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2 MARKUP OF RESOLUTION ESTABLISHING

3 THE TASK FORCE ON ANTITRUST AND

4 COMPETITION POLICY

5 Wednesday, September 5, 2007

6 House of Representatives,

7 Committee on the Judiciary,

8 Washington, D.C.

9 The committee met, pursuant to call, at 10:17 a.m., in Room
10 2141, Rayburn House Office Building, Hon. John Conyers
11 [chairman of the committee] presiding.

12 Present: Representatives Conyers, Berman, Nadler,

13 Scott, Watt, Lofgren, Jackson Lee, Waters, Delahunt, Cohen,
14 Johnson, Sutton, Baldwin, Schiff, Davis, Wasserman Schultz,
15 Ellison, Smith, Coble, Goodlatte, Chabot, Lungren, Keller,
16 Issa, Pence, King, Feeney, Franks, Gohmert, and Jordan.

17 Staff present: Ted Kalo, General Counsel/Deputy Staff
18 Director; Sean McLaughlin, Deputy Chief Minority
19 Counsel/Staff Director; George Slover, Legislative
20 Counsel/Parliamentarian; and Anita L. Johnson, Clerk.

21 Chairman Conyers. [Presiding.] Good morning. The
22 committee will come to order.

23 Our first order of business is the adoption of an
24 antitrust task force and adopting a resolution to establish
25 a task force on antitrust and competition policy.

26 All members have a copy of the resolution and, without
27 objection, the resolution will be considered as read and
28 open for amendment at any point.

29 [The resolution follows:]

30 ***** INSERT *****

31 Chairman Conyers. Let me describe the resolution
32 briefly. It is designed to facilitate effective oversight
33 of important antitrust and competition policy matters.
34 Competition brings consumers better products, lower prices,
35 wider choices, and more innovation.

36 The antitrust laws are the chief protector of
37 competition. The Supreme Court has appropriately called the
38 antitrust laws the Magna Carta of our free enterprise
39 system.

40 Vigorous antitrust enforcement is vital to maintaining
41 the competitive marketplace that has helped us create the
42 most innovative and resilient economy in history.

43 And we want to make sure that we are organized in the
44 most effective way to conduct meaningful oversight into the
45 important issues that warrant our attention, including
46 oversight of antitrust enforcement agencies as well as
47 competition issues that arise regarding specific industries,
48 technologies or market practices.

49 The committee adopted a similar resolution at the
50 beginning of the Congress, enabling it to conduct hearings
51 on competition in the oil, satellite radio and credit card
52 industries.

53 And we have also heard about the antitrust
54 modernization committee on its recommendation regarding the

55 status of antitrust laws themselves.

56 Like the previous task force, this is not another
57 subcommittee. Its function is limited to conducting
58 oversight. Any antitrust-related legislation will originate
59 in the full committee.

60 In keeping with longstanding Judiciary Committee
61 practices going all the way back to the Sherman Act,
62 antitrust matters continue to fall under the direct purview
63 of the full committee chairman.

64 And the last task force, like this one, will continue
65 to be limited in the number of members to make it easier to
66 conduct efficient hearings. The size of the task force
67 falls squarely in the middle of the sizes of our
68 subcommittees.

69 I appreciate that these limits mean we are not able to
70 immediately accommodate all the members who might like to
71 participate. The task force life span is 6 months, and we
72 expect another task force similar to this one subsequently
73 with opportunities for others.

74 Working with me closely on this, ever since January, is
75 the distinguished gentleman from Texas, Lamar Smith, our
76 ranking minority member, who I would recognize at this time.

77 Mr. Smith. Thank you, Mr. Chairman.

78 Mr. Chairman, I join you in support of this resolution.

79 Vigorous, unimpeded competition sustains our economy and
80 keeps it strong. It leads to innovative products that
81 better our lives and keep prices low.

82 The antitrust laws ensure that competition can continue
83 without interference. This committee has a long history of
84 working in a bipartisan fashion to support and maintain the
85 antitrust laws, and I am pleased that this tradition
86 continues today with the adoption of this resolution.

87 The first antitrust task force of this Congress held
88 hearings on the proposed XM-Sirius satellite radio merger,
89 the findings of the antitrust modernization commission,
90 competition in the oil and gas industry, and alleged
91 anticompetitive behavior in the credit card industry. I am
92 sure the next 6 months of the task force will be just as
93 productive.

94 Mr. Chairman, I support this resolution, and I look
95 forward to the important oversight work that the task force
96 will do. And I will yield back the balance of my time.

97 Chairman Conyers. Thank you.

98 Does any other member have an observation they would
99 like to make before I call for the adoption of the
100 resolution?

101 If not, all those in favor will signify by saying
102 "aye," all opposed by saying "no". And the "ayes" have it,

103 and the resolution is adopted, and this completes this
104 portion of the committee's business.

105 [Whereupon, at 10:23 a.m., the committee was
106 adjourned.]