money regulating nonexistent risks. There is far too much regulating of fictitious risks going on in our economy today. So I think the emphasis on looking at actual risk is desirable. And the other side of it is that situations that pose a real risk should be covered, absolutely should be covered. We think the Lott-Daschle bill will encourage the States to look at risks that are not now covered and increase participation in one-call notification programs accordingly.

In answer to the contractors' contention, I would reply to them that the intent of this bill is to strengthen State one-call programs and not to weaken them. This is what the Congress is saying to the States with the Lott-Daschle bill: ''Strengthen your programs. Strengthen your programs, and you will be rewarded.''

And the Department of Transportation, which will administer this program, is saying the same thing. I recently received a letter from Secretary of Transportation Rodney E. Slater supporting the Lott-Daschle one-call notification bill. I put that letter in the RECORD of October 22. In his letter, Secretary Slater says, ''safety is the Department of Transportation's highest priority.''

Secretary Slater is not interested in weakening State one-call notification programs. A State that submits a grant application to the Department of Transportation with a weakened State one-call program is not going to see that application approved. The Department of Transportation will make sure of that.

Finally, the Lott-Daschle bill does not provide for a one-size-fits-all Federal determination of what constitutes a risk. Under the bill the intent is that the determination of risk will be made at the State level, where local conditions and practices can be taken into account.

This is another reason that I'm sure we don't need to be concerned about weakening State laws. States with strong laws are not going to undertake to weaken them in order to apply for a grant from the DOT under this bill. They know that DOT is trying to strengthen these laws. It just wouldn't make any sense.

A State which successfully confronted special interests and enacted a strong one-call program would be both unlikely and foolish to try to use this bill to weaken these programs. If a State were that misguided, the DOT is certain to reject their application.

This bill will mean stronger State one-call notification laws, more participation and better enforcement. That's why 15 Senators want to advance this legislation.

Mr. FAIRCLOTH. The contractors who visited my office felt that the bill is a dagger pointing at them, and that it unfairly singles out excavators as the cause of accidents at underground facilities. Can the bill be made more evenhanded?

Mr. LOTT. I believe the bill does attempt to be evenhanded. For example, finding (2) of the bill points to excavation without prior notice as a cause of accidents, but in the same phrase it includes failure to mark the location of underground facilities in an accurate or timely way as a cause as well. In truth, these are both causes of accidents, and the bill proposes to deal with both.

Both excavators and underground facilities can stand to improve performance in the area of compliance with one-call requirements. There is no intent in this bill to blame one side or the other. If the Senator believes that the bill unfairly stigmatizes contractors, I would want to right the balance, because that is not what is intended.

What we are trying to do is to set up a process where the States can address problems we all know are there. There are too many accidents at underground facilities. Let's see what we can do to improve that situation. Let's see what we can do cooperatively, underground facility operators and contractors, Federal agencies and State agencies. Let's use incentives rather than preemption and regulation. That is what this bill is trying to do.

Mr. FAIRCLOTH. I thank the leader for these clarifications.

BEING ON TIME

Mr. GRASSLEY. Mr. President, in the spirit of legislation I am sponsoring with Senator WYDEN, I want to make something clear. I want to make it a matter of public record that I am putting a hold on the nominations for ambassador of individuals being considered for posts in Bolivia, Haiti, Jamaica, and Belize. I am also asking to be consulted on any unanimous-consent agreements involving the Foreign Service promotion list if it should come up for consideration.

I am taking this step to make it clear to the State Department and the administration that the Congress takes the law seriously. Something the administration appears not to do. Under the law, the administration is required to submit to the Congress on November 1 of each year the names of countries that the administration will certify for