

under the escape clause of the Trade Expansion Act of 1962 with the criteria for such relief changed in the same manner that the proposed Trade Expansion Act of 1968 intends to change the criteria for individual firms and workers, so that disadvantaged industries could qualify.

It is strongly urged that the criteria for relief proposed by the new Act (H.R. 17551) be changed so that it would be identical for domestic industries, individual firms or workers.

AN OMNIBUS QUOTA BILL SHOULD BE PASSED SO THAT ANY DOMESTIC INDUSTRY THAT IS INJURED AND QUALIFIES UNDER AN ANNOUNCED CRITERIA WOULD BE ABLE TO GET RELIEF FROM RUINOUS IMPORTS

Congress is well aware of the many quota bills presently pending and covering many imported articles. There is no doubt that at least some are meritorious and are deserving of Congressional action. Obviously, some of them are merely put into the hopper by Congressmen in order to appease constituents.

In order to reduce the work load of Congress in this connection and to remove the doubt as to whether or not a domestic industry is entitled to relief from imports by limiting the amount of such imports an omnibus quota bill should be passed. The criteria for qualifying for relief under such a bill could be spelled out by Congress and would require an overt act on the part of such industry to seek relief. Therefore, even if a particular industry may be entitled to relief under such a bill, the relief would not be forthcoming automatically, but it would be necessary for the industry to petition for the relief necessary.

Again using the domestic wood louvered products industry as an example we can see the need for an omnibus quota bill.

Imported louvered wood shutters were imported from Japan. The articles were properly classified by the customs authorities under paragraph 411 of the Tariff Act of 1930, as amended. Duty was assessed thereon at the rate of 40% ad valorem. The importers dissatisfied with the classification, filed protests with the United States Customs Court and claimed the article to be "manufactured of wood, not specifically provided for" under paragraph 412 and dutiable at the rate of 16% per cent ad valorem.

When the case was called for trial before the United States Customs Court Franklin B. Howland, Charles D. Walker Co. et al. vs. United States (in California the government through the office of the Assistant Attorney General in charge of Customs requested help from the domestic industry to maintain the paragraph and rate of duty used by the customs authorities in their classification. The case was transferred from California (Los Angeles and San Francisco) to Chicago to New York to Seattle and then again to California. The domestic industry supplied witnesses in each city and collaborated with the government in every facet in the preparation and trial of the case.

The Customs Court rendered a decision on December 14, 1964 and held the rate of duty to be the 40 per cent ad valorem assessed by the collector of customs. The importers dissatisfied with the decision appealed to the United States Court of Customs and Patent Appeals. After argument in the Court by counsel for the government, counsel for the importers and counsel for the domestic industry appearing as amici curiae, a decision was rendered, affirming the decision of the trial court.

Since then, the importers have been importing such shutters, it is believed in larger quantities. The price of those shutters to their customers is so low that the domestic industry cannot meet the competition. It is believed that "dumping" may be involved in these importations because the landed cost is so low. The domestic industry is presently attempting to secure evidence and information to petition the Customs Bureau to establish whether or not "dumping" exists.

It is also respectfully pointed out that Japanese shutter manufacturers purchase American produced logs and lumber. These logs and lumber are then manufactured into the shutters in Japan, using low paid Japanese labor, and then exported to the United States. The price at which the domestic logs and lumber is sold to the Japanese manufacturers is equal to, and perhaps even slightly higher, than the price paid for the same raw material by the domestic shutter manufacturers. Nevertheless, the finished imported louvered shutter is sold in the United States for less than the domestic manufacturer can sell his like or directly competitive article including shipping charges, packing and duty. It, therefore, becomes abundantly clear that the cost of manufacture of wood louvered shutters in Japan must be considerably lower than the cost in the