

Commander KATCHER. The tube length of the launcher had to be lengthened.

Mr. ROBACK. Outside of merely increasing the length specifications and size specifications, what kind of technical problems did that create? Did the larger launcher create aerodynamic problems, safety problems, requiring development of any kind, any development effort?

Commander KATCHER. No, sir—

Mr. ROBACK. These were straightforward dimension change problems?

Commander KATCHER. Basically it was a dimension change that was involved; but at the same time, because of potential interference in rocket fins, causing possible fin separation and damage, the length of the interval of launching the rockets from the launcher was changed, and this created a new intervalometer; in other words, a family of improvements took place, better detent springs, better intervalometer, better strength bulkhead, better contact springs, as well as a lengthening. All of this led to basically a much different launcher when the longer size evolved.

Mr. SHILLITO. Correct me if I am wrong, Commander, but I think this is an important point. The contractor visualized the changes, conceptually saw the changes required. The contractor moved out and made a number of these changes, at his cost. He preempted us in some respects as regards the need; took a lot of these things into his design shop, modified his launchers as necessary to what he foresaw as the Navy requirement. This complicated the data package, as I am sure you probably appreciate.

Is that correct?

Commander KATCHER. Yes.

Mr. ROBACK. In that sense did he acquire a proprietary package that becomes an issue of procurement now? That is, if you want to go competitive, you have to buy the data? I am trying to get an idea of what kind of data—

Mr. SHILLITO. Of course, he has put all the data together to accomplish the modifications that the Commander has talked about. As to the proprietary aspects of his data, this is something that might be debated. But he certainly has put the data together. It is his compilation of data. It is his data. We have only one patent involved at this point as regards the efforts on the part of the contractor.

Mr. ROBACK. How do you know, if you don't have the specifications, that somebody else couldn't produce this?

Mr. SHILLITO. We don't know. In fact, I think that we would have to state that someone else could produce this, Mr. Roback. The problem gets to be one of time; and this rather continuous dynamic change we have been talking about here has further complicated the issue. But I feel sure that someone else could produce this.

Mr. ROBACK. So that offhand, the question of acquiring the data package for procurement is what? Is it one of equity to the producer, in the sense you think he owns some rights that he ought to be paid for? Or is it necessary that he gives you information you do not now have so you can go out on the street? Which is it? Or is it both?

Captain McMORRIES. I think I might answer that, Mr. Roback. The issue, particularly right now, I think we are dealing within the present, Mr. Roback—and I am addressing myself to the Navy configura-