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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore [Mr. THURMOND].

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. Richard Foth, Falls Church, VA.

We are pleased to have you with us.

### PRAAYER

The guest Chaplain, Dr. Richard Foth, offered the following prayer:

Gracious Father, we come to You on this fresh September morning with full hearts. Thank You for letting us be a part of the fabric of this country which is so richly endowed both physically and spiritually. Help us never to forget that it is by Your grace we are here and that "to whom much is given, much is required."

We pray particularly for those in the path of a storm, whether politically in the Senate of the United States or physically on our southeast coast. Give them wisdom, judgment, and strength for the journey.

As the fall agenda in this deliberate body is engaged in this Chamber, which has been the battleground for ideas and the sanctuary for our freedoms over the years, help our Senators not to be weary in well-doing. Buttress them with patience in the face of a thousand voices calling them to act in small, immediate ways which erode principle and derail the larger good.

We join our hearts at this moment with the thousands of other ordinary citizens across America who, today and every day, lift this band of 100 gifted leaders to You.

In that Name above every name, we pray these things.

Amen.

### PLEDGE OF ALLEGIANCE

The Honorable PAT ROBERTS, a Senator from the State of Kansas, led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Repub-

lic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDING OFFICER (Mr. ROBERTS). The distinguished acting majority leader is recognized.

### SCHEDULE

Mr. SHELBY. Mr. President, today the Senate will immediately begin 1 hour of debate on the Wyden amendments Nos. 1625 and 1626, both regarding airline reporting. Votes on those amendments have been scheduled to occur at 11 a.m. Further amendments to the Transportation appropriations bill are anticipated. Therefore, Senators may expect votes throughout the day. It is hoped, however, that Senators who have amendments will work with the chairman and the ranking member to schedule the offering of their amendments in a timely manner so we can expedite this bill. Today the Senate may also resume consideration of the Interior appropriations bill in an attempt to complete action on the bill.

### DEPARTMENT OF TRANSPORTATION AND RELATED AGENCIES APPROPRIATIONS ACT—Resumed

The PRESIDING OFFICER. The clerk will report the bill.

The legislative assistant read as follows:

A bill (H.R. 2084) making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2000, and for other purposes.

Pending:

Wyden amendment No. 1625, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents involving the failure to disclose information on the overbooking of flights.

Wyden amendment No. 1626, to make available funds for the investigation of unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers involving denying airline consumers access to information on the lowest fare available.

The PRESIDING OFFICER. The distinguished Senator from Oregon is recognized.

Mr. WYDEN. I thank the Chair.

AMENDMENTS NOS. 1625 AND 1626, AS MODIFIED

Mr. President, I ask unanimous consent that in the second proviso of each of my two amendments, the words "It is the sense of the Senate" be inserted.

The PRESIDING OFFICER. Is there an objection?

The Chair hears none, and it is so ordered.

Mr. WYDEN. I thank the Chair.

The amendments (Nos. 1625 and 1626), as modified, are as follows:

AMENDMENT NO. 1625

On page 65, line 22, before the period at the end of the line, insert the following: "*Provided*, That the funds made available under this heading shall be used to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers, foreign air carriers, and ticket agents: *Provided further*, It is the sense of the Senate that, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' include the failure to disclose to a passenger or a ticket agent whether the flight on which the passenger is ticketed or has requested to purchase a ticket is overbooked, unless the Secretary certifies such disclosure by a carrier is technologically infeasible".

AMENDMENT NO. 1626

On page 65, line 22, before the period at the end of the line, insert the following: "*Provided*, That the funds made available under this heading shall be used (1) to investigate pursuant to section 41712 of title 49, United States Code, relating to unfair or deceptive practices and unfair methods of competition by air carriers and foreign air carriers, (2) for monitoring by the Inspector General of the compliance of air carriers and foreign carriers with respect to paragraph (1) of this

- This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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proviso, and (3) for the submission to the appropriate committees of Congress by the Inspector General, not later than July 15, 2000, of a report on the extent to which actual or potential barriers exist to consumer access to comparative price and service information from independent sources on the purchase of passenger air transportation: *Provided further*, It is the sense of the Senate that, for purposes of the preceding proviso, the terms 'unfair or deceptive practices' and 'unfair methods of competition' mean the offering for sale to the public for any route, class, and time of service through any technology or means of communication a fare that is different than that offered through other technology or means of communications".

Mr. WYDEN. Mr. President and colleagues, these two amendments are essential to begin to ensure that passengers in this country get a fair shake with respect to airline service.

We have seen in recent months that the airline industry is going to great lengths with their so-called customer service pledge to try, through a series of voluntary promises, to show to the American people that they are really committed to improving airline service.

The fact is, Mr. President and colleagues, two studies that have just come out demonstrate that these voluntary promises by the airline industry really are not worth much more than the paper on which they are written. So I am very pleased to come to the floor of the Senate today with my good friend, the chairman of the subcommittee, Senator SHELBY, and the ranking minority member, Senator LAUTENBERG, to make it very clear that in two key areas—overbooking and making sure that passengers can be informed of the lowest fare available—the inspector general will be directed to investigate promptly when in fact consumers are ripped off in those areas.

Let me touch specifically on both of those provisions.

The first deals with the overbooking issue. In addition to my friend from Alabama, the chairman of the subcommittee, I am very pleased Senator CAMPBELL has joined us in this effort, as well as Senator FEINGOLD from this side of the aisle. It is truly bipartisan.

The reason it is needed is that if this morning you call an airline and inquire about purchasing a ticket on a flight and they are overbooked, that airline does not have to tell you they are overbooked before they take your money.

We do not think that is right. We think the public has the right to know. Certainly the airline ought to be in a position to sell you a ticket even if they are overbooked, but it ought to be the consumer's right to have that information before they actually put their money down.

So the first proposal we are offering today makes sure that consumers will be informed in these instances of overbooking.

The second amendment we are offering deals with making sure that passengers can be adequately informed of the lowest fare available on flights.

Finding the lowest airfare is one of the great mysteries of Western life. Today on any given flight, there may be as many different fares as there are passengers on the plane. So with respect to this matter of making sure the passengers can be informed of the lowest fare available, I offer a second amendment, again with the chairman of the subcommittee, Mr. SHELBY, and the ranking minority member, Senator LAUTENBERG, to make sure that passengers will be in a position to be informed of the lowest fares.

Some airlines right now are giving customers with computers a price break just because they have a computer to access the web site. We have all heard about the digital divide. In fact, some folks have the technology; others do not. The current situation penalizes the technology have-nots; they have to pay a higher fare. Of course, when the airlines have you, the customer, on the phone, they have in fact "got you." You may not own a computer or have access to one. You have to pay whatever price the airline quotes you.

No matter how a customer contacts an airline—at the ticket counter, over the phone, or through the airline's web site—it is the view of the sponsors of this amendment—myself, the distinguished chairman of the subcommittee, Mr. SHELBY, and the distinguished ranking minority member, Senator LAUTENBERG—that the consumer ought to be informed.

Right now, on a voluntary pledge that has been made by the airline industry, there is a lot of high-sounding rhetoric in telling customers about the lowest fare, but the harsh reality is it is essentially business as usual.

In fact, I think it is worth noting the language in the pledge, as it stands today, to offer the lowest fare available. What the pledge by the airline industry stipulates today is: If a consumer uses the phone to call an airline and asks about a specific flight on a specific day in a specific class, the airline will tell you the lowest fare. That is something that they are already required to do by current regulation.

Not only will they not provide you relevant information about lower fares on other flights on the same airline, they will not even tell you about lower fares that are probably on their web page.

For example, a Delta agent recently quoted a consumer over the phone a round trip fare to Portland—my hometown—of \$400. Five minutes later, the consumer found a price for \$218 for the exact flight on Delta's web page.

I do want to leave time for other colleagues to be able to speak on these amendments. Both of the amendments, it seems to me, hit critical issues with respect to disclosure to airline passengers of information that they need to make their travel choices.

We are not calling for a constitutional right to a fluffy pillow on an airline flight or a jumbo bag of peanuts.

We are saying the public has the right to know.

We had 100,000 people bumped last year, and we are finding, in the first 6 months of this year, consumer complaints are growing at an unprecedented level with respect to airline service.

Unfortunately, this voluntary pledge by the airline industry is essentially toothless. They give you three kinds of rights: First, a set of rights that you already have, and that deals with the disabled; second, rights that they are reluctant to actually write into the legalese that constitute the real contract between the consumer and the airline—these are known as contracts of carriage; and, finally, the consumers' rights that are ignored altogether.

The Wyden-Shelby-Lautenberg amendments we will be voting on at 11 o'clock ensure that those rights which are being ignored altogether would be protected, that in the future consumers will be informed when a flight is overbooked. Consumers would be in a position to learn the lowest fare available, and if that is not the case, under this amendment the Department of Transportation is directed to go out and investigate that as a deceptive trade practice, and the consumer is protected.

So I will reserve the remainder of my time. We may have other colleagues who want to speak. But again, I express my appreciation to the chairman of the subcommittee, Senator SHELBY. He and Senator LAUTENBERG have worked very closely with us on this amendment.

I reserve the remainder of my time and yield the floor.

Mr. SHELBY addressed the Chair.

The PRESIDING OFFICER. The Senator from Alabama is recognized.

Mr. SHELBY. Mr. President, I will be brief. But I want to take a couple minutes to commend the Senator from Oregon for having the courage and the foresight and tenacity to push these amendments because they make a lot of sense.

All of us travel by the airlines. We want our airlines to do well. We want them to respond to all the people in the market. But we want it to be done up-front and, I think, upright. I am not sure that is going on today. That is why I believe this legislation is necessary. I think it is a step in the right direction.

We all go back to the deregulation of the airlines. I want to deregulate everything. But I want competition to be out there in the marketplace, including the airlines, to where people will have a choice. I am not sure we have a choice today in the airline industry because we have such concentration. We all fly. We want some basic rights.

I believe the passengers, who are the customers who support the airlines—without customers there will be no airlines—ought to have a say. I believe that is the thrust of the amendments offered by the Senator from Oregon. That is why I support them.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. SHELBY. Mr. President, I know we have a scheduled vote at 11 o'clock this morning. We have equal time here. I ask unanimous consent that the running of the quorum call time on the clock be charged against both sides equally.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

Mr. ROCKEFELLER. Mr. President, if I might ask the distinguished senior Senator from New Jersey, are we dealing with two amendments or a sense-of-the-Senate resolution?

Mr. LAUTENBERG. We are dealing with two sense-of-the-Senate resolutions that the Senator from Oregon has offered now, a substitute for an earlier amendment.

Mr. ROCKEFELLER. Well, a sense-of-the-Senate resolution is preferable in that it doesn't become law and is not binding. It also implies, as I would believe, that perhaps the case for the amendments is not as strong as it once appeared to be.

I want to speak vehemently against whatever form this takes, whether it is two amendments or a sense-of-the-Senate resolution. There is no question that the Senator from Oregon is concerned with safety. The Senator from Oregon has the luxury of dealing with flights far better than does the Senator from West Virginia. He has a consistent record on that. I also need to say, however, that when he brought up what was to be two amendments—both of which I disagree with and which I ask my colleagues to vote against, whether in amendment form or resolution form—the Senator didn't give any advanced notice about it. He didn't inform those charged with responsibility for aviation issues on the Commerce Committee before he brought this matter up, for example.

Customer service is a problem we have been working on in the Commerce Committee. What I need to point out is that on this very day the airlines are coming out with their plans to implement what Senator McCAIN, Senator HOLLINGS, Senator GORTON, and the Senator from West Virginia directed

and worked with them to do to improve customer service. Today they are coming out with a plan to address precisely the problems the Senator is bringing up.

People talk about Washington intervening and Washington trying to do something on its own because Washington always knows best. This is probably a classic case of that—especially on what looks like a tremendously popular consumer issue that can easily get a lot of attention. But we always have to ask the question, is it the right public policy? My reaction in this case is, no, it is the wrong public policy.

We sat down with the airlines and we had a very long series of negotiations. We got them to agree to a whole series of things which they are coming out with today, which we haven't actually seen yet, for improving customer service. They are coming out with their detailed service plans on this very day, at the same time that we are voting here on these resolutions. What is interesting is that in the principles we negotiated with the airlines both of the problems contemplated by these resolutions are specifically addressed, and will be elaborated upon in the specific plans of each airline.

Now I don't have the advantage of is having the plans before me because they are being announced today. But we pushed the airlines hard and they came back with suggestions; and then we went to them again and said that is not good enough, and they came up with more. We also informed the airlines that we would be working on legislation to direct the Department of Transportation to exercise oversight and monitoring of airlines customer service plans and how they are implemented.

We are also working on legislation to increase penalties—if we can ever get to the FAA reauthorization bill, which a lot of people don't talk about—including increases in baggage liability limits, civil penalties for consumer violations, and fines for mistreatment of disabled passengers. We took a very tough approach with the airlines, saying to them, look, we are going to give you this chance because we think you know better than we do how wide a seat ought to be.

We think that when it comes to the cost of the fare, or informing passengers of cancellations or delays, you can do a better job for passengers than if we dictated to you how to do it.

And at the same time we said to the airlines: If you don't come forth with meaningful service improvements and if you are not effective in implementing these commitments, then we are going to come back at you with legislation.

We were very clear in our message to them. Senator McCAIN, Senator HOLLINGS, Senator ROCKEFELLER, and Senator GORTON—all of us—were very clear about the consequences. We are committed to considering a legislative solution to make the airlines do these

things, but first we are going to give them a chance to clean up their own houses.

The main difference between these resolutions and our approach is that we don't want to legislate right out of the gate. We may have to end up legislating, if they don't improve things. But let's give them an opportunity first.

Consider the case of Southwest Airlines and the question of overbooking. Routinely 35 to 40 percent of the people who make reservations on Southwest don't show up for the flight. Do they have an overbooking procedure on 90 percent of their flights? Yes, they do. They need to do that since on average 35 to 40 percent of their passengers don't show up for each and every flight.

On one hand, it seems as if overbooking is an easy thing to do something about. But in practice it is a more complicated question. So, shall we give the industry that knows it has problems a chance, albeit under pressure and restrictions from the Congress and the DOT, but nonetheless a chance to solve their problems themselves? Or shall we simply say we are going to do it for you, and this is how you are going to do it?

Again, if they don't come forward, if they don't do this correctly, then we may very well move legislatively. I have said it frequently to them in private and in public that we move to legislate if they don't take this voluntary approach quite seriously, and we will direct and mandate that these customer service improvements be done. But I think to take the heavy-handed approach right out of the box is the wrong way to go.

I think it is also ironic, I have to say, that the focus is on overbooking and access to low fares, without giving equal attention to the problems of air traffic control. We aren't paying any attention at all to the underlying problems—the infrastructure problems that are the root cause of many customer complaints, including overcrowding, scheduling problems, cancellations and no-shows.

The airlines have until December 15 to get their detailed plans fully implemented. I think we ought to give them the chance.

The inspector general of DOT is monitoring and watching each and every airline for any failure to carry out the principles and promises. If they are not effectuated, that will be considered a violation by the DOT.

But is there anything really that wrong with giving the people who know how to do it and who will compete with one another to do it best a chance to self-regulate under this very unusual and extraordinary pressure that they find themselves from myself and Senator GORTON? Or do we simply say, no, we know how to do it best, and we are going to do it for you?

I hope my colleagues will understand that this a resolution that doesn't do much good for airline passengers. What

will do good by the traveling public is the plan which the airlines are announcing today, and then the oversight and the implementation of those plans, which we will watch very closely and then evaluate how they've done. If they are ineffective in it, then we will move right to legislation. But for heaven's sake, let's not start off that way and pretend we can do all of this better than they can.

I yield the floor. I reserve the remainder of my time.

Mr. LAUTENBERG. I thank the Senator from Oregon.

Mr. President, I think what the Senator from Oregon is doing this morning is offering some help for sat-upon air passengers—people who are totally discouraged by the treatment they get from our airlines. I am not saying the airlines are not a good, effective part of our communications system or that they don't care. Not at all. But they have to be a little more sensitive to what the passengers need. The passengers need to know whether or not reservations they have made are going to be honored. They have to know whether or not they are buying right. If you go into a department store, you see signs telling you how much an article costs. When you call up an airline for reservations, you never know whether you have three seats in L class, or two seats in Y class, or six seats in E class, and you don't know whether you are getting what you are getting.

I think there is an expression that is used commonly around here—"a right to know." The passengers have a right to know. They have a right to know that when they get to that airport, the seat they have reserved which they paid for is going to be available for them.

There is no one whom I like less to disagree with than my friend from West Virginia, the distinguished Senator from West Virginia. But the airlines may know, to use his expression, "how wide a seat is." But they don't want to tell you how wide the seating spaces are in their airplanes compared to others.

I fly, as most here do, at least twice a week—once up and once back from my home district in my State.

I find that the space gets narrower and narrower. I think we ought to let people know. Give them a choice. Give them a right to know. We are not telling them the seat size. I don't want to do that.

I have found one thing. Sometimes if you offer enough carrots as an incentive, you wind up with carrot soup. You don't wind up with a satisfied user. That is what we are talking about. The airlines have voluntarily agreed to do some things; that is, if you can find out, and if you understand what they are talking about when they do it.

I see nothing wrong in the sense-of-the-Senate resolutions the Senator from Oregon is introducing. I think he is doing us all a favor, and that is high-

lighting what the problem is. It is not law that he is proposing. What he is suggesting is something for us to all think about as we consider legislation, or recommending rules to the FAA that the FAA ought to take up. We are focusing.

I must say this to the Senator from West Virginia. In my opening remarks and in the remarks of the chairman of the subcommittee, what we are talking about is the shortages that we are seeing in funding for FAA.

I know I heard it repeated by the distinguished Senator from Alabama. I said we are underfunding the FAA. That is because the whole transportation budget is inadequate for the things we have to do. It shouldn't be. But the system is safe. People do get there most of the time now—late. But the fact is we are concerned about funding the FAA and the overcrowding of the skies.

We want the air traffic control system to operate well.

I sit lots of times in the second seat in a small airplane. I hear what is going on. It is not always what you like to hear—that you have to wait a half hour to take off, that you have to wait a half hour or divert to land because it is too crowded. We are concerned about that.

But also I make mention of a cause of mine—to make sure that we have high-speed rail in this country to take care of the 200-mile trip, or the 250-mile trip from New York to Washington, or Boston to New York, or Boston to Washington—relatively short trips—to relieve some of the pressure in the skies at the same time that we build the system.

I yield the time. I thank the Senator from Oregon.

The PRESIDING OFFICER. The Senator from Oregon is recognized.

Mr. WYDEN. Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. The Senator has 15 minutes 50 seconds.

Mr. WYDEN. Thank you.

Mr. President, first, in the package of amendments with respect to overbooking and making sure the passenger has the lowest fare available, that has nothing to do with seat size. I think all of our colleagues know it.

The reason the Consumer Federation of America and Consumers Union put on the floor for each Member of this body a strong endorsement letter for these two amendments this morning is that they think the public has a right to know this basic information. That is all these two amendments are about.

The fact is that my good friend from West Virginia has a difference of opinion with respect to the airline industry voluntary pledges.

I agree with the General Accounting Office and the Congressional Research Service. They came out with reports this week that essentially showed that with respect to these voluntary industry pledges, there is no "there" there. These voluntary industry pledges ei-

ther involve rights that the consumer already has, No. 1, rights that the airline industry is unwilling to write into the contract between the airline and the consumer, known as contracts of carriage, or rights that are essentially ignored altogether, which are overbooking.

Nobody is talking about micro-management or a constitutional right to fluffy pillows. We are talking about basic information for the public.

What has happened since the voluntary industry agreement of earlier this summer is, two congressional reports have come out—a report by the Congressional Research Service and a report by the General Accounting Office. Let me read from a portion of what the General Accounting Office has said. The General Accounting Office said with respect to the key measures in the voluntary package—ensuring customer service from an airline, cosharing partners, a refund provision, a special needs provision—these are already required.

The airline industry has tried, with a lot of hocus-pocus with the voluntary pledges, to convince the Congress and the American people that they really are responding substantively when in fact this is essentially old wine in new bottles.

That is why this morning the Consumers Union and the Consumer Federation have put on to the desks of each Member of this body a strong endorsement letter. This is about the public's right to know, the public's right to disclosure of information in two areas: The lowest fare; second, with respect to overbooking. That is what this issue is about.

Members can either be with the passengers or Members can be with the airline industry, which the General Accounting Office and the Congressional Research Service said this week has offered voluntary pledges that are woefully deficient because they essentially do nothing other than restate current law.

I yield the floor, and I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. SHELBY. Mr. President, I yield what time I have to the distinguished Senator from Washington.

The PRESIDING OFFICER. The distinguished Senator from Washington is recognized for 1 minute 20 seconds.

Mr. GORTON. Mr. President, this is another example of Members of the Senate attempting to say they know much more about a particular business than do the people who run that business and depend upon customer satisfaction in order to run it profitably.

Fortunately, it is now only a sense-of-the-Senate resolution. However, it nonetheless, with respect to involuntary exclusion from planes, applies to about 1 person in 10,000 and is therefore a sledgehammer used to crush a fly, and does it in a way which will be either ineffective because the information that passengers get will be of no

use to them or will cut down on the number of tickets that are sold which will raise the prices passengers pay.

The provision about Internet pricing, if implemented, will simply mean there will be no lower prices offered on the Internet than there are elsewhere. That will also raise the prices some passengers pay.

The voluntary attitudes of the airlines are only beginning to go into effect. Even the GAO report quoted by the Senator from Oregon reads:

The real deal is what the individual airlines come out with in the plans. Once they do, they can be held accountable.

We ought to leave this to that accountability and not decide we know the airline business better than the airlines themselves.

The PRESIDING OFFICER. The time allotted to the distinguished Senator has expired.

Does the Senator from Oregon yield time to the distinguished Senator from Montana?

Mr. WYDEN. I understand I have about 10 minutes remaining. Would my good friend from Montana like 3 or 4 minutes?

Mr. BURNS. It will only take about a minute. I am opposing the amendment, so the Senator may want to rethink the allotment of that time.

Mr. WYDEN. Why don't I give 3 minutes to my good friend from Montana, and then I will use my remaining time to wrap up.

Mr. BURNS. I thank my friend from Oregon. I will be very brief.

In the Commerce Committee, we struck a deal with the airlines. Today they are going to the FAA with their plan. What we have seen to this point is an outline of what they plan to do. What they plan to give to the FAA, with the FAA exceptions, we should agree to and keep the word of the Commerce Committee that that is the way we are going to do business.

I think we are trying to micro-manage. I expect I am the only one who should be concerned about seat width. I fly just as much as anyone else. In fact, to go round trip between here and Montana, we probably have more seat time than we really want.

The chairman of the Subcommittee on Aviation on the Commerce Committee had a very successful hearing in Kalispell, MT. We ought to look at the root of some of the problems, and that is pilot shortage. We had an outstanding hearing on how it affects rural States such as my State of Montana.

I shall oppose these two amendments. I thank my good friend from Oregon. He has been more than gracious with his time.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, I don't see any other speakers. I will be very brief in wrapping up.

Again with respect to these voluntary pledges that have been made by the airline industry, I think it is worth

noting exactly what the General Accounting Office said about this so-called customer service first program.

The General Accounting Office found that of the 16 pledges the airline industry made in their voluntary customer first package, 3 of them are already required by Federal law, 4 of them are already required by what are known as the contracts of carriage, legal contracts, and the vast majority of them aren't written in at all. They are not written in any way with respect to key areas such as making sure consumers are adequately informed about the lowest fares, making sure customers are informed about delays, cancellations, and diversions, returning checked bags within 24 hours, credit card refunds, informing passengers about restrictions on frequent flier rules, and having customer service representatives to actually help the public.

That is what the General Accounting Office said.

I am very hopeful we will see some of the airlines individually go beyond what is being proposed in their voluntary package.

In reading the General Accounting Office and the Congressional Research Service reports that have come out since this voluntary agreement was entered into, anyone will see how woefully inadequate the consumer protections are for the public in this country. In fact, these contracts of carriage, which are legalese and technical lingo that spells out the contract between the consumer and the airline, the Congressional Research Service found most of the front-line airline staff didn't even know what these contracts of carriage were. The consumer would basically have to do somersaults to try to get information about them. It is largely not available, even at the ticket counter in many instances. It shows again how reluctant these airlines are, in the vast majority of instances, to truly inform the public.

At the end of the day, passengers have three types of rights: Rights in effect they already have; rights that will not be spelled out in the contract; and, finally, rights that are being ignored altogether. That is why the Consumers Union today is urging the Senate to adopt these two amendments. They are on the side of the passengers. They understand the voluntary pledges that have been made by the airline industry lack teeth. They are gobbledegook.

I urge my colleagues to strongly support these two amendments, agree with the Consumers Union rather than with the airline industry, and let's ensure that at a time when complaints are at a record level, which is the situation we find ourselves in today, we are making sure the passengers can get a fair shake when it comes to learning about the lowest fare available and learning about their rights when there has been an overbooking.

I yield the floor.

The PRESIDING OFFICER. Does the Senator from Oregon yield the remain-

der of his time? The Senator has 6 minutes.

Mr. WYDEN. I yield the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 1625, as modified.

The amendment (No. 1625), as modified, was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The question now is on agreeing to amendment No. 1626, as modified.

The amendment (No. 1626), as modified, was agreed to.

Mr. SHELBY. Mr. President, I move to reconsider the vote.

Mr. LAUTENBERG. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. SHELBY. Mr. President, I ask unanimous consent that all first-degree amendments to the Transportation appropriations bill must be filed by 12 noon today, Wednesday, September 15, with the exception of one amendment by each leader and a managers' package of amendments.

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

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

The PRESIDING OFFICER (Mr. HUTCHINSON). The clerk will call the roll.

The legislative assistant proceeded to call the roll.

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

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

#### THE ECONOMIC CONVULSION IN AGRICULTURE

Mr. WELLSTONE. Mr. President, I was just at a gathering of family farmers from the State of Minnesota. I want to give a report on what many of these farmers from Minnesota had to say. I know the Chair has met with farmers from his State and is well aware of the economic pain.

This was a gathering of the Farmers Union farmers, although I think as they have traveled from Senate office to Senate office and House office to House office, they speak for many farmers in the country. Their focus is on what can only be described as an economic convulsion in agriculture.

I know this is not only a crisis in the Midwest but it is also a crisis in the South and throughout the entire nation. On present course, we are going to lose a generation of producers. Whether we are talking about farmers in Minnesota or farmers in Arkansas, many very hard-working people are asking nothing more than a decent price for the commodities they