

Likewise, there is a dire need for air defense that could be rectified by the sale of American-made AIM 120 missiles, long-range radar and satellite warning data.

Enhanced military exchanges would forge a cohesive defense plan between our nations.

But, acquiescing to pressure from Beijing, the Clinton Administration refuses to sell these systems and take these steps despite a massive Chinese military buildup.

The Defense Intelligence Agency reports that the People's Liberation Army is currently deploying approximately 650 new short-range missile systems directly across the straits. There are 150 such missiles aimed at Taiwan already in addition to fevered construction of new fighter planes, warships and subs.

Under the Taiwan Relations Act, the United States committed to providing a defense capability to Taiwan based upon their defense needs. The need is pressing—the time to act on this promise is now.

Appealing to the chivalrous instincts of Americans, the Clinton Administration plants troops all over the world under the guise of defending the proverbial little guy from aggressive bully nations.

Supposedly, that is what we are doing in the Balkans—but bombs flying on Belgrade do not erase American responsibility elsewhere. The Taiwan Security Enhancement Act honors our commitment to stability in Taiwan by increasing cooperation between U.S. and Taiwanese militaries, and increasing sales of defensive technology and weaponry while prohibiting reductions in arms sales.

Mr. Speaker, American prestige is not only on the line in the Balkans. We must honor our commitments in the Taiwan Strait. I urge all of my colleagues to support the Taiwan Security Enhancement Act.

THANKS TO WILLIAM "BILL"  
KENNOY

HON. JOHN J. DUNCAN, JR.

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 18, 1999*

Mr. DUNCAN. Mr. Speaker, today, the Tennessee Valley Authority is losing a great leader. After a successful eight-year term on the TVA Board, William "Bill" Kennoy is stepping down.

Bill Kennoy was appointed to the TVA Board by President George Bush and was sworn in on May 31, 1991. Over the past eight years, William Kennoy has contributed a great deal to the citizens of the Tennessee Valley. His competent leadership helped to secure the refinancing of TVA's \$3.2 billion debt. Additionally, he was instrumental in preserving the Land Between the Lakes Recreational Area.

All who know Bill Kennoy agree that he is a compassionate leader who has served the public well over his term as a TVA Director. He is the longest-serving member of TVA's current Board of Directors. Bill Kennoy even led TVA during transition period between the previous and current Boards.

Before coming to TVA, Bill Kennoy led Kennoy Engineers, Inc., an environmental firm in Lexington, Kentucky. He brought over 25 years of experience to the Board as a professional engineer and business executive. In fact, he will now return to private life and again be involved in the engineering business.

Mr. Speaker, Bill Kennoy has contributed a great deal to this Nation, but I would like to highlight one of his accomplishments that I am especially proud of. William Kennoy founded the "Weekend Academy" for inner-city youth in Knoxville, Chattanooga, Memphis, and Nashville, Tennessee. The Weekend Academy is a mentoring program that encourages youth to pursue careers in business districts near their homes. I believe this says a tremendous amount about Bill Kennoy.

Mr. Speaker, I know that I join with all Americans in thanking William Kennoy for his service to our Nation over the past eight years. I have included a copy of an editorial written in the Knoxville News-Sentinel honoring William Kennoy that I would like to call to the attention of my fellow members and other readers of the RECORD.

[From the Knoxville News-Sentinel, May 18, 1999]

SERVICE RENDERED

The Tennessee Valley Authority will say good-bye to one of its three board members today, and all in the valley should pause for a salute to William Kennoy.

A Republican nominated to the TVA board by President Bush, Kennoy ends his eight-year term and will return to private life and his chosen profession of engineering.

His departure will leave the board with only one member until two replacements are appointed. That was a situation in which Kennoy found himself in 1993, the year current chairman Craven Crowell and recently departed member Johnny Hayes were appointed to the board.

Kennoy's relationship with the federal utility he later would help manage began long before his appointment to the board. Kennoy's father was a TVA engineer working on the Guntersville Dam in north Alabama. Kennoy said his appointment was "an opportunity to pay TVA back for what it has done for me."

It speaks well for Kennoy that he regards as his signal accomplishment at TVA the launching of "Weekend Academy," a mentoring program for children living near downtown in Knoxville, Chattanooga, Nashville and Memphis. The program attempts to help inner-city children achieve success and encourage them to pursue careers in business districts near their homes.

Kennoy also cites among his accomplishments the refinancing of TVA's \$3.2 billion debt, improving agency contracts and preserving the Land Between the Lakes Recreational Area.

Kennoy's deliberate, calm style that led him to work out disagreements behind the scenes instead of allowing meetings to degenerate into unnecessary bickering might well be another accomplishment. This trait drew praise from a former board member, U.S. Rep. Bob Clement, a Nashville Democrat: "You don't see him raise his voice. Bill is very smart, deliberate and compassionate."

Clearly TVA is better for Kennoy's leadership. As Kennoy steps down today, we thank him for his service on TVA's board and wish him the best for the future.

TECHNOLOGY TRANSFER COMMERCIALIZATION ACT WOULD ELIMINATE PUBLIC INTEREST PROTECTIONS ON LICENSING OF INVENTIONS RESULTING FROM TAXPAYER-FUNDED RESEARCH

HON. DENNIS J. KUCINICH

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, May 18, 1999*

Mr. KUCINICH. Mr. Speaker, on May 11, 1999, the House of Representatives approved H.R. 209, the Technology Transfer Commercialization Act, by a voice vote after it was placed on the Suspension Calendar. Further analysis of this measure indicates that its fundamental thrust is to water down or eliminate a range of public interest protections that currently are in effect. If enacted in its current form, H.R. 209—and its companion bill, S. 804, currently being considered by the other body—would allow the government to act behind the scenes, with little public oversight, to grant exclusive licenses to firms that wish to commercialize products that have been developed through taxpayer-funded research. These provisions do not serve the public interest. Congress needs to take a closer look at the implications of H.R. 209 and S. 804. The following analysis explains the problems with the bill in detail.

ANALYSIS OF TECHNOLOGY TRANSFER COMMERCIALIZATION ACT (H.R. 209) BY CONSUMER PROJECT ON TECHNOLOGY

(By James Love)

1. THE LEGISLATION REDUCES COMPETITION.

Both H.R. 209 and S. 804 eliminate the statutory requirements in 35 U.S.C. 209(c)(1)(b) that before using an exclusive license, an agency make a finding that: "the desired practical application has not been achieved, or is not likely expeditiously to be achieved, under any nonexclusive license which has been granted, or which may be granted, on the invention;"

This is an important change in existing law. It is currently illegal to use an exclusive license if development is likely to be expeditiously achieved with a non-exclusive license. However, under the new bills, this will change, and it will be possible to use an exclusive license merely by meeting the much lesser requirement that "granting the license is a reasonable and necessary incentive to . . . promote the invention's utilization by the public." The consequence of this change will be fewer non-exclusive licenses, less competition, and more monopolies on taxpayer owned inventions.

2. THE PUBLIC'S RIGHTS TO NOTICE AND COMMENT ON EXCLUSIVE LICENSING OF GOVERNMENT INVENTIONS IS VASTLY REDUCED

H.R. 209 and S. 804 both gut public notice provisions for exclusive license agreements from government owned inventions. Under existing law, agencies are normally expected to provide 90 days notice that the invention is available to the public for licensing, followed by 60 days notice with an opportunity to file objections for proposals to provide an exclusive license to a particular party. [See: 37CFR404.7(a)(1)]

S. 804 and H.R. 209 reduce notice requirements to "in an appropriate manner at least 15 days before the license is granted." According to the House Report on H.R. 209, this eliminates also the need to provide notice in the Federal Register. S. 804 and H.R. 209 exempt even this modest requirement for "licensing of inventions made under a cooperative research and development agreement