

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CORZINE (for himself, Mr. SARBANES, Mr. REED, Mr. CARPER, Mr. SCHUMER, Ms. STABENOW, Mr. DODD, Mr. JOHNSON, Mr. BAYH, Mr. ROCKEFELLER, Ms. COLLINS, Mrs. CLINTON, Ms. SNOWE, Mr. CLELAND, Ms. CANTWELL, Mr. WELLSTONE, Mr. FEINGOLD, Mr. TORRICELLI, and Mr. KERRY):

S. Con. Res. 52. Concurrent resolution expressing the sense of Congress that reducing crime in public housing should be a priority, and that the successful Public Housing Drug Elimination Program should be fully funded; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAGEL (for himself, Mr. LEAHY, and Mr. LEVIN):

S. Con. Res. 53. Concurrent resolution encouraging the development of strategies to reduce hunger and poverty, and to promote free market economies and democratic institutions, in sub-Saharan Africa; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 131

At the request of Mr. JOHNSON, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 131, a bill to amend title 38, United States Code, to modify the annual determination of the rate of the basic benefit of active duty educational assistance under the Montgomery GI Bill, and for other purposes.

S. 234

At the request of Mr. GRASSLEY, the names of the Senator from Nebraska (Mr. HAGEL) and the Senator from Massachusetts (Mr. KERRY) were added as cosponsors of S. 234, a bill to amend the Internal Revenue Code of 1986 to repeal the excise tax on telephone and other communications services.

S. 242

At the request of Mr. BINGAMAN, the names of the Senator from Michigan (Ms. STABENOW) and the Senator from South Carolina (Mr. HOLLINGS) were added as cosponsors of S. 242, a bill to authorize funding for University Nuclear Science and Engineering Programs at the Department of Energy for fiscal years 2002 through 2006.

S. 313

At the request of Mr. GRASSLEY, the name of the Senator from Georgia (Mr. CLELAND) was added as a cosponsor of S. 313, a bill to amend the Internal Revenue Code of 1986 to provide for Farm, Fishing, and Ranch Risk Management Accounts, and for other purposes.

S. 351

At the request of Ms. COLLINS, the name of the Senator from Texas (Mrs. HUTCHISON) was added as a cosponsor of S. 351, a bill to amend the Solid Waste Disposal Act to reduce the quantity of mercury in the environment by limiting use of mercury fever thermometers and improving collection, recycling, and disposal of mercury, and for other purposes.

S. 392

At the request of Mr. SARBANES, the name of the Senator from Idaho (Mr. CRAIG) was added as a cosponsor of S. 392, a bill to grant a Federal Charter to Korean War Veterans Association, Incorporated, and for other purposes.

S. 570

At the request of Mr. BIDEN, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 570, a bill to establish a permanent Violence Against Women Office at the Department of Justice.

S. 627

At the request of Mr. GRASSLEY, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from Nebraska (Mr. HAGEL) were added as cosponsors of S. 627, a bill to amend the Internal Revenue Code of 1986 to allow individuals a deduction for qualified long-term care insurance premiums, use of such insurance under cafeteria plans and flexible spending arrangements, and a credit for individuals with long-term care needs.

S. 677

At the request of Mr. BREAUX, the name of the Senator from New Jersey (Mr. TORRICELLI) was added as a cosponsor of S. 677, a bill to amend the Internal Revenue Code of 1986 to repeal the required use of certain principal repayments on mortgage subsidy bond financing to redeem bonds, to modify the purchase price limitation under mortgage subsidy bond rules based on median family income, and for other purposes.

S. 697

At the request of Mr. HATCH, the names of the Senator from Wyoming (Mr. ENZI) and the Senator from Tennessee (Mr. FRIST) were added as cosponsors of S. 697, a bill to modernize the financing of the railroad retirement system and to provide enhanced benefits to employees and beneficiaries.

S. 706

At the request of Mr. KERRY, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 706, a bill to amend the Social Security Act to establish programs to alleviate the nursing profession shortage, and for other purposes.

S. 721

At the request of Mr. HUTCHINSON, the name of the Senator from Oregon (Mr. SMITH) was added as a cosponsor of S. 721, a bill to amend the Public Health Service Act to establish a Nurse Corps and recruitment and retention strategies to address the nursing shortage, and for other purposes.

S. 731

At the request of Mr. NELSON of Florida, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 731, a bill to ensure that military personnel do not lose the right to cast votes in elections in their domicile as a result of their service away from the domicile, to amend the

Uniformed and Overseas Citizens absentee Voting Act to extend the voter registration and absentee ballot protections for absent uniformed services personnel under such Act to State and local elections, and for other purposes.

S. 755

At the request of Mrs. MURRAY, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 755, a bill to continue State management of the West Coast Dungeness Crab fishery.

S. 804

At the request of Mrs. FEINSTEIN, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 804, a bill to amend title 49, United States Code, to require phased increases in the fuel efficiency standards applicable to light trucks; to required fuel economy standards for automobiles up to 10,000 pounds gross vehicle weight; to raise the fuel economy of the Federal fleet of vehicles, and for other purposes.

S. 852

At the request of Mrs. FEINSTEIN, the name of the Senator from North Carolina (Mr. HELMS) was added as a cosponsor of S. 852, a bill to support the aspirations of the Tibetan people to safeguard their distinct identity.

S. 871

At the request of Mr. CLELAND, the name of the Senator from Rhode Island (Mr. REED) was added as a cosponsor of S. 871, a bill to amend chapter 83 of title 5, United States Code, to provide for the computation of annuities for air traffic controllers in a similar manner as the computation of annuities for law enforcement officers and firefighters.

S. 936

At the request of Mr. ALLARD, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 936, a bill to amend the Internal Revenue Code of 1986 to expand S corporation eligibility for banks, and for other purposes.

S. 992

At the request of Mr. CONRAD, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of S. 992, a bill to amend the Internal Revenue Code of 1986 to repeal the provision taxing policy holder dividends of mutual life insurance companies and to repeal the policyholders surplus account provisions.

S. 1017

At the request of Mr. DODD, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1017, a bill to provide the people of Cuba with access to food and medicines from the United States, to ease restrictions on travel to Cuba, to provide scholarships for certain Cuban nationals, and for other purposes.

S. 1021

At the request of Mr. LUGAR, the names of the Senator from North Carolina (Mr. HELMS) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of S. 1021, a bill to reauthorize

the Tropical Forest Conservation Act of 1998 through fiscal year 2004.

S. 1037

At the request of Mrs. HUTCHISON, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1037, a bill to amend title 10, United States Code, to authorize disability retirement to be granted posthumously for members of the Armed Forces who die in the line of duty while on active duty, and for other purposes.

S. 1058

At the request of Mr. CARPER, his name was added as a cosponsor of S. 1058, a bill to amend the Internal Revenue Code of 1986 to provide tax relief for farmers and the producers of biodiesel, and for other purposes.

S. CON. RES. 3

At the request of Mr. FEINGOLD, the names of the Senator from Arkansas (Mrs. LINCOLN) and the Senator from Hawaii (Mr. INOUE) were added as cosponsors of S. Con. Res. 3, a concurrent resolution expressing the sense of Congress that a commemorative postage stamp should be issued in honor of the U.S.S. *Wisconsin* and all those who served aboard her.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. GRASSLEY.

S. 1076. A bill to provide for the review of agriculture mergers and acquisitions by the Department of Agriculture and to outlaw unfair practices in the agriculture industry, and for other purposes; to the Committee on the Judiciary.

Mr. GRASSLEY. Mr. President, as most of my colleagues know, agriculture is a crucial industry for Iowa. The small, independent family farmer is an important thread which holds together my State's cultural, economic and social fabric. In fact, the family farmer is one of the best things about Iowa's heritage. My colleagues are well aware that I'm committed to preserving and supporting this valuable member of Iowa's communities.

Agriculture is a risky business. I know that from personal experience, I've lived and worked on a farm all my life. But these days, farmers feel especially vulnerable. "Merger-mania" has been running rampant, with large companies joining forces to create new business giants in every sector of the economy, including agriculture.

The agriculture sector has witnessed a number of mega-mergers and alliances affecting grain and livestock. And the independent producer is seeing fewer choices of who to buy from and who to sell to. More and more family farmers and independent producers are feeling the pressure and impact of concentration in agriculture. Good men and women who have farmed for years and years are going out of business. Yet, the independent farmer is one of the most efficient businessmen in our Nation's economy. That's why the

United States can feed itself and a good portion of the world.

I've said before that I am not of the belief that all mergers are in and of themselves wrong or unfair to family farmers. But we need to make sure that open and fair access to the marketplace is preserved for everyone. We need to make sure that large businesses are not acting in a predatory or anti-competitive manner. We need to make sure that family farmers and independent producers can compete on a level playing field. That's how we can keep our economy strong, our agricultural community vibrant and competitive, and our consumers happy.

Now we've heard that a Delaware Court has ordered Tyson Foods and IBP to resume their merger discussions, because Tyson Foods did not have a contractually permissible reason to terminate its merger agreement with IBP when it announced in March that it was rescinding the transaction. While I do not want to take issue with the court's findings, I am concerned about the fact that this merger looks like it will go through and, consequently, the meat industry will consolidate even further. Beginning last September when Donaldson, Lufkin & Jenrette/Rawhide Holdings Corporation, then Smithfield Foods, and finally Tyson Foods started a bidding war for IBP, I pushed the Justice Department to carefully scrutinize each possible business combination. In January, I wrote the Justice Department urging it to vigorously review the Tyson-IBP transaction from all angles, and to consult with the Agriculture Department to better ascertain the ramifications of such a merger on family farmers and independent producers. I would have thought that a combination of the Nation's largest poultry producer with the world's largest producer of beef and pork products would result in significantly reduced market opportunities, as well as increased the possibility of anti-competitive business practices. I shared the concerns of many farmers and producers that this transaction would adversely impact their ability to obtain fair prices for their products. I was also concerned that a combined IBP-Tyson presence in the retail market would negatively affect product choice and the prices consumers pay at the meat counter.

But the Justice Department determined earlier this year that the potential negative impact on competition was insufficient to sustain an injunction against the merger under the antitrust laws. Because the Justice Department completed its antitrust review in January, I understand that there is nothing further for the Department to do in terms of an antitrust review if the parties re-engage their merger talks in due course and without changes to the transaction. But I remain seriously concerned about the impact this merger will have on our farm community and I hope that, if this merger is ultimately completed, the

Justice Department will carefully monitor whether a merged IBP-Tyson will have unintended consequences on competition in the meat economy and, if it does, take appropriate action.

Nevertheless, this development re-energizes my gut feeling that we need to somehow change the way ag mergers are reviewed and approved. So, today I'm re-introducing a bill I authored last year, the "Agriculture Competition Enhancement Act," to help address some of the competition concerns of America's family farmers and independent producers. My bill will refocus the merger review process as it pertains to agri-business, and will enhance the Department of Agriculture's ability to address anti-competitive activity in agriculture. I believe that bringing to the table a greater understanding of ag producers' needs when ag mergers are reviewed is the biggest missing element to making the merger review process as fair as possible. Closing this gap is the heart of my proposal.

Several provisions in the "Agriculture Competition Enhancement Act" are based on proposals by the American Farm Bureau, the largest organization representing producers of agricultural commodities. However, I'd like to briefly discuss what I believe to be the most important components of this bill: the enhancement of the Department of Agriculture's role in the Hart-Scott-Rodino review process, the creation of a new "impact on family farmers and independent producers" standard of review by the Department of Agriculture for ag mergers, and the expansion of the Department of Agriculture's ability to take regulatory and enforcement action with respect to anti-competitive and unfair practices in the agricultural sector.

Far more than the Justice Department or the Federal Trade Commission, the Department of Agriculture has extraordinary knowledge and expertise in agricultural matters. The Department of Agriculture formulates ag policy for the Nation, and works closely with the farm community about their various concerns. So, I believe that the Department of Agriculture is the office that can best assess the true impact of ag mergers and other business transactions on farmers, ranchers and independent producers. That is why my bill seeks to expand and enhance the role that the Department of Agriculture plays in the antitrust review of ag mergers.

Currently, when the Justice Department or the Federal Trade Commission assesses a proposed merger, the focus of their analysis is weighted heavily toward the impact of the transaction on consumers. However, agriculture is unique. The antitrust laws already recognize this with the ag cooperative exception. But I believe we need to go further by requiring the Justice Department and Federal Trade Commission to specifically take into account the effect ag mergers have on family