

Congress of the United States
Washington, DC 20515

June 25, 2007

The Honorable Deborah Platt Majoris
Chairwoman
Federal Trade Commission
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

FEDERAL TRADE COMMISSION
2007 JUN 26 PM 12:12
CONG. CORRES. BRANCH

Re: Rite Aid Corp.-Jean Coudu Group Consent Decree DKT C-4191

Dear Chairwoman Majoris:

We write to express our serious concern about an important aspect of the Rite Aid acquisition of two major competitors that the Commission may not have considered in its review of this transaction; and we therefore urge that the Commission not grant any final approval of the staff's proposed Consent Order until this matter is resolved.

Our concerns focus on Rite Aid's effort to use the proposed transaction as an occasion to avoid its collective bargaining obligations to 1199 SEIU United Healthcare Workers East. Under its current collective bargaining agreement, Rite Aid is obligated to offer employees in any subsequently acquired drug stores the right to be represented by the Union. At this point, Rite Aid is flagrantly violating this contractual obligation by vigorously opposing (i) any efforts by employees in the Eckerd and Brooks stores to be acquired from Coudu to become represented for collective bargaining and (ii) any efforts by the Union to inform such employees of their rights. On June 7th, 1199 SEIU filed suit in the United States District Court, Southern District of New York seeking an injunction against these actions; a hearing occurred on June 19, 2007.

We believe that it would be inappropriate for the Commission to facilitate this ongoing violation by approving the Consent Order while this federal suit is pending. Accordingly, we urge that the Commission defer approval of this Consent Order until this matter has been resolved by negotiation or, if necessary, the courts.

In sending you this letter, it is not our intention to take any position on whether the proposed divestitures provided in the Consent Order would be sufficient to meet the requirements of Section 7 of the Clayton Act. After we have had a chance to study the details more carefully and to hear from any potentially affected consumer-constituents, we may want to offer comments about (i) the 23 markets in which some divestiture would be required or (ii) numerous other markets in which consumers may suffer diminished competition as a result of Rite Aid-Eckerd-Brooks combination.

We look forward to your prompt response.

Sincerely,

Bob

Thomas

Al Green

Sam Hall

Bob White

Steve

St. Nick

Yvette D. Clarke

Mike J. King

Theresa

Shelley LeBlanc

Paula Long

Tom A. Brady

Tom Allen

Danny & Dennis Marcy Kepten

J. G. Am Joseph Jones

Darcy E. Cyber Willie

Betty McCallum Tom Dair

Walter Honda Babara Lee

Sam Lee _____

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