

Mr. LUMAN. I am sorry, this indicates—

Mr. WATSON. The 32A/A and the 3A/A were the pipe tubes. We did not make changes, and we did not document on drawings these changes.

Mr. LUMAN. Then the phrase here "the Army adapted 19-tube and modified it in much the same way as we had," actually you caused changes to be made but you apparently went to Chromcraft to get the changes made, and thus made it proprietary; is that correct?

Mr. WATSON. I cannot answer that question as to whether it made it proprietary. I am speaking for R. & D.

The launchers came for our evaluation. We performed an evaluation, and gave the results of this. The evaluation saying that we could not use this type launcher on a helicopter, and recommended as an example when it went to the tube, that they go to a metal tube. This was a recommendation by R. & D.

Mr. HOLIFIELD. The recommendation that you needed a different type but you left it up to them to design it and engineer it?

Mr. WATSON. My recommendation was not made to them. The recommendation was made to the aircraft weaponization project manager. In R. & D. we do not get into the area of either buying or contracting.

Mr. ROBACK. I think it was developed yesterday, General Anderson. I think the sense of the discussion with the Navy yesterday was that the question of proprietorship in these matters is not so much who really owns it but the fact of the matter is that the only drawings that are available were in the hands of the contractor.

General ANDERSON. That is correct.

Mr. ROBACK. So if you want to get them you have to pay for them?

General ANDERSON. That is correct.

Mr. ROBACK. It does not make any difference who owns them; he has got them?

General ANDERSON. That is correct.

Mr. ROBACK. Is that the sense of the thing?

General ANDERSON. That is where we stand today. He has a set of drawings, the only set of drawings.

Mr. ROBACK. Possession is all the points of the law here?

General ANDERSON. Yes.

Mr. ROBACK. Is that right, Mr. Stein?

Mr. STEIN. I think it is a practical consideration. I would not say it is a legal answer.

Mr. ROBACK. Proprietary data, does that mean data which are drawings in the hands of the contractor, regardless of who owns them?

Mr. STEIN. No. If we have a legal right to the drawings, I would say notwithstanding that he holds them that we would have a right to get them from him.

Mr. HOLIFIELD. You establish the legal right by notations on the drawings and specifications, do you not, that all rights are retained by the Navy, before you give out a specification which is signed by the Navy?

Mr. STEIN. We would indicate on drawings that we owned that, we have the rights to them; yes, sir.

Mr. ROBACK. But they do not have the drawings they want. They are over in St. Louis, in the hands of the—