

But it is not a fact that the majority of shoes ever did enter at those rates, because high duties of that character invited utmost efforts to bring shoes in at a better rate, and up to 40 percent before the new tariff schedules were adopted in 1960, up to 40 percent of the imports, entered for one reason or another at low duties.

The new guidelines—let me bring out this point more clearly. The new guidelines for practical purposes went into effect in 1963, because as soon as the customs suspended appraisement, the importers were forced to guess at the duty in order to price their goods into the market.

Fortunately, they guessed with some accuracy, and if you will look at the table which is set forth at page 10-A of my statement, which is based upon the table set forth in the STR statement and the table set forth in the RMA statement, but which represents adjusted figures, you will see that during the very period when the new guidelines were for practical commercial purposes first in effect, in 1963, 1964, and 1965, the American production constantly increased, and I think reached its alltime high, and during those same years, on a corrected basis, the imports were declining.

So that the idea that the domestic industry actually had this protection, and has an equity in enjoying it is simply not in conformity with the facts.

Now, while I am discussing that table, let me explain a little further why one can't use the Census Bureau's figures which Mr. Cooper refers to as if calling them Census Bureau figures made them relevant.

The Census Bureau figures for imports, since 1963, stand for one word, "other," and the fact that somebody puts a statistical annotation next to it doesn't mean anything for anybody who is willing and able to look into it more closely.

Even on the statistical annotations, for the last 3 years, the statistics show that approximately one-half of the imports under 700.60 have come in without being assessed on the American selling price. I am going to give you an idea.

Gentlemen, there are some of Mr. Cooper's sneakers. These are miscellaneous products, practically all of them of vinyl, that for one reason or another do not enter under the normal item number of the tariff schedules which would be 700.55 at 11 percent. Because of the complexity of the tariff schedules, which are explained in great length in my brief, and which I regret I don't have time to go into now, these are classified under 700.60.

Because they are not similar to any American product, they are not assessed on the American selling price. They do pay duty at 20 percent. This problem was exposed before the Tariff Commission, in much the same way that we are exposing it to you.

In recognition of it, a rather complex definition was adopted by the Tariff Commission, which you see set forth at page 5 of my statement. The Tariff Commission description kept at 20 percent footwear with open heels and toes, footwear with pliant soles and uppers, which—well, folding slippers, and several other categories.

But I am going to ask Mr. Lipkowitz to draw your attention to certain categories which would not be taken care of by the definition of the Tariff Commission, and this is why I say with all respect to the Commission, it is fortunate that the legislation contemplates an