

Senate Refuses to Require Laird to Report on Buying

By ROBERT M. SMITH AUG 18 1970

Special to The New York Times

WASHINGTON, Aug. 17 — The Senate defeated today, 43 to 22, legislation that would have required the Pentagon to tell Congress whether it was following the new "fly-before-you-buy" policy.

Although Secretary of Defense Melvin R. Laird announced the policy only three weeks ago as a method of cutting down on cost overruns, he opposed the amendment, which was sponsored by Senator William Proxmire.

Mr. Laird labeled the Wisconsin Democrat's proposal "premature" and said it "would eliminate flexibility in acquisition strategy."

Mr. Proxmire, on the other hand, repeatedly described his amendment to the military procurement bill as "mild" and "moderate." Under attack by Senators John C. Stennis, Democrat of Mississippi; Barry Goldwater, Republican of Arizona, and Thomas J. McIntyre, Demo-

crat of New Hampshire, Mr. Proxmire asked, almost pleadingly, what was wrong with the amendment.

"Why shouldn't they tell us whether they're carrying out their own policy?" he said.

Under the old Pentagon procurement concept developed by former Secretary of Defense Robert S. McNamara, the Defense Department negotiated "package" contracts. Under these, manufacturers, for a single fixed price, would undertake to carry out all phases of a weapons system, from research through actual production.

Under the new system, according to Mr. Laird, contracts will be awarded in stages. A contract for production will not be signed until a weapon has been thoroughly tested and evaluated.

The vote on the proxmire

Continued on Page 19, Column 1

Senate Refuses to Order Laird to Report on Buying

Continued From Page 1, Col. 7

amendment came after three hours of debate in which the opposition voiced three objections: the legislation had not been adequately studied, it was imprecisely drafted and it was unnecessary.

The debate was carried on in an atmosphere of regard for the Congressional committee system.

The manager of the opposition to Mr. Proxmire was Senator Stennis, chairman of the Armed Services Committee. The committee has not yet looked into the "fly-before-you-buy" program. Senator Goldwater and Senator McIntyre are members of the committee.

At one point, Senator Goldwater pointed out that Senator Stennis had promised there would be hearings on the subject. "My objection to the amendment," he said, "is it

jumps ahead of committee action."

Senator McIntyre said, "The subject matter of the amendment hasn't been satisfactorily studied by the Armed Services Committee, and I think we're entitled to take a crack at it."

'More Consideration'

Senator Stennis said the area "requires more consideration by the House and Senate standing committees that work in this field all the time." "My idea was to have Mr. Laird come in and give in writing what he proposed to do. Then we'd have some legislation that was at least studied, analyzed and defined," he said.

Mr. Proxmire, who has built a reputation for close scrutiny of Pentagon expenditures and financial procedures, is not a member of the Armed Services Committee.

Military appropriations are being considered by Congress with the backdrop of partisan

debate over national priorities and anti-inflation economy measures, but little of this emerged in today's debate and the vote was not divided along party or ideological lines.

While most conservatives voted against the amendment, they were joined by nearly half of the Senators who usually vote along liberal lines.

Pentagon procurement practices have been the subject of great controversy since the disclosure last year that the Lockheed Corporation had incurred cost overruns of about \$3-billion on the C-5A transport plane. Similar overruns have occurred with the Cheyenne helicopter and the F-111 fighter plane.

Senator Proxmire's amendment would have required the Pentagon to tell the House and Senate Armed Services and Appropriations Committees "the degree to which the Department of Defense has complied" with the fly-before-you-buy policy.

Arguing that his amendment "would not bring the Pentagon to a screeching halt," the Senator said it would only force the Defense Department "to report to us on a policy they have shouted from one end of the country to the other."