

quirement for the cost and pricing data. The same act of 1962 requires in negotiated procurements over \$2,500 generally that there will be competitive negotiation, price and other factors considered. These are the same factors as are required as a basis for award under the Armed Services Procurement Act. Price is not the only factor. The award is to be made to the bidder whose offer, price and other factors considered, is most advantageous to the Government. We feel that by zeroing in on the charge of price competition or price bidding that there is being overlooked our feeling that the law requires some competitive negotiation on the basis of all pertinent factors, including the design, the relative capability of the bidders, and so forth.

Chairman PROXMIRE. Thank you, gentlemen, very, very much.

Mr. Staats, as you know, Senator Dominick of Colorado raised some points about negotiated bidding in a statement to this committee on November 29. There are some technical questions involved and I wish you would review these cases and give us your judgment on them for the record.

Mr. STAATS. We are prepared to do that. (See app. 11, p. 590, et seq.; see also DOD comments, p. 586.)

Chairman PROXMIRE. Members will be given 3 days for questions to witnesses and relevant material to be put into the record. (See app. 12, p. 604, for special questions and answers.)

I want to once again commend you and your very fine staff on a very helpful and informative performance. Thank you so much.

We will stand in recess subject to call of the Chair.

(Whereupon, at 12:20 p.m., the committee was recessed subject to call.)

[APPENDIXES FOLLOW]