

will undermine business confidence. If there is something wrong with the antitrust law, by all means take it off the statute books.

If the law is right, there is only one alternative you have, and that is to enforce it.

Mr. KAHN. I think additionally it is hard to imagine the institution within a very short period of time of a major effort. It takes a long time to prepare suits; it is hard to imagine the administration suddenly breaking out in the next 2 weeks with such a rash of major suits against all the leading companies in American industry as to have any such significant effect realistically.

Senator PROXMIRE. I understand that Judge Loevinger will be here tomorrow morning. He was here yesterday, and I wish you had been here before he had been, but we will get another crack at him tomorrow on the basis of information that identical bids are being released this morning at the Department of Justice building. I do want to ask, have the CAB, FCC, and ICC been contributing to economic concentration?

By and large they regulate industries which tend to lend themselves to a degree of great size and to some extent real monopoly.

Also particularly ICC and CAB are regulating railroads, airlines which have had an awful lot of economic difficulty and trouble, and some of which have actually failed, and they have had the alternative and it is a very tough alternative of either permitting a merger or just accepting the failure with a terrific loss of investment, loss of jobs, loss of service for the public. Would you acknowledge that under these circumstances transportation being such a very difficult trial for both the railroads and airlines, that when they have permitted mergers, they have done so more on the basis of apparent economic necessity than any philosophy that we should follow a greater monopolistic concentration?

Mr. KAHN. Since I have to catch a train, may I say a sentence and leave?

Do you mind if I have the last word?

Senator PROXMIRE. You may.

Mr. KAHN. May I put in a plug for Professor Adams' book, "Monopoly in America, the Government as Promoter."

That is the first thing.

Secondly—

Senator PROXMIRE. Yes; I have heard very good things about that book, and I am anxious to read it.

Mr. KAHN. It is an awfully popular book, but still [laughter] the second thing is I am not so sure that the mergers are the major problem in transportation, as I argue in my statement.

The critical question is are we going to let the railroads compete or aren't we going to let them compete. To a large extent the efforts of the administrative commissions are to protect one kind of transportation as against another.

I am concerned, for example, about the effort of the coal industry to get pipelines built. I think this would be magnificent, this is a great technological advance, it is a way of cutting costs and we are running into opposition on the part of competing industries, so it seems to me in the interest of companies themselves, I think greater competition might be to their advantage.