

In the alternative the suggestion of confidential treatment is made. My question is what is your opinion with regard to this matter?

Mr. COHEN. First, let me say, Mr. Chairman, that I have never been in any disagreement with the Federal Reserve Board, certainly not publicly. Nor have I ever placed myself in the position of being for sin or against virtue. Quite obviously the suggestion of the Federal Reserve Board is not only a meritorious one but one which should receive very careful consideration.

I would like to explain how the exemption got there and perhaps that may in part answer your question and if it does not I will answer your question directly on my own behalf.

The provision was put in there because it was felt that if the names of the banks were disclosed economic pressures being what they are in our real world that this might make it difficult for either management or someone who wishes to make a takeover bid to acquire the necessary financing in a perfectly legitimate arrangement.

I think the proposal of the Federal Reserve Board, as you read it, meets that problem directly and on that basis the Commission I am sure, although I cannot speak for the Commission because it is the first I have heard of this particular suggestion, would have no objection to an amendment of the bill along the lines suggested by the Federal Reserve Board.

Mr. MOSS. I ask unanimous consent to place in the record a letter from the Federal Reserve Board setting forth its views.

(The letter referred to appears on p. 8.)

Mr. MOSS. Mr. Keith.

Mr. KEITH. Thank you, Mr. Chairman.

Besides the fraudulent aspects of this that you hope to attack, have you any personal views, or does the Commission have any views with reference to the purpose of the proposed taker-over? What I have in mind specifically is that I have been concerned for a long time with the concentration of power in fewer and fewer corporations and the lessening of competition in the marketplace. I recognize that the anti-trust provisions speak to that particular point and where there is a tendency to create monopoly that there is statutory authority with which to proceed. But do you by chance know of any conglomerates or acquisitions, the primary purpose of which was to pick up a tax loss that in a way gives, by reason of the operation of our tax law, an advantage to one corporation over another if they merge?

Mr. COHEN. Mr. Keith, I appreciate that question because you remind me that I left out some important points that I would like to bring to the attention of the committee.

Mr. KEITH. That is always a hazard that I take when I probe your mind.

Mr. COHEN. Right. Please don't think that I was deliberately holding back for your question, although I am tempted sometimes. Seriously you are raising a very important and a very significant question for the American economy.

I could not express that more seriously and with more concern. We at the Commission, of course, are not involved in and we have no role to play in the general antitrust considerations as you suggested. These bills are not designed to deal solely with the antifraud aspects of