For over 20 years, Woody contributed his wit, intelligence, and passion to the Fresno Bee and our community. His work was widely read by the people of our Valley, and his regular column reflected his own personal biography while informing so many of our daily lives.

Born in 1924, Woody was a Montana native who served in World War II. He dedicated his career to the printed word, and his work in the newspaper industry took him from the Martinez News-Gazette to the Paso Robles Press. Along the way, Woody worked as a reporter, an editor, an advertising salesman, and a publisher.

The Fresno Bee and its readers were lucky enough to land Woody in 1967. His Around Here column became a mainstay of its pages, and the stories and wisdom he passed along touched so many in our Valley. While Woody's column ended in 1989, I can still remember opening the Bee and turning to the latest edition of Around Here.

Outside of work, Woody was dedicated to his family and helping those in need. His charity over the years was remarkable and he will be remembered by his generosity and compassion.

Madam Speaker, my thoughts and prayers are with Woody's family and friends as we honor the life of an individual who contributed so much to our Valley.

RESOLUTION SUPPORTING THE ENERGY AND CLIMATE PARTNERSHIP OF THE AMERICAS

HON. ELIOT L. ENGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 2010

Mr. ENGEL. Madam Speaker, I rise to introduce a resolution to support the Energy and Climate Partnership of the Americas. This resolution focuses on an initiative launched by President Obama in Port of Spain, Trinidad during the Summit of the Americas in April 2009. The President called on all governments to join him in an Energy and Climate Partnership of the Americas (ECPA) to address the common challenge of securing reliable or affordable access to energy.

Many countries like Brazil, Mexico, Chile, Colombia, and El Salvador responded to the President's invitation and are working in a variety of efforts to promote energy efficiency, fight climate change and increase energy access. What makes ECPA stand out is that it's not a U.S.-led or wholly U.S.-financed initiative but a collaborative and flexible process for moving the hemisphere forward on issues of energy security. As Secretary of State Hillary Clinton has called it, ECPA is like ''Facebook,'' any country ''can start an initiative and invite others to join and countries can be part of as many initiatives as they choose.'' ECPA helps strengthen energy security by encouraging energy alternatives and by letting governments share best practices and expertise about what policies and technologies can help them meet their national objectives.

This resolution highlights the valuable work that ECPA does to strengthen energy security in the Western Hemisphere. Under ECPA, some of the more than 2,000 Peace Corps volunteers serving in this Hemisphere will be trained in renewable energy and energy efficiency efforts to educate their host communities and implement small-scale renewable energy projects. Another ECPA initiative in Central America addresses the issue of the regional power grid. Six Central American countries have been working for many years to interconnect their power grids in order to reduce power blackouts. With U.S. assistance under ECPA, these countries can address some of the last regulatory hurdles to trade power in a regional market once their grids are interconnected.

The resolution also notes the important role played by other countries under ECPA. Brazil is leading an effort to encourage sustainable and energy efficient low-income housing, and promote urban development and planning. Mexico will lead an energy efficiency working group, while Costa Rica and Peru have created energy efficiency centers. Trinidad and Tobago and Chile are developing renewable energy centers to promote sustainable energy practices in the region.

Once again, Madam Speaker, I am pleased to introduce this resolution supporting the Energy and Climate Partnership of the Americas. The Energy and Climate Partnership of the Americas bolsters energy security, reduces energy poverty and encourages low carbon growth in the Western Hemisphere. This resolution also encourages the efforts of the United States government to expand collaboration to other countries in Western Hemisphere as well as promoting active participation by the private sector and civil society. I urge my colleagues to strongly support this resolution.

HONORING THE HONORABLE DOLPH BRISCOE, JR.

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 2010

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I rise today to express condolences and celebrate the life of a true Texas hero and my friend, The Honorable Dolph Briscoe, Jr. His legacy is one that is admired by people from all political backgrounds and influences across the state of Texas.

With family roots running back to an original signatory of the Texas Declaration of Independence, former Governor of Texas Dolph Briscoe, Jr. had in his blood to serve the citizens of this great state. Also the son of a cattle rancher, he never lost his humility though he amassed fortune, land and political fame known to few. As a freshman member of the House of Representatives in 1972 when Governor Briscoe took helm of the state, I came to admire the quiet dignity and authority by which he led the way for laws that would protect and enhance the rural Texas farm and agricultural way of life.

A man of few words, his actions reflected his dedication to the State and the preservation of its history and its history makers. He was a great supporter of the University of Texas at Austin, and in 2008 was aptly honored as the namesake of the UT Center for American History. He has been quoted as saying, ''I firmly believe that we cannot really understand the present without knowledge of the past.'' Mr. Briscoe was not only a dedicated public servant but also a caring family man. I was fond of his wife Janey, who passed in 2000, and respected their devotion to their family.

It would be difficult to describe Texas without including the great impression made by Governor Briscoe. He will be missed. A man of cowboy hats and boots, Mr. Briscoe was a true native son. I urge my colleagues to join me in mourning the loss and celebrating the life of Mr. Dolph Briscoe, Jr.

THE FAMILY OF SIMON SAKO SIMONIAN: SURVIVORS OF THE ARMENIAN GENOCIDE

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, July 15, 2010

Mr. SCHIFF. Madam Speaker, I rise today to memorialize and record a courageous story of survival of the Armenian Genocide. The Armenian Genocide, perpetrated by the Ottoman Empire from 1915 to 1923, resulted in the death of 1.5 million Armenian men, women, and children. As the U.S. Ambassador to the Ottoman Empire Henry Morgenthau documented at the time, it was a campaign of ''race extermination.''

The campaign to annihilate the Armenian people failed, as illustrated by the proud Armenian nation and prosperous diaspora. It is difficult if not impossible to find an Armenian family not touched by the genocide, and while there are some survivors still with us, it is imperative that we record their stories. Through the Armenian Genocide Congressional Record Project, I hope to document the harrowing stories of the survivors in an effort to preserve their accounts and to help educate the Members of Congress now and in the future of the necessity of recognizing the Armenian Genocide.

Below is one of those stories:

FROM SIMON SAKO SIMONIAN, AN ARMENIAN MAN, ON BEHALF OF HIS FATHER, NERSES, AND GRANDPARENTS, JOHNNY AND GOLANBAR

''My Grandfather, Johnny, and my Grandmother, Golanbar, lived in Orumieh, a city in Iran close to the Turkish border. They had been blessed with four children (one of them named Nerses, my Father). My Grandfather was a well-educated and knowledgeable person. He was fluent in more than 12 languages, as well as one of the few people at that time who was able to properly and accurately translate and describe the Bible. He was a respected man—a religious man devoted to God. He was so highly respected that whenever the Consul of the U.S. would go there, he would always request to meet with my Grandfather.

''During the Armenian Genocide, the Shah (King) of Iran was a very weak person; therefore the Turks were able to enter Iran and do the mass killing and elimination of Armenians and Christians in that area.

''One day, during the dark years of the Armenian Genocide, a group of Turkish soldiers knocked on my Grandfather's door. One of the Turkish soldiers told my Grandfather that they were going to kill him and that he should speak now or never if he had any requests. My Grandfather said that his only wish is for them to let him pray just one more time. He was allowed to step forward to the courtyard for his prayer. As soon as he

raised his hands towards the sky to God to start his prayer, he was shot and killed from behind.

''He was shot and killed from behind, without a single word of prayer being spoken from his lips. They also killed my Grandmother.

''The four children, one of them being Nerses, were hiding. When this occurred, they fled out and joined the crowd in the street running away as fast as they could. All four children ranged anywhere from 10 to 16 years old. During this time, my father, Nerses, caught a severe cold since he was out in the cold for 20 to 25 days. Orumich is cold, especially during the time of this occurrence. However, my father was soon taken in and cared for by the Presbyterian Church in Iran, where he was cared for for a few years.

''Sadly, he was still not feeling well, and soon developed a kidney malfunction. In 1929, regardless of his fragile state, he married Sophia, the love of his life in Masjed Suleiman, which is a city located in the southwest region of Iran.

''My father passed away at the young age of 38, when I was only two years old. He left behind his written testimony—his terrifying and heartbreaking memories of the Armenian Genocide. This is why I can share all this with you today.''

CONFERENCE REPORT ON H.R. 4173, DODD-FRANK WALL STREET REFORM AND CONSUMER PROTECTION ACT

SPEECH OF

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, June 30, 2010

Mr. CONYERS. Mr. Speaker, as the Chairman of the House Judiciary Committee, and a House conferee on the Dodd-Frank Wall Street Reform and Consumer Protection Act, I would like to highlight a few provisions of this legislation of particular jurisdictional importance to our Committee, and that our Committee was instrumentally involved in shaping. During the course of Congress's consideration of this legislation, our Committee carefully examined a range of legal issues posed, including issues of antitrust law, bankruptcy law, criminal law, administrative procedure, and judicial proceedings, and held two days of hearings last fall focusing on antitrust and bankruptcy law in particular. Below is a summary of some of the more significant of these issues and how they have been addressed.

ANTITRUST LAW

One major impetus of this bill is to address the problem posed two years ago by financial institutions that were deemed ''too big to fail.'' The emergency efforts to deal with those institutions led to infusions of billions of federal dollars, and federal guarantees of billions more, putting the Treasury, and our nation, at significant risk.

But ''too big'' also places our nation at significant risk in another respect—and that is the risk of harm to competition, when a marketplace becomes concentrated in the hands of so few competitors that consumers no longer have meaningful choice, and the healthy influence of competition on price, quality, and innovation is lost.

It is therefore essential that the antitrust laws, the laws protecting our economic freedoms against monopolization, anticompetitive restraints of trade, and undue market concentration, remain in place. They are needed to ensure that the heightened regulatory supervision the new law contemplates, as well as our response to any future financial system emergency, do not inadvertently lead to an even more concentrated marketplace—with companies that are even bigger, with more market power, and with less incentive to be responsive to the consumers they are supposed to serve, and leaving less opportunity for new entry and innovation.

The final bill contains a number of provisions to ensure that the antitrust laws remain fully in effect.

ANTITRUST SAVINGS CLAUSE

First and foremost is the antitrust savings clause in section 6 of the bill. It is the standard antitrust savings clause found in other statutes. It applies to the entire Act, and all amendments made by the Act to other laws. The phrase ''unless otherwise specified'' is added in reference to four provisions in the bill. In two places—sections 210(a)(1)(G)(ii)(III) and 210(h)(11) of the bill—the standard pre-merger waiting period under section 7A of the Clayton Act is explicitly shortened. And in two other places—section 163(b)(5) of the bill, and the amendment to section 4(k)(6)11(B) of the Bank Holding Company Act made in section 604(e)(2) of the bill—there are cross-references to the exception to pre-merger review in section 7A(c)(8) of the Clayton Act that explicitly make that exception inapplicable.

The phrase ''unless otherwise specified'' refers only to those four specific provisions that explicitly modify the operation of those specified provisions of the antitrust laws in specified ways, and is not a basis for courts to consider whether any other provision in the bill might be intended as an implicit modification of how the antitrust laws operate. The savings clause is intended to make clear that it is not.

For example, in a number of places in the bill, there are provisions referring to ''Antitrust Considerations'' that various securities and commodities entities—including derivatives clearing organizations, swap dealers, major swap participants, swap execution facilities, clearing agencies, security-based swap dealers, and major security-based swap participants—are directed to take into account in formulating their operating rules. There are exceptions to these directives for situations in which the entity believes pursuing them itself is inconsistent with its other obligations under the relevant securities or commodities law. The fact that the entity is excused from the new directives, however, does not alter the application of the antitrust laws. Nor does the fact that the entity follows these directives in its own rulemaking supplant the operation of the antitrust laws.

In this regard, the rule of construction found in section 541 of the bill simply reaffirms, perhaps unnecessarily, for Title V of the bill what the antitrust savings clause already provides for the entire bill and all amendments made by it. In attempting to elaborate on the effect of an antitrust savings clause, it does not create a different rule, but merely reaffirms the general rule.

Moreover, an antitrust savings clause is itself merely a reinforcement of the well-established principle that, because the antitrust laws are ''a comprehensive charter of economic liberty aimed at preserving free and unfettered competition,'' *Northern Pac. Ry. Co.* v. *U.S.,* 356 U.S. 1 (1958), ''the Magna Carta of free enterprise,'' *Verizon Communications Inc.* v. *Law Offices of Curtis V. Trinko, LLP,* 540 U.S. 398 (2004); *United States* v. *Topco Associates, Inc.,* 405 U.S. 596, 610 (1972), there is a strong presumption against their normal operation being superseded by some other statutory scheme. E.g., *Ricci* v. *Chicago Mercantile Exchange,* 409 U.S. 289, 302–303 (1973); *Silver* v. *New York Exchange,* 373 U.S. 341, 357 (1963). Whether the antitrust laws reach particular conduct depends on whether the other statutory scheme is ''incompatible with the maintenance of an antitrust action.'' *Ricci,* 409 U.S. at 302; *Silver,* 373 U.S. at 358. The antitrust laws are superseded only ''where there is a plain repugnancy between the antitrust and regulatory provisions.'' *Credit Suisse Securities (USA) LLC* v. *Billing,* 551 U.S. 264, 272 (2007); *Gordon* v. *New York Stock Exchange, Inc.,* 422 U.S. 659, 682 (1975). The antitrust laws are displaced ''only if necessary to make the [other statutory scheme] work, and even then only to the minimum extent necessary.'' *Ricci,* 409 U.S. at 301; *Silver,* 373 U.S. at 357.

PRE-MERGER ANTITRUST REVIEW

Recognizing that a fully methodical pre-merger antitrust review may be in tension with the need for quick action to avoid systemic harm, the bill shortens the ''Hart-Scott-Rodino'' pre-merger waiting periods under section 7A of the Clayton Act, based on the procedure developed for reviewing sales of assets during a bankruptcy proceeding. This procedure expedites the initial review, while permitting the antitrust enforcement agency to extend the period when more information is needed to make its assessment. This expedited procedure is included in two places—in section 210(a)(1)(G)(ii) of the bill, for mergers of a covered financial company in receivership with another company, and in section 210(h)(11) of the bill, for mergers or sales of bridge financial companies.

The House bill had included, at the request of our Committee, a provision permitting the FDIC receiver to effectuate a merger immediately, without prior notice to the Attorney General or any pre-merger waiting period, if the Treasury Secretary determined that immediate action was necessary to preserve financial stability. This provision was not included in the Senate bill or the conference report. While express authority to act immediately is therefore missing, the Judiciary Committee hopes the antitrust enforcement agencies will work constructively with the Treasury Department to develop a mechanism for dispensing with the prior notice requirement and the pre-merger waiting period, or shortening them appropriately, when warranted by urgency and the danger posed to stability of the economy, keeping in mind that the antitrust laws authorizing challenge of anticompetitive mergers and acquisitions remain fully in force.

In this regard, it should be emphasized that the shortening of the H–S–R pre-merger antitrust waiting period, and even the possibility of permitting a merger to be effectuated as close to immediately as can be arranged, in no way alters the applicability of the other antitrust laws. If a merger raises significant competitive concerns, it can still be challenged after the fact under section 7 of the Clayton Act. And post-merger conduct that raises competitive concerns is fully subject to the Sherman Act. These laws are not amended by the bill; and