

with. I enjoy serving with him. I thank him for yielding.

If he will yield just one moment further, I ask unanimous consent, Madam President, that the amendment that I am offering today on behalf of myself, Mr. GRAMM, Mr. BAUCUS, Mr. WARNER and 36 other Senators, be printed in the RECORD so that all Senators may read it tomorrow.

(The text of the amendment No. 1397 is printed in today's RECORD under "Amendments Submitted.")

Mr. BYRD. And, while I am on the floor on my feet, I shall read the names of the other cosponsors. And we are expecting additional cosponsors, as I indicated earlier today, with several Senators saying they won't cosponsor but they would vote with us.

The following Senators have agreed up to this point to cosponsor the amendment: Senators AKAKA, ASHCROFT, BAUCUS, BREAUX, BRYAN, BUMPERS, BURNS, BYRD, CLELAND, COATS, COVERDELL, DEWINE, DORGAN, FAIRCLOTH, FEINSTEIN, FORD, GRAMM of Texas, GRAMS of Minnesota, HARKIN, HOLLINGS, HUTCHINSON of Arkansas, INHOFE, INOUE, JOHNSON, KENNEDY, KERREY of Nebraska, KERRY of Massachusetts, LANDRIEU, LEAHY, LIEBERMAN, MCCAIN, MCCONNELL, MIKULSKI, REID of Nevada, ROCKEFELLER, SANTORUM, SESSIONS, SHELBY, SPECTER and WARNER.

I thank the Senator for allowing me the privilege of reading these names into the RECORD.

The PRESIDING OFFICER (Mr. ALLARD). The Senator from Rhode Island.

Mr. CHAFEE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAFEE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### INTERMODAL SURFACE TRANSPORTATION EFFICIENCY ACT OF 1997

Mr. CHAFEE. Mr. President, I ask unanimous consent that the Senate now resume the highway bill.

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

The bill clerk read as follows:

A bill (S. 1173) to authorize funds for construction of highways, for highway safety programs, and for mass transit programs, and for other purposes.

The Senate resumed consideration of the bill.

Pending:

Chafee/Warner amendment No. 1312, to provide for a continuing designation of a metropolitan planning organization.

Chafee/Warner amendment No. 1313 (to language proposed to be stricken by the committee amendment, as modified), of a perfecting nature.

Chafee/Warner amendment No. 1314 (to amendment No. 1313), of a perfecting nature.

Motion to recommit the bill to the Committee on Environment and Public Works, with instructions.

Lott amendment No. 1317 (to instructions of the motion to recommit), to authorize funds for construction of highways, for highway safety programs, and for mass transit programs.

Lott amendment No. 1318 (to amendment No. 1317), to strike the limitation on obligations for administrative expenses.

#### CLOTURE MOTION

Mr. CHAFEE. Mr. President, I now send a cloture motion to the desk to the pending committee amendment.

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The bill clerk read as follows:

#### CLOTURE MOTION

We the undersigned Senators, in accordance with the provisions of Rule XXII of the Standing Rules of the Senate, do hereby move to bring a close debate on the modified committee amendment to S. 1173, the Intermodal Surface Transportation Efficiency Act:

Trent Lott, John H. Chafee, Pat Roberts, Slade Gorton, Jon Kyl, Dan Coats, Ted Stevens, Mitch McConnell.

Mike DeWine, John W. Warner, Larry E. Craig, Don Nickles, Jesse Helms, Chuck Hagel, Dirk Kempthorne, Lauch Faircloth.

Mr. CHAFEE. Mr. President, for the information of all Senators, the cloture vote will occur on Friday of this week if cloture is not invoked earlier on Thursday. All Senators will be notified as to the exact time of this cloture vote.

Mr. President, I ask unanimous consent that the mandatory quorum under rule XXII be waived.

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

#### MORNING BUSINESS

Mr. CHAFEE. Mr. President, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 5 minutes each.

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

#### ONE-CALL NOTIFICATION

Mr. FORD. Mr. President, I would like to clarify the intent of a portion of the Commerce Committee's ISTEA amendment that deals with State one-call ("call-before-you-dig") programs. I'm interested in this language as it relates to the treatment of railroads. I understand that the provisions proposed to be added to the ISTEA legislation are the same as the provisions of S. 1115, the "Comprehensive One-Call Notification Act of 1997."

The Leader, together with the Minority Leader, introduced this bill as S. 1115 in July, and the Committee on Commerce, Science and Transportation already held a hearing on this bill in September.

Mr. LOTT. Senator FORD is correct. Thank you for focusing attention on this important safety aspect of the amendment. Our country increasingly depends on a reliable, safe, dependable underground infrastructure of pipelines and communications networks. To protect these facilities against damage from excavation activities, States have developed one-call programs. These programs notify facility owners of imminent excavation in the vicinity of those facilities. The owners can then mark the location of those facilities, protecting both the facilities and the excavator. My legislative goal is to augment and improve the effectiveness of these State programs.

Mr. FORD. Does the legislation impose mandates on States and require them to change their programs?

Mr. LOTT. The answer is an emphatic "no." The legislation does not impose any federal mandate on the States to modify their existing one-call programs. The bill does not dictate the content of these programs from Washington. Period. The legislation does, however, encourage States to improve their programs, and it makes funding available for that purpose.

To be eligible for the funding, the State programs must meet certain minimum standards, but even those standards are performance-based, not prescriptive.

Frankly, legislation that contained a federal mandate for a one-call system was tried a few years ago, and it failed. There were endless fights over how the bill should be written precisely due to the fact that there are indeed 50 differing perceptions. Valid perceptions and experiences which match up to the many programs already in existence. This year, this mistake was avoided with this legislative approach—no mandates. And I am pleased to say that is why it enjoys broad support on both sides of the aisle.

In fact, at the conclusion of my remarks, I will ask unanimous consent to have printed in the RECORD a letter from Secretary of Transportation Slater, dated October 16, recognizing the importance of including one-call legislation as part of the reauthorization of the ISTEA legislation.

Mr. FORD. Among the minimum standards required for a program to be eligible for federal assistance is the requirement for "appropriate participation by all excavators." However, the bill does not define these terms. Isn't that going to lead to a variety of inconsistent outcomes?

Mr. LOTT. What I have found is that there is not one single one-call definition that applies equally to all 50 States. The various State laws on the books have certain elements in common, but there are just as many differences, and those differences often are appropriate. Montana will not need the same law as Mississippi. For that reason, the bill allows States flexibility by not mandating a single definition written in Washington.

Mr. FORD. While there is not a definition of "excavation" in the bill, some definitions in other bills on this subject would have covered routine railroad maintenance. I am concerned that railroads might be required to participate in a program that places an undue burden on activities that pose little threats to underground facilities. How would the bill before us affect this matter?

Mr. LOTT. Again, I say to Senator FORD, the bill does not require States to change their existing programs. So it would not change the way railroads are treated under any existing State laws. I understand about 30 States laws now cover at least some railroad activities while about 10 specifically exempt railroads from coverage. The bill will not change the exemption in these States. Will not. The fact that 30 States have chosen to include railroads within their programs suggests that at least in these instances, State legislatures determined that some potential threat to underground facilities from railroad activity does exist. Again, this bill in and of itself will not require a change in how the railroad activity is treated. Will not.

However, I want to reiterate that what is appropriate for one State may not be appropriate for another. To receive Federal assistance under the bill, a State must only demonstrate that its program covers those excavators whose action poses a significant risk to underground facilities.

The State's decisions will not be measured and second-guessed against a national standard.

Mr. FORD. Railroads also raised the issue of whether it is appropriate to require them to participate in one-call systems as "underground operators" because railroads own their right-of-ways and know the location of their own facilities within those right-of-ways.

Mr. LOTT. Again, if States do not now require railroads to participate as operators of underground facilities, then there still is no provision in the bill that would change that status. Remember, no mandates. Most State programs do not require participation by persons whose underground facilities lie within their own property like a gas station. The bill in no way discourages States from continuing such common sense exclusions.

Mr. FORD. The railroads also urged Congress to provide for immediate response in the case of derailments and natural disasters. Does the bill address this issue?

Mr. LOTT. Again, this bill neither specifies or directs the details of a State program nor does it override existing State programs. All of the State programs of which I am aware allow for an immediate response in the event of an emergency. And this bill does not change this situation.

Mr. FORD. Finally, the railroad industry expressed concern that the bill could possibly interfere with the right-

of-way agreements companies have negotiated between themselves. Can this concern be addressed?

Mr. LOTT. I want to personally assure Senator FORD that this bill does not override private contracts, just as it does not override existing State programs. If expert opinions believe doubt is created than I will offer an amendment to remove this consequence.

Mr. FORD. I thank the Leader for his clarifications regarding this legislation.

Mr. LOTT. Mr. President, I ask unanimous consent that the letter from Secretary Slater be printed in the RECORD.

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

THE SECRETARY OF TRANSPORTATION,  
Washington, DC, October 16, 1997.

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

DEAR SENATOR LOTT: Thank you for your continued support in developing legislation to enhance protection of America's underground utilities.

As you know, safety is the Department of Transportation's highest priority. Prevention of damage to underground facilities, including pipelines and telecommunications cables, is a key departmental safety initiative. That is why we included one-call legislation as part of the Administration's proposal to reauthorize the Intermodal Surface Transportation Efficiency Act (ISTEA).

Your continued leadership on one-call issues is critical to enacting legislation during this Congress. I am pleased that our respective bills share the same fundamental principles: that all underground facility operators must participate in one-call systems and that, with very limited exceptions, all excavators must call before they dig. I look forward to working with you to enact this important legislation.

Please do not hesitate to contact me or Mr. Steven O. Palmer, Assistant Secretary for Governmental Affairs, at 202-366-4573, if you have any questions or concerns.

Sincerely,

RODNEY E. SLATER.

#### THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Tuesday, October 21, 1997, the Federal debt stood at \$5,420,383,941,176.62. (Five trillion, four hundred twenty billion, three hundred eighty-three million, nine hundred forty-one thousand, one hundred seventy-six dollars and sixty-two cents)

One year ago, October 21, 1996, the Federal debt stood at \$5,227,288,000,000. (Five trillion, two hundred twenty-seven billion, two hundred eighty-eight million)

Five years ago, October 21, 1992, the Federal debt stood at \$4,060,086,000,000. (Four trillion, sixty billion, eighty six million)

Ten years ago, October 21, 1987, the Federal debt stood at \$2,384,932,000,000. (Two trillion, three hundred eighty-four billion, nine hundred thirty-two million)

Fifteen years ago, October 21, 1982, the Federal debt stood at

\$1,140,014,000,000 (One trillion, one hundred forty billion, fourteen million) which reflects a debt increase of more than \$4 trillion—\$4,280,369,941,176.62 (Four trillion, two hundred eighty billion, one hundred sixty-nine million, nine hundred forty-one thousand, one hundred seventy-six dollars and sixty-two cents) during the past 15 years.

#### U.S. FOREIGN OIL CONSUMPTION FOR WEEK ENDING OCTOBER 17TH

Mr. HELMS. Mr. President, the American Petroleum Institute reports that for the week ending October 17, the United States imported 7,927,000 barrels of oil each day, 204,000 barrels less than the 8,131,000 imported each day during the same week a year ago.

While this is one of the few weeks that Americans imported less oil than the same week a year ago, Americans still relied on foreign oil for 55.4 percent of their needs last week, and there are no signs that the upward spiral will abate. Before the Persian Gulf War, the United States obtained approximately 45 percent of its oil supply from foreign countries. During the Arab oil embargo in the 1970's, foreign oil accounted for only 35 percent of America's oil supply.

Anybody else interested in restoring domestic production of oil? By U.S. producers using American workers?

Politicians had better ponder the economic calamity sure to occur in America if and when foreign producers shut off our supply—or double the already enormous cost of imported oil flowing into the United States—now 7,927,000 barrels a day.

#### MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

#### EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

#### MESSAGES FROM THE HOUSE

At 12:05 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House agrees to the amendments of the Senate to concurrent resolution (H. Con. Res. 8) recognizing the significance of maintaining the health and stability of coral reef ecosystems.

The message also announced that the House has passed the following bills and joint resolution, in which it requests the concurrence of the Senate:

H.R. 282. An act to designate the United States Post Office building located at 153