

Society of Professional Engineers, the Committee agreed to remove any ambiguities concerning the kind of services that would be provided * * * this was done in order to avoid the unfair competitive practices which consulting engineering, mapmaking, and photogrammetry firms have criticized. Extensive discussions with staff members of the Budget Bureau familiar with this problem produced the following clarifying language, which was added at the end of new Section 402:

Provided, however, That such services shall include only those which the head of the Federal agency concerned determines are not reasonably or expeditiously available through ordinary business channels.

The Committee believes that this amendment, along with the definition of such services found in section 106, Title I of the revised bill should correct any misconceptions concerning this section's scope and purpose.

(Report, p. 17).

Later in the report (p. 32), the committee elaborated further on the purpose of the provisions relating to "specialized or technical services" by stating, and again I quote:

The services authorized by this title * * * shall include only those which the head of the Federal agency concerned determines are not reasonably and expeditiously available through ordinary business channels. The purpose of this title is to make available to State and local governments only those services which agencies and departments * * * are uniquely able to perform * * * The language of this section makes it clear that the Federal Government, by the authorization of this title, and unless clearly authorized by statute, should not be placed in direct competition with private businesses which are normally capable of performing the needed services. * * *

Title III of S. 698, the pending bill, contains new language clarifying the intent that the authority to provide specialized or technical services is not to be used to provide services available from private firms and consultants. We believe this language should be effective in preventing unintended competition, and in some respects is better than the amendment added to S. 561, the original bill.

We are particularly pleased with the addition of new language explicitly referring to the Government's policy on relying on the private enterprise system. We do urge, however, that language similar to that already quoted from the Committee's report on S. 561, the predecessor bill, be incorporated in any report on S. 698, the pending bill, to assure that it is crystal clear the basic intent of title III remains unchanged, even though some changes have been made in the language of the bill itself.

Regarding title IV of S. 698, we support the policy declarations and requirements set forth in section 401 relating to the sound and orderly development of urban communities—particularly the requirement that rules and regulations established by the President governing the formulation, evaluation and review of federally aided urban facilities and projects shall provide for full consideration of the concurrent achievement of the eight objectives set forth in subsection 401(a).

We believe it is highly important, however, that the intent behind this requirement be spelled out and clarified in any committee report on the bill, to assure that its purposes will be accomplished.

Practically all members of the various design professions, we feel certain, would readily agree that effective accomplishment of the eight objectives enumerated in subsection 401(a)—ranging from appropriate and use to high standards of design—necessarily involves engineering and engineering decisions. Thus, implicit in subsection 401(a) is the requirement that engineers, as well as other design pro-