

yield back the balance of my time. But I just want to say to my colleagues from Illinois, and I say this in a good-natured way, if you need a Colts hat, I just happen to have a few in my office. I will be very happy to buy you one.

But I still want my deep-dish pizza, my cheesecake, and I want to make sure those DVDs get to the troops in Iraq.

Mr. Speaker, I yield back the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, to close, I will just simply say that, of course, Eli's has the best cheesecake in the world, and Representative BURTON, you shall be able to partake of that.

But also, let me say that we will congratulate all of the players, all of the owners, all of those who made these two great teams. I have never seen two men who have given more to a sport than Tony Dungy and Lovie Smith. Not only are they masters of the game, not only are they great coaches and leaders, but they exemplify the best of human beings, the best that you could possibly be, and that is what they have done for the game of football. That is what they have done for America. And I am sure that Americans all over the Nation will be cheering them on for years and years to come.

Mr. Speaker, I yield to Representative JULIA CARSON for the last word.

Ms. CARSON. Mr. Speaker, I am pleased that all of the delegation of Indiana has come to the floor to speak on behalf of this worthy resolution.

Tony Dungy, if you don't mind, I will single him out, exhibits the kind of character that we would all like our men to exhibit. Young men, who were jumping up and down at the Colts Super Bowl, can learn so much about how far you get in this world by displaying strength, by displaying honesty and integrity and loving the Lord. That is what Tony Dungy does.

He belongs to Northside New Era Church in Indianapolis, which is a little church on a hill. It is not a big, palatial church that swings around city blocks; just a little church on a hill. And the members there love him.

And I notice that he took many of the young people from Northside New Era to Miami, which was an experience that they will never replicate.

So I want to thank the Dungy family. His wife, when the church has an event, she is right there with her little apron on cooking, too.

So it shows you that you can't think too highly of yourself. And Tony Dungy certainly doesn't do that. He thinks highly of the Lord and of all the people that he serves. And I am just happy that I lived long enough to see this major event happen on behalf of the district that I represent.

Mr. DAVIS of Illinois. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. DAVIS) that the House suspend the rules and agree to the resolution, H. Res. 130.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

ANTITRUST MODERNIZATION COMMISSION EXTENSION ACT OF 2007

Mr. CONYERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 742) to amend the Antitrust Modernization Commission Act of 2002, to extend the term of the Antitrust Modernization Commission and to make a technical correction.

The Clerk read as follows:

H.R. 742

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Antitrust Modernization Commission Extension Act of 2007".

SEC. 2. EXTENSION OF TERMINATION.

Section 11059 of the Antitrust Modernization Commission Act of 2002 (15 U.S.C. 1 note) is amended—

(1) by striking "30 days" and inserting "60 days"; and

(2) by striking "section 8" and inserting "section 11058".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. CONYERS) and the gentleman from Texas (Mr. SMITH) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan.

Mr. CONYERS. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, I rise in support of this measure cosponsored with me by the distinguished ranking member of the Judiciary Committee, Mr. LAMAR SMITH, to extend the Antitrust Modernization Commission by 30 days so that it may have time to wrap up and finalize its report and shut down its operations.

This modernization commission dealing with antitrust has been in existence since 2002 and was created with the purpose of examining whether the need exists to modernize the antitrust laws. It began meeting in 2004 and for the past 3 years has been studying many aspects of antitrust law, including how these laws operate in a modern, information-driven economy.

Also, they were charged with examining the intersection between antitrust law and intellectual property law; about immunities and exemptions that are enjoyed under our current antitrust law; the relationship between the Federal and State antitrust law enforcement; the application of antitrust laws in regulated industries; and the merger review process. I look forward to reviewing the commission's final report, which is due in April of this year.

I anticipate that the Judiciary Committee will take a close look at the recommendations contained in the re-

port and will continue to work with the commissioners even after the report is completed.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Texas. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 742, the Antitrust Modernization Commission Extension Act of 2007.

Our Nation's first antitrust laws were enacted at the turn of the 20th century. The Antitrust Modernization Commission Act of 2002 created a commission to examine how to update our antitrust laws in light of the new technologies that have developed in recent years.

The Antitrust Modernization Commission, or AMC, was required to produce a report 3 years after the date of its first meeting on April 2, 2004.

Mr. Speaker, I am happy to report that the AMC will submit its recommendations to Congress and the President by the statutory deadline of April 2, 2007.

The AMC is required to terminate 30 days after submitting its report. However, the commission has requested an extension of its authorization by an additional 30 days so that it can effectively conclude its operations. This additional 30 days will allow the AMC to properly archive its records and transfer property to other agencies.

Pursuant to that request, H.R. 742 extends the authorization of the AMC by 30 days and also makes a small technical correction to the original authorization statute. This bill will not delay the submission of the AMC's report to Congress nor will it require the appropriation of any additional funds.

Mr. Speaker, I am happy to cosponsor this bill, along with the chairman of the Judiciary Committee, to allow the AMC to wrap up its important work without imposing any additional cost on the American taxpayer.

I urge my colleagues to join me in supporting this legislation.

Mr. Speaker, I do not believe I have any others who want to comment on this legislation, and so, because of that, I will yield back the balance of my time.

Mr. CONYERS. Mr. Speaker, I continue to yield myself as much time as I may consume.

The reason we have this commission is because there are acknowledged to be some serious considerations, some problems that we need to examine in the area of antitrust law.

□ 1245

The antitrust laws were derived from the Sherman Act of over a century ago, and they are very important, and they have helped us in terms of developing an economy that is in some respects the envy of the entire planet.

But there has been so much activity in the antitrust area that there has been some concern whether or not we have gone overboard. This past year is the fourth largest in the history for

mergers. Since the Oracle merger, which the Department of Justice sued on and lost, the Department of Justice itself hasn't gone to trial to block a proposed merger in memory.

And we are having larger and larger mergers and acquisitions. They are troubling: SBC and AT&T, a \$16 billion-valued merger; AT&T and BellSouth, an \$86 billion merger; Verizon and MCI, an \$8.5 billion merger; Sprint and Nextel, \$36 billion; Cingular and AT&T Wireless, about \$47 billion worth of coming together; Kmart with Sears, Roebuck; Hewlett-Packard and Compaq; NBC Universal and NBC and Vivendi; Morgan Chase and Bank One; Procter & Gamble buys \$54 billion in new acquisition; the Bank of America with FleetBoston. We have got something that needs far more consideration.

And I want to praise the former chairman of the Judiciary Committee, the gentleman from Wisconsin, who helped us create the special outside committee to aid us, and we look forward to their reports. And I join the gentleman from Texas in helping to develop the time needed for us to get the report.

We on the Judiciary Committee feel this is a hugely important subject. And we want to particularly praise the vice chairman of the commission, Attorney Jon Yarowsky, who himself was a former member of the House Judiciary staff for a considerable number of years.

Mr. Speaker, the bill we are considering today is a modest one, but I want to emphasize that the issue it relates to is of utmost importance.

For over a century, the antitrust laws have provided the ground rules for fair competition. They are our economic bill of rights. Antitrust principles are necessary to preserve competition and to prevent monopolies from stifling innovation. Competition produces better products, lower prices, and wider choices—all to the benefit of consumers.

The cornerstone premise of our antitrust laws is essentially a conservative notion: that free and unfettered competition will produce the best results for consumers. To the extent that anticompetitive conduct or conditions have hindered this healthy process, the antitrust laws are there to arrest those violations and remedy the competitive harms.

In the Sherman Act, we prohibit contracts or conspiracies that restrain trade, and exclusionary or predatory conduct that sabotages the efforts of rivals. For egregious violations, there are high fines and prison terms. There are also treble damages for victims.

And we have supplemented those protections in the Clayton Act, by giving the antitrust enforcement agencies the power to challenge anticompetitive mergers in their incipiency, to prevent their harmful effects from ever taking place.

The competitive landscape in the United States has been undergoing dramatic change in recent years. Technological and market innovation has come at us at breakneck speed. We have witnessed a wave of consolidation in some of our key industries. According to Thomson Financial, this past year was the

fourth largest in history for mergers and acquisitions.

At the same time, we have also seen familiar and novel forms of exclusionary conduct that interferes with the enterprising efforts of competitive businesses to cultivate and serve customers.

The telecommunications industry is one key industry that has experienced significant consolidation. This year, AT&T acquired BellSouth Corp.—after just last year acquiring SBC—in a deal that creates a telecom behemoth with \$117 billion in revenue.

This has particular consequences in the area of net neutrality. For people who innovate in the area of technology, and for those who enjoy those innovations, this free and open access to the Internet has been a boon. New applications are being developed every hour and are able to be instantly distributed on the Web. These new applications—coupled with new content, such as broadband television—have the potential to offer a new array of choices to consumers.

Unfortunately, some telecommunications companies have a different vision for the Internet. They have floated the idea of charging websites for access. Those who pay will get faster and more reliable delivery of their content to web surfers. Those who do not will see the delivery of their content degraded.

The antitrust laws can help ensure that network neutrality, the bedrock of the growth of the Internet, remains in place.

In the media, the FCC's relaxed cap on ownership in national and local broadcast markets, and relaxed cross-ownership restrictions between broadcasters and newspapers, has enabled concentrated wealthy interests to control a large portion of the media in some areas. Consumers are thereby often deprived of a diversity of viewpoints and voices in news and entertainment.

Imagine a world where you wake up, read the local newspaper, turn on the television to watch the news, drive to work and listen to the radio, pass a few billboards containing advertisements, return home later at night and turn on your cable to watch a movie or some sports—only to find that each of those media outlets is owned by the same company. It may sound farfetched, but it is not. This is the world we are evolving into. In this world, instead of ten voices with ten different viewpoints, there may only be three. The antitrust laws may be our only hope of preventing this.

The story is even bleaker for independent broadcasters, and for minority participation in the media industry. As of 2001, minorities owned only 3.8 percent of the full-power commercial radio and television stations in the nation, and only 1.9 percent of TV stations. If ownership of the media is controlled by four or five conglomerates, minority-owned stations and programming that appeals to minority interests could become a thing of the past.

In the home appliance industry, Whirlpool Corp., the largest maker of home appliances, merged with Maytag Inc., the third largest. The deal cost \$1.8 billion and produced a company that manufactures much of Sears' Kenmore line as well as the brands Jenn Air, KitchenAid, Amana, and Magic Chef, and controls as much as 70 percent of the U.S. market for large home appliances such as washers and dryers.

In the oil industry, we've seen massive increases in gasoline prices. After Hurricane

Katrina, the Washington Post reported price increases of as much as 88 cents per gallon in a single day. Some stations in Georgia were reported to be charging as much as \$6 a gallon. In Illinois, prices reportedly shot up 50 cents per gallon overnight, and the state attorney general received more than 500 reports of price gouging. At first blush, it would seem that these increases go far beyond anything justified or relating to the market disruptions caused by Hurricane Katrina. The FTC's report on this phenomenon was less than satisfactory.

We have also seen significant consolidation in the health insurance industry. In recent years, Aetna agreed to acquire Prudential Health Care, the fifth largest for-profit health care company, at the same time it was in the midst of completing its purchase of New York Life. In 1996 Aetna was also permitted to acquire U.S. Health Care. As a result of these acquisitions, Aetna became the largest health care provider in the nation.

Recent years have seen more than a dozen health insurance competitors eliminated through mergers and acquisitions. A study of market concentration by the Robert Wood Johnson Foundation found that "both the group and individual [health insurance] markets are heavily dominated by a relatively few large insurers." Business consumers of health care have become increasingly alarmed by this concentration, with Charles Blankenstein, a health expert at William Mercer Consulting, warning that employers are "bear[ing] the cost of these acquisitions" as "choice in the marketplace is rapidly diminishing."

In the airline industry, lagging profits have led to a marked trend toward further consolidation. Because air travel is a vital portion of the nation's transportation infrastructure, we can't simply turn a blind eye and chalk this up to economic bad times. Often these mergers have the potential to reduce the flight options available to consumers, and ultimately may lead to higher ticket prices.

In this environment, vigorous antitrust enforcement is particularly important. We need to be able to rely on the federal antitrust enforcement agencies—the Antitrust Division in the Department of Justice, and the Federal Trade Commission. We need to be able to have confidence that they are doing everything they should to protect competition in our economy and the benefits it brings to us all.

That is why active oversight of antitrust must and will be an important part of the work of the Judiciary Committee. We will ask these agencies about merger enforcement, and why they do not seem to be challenging an mergers. We will ask them about their policy on civil non-merger enforcement against monopolization and other anticompetitive business arrangements. And we will ask them about their commitment to prosecute criminal antitrust violations.

The Committee will also create a task force, as we did in the last Congress, so that we can more closely examine competitive developments in important industries, including telecommunications, pharmaceuticals, and insurance, as well as topics such as interoperability of new technologies, credit card interchange fees, and transparency in standard setting.

As we prepare for the work ahead in this vital area, we will look forward to reading the Antitrust Modernization Commission's final report, and reviewing its assessment of the state

of health of the laws we rely upon to preserve our economic liberty.

I thank the Antitrust Modernization Commission for all its work over the past few years. I urge my colleagues to support this measure.

Mr. CONYERS. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. CONYERS) that the House suspend the rules and pass the bill, H.R. 742.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 12 o'clock and 50 minutes p.m.), the House stood in recess subject to the call of the Chair.

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AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. POMEROY) at 1 o'clock and 34 minutes p.m.

GERALD W. HEANEY FEDERAL BUILDING AND UNITED STATES COURTHOUSE AND CUSTOMHOUSE

Mr. OBERSTAR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 187) to designate the Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

The Clerk read as follows:

H.R. 187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DESIGNATION.

The Federal building and United States courthouse and customhouse located at 515 West First Street in Duluth, Minnesota, shall be known and designated as the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building and United States courthouse and customhouse referred to in section 1 shall be deemed to be a reference to the "Gerald W. Heaney Federal Building and United States Courthouse and Customhouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Minnesota (Mr. OBERSTAR) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentleman from Minnesota.

Mr. OBERSTAR. Mr. Speaker, I yield myself such time as I may consume.

For me, today is a very fulfilling, as well as nostalgic, moment to move this bill to designate the Federal building and the U.S. courthouse and customhouse in Duluth for Judge Gerald W. Heaney.

He was appointed judge of the U.S. Circuit Court of Appeals for the Eighth Circuit on November 3, 1966. He took senior status in December 31, 1988; finally retired last August after 40 years on the bench. But that is only part of the story.

Gerald Heaney was born January 29, 1918, in Goodhue, a rural community in southeastern Minnesota. He grew up in a farming community, learned the values of rural America, went to my college which I attended many years later, College of St. Thomas, where he graduated and went on to the University of Minnesota where he got his law degree in 1941, but then started a new chapter in the life of Gerald Heaney.

He enlisted in the Army in World War II. He was trained as a United States Army Ranger, and he was on the landing craft at 6:30 in the morning on Omaha Beach in Normandy.

I interviewed Judge Heaney for the Library of Congress project on World War II veterans. They are attempting at the Library to get the personal views of those who participated in World War II, and he told this story:

"We were all herded into the landing craft. At 6:30 we arrived close to the beach. We could not quite get into the beach because of the obstacles that the Germans had placed under water and also had proximity bombs that would blow up ships. They were having trouble getting the vessels in, so they could not get to the beach, but they got into relatively shallow water. And the door went down on the landing craft, and the captain stood up and said, everyone ashore, and he was cut down by gunfire. And the first lieutenant stood up and said, everyone ashore, and he was cut down by gunfire. And then," said Judge Heaney, "that left me, Second Lieutenant Gerald Heaney, in charge, and I looked up and said, we are not going out that door; everybody over the side."

How many lives he saved we will never know, but they got into water that was too deep for them to touch the bottom. They tried to swim. They were sinking. They all cut off their backpacks loaded with their food and supplemental ammunition and made it to the shore.

I was privileged to be in the group of Speaker HASTERT on the 60th anniversary of D-Day and stood at that beach, at that shoreline, and looked up at where the German gun placements were located. It is an awesome crossfire site, fearsome.

Men were cut down right and left as they crawled and inched their way up. By 3:30 in the afternoon, they had made progress of just about a mile, circled around the German guns, which was

their objective, and with hand grenades and other explosives, explosive packs, took out the German gun placements, making that segment of the beach safer for more landings.

By then they were out of ammunition. Judge Heaney said, I said to my men, and there were only a few of us left, we will go back to the beach; they will have landed supplies, and we can be replenished. So they turned around, and he stopped and choked and said, and that is when I saw the carnage, thousands killed.

But they returned, got supplemental ammunition, went back up that beachhead, and their job was to then circle around La Pointe du Hoc, which is a straight, rocky cliff. Rangers are going to scale La Pointe du Hoc from below, and Heaney and his Ranger group were to distract the Germans, take out the gunnery and make it safe, and they did. They attacked. They took out powerful German machine gun placements and long-range artillery.

For that heroism at La Pointe du Hoc, Judge Heaney was awarded the Silver Star, the second highest award our Government gives to our military personnel, but that was not the end. They continued all across France and into Germany.

By 1945, they had gotten to the Elbe, and there the British units, Russian units and American units met, but they postponed the formal meeting until the following morning where they would have a flag-raising ceremony. And as Judge Heaney said, he looked over, and the Russians had a flag, the British had a flag; he said, where is ours? They did not have a flag. No one had thought to bring a flag. They just fought their way courageously across Europe.

So Judge Heaney, Gerald Heaney, by then Captain Heaney, went into the village nearby and bought red, white and blue cloth and found seamstresses in the village who could sew that into an American flag with 48 stars at the time. He still has that flag. He brought it with him for the Labor Day celebration this year at Park Point in Duluth, and there was not a dry eye in the crowd.

That is the man, that is the courage, that is the strength. He went on to be appointed a U.S. circuit court judge by Lyndon Johnson, and displaying the same courage that he showed for his country in defense of liberty and freedom, he presided over the case to desegregate the St. Louis school system. He wrote the opinion and has written a book about not only the opinion, but the 20 years that he presided over the continuing desegregation of the St. Louis schools in his capacity as circuit court judge. It is entitled, "Unending Struggle. The Long Road to an Equal Education in St. Louis," with Dr. Susan Uchitelle, who was a law clerk for Judge Heaney.

He writes, Our involvement in the St. Louis public school case over a period of 18 years convinced us that, after