

turned down by the OEP. Do you feel that you were granted full, comprehensive hearings or do you think there is something in error in the legislation or the machinery as we have it?

Mr. CUNNINGHAM. We filed and were turned down. We filed the second time. I have no indication of what is going to happen.

Mr. CURTIS. Congress is essentially in the business of trying to establish the machinery, the structure, to evaluate the problems of your industry as a necessary part of our mobilization base. The question is what is the impact of imports on that base?

We established what I thought was fairly good machinery to make these findings. Sometimes there are going to be differences of opinion on the facts but maybe we need to do something with the machinery.

Mr. CUNNINGHAM. We think it is inadequate. I think you asked the steel industry this morning whether they filed with OEP.

Mr. CURTIS. Yes.

Mr. CUNNINGHAM. In our case we did earlier, in 1963, and we spent a lot of time. We waited a year and finally got a decision and the decision was against us. We have just recently spent a lot more time and Mr. Symington prepared a brief bringing our situation up to date. We filed this on May 24 with Gov. Price Daniels. What is going to happen to that we don't know but in the meantime we know this: That the security of this country we believe is being endangered.

Mr. CURTIS. I am sure you believe it, but hopefully these people at OEP are concerned the same way you are. Maybe I can draw the point out this way.

You use the courts for a number of reasons for determining differences of opinion. Just because the court rules against you doesn't mean that the structure of the court is wrong, but it can be.

The machinery itself can be inadequate and I am seeking to learn whether or not our machinery is inadequate or perhaps our guidelines and criteria of how we determine what is national security are inadequate. Just because you have lost the case doesn't mean to me necessarily that the case wasn't heard fairly. The decision, weighing everything, was that national security wasn't involved. On the other hand, maybe it was and the problem is that we just aren't set up to evaluate national security adequately.

Mr. CUNNINGHAM. We asked for import quotas in this application and I think this is handled by the executive branch of the Government. Whether we are going to get quotas through this avenue or not or whether we are going to get some kind of protection—maybe that isn't the word, but some kind of relief or implementation that will—

Mr. CURTIS. Yes; but you are appealing to this committee and the Congress saying that there is national defense involved and you present data here in a very proper way.

Congress is the one that created the OEP. Well, I have explored this issue, I guess, about as far as I can. You are asking for quotas directly but one of the bases for asking for quotas is the same basis on which we gave the power to OEP to grant them. So in one sense, and this is a proper sense, we should be looking over the shoulder of OEP to see how it has rendered its decisions to see whether our guidelines are right. Your testimony on this point would be very helpful.

I wish you would state if you think that the Congress did not set up this machinery correctly, just as I said to the steel people this morning, or whether the fault lies in administration. Writing addi-