

in the mid-1980s in Northfield, MN, in Rice County, I did a lot of organizing with farmers. I had some friends who took their lives. I am not being melodramatic, unfortunately. I was at more foreclosures than I ever wanted to be. I saw a tremendous amount of economic pain.

What we are experiencing now in agriculture in this country is far worse. On present course, we are going to lose, as I said last week, a generation of family farmers. I simply say, in an emphatic way, the political question for us is whether we stay the course or whether we change course. I do not believe that any Senator, Democrat or Republican, who comes from a State like the State of Minnesota and who has been traveling in communities and seeing the pain in people's eyes and seeing people who literally are almost at the very end, could not take the position that we have to do something different when it comes to agricultural policy.

I am not going to be shrill today—hopefully any other day—but I am telling my colleagues, the status quo is unacceptable. It is unacceptable. The piece of legislation we passed several years ago called Freedom to Farm—I believe it's really "Freedom to Fail," though others can take a different position—at minimum has to be modified. If we do not take the cap off the loan rate and we do not have some kind of target price and we do not do something to make sure that farmers have a decent price for what they produce so they can get the cash flow to earn a decent living, they are going to go under. Many of them are going under right now as I speak.

The second thing I want to talk about is a piece of legislation I will offer this week as an amendment to the bankruptcy bill. I will have plenty of data. For example, five firms account for over 80 percent of beef packing market. That is a higher concentration than the FTC found in 1918 leading up to enactment of the Packers and Stockyards Act. Six firms account for 75 percent of pork packing. Now we have a situation where Smithfield wants to buy out Murphy. And the largest four grain buyers control nearly 40 percent of the elevator facilities.

The legislation I am going to introduce—I am now waiting for the final draft from legislative counsel—will impose a moratorium on mergers, acquisitions, and marketing agreements among dealers, processors, commission merchants, brokers, or operators of a warehouse of agricultural commodities with annual net sales or total assets of more than \$50 million. The moratorium would last for 1 year, or until Congress enacts legislation that addresses the problems of concentration of agriculture, whichever comes first. I think Senator DORGAN is working on a similar piece of legislation. I am sure there

are other Senators who are going to be talking about this.

Going back to the Sherman Act or the Clayton Act, or Senator Estes Kefauver's work in the 1950s, Congress has said there was a role for Government to protect consumers and also to protect producers. In fact, a lot of the history of the Sherman Act and Clayton Act goes back to agriculture and the concerns of family farmers.

What I am saying in this legislation is, obviously, the status quo is not working. These conglomerates have muscled their way to the dinner table. They are pushing family farmers out. There is no real competition in the food industry any longer. In order for our producers to get a decent price, and in order to make sure our producers and family farmers have a future, in order to make sure the rural communities of my State of Minnesota have a future, we are going to have to take some action. Our action and our legislation ought to be on the side of family farmers.

So I intend to introduce this bill later today. I will also draft this as an amendment to the bankruptcy bill. I also will be on the floor with other amendments. Unfortunately, the bankruptcy bill applies all too well to family farmers in my State of Minnesota and to family farmers all around the country.

There are other colleagues who want to speak, so I am going to try to conclude in the next 3 or 4 minutes. I say to my colleague from Oregon. I will not take a lot of time because we only have an hour and others want to speak as well.

But I have had a chance to travel a lot in Minnesota. I have had a chance to spend time in other States—in Iowa, in Texas, in Missouri. I have met with a lot of organizers around the country—in the Midwest and in the South—and I am telling you that I think rural America has to take a stand. I do not care whether we use the language of modifying legislation or amending legislation.

I personally thought the Freedom to Farm was really "Freedom to Fail" from the word "go." Others can have different opinions. But for sure, time is not on the side of family farmers. A lot of people in Minnesota, a lot of farmers are 45, 50 years old. They are burning their equity up. They look at me hard, and they say: Look, Paul, do we basically take everything we have and try to keep this farm going? We will. We want to. It has been in our family for four generations. We love farming. But if there is no future for us, tell us now.

I do not want to tell family farmers in Minnesota there is no future for them. I do not want to tell our rural communities there is no future for them. I do not want to tell our country that a few conglomerates are going to own all the land. Then what will the

price be, and what will be the quality of the food? Will there be an agriculture that respects the air and the land and the water and the environment? I think not.

I do not think our country is yet engaged. I hope the national media will cover this crisis. And it is a crisis. I will be coming to the floor of the Senate with longer and longer and longer and longer speeches, backed up by lots of data and statistics of what is happening in Minnesota, backed up with a lot of personal stories of hard-working people who have now lost their farms, where they not only live but where they have also worked. I will have amendments on legislation, in an effort to change things for the better.

If my colleagues have other ideas about how to change things for the better, great. Then get out on the floor of the Senate—this week, next week, the following week. Personally, at this point in time, I am focused on family farmers in the State of Minnesota. I am focused on our rural communities. I am focused on family farmers and rural communities all across our country.

I intend, as a Senator, to do everything I can on the floor of the Senate to fight for people, everything I know how to do to fight for people. I also am going to spend as much time as I can organizing the farmers because I am convinced, I say to Senator REID and Senator WYDEN, we are going to need farmers and rural people to come and rock this capital before we get the change we need. But we are going to keep pushing very hard. An awful lot of good people's lives are at stake.

I think in many ways this is a question that speaks to what America is about as well. I cannot be silent on it. I know of many Senators from other agricultural States who feel the same way. We have to push this on to the agenda of the Congress, and we have to do it now.

EAST TIMOR

Mr. WELLSTONE. Mr. President, in the final 1 minute—and I did not bring any talking points; I do not have it written now—I would like to thank the President. I was critical of the President last week about East Timor, but I think we ought to give credit where credit is due.

I am glad he spoke out. I am glad he put pressure on the Indonesian Government. I know there are a number of important questions to resolve about the nature of whatever kind of peace-keeping force goes in, but the sooner the better because this has been genocide. An awful lot of people have had the courage to stand up against the repressive government, or in this particular case, stand up for the independence of East Timor, that have been murdered. The sooner we get an international presence, an international force in there, the better.

I think the President was forceful this past weekend and should continue to be forceful. We should not let the Indonesian Government delay. The sooner we get a force in there to protect people, and to follow through on the mandate of the people—which was something the United Nations sponsored and supported, where the people voted for their own independence—I think the better off the world will be because whenever our Government can be on the side of human rights, then we are living up to who we are as a Nation.

I thank my colleagues and yield the floor.

Mr. WYDEN addressed the Chair.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, before he leaves the floor, I commend the Senator from Minnesota for an excellent statement. I happen to think those statements reflect his commitment to justice, both here at home and overseas. I commend him for an excellent statement.

I also, before I begin, thank my colleague, the distinguished whip from Nevada. I understand he had the time, and he was gracious enough to give me this opportunity to speak briefly. I thank my good friend from Nevada for the opportunity to speak this afternoon.

CUSTOMER SERVICE PROTECTIONS FOR AIRLINE TRAVELERS

Mr. WYDEN. Mr. President and colleagues, for many months now the Nation's airlines have been doing their utmost to prevent the Congress from enacting meaningful customer service protections for airline travelers. The airline industry lobbyists have fanned out across the Nation's capital telling our colleagues that meaningful protections for consumers—such as the right to timely and accurate information—are going to increase the costs for airline passengers, reduce service, and to hear them tell it, it is practically going to bring about the end of Western civilization as we know it.

As part of their campaign to prevent the enactment of enforceable legislation to protect the consumer, the airline industry has made a host of voluntary pledges to improve passenger service.

Today, I am releasing two reports, one done by the General Accounting Office and the other done by the Congressional Research Service, that show the voluntary pledges made by the airline industry are worth little more than the paper on which they are written.

Let me be specific.

After evaluating the airline industry's proposals, it is clear the airline industry provides passengers rights in three categories:

First, rights that they already have; second, rights that the airline industry is reluctant to write into the legalese that constitute the contract between the airline and the customer; and finally, their rights that are ignored altogether.

For example, among the several rights airlines refuse to provide is disclosure about overbooking on flights. If you call an airline this afternoon and ask about a particular flight and it is overbooked, the airline is not required to tell you that before they take your money. When I and other advocates for the consumer have asked them to provide just this information—we are not calling for a constitutional right to a fluffy pillow on an airline flight but just the information about overbooking—the airline industry simply won't follow through. The fact is, the industry's voluntary pledges are gobbledegook.

To determine if there was any substance to them at all, I asked the General Accounting Office and the Congressional Research Service to compare the voluntary pledges made by the industry to the hidden but actually binding contractual rights the airline passengers have that are written into what are called contracts of carriage. The General Accounting Office found that of the 16 pledges the airline industry has made to consumers, only 4 are actually provided in the contracts of carriage. Three of them are mandated already by Federal regulation, and most of them are left out altogether, including informing the customers of the lowest fare, informing customers about delays, cancellations and diversions, returning checked bags within 24 hours, providing credit card refunds within 7 days, informing the passenger about restrictions on frequent flier rules, and assigning customer service representatives to handle complaints and other problems.

Moreover, the airlines are not exactly tripping over themselves to rewrite these contracts of carriage, the actual contract that protects the consumer. When General Accounting Office officials contacted the airlines to inquire about actually putting teeth into pledge language, the officials at 10 of the major airlines said they were "considering revisions" to their contracts of carriage to reflect at least some of the customer service plans. Even more importantly, if the passenger wants to know what their actual contractual rights are to these key services, the airlines have made it very difficult for the consumer to find out. The Congressional Research Service points out:

Frontline airline staff seems uncertain as to just what contracts of carriage are.

The Service found:

Even if the consumer knows that they have a right to the information, they must accurately identify the relevant provisions

of the contract of carriage or take home the address or phone number, if available, of the airline's consumer affairs department, send for it, and then wait for the contract of carriage to arrive in the mail.

As the Congressional Research Service puts it, with their usual diplomacy and understatement:

The airlines do not appear to go out of their way to provide easy access to these contracts of carriage.

I hope my colleagues will read the actual specifics included in the airlines so-called "customer first" pledge. What they will see is a lot of high sounding rhetoric about improving service to the passengers, but the harsh reality is, it is business as usual.

Last year, there were an unprecedented number of complaints about airline service. Based on the figures I have just obtained for the first 6 months of this year, there has been another huge increase, in fact a doubling, in the number of consumer complaints about passenger service. It is easy to see why, when you examine how hedged and guarded the airline industry is with respect to actually giving consumers meaningful and timely information that will help them make their choices about travel.

For example, let us look briefly at the pledge to offer the lowest fare available on airline flights. What this means is if a consumer uses the telephone to call an airline and asks about a specific flight on a specific date in a specific class, the airline will tell them the lowest fare, as they are already required to do. But not only will they not provide you relevant information about lower fares on other flights on the same airline, they won't even tell you about lower fares that are probably available on their web page. The reason why is simple: They have got you when they have you on the telephone, and they will sell you the ticket when it is an opportunity to sell it and they can make money on it. But when it is a chance to help the consumer and the consumer can get a break by knowing about other fares available on the web page, there is no disclosure.

The purchase of an airline ticket today in America is like virtually no other consumer choice. Unlike movie theaters that sell tickets to a movie or a sporting goods store that sells soccer balls, the airline industry provides no real assurance that you will be able to use their product as intended. Movie theaters can't cancel shows because they don't have enough people for a show, but airlines cancel flights when they don't have enough passengers. The sporting goods store can't lure you in with a pledge to give you that soccer ball at an attractive price and then give you a less desirable product at a greater cost after you get there. But the airline industry can do both of those things. They can make arbitrary cancellations. They can lure you in for