

colleague, Congressman Bud Shuster, who retired from Congress last week after serving fifteen terms in the United States House of Representatives. I am grateful to have had the opportunity to serve with Congressman Shuster since 1981, when I first came to the United States Senate. Bud Shuster has worked tirelessly on behalf of his constituents in the 9th Congressional District of Pennsylvania, the entire state, and the nation.

During his time in office, Congressman Shuster consistently reached across party lines to work with his colleagues on the other side of the aisle to pass some of the most important public works bills in our nation's history. Over the years he built up a remarkable level of clout in Congress, affording him a great deal of success in enacting his legislative priorities.

The name Bud Shuster is synonymous with transportation, and I have worked closely with Congressman Shuster on a number of transportation challenges facing Pennsylvania and the nation, including the ISTEA and TEA-21 highway authorization bills, the effort to take the highway trust fund off-budget, and the AIR-21 airport authorization bill. As Chairman of the Committee on Transportation and Infrastructure, he brought a level of insight and tenacity into infrastructure, highways and airports that was really remarkable. Congressman Shuster's expertise in the field of transportation and public works projects was second to none, and I valued his advice and counsel on a number of issues over the years.

Few may know that Congressman Shuster graduated Phi Beta Kappa from the University of Pittsburgh, holds an MBA from Duquesne University and a Ph.D. in business from the American University. While these academic accomplishments have suited him well in his role as a legislator, they have also served him in his role as an accomplished author, penning two acclaimed novels about life in small-town Pennsylvania.

Bud Shuster's legislative skill and almost thirty years of dedicated service to his constituency will be sorely missed in Pennsylvania and in America. We will be hard pressed to replace such a distinguished public servant and I wish him the best of luck in his future.

IN MEMORY OF ALAN CRANSTON

Mr. HOLLINGS. Mr. President, it is an honor for me to pay tribute to my former Senate colleague Alan Cranston. With Senator Cranston's passing, we lost a gifted leader, a shrewd politician and a dedicated reformer. It seemed significant that Senator Cranston passed away on New Year's Eve 2000 because his life encompassed, literally, the 20th century. He was born the year World War I began, grew up during the Depression, covered the rise of fascism in Europe as a foreign cor-

respondent and led the fight for a nuclear arms freeze during the Cold War. He called luminaries of the age among his friends, most notably Albert Einstein. Alan Cranston arrived in the Senate shortly after I did and we served together for 24 years until his retirement in 1993. We even hit the Presidential campaign trail together, both running for the White House on the Democratic ticket in 1984.

Those of us who served with Senator Cranston will remember the tally sheets he carried around to count votes. We will also remember the talent he had for carefully preserving his own liberal ideologies while working effectively with those on the opposite end of the political spectrum. He may have offended some with his push for disarmament, but more often than not he disarmed them with his own friendly manner. Senator Cranston left an indelible mark on environmental, civil rights and global security policy. His legacies are the Global Security Institute, his accomplishments as a U.S. Senator and his dedication to the people of California. He will be missed, but a political giant like Alan Cranston will not be forgotten.

RURAL AMERICA NEEDS COMPETITION

Mr. JOHNSON. Mr. President, on Monday, January 22, introduced S. 142, the Rural America Needs Competition to Help Every Rancher Act, legislation to prohibit meatpackers from owning livestock prior to slaughter. My bill enjoys bipartisan support from Republican Senators CHUCK GRASSLEY of Iowa and CRAIG THOMAS of Wyoming. Senator TOM DASCHLE cosponsored my bill, as well. We believe this proposal will help restore a competitive bidding process to the cash slaughter-livestock marketplace by strengthening the Packers and Stockyards Act of 1921.

The growing, unabated trend of agribusiness consolidation and concentration—a problem really sweeping across this entire nation—is one of the prime concerns of South Dakota family farmers and ranchers. However, concern about meatpacker concentration is not new in the United States. Newspaper cartoons in the 1880s depicted companies that forced the pooling of livestock prior to any purchase agreement as counterproductive “beef trusts,” engaging in discriminatory pricing behavior. In 1917, President Woodrow Wilson directed the Federal Trade Commission (FTC) to investigate meatpackers to determine if they were leveraging too much power over the marketplace.

As a result, the FTC released a report in 1919 stating that the “Big 5” meatpackers at that time (Armour, Swift, Morris, Wilson, and Cudahy) dominated the market with “monopolistic control of the American meat industry.” The FTC also found these meatpackers owned stockyards, rail car lines, cold storage plants, and other

essential facilities for distributing food. These findings led to the Packers Consent Decree of 1920 which prohibited the Big 5 packers from engaging in retail sales of meat and forced them to divest of ownership interests in stockyards and rail lines. Subsequently, Congress enacted the Packers and Stockyards Act of 1921 which prohibited meatpackers from engaging in unfair, discriminatory, and deceptive pricing practices.

Unfortunately—veiled behind what some mistakenly describe as inevitability—the meatpacking industry is once again crusading to take free enterprise and market access away from independent livestock producers. On January 1, 2001, Tyson Foods declared its intention to acquire IBP, and the Justice Department recently accepted Tyson's assertion that the deal poses no antitrust violation. I am very disappointed with the Justice Department's decision, and believe their inaction on this matter makes it imperative for Congress to act.

I recently met with executives of Tyson and IBP to discuss the ramifications of this merger. The CEO of Tyson made a provocative promise that Tyson will not replicate its current practice of owning livestock—they now own swine and poultry—after buying IBP. Essentially, Tyson alleges they will not own cattle before slaughter. Yet, it has been reported that Tyson would only make that promise for ten years into the future, and the company has declined to comment on what purchasing practices a merged Tyson-IBP would utilize after that time.

While this may be a short-term panacea to satisfy Federal agencies and elected officials, livestock producers—particularly cattle ranchers—are in business for the long-term. Ten years can go by awful quickly in the cattle business. Moreover, I believe—as do most South Dakotans—that doing and saying are two very different things. Indeed, Lee Swenson, President of the National Farmers Union, has called upon Tyson to issue a written commitment to the Securities and Exchange Commission that Tyson won't go into the cattle owning business.

Consequently, my bill to forbid packer ownership of livestock restores healthy competition to the cash marketplace and ensures that Tyson and other vertical integrators won't engage in packer ownership. Agricultural concentration is not inevitable, it is sweeping the rural landscape because of the choices we make. Given the Justice Department's reluctance to address this merger, Congress must take some responsibility to recommend ways to strengthen our competition and anti-trust laws. I believe S. 142 is one step Congress can take.

Last year, several major farm organizations endorsed my bipartisan effort to prohibit meatpackers from owning livestock prior to slaughter. I would like to thank them for their support. These grassroots groups include the

National Farmers Union, South Dakota Farmers Union, the South Dakota Cattlemens Association, the Iowa Pork Producers Association, Illinois Farm Bureau, the Center for Rural Affairs, the Organization for Competitive Markets, and the Ranchers—Cattlemens Action Legal Fund, R-CALF.

The members of these organizations believe that packer ownership and captive supply arrangements by meatpackers result in less competition for all sellers in the market, even though producers or feeders who have these arrangements often enter into them voluntarily. As a consequence of having slaughter livestock supplies locked up through captive supplies, meatpackers do not have to bid competitively for all of their slaughter needs. This may depress the marketplace and restrict access to producers and feeders without the arrangements. Packer ownership of livestock increases the likelihood of price manipulation in the marketplace. When packers own livestock, they have the ability to push forward or hold back captive supplies in response to market price. My bipartisan legislation is one way to achieve a more competitive bidding process in the cash market.

So today, almost a century after President Teddy Roosevelt used a big stick to give livestock producers a square deal, we again face a choice between corporate takeover of agriculture and a fight for free enterprise. I proudly cast my lot with free-enterprise family farm and ranch agriculture that has served our country so well.

ADDITIONAL STATEMENTS

TRIBUTE TO HOWARD BILLIMAN, JR.

• Mr. MCCAIN. Mr. President, I rise today to pay homage to Howard Billiman, Jr., a decorated war hero, proud father and grandfather, and loyal servant of this country. It is with profound sympathy and respect that I commemorate the passing of this honorable man. He exemplified the true spirit of an American hero, humbly willing to place his loyalty to this country before his own life.

Howard will be remembered as one of the celebrated Navajo Code Talkers of World War II, a dedicated Marine of the 2nd Marine Division who answered his country's call to duty and served with distinction.

In reflection of his life, Howard's family has said that he never forgot his roots, beginning in the small town of Buell Park, Arizona. He grew up in a small town, attending schools at Ft. Defiance and Ft. Wingate, hardly known by most outsiders. Howard, at the young age of 16, voluntarily enlisted in the Marine Corps, leaving behind his family, town, and childhood. He would face trials that would change his life forever.

As one of 420 Navajos selected by the military, Howard quickly excelled, and was appointed as one of the first instructors of the Navajo Code Talkers. With other young Navajos, Howard helped to create an unbreakable code that baffled the Japanese. Military experts now estimate that these code-talking efforts shortened the war in the Pacific by at least one year—and some have even speculated that the war may have turned out differently, had it not been for their heroic deeds.

During World War II, Howard participated in every campaign of the 2nd Marine Division including the invasions of Saipan, Tinian, the Battle of Okinawa, and the occupation of Japan at Nagasaki. Howard did not seek credit nor praise, but quietly and modestly amassed a memorable record of brave acts and passionate service to his country and family. As a tribute for his valiant service, Howard received numerous awards and honors including the Marine Corps Good Conduct Medal, a Presidential Unit Citation with Star for Combat Action at Tarawa, the Navy/Marine Corps Occupation service Medal, and the Purple Heart for wounds received in combat. He was honorably discharged as a Corporal on January 18, 1946.

After returning to the Navajo reservation, Howard settled down at Buell Park and then Sawmill, where he raised 10 children with his spouse, Mary Louise. He later became a proud grandfather of 42 grandchildren.

In later years, as a member of the Navajo Code-Talkers Association, Howard received several more awards during travels with the group to Philadelphia and Washington, D.C. He was the last surviving original Navajo Code Instructor.

Until recently, the American public was not aware of the tremendous sacrifice and contribution of Howard and other Code Talkers. Without the Navajo Code Talkers, one can only imagine what tragedies might have occurred at that pivotal time in history. As Americans, we owe a debt of gratitude to the sacrifices of selfless patriots like Howard whose noble service teaches us valuable lessons of duty and honor.

Howard Billiman, Jr. will be missed by his family and friends, but his remarkable courage and patriotism will be long remembered by his country.●

TRIBUTE TO CAROL DIBATISTE

• Ms. LANDRIEU. Mr. President, It is an honor to take this opportunity to recognize Carol DiBattiste, under Secretary of the Air Force, who departed office last month. During her tenure, Under Secretary DiBattiste served with honor and distinction, providing exceptional leadership, and ensuring a promising future for the Department of Defense, the Air Force, and for American aerospace power.

Under Secretary DiBattiste earned a respected reputation for her energy and enthusiasm, focused directly on im-

proving quality of life for Air Force members and their families. She quickly became the Air Force's key leader in the fight against retention shortages and recruiting shortfalls; her successes in these endeavors are both impressive and renowned.

Because of her immense talent and dedication, Under Secretary DiBattiste was selected to lead a special Department of Defense task force to formulate anti-harassment policy—an emotionally and politically charged subject. She delivered, as always, a brilliant solution, and then returned her sharp focus back to her visionary and aggressive campaign against recruiting shortfalls. The Air Force met its goals in recruiting last year mainly because of her visionary solutions to create an Air Force Recruiting and Retention Task Force, an Air Force Marketing and Advertising Office, and a Strategic Communications Outreach Program. Under Secretary DiBattiste is a leader we respect because she leads by example. In a short, 12-month stretch of time, she delivered almost 100 speeches; and she traveled to over 85 bases and locations throughout the world during her tenure.

Carol DiBattiste has set a high standard of leadership, commitment, energy, and service to country. I know my colleagues in Congress and our grateful nation join me in thanking her for her dedication and distinguished service to our country; and we wish her continued success in the future.●

TRIBUTE TO WHITTEN PETERS

• Ms. LANDRIEU. Mr. President, I want to take a few minutes to recognize the contributions of a patriot, a leader, and a good friend of this institution who has departed government service to return to life as a private citizen.

During his four-year tenure as Under Secretary, Acting Secretary, and Secretary of the Air Force, F. Whitten Peters has lead his Service to new heights of achievement, and the world is better for it. At a time when the global security environment became less predictable with each passing day, Whit Peters understood the need for the Air Force to become more responsive, more versatile, and more powerful—all at the same time. With boundless energy and enthusiasm, he set out help the United States Air Force do those things and more.

As the leading architect of aerospace power, Whit Peters drove a fundamental re-examination of the relationship between air, space, and information systems. As a result, the Cold War Air Force he inherited is well on its way to becoming a modern, integrated aerospace force, designed to meet the challenges of a new millennium.

During Secretary Peters' tenure, in the troubled skies over Serbia, a war was won for the first time with aerospace power alone—and we did it without losing a single American to enemy