

recent capital construction program, a \$100 million, eight-project endeavor, on schedule and under budget.

Consider Dr. Sliwa's interests and experiences in computer and software technology, which have propelled Embry-Riddle onto the very apex of this science. Almost every facet of our life now depends on software. Yet, software is immature compared to other engineering disciplines. Official mandates for technological reliability and consumer protection simply do not exist.

Think about the countless applications of software: worldwide financial transfers; systems to fly airplanes, to operate medical equipment, to help vehicles function, and for a myriad of other daily tasks. What happens when such technology fails? The question is receiving increased attention at two universities. A consortium between Embry-Riddle and Carnegie Mellon has been established to address the issue of standards and methodologies to prevent future disasters due to unreliable or flawed software. The Department of Defense is keenly interested in their efforts.

ERU began in 1925 when a naive eastern Kentuckian, John Paul Riddle of Pikeville, and entrepreneur T. Higbee Embry of Cincinnati, OH, opened a school of aviation at Lunken Airport in Cincinnati, OH. Now moving into its eighth decade, the school gives new meaning to "cutting-edge" education.

From hands-on investigation of aircraft accidents—thanks to a unique outdoor laboratory featuring crashed planes—to design of computer systems and from leadership in national issues to redesign of roof flaps for NASCAR racing vehicles, ERU is indeed out in front.

Achievements as I have described don't happen without reasons. A most distinguished and forward-thinking faculty, visionary leadership and rare discipline combined with resourcefulness have propelled Embry-Riddle into what I believe is "tomorrow's institution of higher education today."

How fortunate for ERU students. How fortunate for America.

#### GIVING PRIORITY TO OUR FOOD PRODUCERS

Mr. DORGAN. Mr. President, America's family farmers and ranchers deserve a high priority in the legislative agenda of this new Congress. The families who produce our daily food and help feed a hungry world, have not been on the center stage here in the Nation's Capitol. They deserve our attention and our concern.

The 7-year farm bill that was passed in the last session of Congress is an economic disaster in the making for rural America. All that needs to happen is for mother nature to bless us with abundant crops, and farm prices will once again fall. Under that new farm law, there is no safety net for our nation's farm and ranch families, who

provide the economic base of rural America.

That is why I could not support that legislation. That is why President Clinton was very reluctant about signing this bill into law. If you remember, he only did so because further delay of the farm bill would have created planning chaos for farmers as they prepared for and began their spring's work last year.

In the closing debates of the farm bill, I said that we would have to come back to this issue when farm prices fall as they inevitably do. Well, the glow of high grain prices has faded and the reality of increased production costs has come home to hundreds of thousands of farm families.

It is time to consider what responsibility we as a nation have to those who grow our daily food.

It was important that on the very first day for the introduction of legislation in the 105th session, that we paid attention to agriculture. It is not only the key economic sector in rural America, but also continues to be the single largest industry in our Nation.

I am pleased that the minority leader, Senator TOM DASCHLE, introduced two bills that day as part of his leadership package to deal directly with the problems facing our family farmers and ranchers. I am proud to be a cosponsor on both bills.

#### CATTLE PRICES AND MARKET CONCENTRATION

One of the most immediate problems facing rural America is the continuing low prices that our cattle producers are facing. While these low prices can be attributed to some extent to the periodic pricing cycle in cattle, we should not ignore some of the fundamental changes that have occurred within our Nation's livestock marketing system in recent times.

The Cattle Industry Improvement Act of 1997—S. 16—which I have cosponsored, begins addressing some of the underlying questions that face our farmers and ranchers as they market their livestock.

The bill will help bring the livestock pricing structure into the open daylight. It requires the Secretary of Agriculture to establish a price-reporting system in which slaughtering firms would have to report the prices paid and the terms of sale to the Department of Agriculture. Smaller slaughtering firms would be exempted, but would be encouraged to do voluntary reporting.

It also gives the Secretary of Agriculture additional rulemaking authority to foster improved competition among packers in buying cattle. This would strengthen the ability of the Secretary to take the proactive actions needed to ensure a healthy competitive environment in today's cattle-marketing structures. It underscores the very purposes for which the Packers and Stockyards Act was established.

Last year the USDA Advisory Committee on Market Concentration concluded that the price reporting and

price discovery system in the cattle market was a relic of days gone by. In fact, less than 2 percent of fed cattle go through terminal markets where prices for livestock are established through an open and competitive bidding process.

Essentially, cattle producers face a black hole when it comes to being able to accurately determine what is really happening in the marketplace. We need to give the Department of Agriculture the necessary tools to reach into this black hole and get accurate market information for our producers. Our price reporting system needs to be updated with the changes in the marketplace.

#### FOUR FIRMS CONTROL 80 PERCENT OF MARKET

The lack of solid market information on livestock is compounded by the concentration in the marketplace. Today, four firms control more than 80 percent of steer and heifer slaughter. In fact, three firms by themselves have over 80 percent of that slaughter. By any economic measure this is a very high level of concentration.

In contrast there are some 1.2 million farmers and ranchers across the country that produce our Nation's cattle. In other words more than 80 percent of the output of 1.2 million farmers and ranchers is funneled through only 4 firms. This is an enormous economic bottleneck.

Since 1980, the top four slaughtering firms have more than doubled their share of the market. They have moved from a 36-percent market share to an 82-percent market share.

When there is an underlying illness, symptoms of that illness often do not appear until the system comes under serious stress. The same is true in economic situations. We have a serious underlying economic disease in our livestock industry: a highly concentrated marketplace.

The symptoms have become more evident under the stress of the low end of the cattle price cycle. The lack of market power for our producers at the bottom rung should be self evident.

The USDA Advisory Committee on Concentration can best be summarized by a sentence from the minority report. The report stated:

The upper levels maintain profit margins of various sizes within the production cycles, and the lowest, least concentrated levels have become the primary shock absorbers for fluctuations in the commodity cycle.

Coming from a State in which cattle producers are primarily cow-calf operators, I can certainly attest to this statement. Our cow-calf operators have seen their prices cut in half. They have been taking the brunt of this pricing cycle.

A few weeks ago I received a copy of a newspaper article about Al and Gene Urlacher of New England, ND. These two brothers brought a week-old dairy bull calf to the auction sales ring. Three years ago that calf would have sold for \$175. What did they get?

They got a \$10 bid for this calf. It cost them \$8.55 in auction fees, so they

split \$1.45 between them. That means that each of them got 72 cents in their pocket, which did not even cover the cost of their gas to bring the calf to market. Nor would it buy a Big Mac for lunch that day. Yet these brothers thought they were lucky. Others who had brought calves to the sales ring that day didn't even get a bid.

#### FARMER'S SHARE OF RETAIL BEEF DOLLAR DECLINES

Let's look at the farmers' share of the retail beef dollar during the same period of time when the top four slaughtering firms more than doubled their market share.

In 1979, our Nation's farmers and ranchers received 64 percent of the retail price of beef. This past year, their share of the beef dollar was down to 48 percent. The long-term trend line demonstrates what has been happening to the market power of our producers.

As cattle prices have dropped in the past 3 years, the drop in the farm share of the retail beef dollar has been even more dramatic. It moved from 56 percent in 1993 down to 48 percent this past year.

The bill before us today is a rather modest proposal. It requires price disclosure so that everybody in the livestock business knows what is being paid and the terms of the sales. The base of this bill is to provide more information to those that participate in the livestock market.

The bill would also give the Secretary the needed rulemaking authority to more effectively carry out the provisions of the Packers and Stockyards Act. In addition, it would provide protection to livestock producers who do some whistleblowing from retaliation by cattle buyers. These are important steps to bring some daylight into the livestock pricing system.

Our bill would also establish a voluntary labeling system for meat produced in the United States, and requests USDA to convene a public meeting to consider the potential of allowing State-inspected meat and meat products in interstate commerce.

It also calls upon Secretary of Agriculture to immediately work with the Agriculture Minister of Canada to develop a meaningful cattle data exchange system so that United States producers have better information on Canadian cattle production.

This legislation also addresses two trade concerns. First, it would require the U.S. Trade Representative to determine whether the European Union has violated its obligations under international law concerning the certification of U.S. meat export facilities.

Second, it establishes an annual procedure by which the U.S. Trade Representative would identify priority countries that maintain barriers to U.S. livestock and meat exports, including sanitary standards.

#### REBUILDING A SAFETY NET FOR FARM FAMILIES

The second bill that I cosponsored with Senator DASCHLE on the first day of bill introduction was S. 16, the Agri-

cultural Safety Net Act of 1997. This legislation is a solid beginning to address the problems faced by our grain producers as they face declining prices.

Over the years there has been great variability in the prices received by America's farmers. During the last decade we have seen our wheat prices shift from a low of \$2.42 per bushel in 1986 to the unusually high price of \$4.45 per bushel this past year.

In fact, had it not been for the unique pricing conditions in our grain sector during the past 2 years, it is very unlikely that the freedom-to-farm bill would have ever been enacted into law, because our new farm eliminated the safety net to help our producers through low markets.

We have to be honest and admit that we do not have a level playing field for our grain producers in this new global economy. Too frequently our wheat producers are not competing against wheat producers in other countries, but are competing against the national treasuries of countries which continue to provide export subsidies to move their surplus production into the world market.

The irony of this past year is that wheat prices received by farmers across the Nation peaked just after our planting season. Our farmers responded to the marketplace by planting more wheat. They did the very thing the market indicated and made the extra investments to get a good crop. Now they are being rewarded for their good efforts with lower prices.

Wheat prices have been falling ever since this spring. In recent weeks, I have received many reports of wheat prices at below \$3.50 per bushel at local elevators in my home State of North Dakota. The fact is that these prices are well below the full economic costs of production of recent years.

Our producers need a working safety net. The farm law has established price supports at 85 percent of the moving Olympic average of prices received by farmers during the past 5 years, dropping the high and low years.

The marketing assistance loans are supposed to help farmers move through the fluctuations of the market, and give them a means by which to hold their grain off the market so that they could make the best of their marketing opportunities.

While the farm law has the promise of these marketing assistance loans, it reneges on that promise by establishing a cap on these commodity loans at \$2.58 per bushel on wheat and \$1.89 per bushel on corn.

That makes these loans almost meaningless, especially for our beginning and other low-equity producers who have to sell their crops to pay their bills at harvest time. With the cap, these loan rates aren't high enough to cover even their out-of-pocket expenses, without considering their machinery and land costs.

The Agricultural Safety Net Act of 1997 would eliminate these caps on the

marketing assistance loans. That would mean a commodity loan rate of about \$3.72 for wheat and \$2.64 on corn for this year's crops. That would make a world of difference to our producers. It would provide them some marketing flexibility and give them an opportunity to take advantage of market advances when they occur.

Another key feature of this bill is that it gives the Secretary of Agriculture the authority to extend the marketing assistance loans for an additional 5 months. That would also give additional opportunity for our producers to ride out the market.

#### EXPAND CROP REVENUE COVERAGE

Together with these improvements, the Agricultural Safety Net Act of 1997 would require the Secretary of Agriculture to offer a nationwide program of crop revenue insurance through the Federal Crop Insurance Corporation of wheat, feed grains, and soybeans.

Federal Crop has been conducting pilot programs on revenue and income insurance for producers. I am pleased that the crop revenue insurance program for wheat has been extended to many counties in North Dakota. I had sought inclusion of the entire State in this pilot program.

The crop revenue coverage pilot program has been very successful and received high interest and participation of producers where it has been available. This bill would move us out of the pilot program stage into a national program that would help producers with the twin risks of weather and price.

#### BUILDING FARMER CO-OPS

Another way that farmers have been able to meet the challenges of today's marketplace has been through the development of a new generation of value-added cooperatives. Back home in North Dakota this has become known as co-op fever.

These co-ops are a way for farmers to extend their influence in the marketplace. They not only add value to their production, but also they are moving these products further down the chain closer to the ultimate consumer.

This legislation would require the Secretary of Agriculture to give a high priority to loan and grant applications under the Consolidated Farm and Rural Development Act to farmer-owned, value-added processing facilities.

It would help make the development of farmer cooperative processing a priority in the rural development activities of this Nation.

These two bills which I cosponsored as part of the leadership package of priority bills are important steps to restoring opportunity for rural Americans. They represent a new beginning in our efforts to empower rural Americans and help them build a better society for themselves and the entire Nation.

These bills will need to be expanded with other legislative efforts during this session of Congress. They are simply the beginning foundation of how we

can reshape Government so that we can provide rural Americans the tools they need to meet the challenges of our global marketplace.

I commend Senator DASCHLE for his work in the development of these bills. The priority that he has given to agriculture in introducing these bills as part of his leadership package is most welcome and most appropriate. I am proud to be part of his leadership team and a cosponsor of these two bills.

Both of these bills recognize that our Nation's family farmers and ranchers are the economic lifeblood of rural America. When they do well, rural America does well.

#### FAMILY PLANNING FUNDS

Mr. KERRY. Mr. President, I want to make available to all my colleagues and their staff an article by Wernor Fornos, president of the Population Institute, which articulates the importance of a vote that Congress will cast in February. This vote will affect the lives of thousands of families worldwide. This vote will determine whether previously appropriated fiscal year 1997 funds for international family planning will be released only 5 months after the fiscal year for which they were provided has begun, or 9 months after it has begun. Releasing these funds in March as opposed to July is critical—international family planning programs have sustained massive cuts over the past year and a half. These reductions have been punitive and unprecedented. They are, quite literally, threatening the health of women and children.

I ask my colleagues to consider this article when they cast their vote in February. I ask unanimous consent that the full text of the article be printed in the RECORD.

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

[From the Christian Science Monitor, Jan. 22, 1997]

#### NEEDED: FAMILY PLANNING FUNDS

(By Werner Fornos)

By Feb. 1, President Clinton is expected to present to the new Congress a finding that the current method of dispensing international population assistance is harmful and counterproductive to US program efforts, and unquestionably it is.

In an outrageous attempt to watch United States family planning efforts overseas die a slow death, Congress last year approved \$385 million for these vital humanitarian programs in 1997. Congress further specified that the money could not be dispensed until July of this year, and even then at a rate of no more than 8 percent a month.

Since the 1997 fiscal year began on Oct. 1, 1996, and ends on Sept. 30, 1997, it is obvious that the legislation was calculated to undermine US efforts to assist developing countries with their family planning needs. The measure is an especially cruel hoax considering that some 500 million women need and want to regulate their fertility but lack access to contraceptives.

Moreover, 585,000 women die annually from causes related to pregnancy and childbirth.

The World Health Organization believes that the provision of family planning to those who need and want it will reduce maternal mortality by one-fifth.

Sources at the Office of Population in the US Agency for International Development (AID) say the funding restrictions and delays are adding up to millions of dollars in administrative costs. The result is that fewer family planning services are being provided, the health of a great number of women is jeopardized, and government funds are wasted because of unwarranted micromanagement by Congress.

Meanwhile, other development programs—such as child survival, championed by Rep. Chris Smith (R) of New Jersey, Congress's leading opponent of international family planning aid—will be adversely affected because their administrative costs are derived from AID's overall operations budget.

Perhaps the most reprehensible element of the Byzantine metering of international population funds is that it is expected to increase abortions in the world's poorest countries, though its principal architects, Congressman Smith and House Appropriations chairman Bob Livingston (R) of Louisiana, purport to be abortion opponents.

It doesn't take a rocket scientist to figure out that reducing family planning funds is a sure-fire way to increase abortions. A 35 percent reduction of population spending last year was estimated to have caused 1.6 million additional abortions, and a nine-month moratorium plus metering may lead to an even greater number.

If both the US Senate and House of Representatives concur with Mr. Clinton's findings that the strange disbursement schedule for international population funds is detrimental to our family planning efforts overseas, the money can be released starting as early as March 1, rather than July 1.

Though it still will be squeezed out at the rate of 8 percent a month, at least the funds would be delayed five months rather than nine. Neither the federal budget nor the national deficit will be increased by the earlier release date. Congress has already agreed to spend the \$385 million on family planning programs overseas. The question is when.

In a world where the population is climbing toward 5.9 billion and increasing by nearly 90 million annually, with 95 percent of the growth in the poorest countries, playing a legislative shell game with human lives is unworthy of a country that prides itself on its humanitarianism. Members of this Congress should take the opportunity to at least partially erase the shame perpetrated by the strident congressional henchmen of the antichoice movement in the last Congress.

#### TUNA-DOLPHIN BILL

Mrs. BOXER. Mr. President, last week, Senators STEVENS and BREAUX introduced a bill S. 39, that would significantly weaken protections for dolphins in the eastern tropical Pacific Ocean by rewriting—gutting—the “dolphin safe” tuna labeling law that Senator BIDEN and I wrote and urged into law in 1990.

Today, the \$1 billion U.S. canned tuna market is a dolphin safe market. Consumers know that the dolphin safe label means that dolphins were not chased, harassed, captured, or killed.

Our definition of dolphin safe became law for all the right reasons. Those reasons are still valid today:

First, for the consumers, who were opposed to the encirclement of dol-

phins with purse seine nets and wanted guarantees that the tuna they consume did not result in harassment, capture, and killing of dolphins; second, for the U.S. tuna companies, who wanted a uniform definition that would not undercut their voluntary efforts to remain dolphin-safe; third, for the dolphins, to avoid harassment, injury and deaths by encirclement; and fourth, for truth in labeling.

Our law has been a huge success. Annual dolphin deaths have declined from 60,000 in 1990 to under 3,000 in 1995. Why mess with success?

The Stevens-Breaux bill would permit more dolphins to be killed than are killed now.

The bill promotes the chasing and encirclement of dolphins, a tuna fishing practice that is very dangerous to dolphins. It does so by gutting the meaning of dolphin safe, the label which must appear on all tuna sold in the United States. The “dolphin safe” label has worked; it doesn't need to be updated, as the bill's sponsors claim.

A number of arguments have been made in support of the Stevens-Breaux bill which I would like refute at this time.

#### 1. ENVIRONMENTAL SUPPORT

Bill supporters claim that it is supported by the environmental community. In fact, only a few environmental groups support the Stevens-Breaux bill, while over 85 environmental, consumer, animal protection, labor, and trade groups oppose the Stevens-Breaux bill. I ask unanimous consent to insert a list of these groups in the RECORD at the conclusion of my remarks. The fact is that the vast majority of environmental organizations in this country and around the world oppose the Stevens-Breaux bill.

#### 2. EMBARGO ON TUNA

The bill's supporters say that it is unreasonable for the United States to continue to impose a unilateral embargo on other fishing nations that wish to sell tuna in our country. I agree. It is time to lift the embargo. That is why Senator BIDEN and I, and a number of our colleagues, introduced legislation in the last session of Congress that would lift the country by country embargo against tuna that is caught by dolphin safe methods. Our bill would give all tuna fishermen the opportunity to export to the U.S. market as long as they use dolphin safe practices. In other words, we would open the U.S. market and comply with international trade agreements without gutting U.S. dolphin protection laws.

We have offered repeatedly over the past year to sit down and negotiate a compromise with the administration. We have stated repeatedly that we agree it is appropriate to lift the embargo. We want to reach a compromise that is in the best interest of the American consumer, dolphins, and our U.S. tuna processing industry.