

Mr. Barber?

Dr. BARBER. I would like to dispel the notion that in some way the antitrust laws as currently drafted, and as interpreted, could not be used, by someone with imagination and with vigor, to reduce levels of concentration. I think the laws could be used in a far more meaningful fashion than they have been.

The fact is that they have not been used to reach out to the problems that are disturbing you and us when we speak of the concentrated industries.

And if we need any documentation of that, I suggest we simply go back over the last several years—and by that I do not mean one or two, but I mean roughly on the order of 20 years—to find any case begun that had as its purpose the reduction of concentration in a major industry; the major cases in this field, Alcoa, Tobacco, Paramount, for example, were all decided in the early postwar period, but were begun long before that.

The fact is that we have not been trying. We have not been using the law.

I do not think we are tilting at windmills. I think we can use the law usefully to deal with these questions.

I say we have not been doing it. And if we want to talk sensibly about this, and meaningfully, then the proper thing to do is to say: Let us use these laws, or get them off the books.

Senator PROXMIRE. When we return at 2:30, I would appreciate it, if you would care to, if you would give us some specific examples.

For example, break up General Motors, break up U.S. Steel, something in the chemical industry, and so forth.

And then there is this other thing you might be thinking about, too: The bugaboo is that this will destroy business confidence and somehow significantly damage the economy.

And while that may be dismissed out of hand, I think we ought to consider whether or not there is any realism behind it. We saw what happened when the President acted with, I thought, great and proper force in the steel situation, and there may have been some adverse consequences there.

Well, I want to thank you gentlemen very, very much.

As I say, I am tremendously pleased with the competence of this panel, and I certainly did not mean, Mr. Adams, to imply anything about not meeting a payroll.

Dr. KAHN. He is just a very difficult character.

Senator PROXMIRE. I am looking forward to seeing all of you gentlemen at 2:30.

(Whereupon, at 12:40 p.m., the committee was recessed, to reconvene at 2:30 p.m., the same day.)

AFTERNOON SESSION

Senator PROXMIRE. I want to thank you gentlemen for coming back and accommodating us this afternoon.

I yield to Senator Bush to kick off this afternoon's questioning.

Senator BUSH. Thank you, Mr. Chairman.

I am sorry I had to leave at 12:30. I hope I didn't miss too much.