

You are correct in that, Senator.

Senator JAVITS. Now, Senator Proxmire and I have no differences on this; we may have on other things because I am not talking about general competition.

I only asked you the specific question, If the Government wants a group of American companies to combine for the purpose of doing a job the Government wants done, that is a very different thing from general competition. Does the Government have such authority?

That is the question I ask.

Mr. LOEVINGER. I don't believe I can answer that, Senator. I think that it is too general. There is no general authority on the part of any agency to authorize combinations in a sort of carte blanche fashion; there are a number of specific authorities.

Senator JAVITS. Is there authority to cause the oil companies to combine to cooperate with the Federal Government, existing authority today, in order to meet the Russian challenge to the oil supplies of Europe?

Mr. LOEVINGER. There is no authority to force them.

Senator JAVITS. Is that specific?

Mr. LOEVINGER. Or to cause them to combine.

Senator JAVITS. Is there any authority to give them immunity from the antitrust laws at the Government request?

Mr. LOEVINGER. It depends on what they want to do.

Senator JAVITS. I think my question is very specific, Judge.

Can you give the oil companies, who at the Government's request will combine with it to act in respect of Russian supplies of oil to Europe, freedom from antitrust prosecution by law?

Mr. LOEVINGER. To act now, to do what?

Senator JAVITS. To buy together, to sell together, to run their tankers together, to do any act which would be a violation of the antitrust laws, unless they did have some protection.

And this is at the Government's request, the U.S. Government's request; can you do it?

Mr. LOEVINGER. I guess I am just not prepared to give you an answer because no agency has ever requested this of us.

Senator JAVITS. All right.

In other words, you cannot give us the answer now. Will you supply it for the record?

Mr. LOEVINGER. All right.

(The information referred to appears in the appendix at p. 952.)

Senator JAVITS. I might tell you, Judge, I am not trying to lead you into any controversies, but I do think we are very materially lacking with equipment to deal with this situation and the antitrust laws which are the set of laws which are materially in the way of really getting American business to do its part in what I think needs to be done, that is the only point of my question.

I have just one other question, and I am grateful to the Chair for giving me this other opportunity.

Now, in respect of our small business problems—

Senator PROXMIRE. If the Senator would just yield at this point on a particular question, which is very interesting. It is my understanding we do have a consortium of American oil companies operating to-