
Would Uncle Sam Sell the Farm?

Rumors are rife that the General Services Administration (GSA), the government's majordomo agency, wants to sell off a large chunk of land occupied by the Department of Agriculture's national research center outside Washington. So far, however, the department has agreed to give up only 260 acres of its valuable turf.

The Beltsville Agricultural Research Center (BARC) occupies some 7000 acres of a federal enclave nearly twice that size lying in semisuburban Maryland between Washington and Baltimore. The Department of Interior's sprawling Patuxent Wildlife Research Center and NASA's Goddard Space Flight Center are also major tenants.

GSA has long been supposed to monitor federal agency use of land and dispose of holdings deemed not essential. BARC represents a large patch of prime real estate and GSA in the past has cast a covetous eye on it. But the new pressure on BARC apparently stems from a major Administration switch in policy on public lands. The White House has created a new Property Review Board separate from GSA in part to implement the idea that the federal land dowry could be drawn on to whittle down the national debt. An Executive Order last February directed all federal agencies promptly to review their land needs and indicate what was surplus. In the past, when federal land was declared excess, it was made easy for state or local authorities to acquire it. The rules were changed so that any potential purchaser, public or private, now has to pay fair market price.

The Agricultural Research Service identified two parcels, one of 247 acres and the other of 13 plus acres, as excess. ARS administrator Terry B. Kinney says that, as far as he knows, the two parcels are all that GSA has plans for.

Rumors abound, however, indicating everything up to transfer of BARC lock, stock, and barrel from the capital area. Apprehensions center on a scheduled resurvey of BARC land by GSA in mid-April. Suspicions have been raised by scuttlebutt from Goddard which recently underwent its own resurvey. GSA surveyors were quoted

as saying that Goddard would not have to release land, but that "BARC was in trouble."

The tremors have been strong enough to rally members of the Maryland congressional delegation to the defense of BARC. Legislation that would bar the disposal of the designated 260 acres has been introduced by the congressman who represents the district in which BARC is located, Representative Steny H. Hoyer (D-Md.), and jointly by the state's two senators, Republican Charles McC. Mathias, Jr., and Democrat Paul S. Sarbanes. Not irrelevantly, Mathias sits on a Government Affairs subcommittee that oversees GSA affairs and Hoyer has just joined the House Appropriations panel that gives GSA its money. Both are seeking hearings to explore the larger issue of BARC's future.

Support for keeping BARC as it is also is being voiced by county and local officials. Tax revenues from private ownership of BARC land might be attractive to hard-pressed local governments, but the BARC green space has been factored into the local master plan and that seems to be regarded as important in the rapidly urbanizing area.

Rank-and-file scientist-bureaucrats at the center are mobilizing to campaign for BARC as is, if necessary. They argue that they have forged ties with universities and other federal research agencies in the area that are unique and could not be reproduced if, for example, BARC were to go west.

President Tells Agencies to Lower Patent Bars

President Reagan is seeking by the proverbial stroke of a pen to secure a change in policy that has been stuck in the legislative process. Reagan has told federal agency heads that all businesses, including large corporations, should be able to retain patent rights on inventions made in the course of government-funded R & D work. This would extend to all businesses the liberal patent policies that now apply to nonprofit organizations and small businesses.

The Administration takes the view

that giving the private sector clear title to patents on inventions developed under federal contracts and grants will lead to more rapid commercialization of new products and processes and combat a slump in U.S. productivity and competitiveness.

The initiative in the form of a memorandum to the heads of Executive departments and agencies is the latest in a series of actions taken over several years aimed at unifying the diverse patent policies followed by individual agencies.

During the Carter Administration patent reform was part of a package of proposals designed to boost innovation. Legislation enacted in 1980 (P.L. 96-517) allowed nonprofits—including universities—and small businesses to keep patent rights on products of government-backed R & D. The Reagan memo extends the same standards to all enterprises "to the extent permitted by law. . . ."

In the past, an obstacle to giving developers clear title to inventions funded by government has been the statutes of such agencies as the Department of Energy (DOE) and National Aeronautics and Space Administration (NASA). These statutes were specific in providing for government retention of patents and for liberal licensing provisions on such patents. The rationale was that such a policy would foster the diffusion of research results and transfer of technology. Critics in recent years have argued that the policy actually inhibits commercialization since companies say they require patent protection before they can afford to invest in production of new technology.

Attempts to modify legislation to permit big business to acquire patent rights to products of government-sponsored research have until now been deflected by opponents in Congress, on grounds that the public should benefit from inventions made with public funds. Representative Robert W. Kastenmeier (D-Wisc.), chairman of a Judiciary subcommittee with authority on patents, has played a key blocking role.

Administration sources say that the President's memo was worded so as not to conflict with existing statutes and that there is enough "wiggle room" in even the more restrictive agency rules to permit compliance with the memo.