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SENATE JOINT MEMORIAL 8012

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State of Washington

56th Legislature

1999 Regular Session

By Senator Brown

Read first time 02/25/1999. Referred to Committee on Energy,  
Technology & Telecommunications.

1 TO THE HONORABLE WILLIAM J. CLINTON, PRESIDENT OF THE UNITED  
2 STATES, AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE  
3 OF REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF  
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE MEMBERS OF THE  
5 COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION OF THE UNITED STATES  
6 SENATE, AND TO THE MEMBERS OF THE SUBCOMMITTEE ON TELECOMMUNICATIONS,  
7 TRADE AND CONSUMER PROTECTION, COMMITTEE ON COMMERCE, OF THE UNITED  
8 STATES HOUSE OF REPRESENTATIVES:

9 We, your Memorialists, the Senate and House of Representatives of  
10 the State of Washington, in legislative session assembled, respectfully  
11 represent and petition as follows:

12 WHEREAS, The Federal Communications Commission, pursuant to the  
13 Telecommunications Act of 1996, has implemented a universal service  
14 fund program to provide discounts on the cost of telecommunications  
15 services to schools and libraries; and

16 WHEREAS, On May 8, 1997, the Commission determined that schools and  
17 libraries that join consortia that include entities other than "public  
18 sector (governmental) entities" may not take advantage of the universal  
19 service fund program unless the services purchased by the consortia are  
20 based on tariffed rates; and

1       WHEREAS, This requirement effectively prevents schools and  
2 libraries from participating in consortia with nonprofit independent  
3 baccalaureate institutions without losing the advantages of the  
4 leveraged purchasing, economies of scale, and efficiencies that are the  
5 very rationale for such consortia; and

6       WHEREAS, Washington state has sought to leverage the state's  
7 purchasing power in its procurements of telecommunications and  
8 information services, and obtain the lowest prices for  
9 telecommunications services for universities, colleges, schools, and  
10 libraries; and

11       WHEREAS, The Washington Legislature in 1996 authorized and funded  
12 the development of the K-20 Educational Telecommunications Network, a  
13 sixty-two million dollar state-wide backbone network intended to link  
14 K-12 school districts, educational service districts, public and  
15 private baccalaureate institutions, public libraries, and community and  
16 technical colleges; and

17       WHEREAS, This network will provide the consortium of Washington  
18 colleges, schools, and libraries with enhanced function and increased  
19 efficiencies in their use of telecommunications services; and

20       WHEREAS, Washington state is home to several outstanding nonprofit  
21 independent baccalaureate institutions, including Antioch University,  
22 Cornish College of the Arts, Gonzaga University, Heritage College,  
23 Northwest College, Pacific Lutheran University, St. Martin's College,  
24 Seattle University, Seattle Pacific University, University of Puget  
25 Sound, Walla Walla College, Whitman College, and Whitworth College,  
26 that are not "public sector (governmental) entities"; and

27       WHEREAS, These institutions each year prepare thousands of students  
28 for jobs in Washington state, and their graduates comprise more than  
29 twenty-five percent of the state's school teachers; and

30       WHEREAS, The Washington Legislature has recognized the important  
31 public service that these institutions perform; and

32       WHEREAS, The Washington Legislature has recognized that the public  
33 interest would be served by their inclusion in the K-20 Educational  
34 Telecommunications Network; and

35       WHEREAS, On July 16, 1997, the Washington Department of Information  
36 Services petitioned the Federal Communications Commission to clarify  
37 universal service program eligibility for schools and libraries that  
38 participate in telecommunications consortia with nonprofit independent  
39 colleges; and

1       WHEREAS, The Commission has not responded to that petition in more  
2 than eighteen months; and

3       WHEREAS, The state continues to delay the inclusion of nonprofit  
4 independent baccalaureate institutions in the K-20 Educational  
5 Telecommunications Network out of concern that doing so may render the  
6 network services provided to schools and libraries ineligible for  
7 universal service discounts; and

8       WHEREAS, Such continued delay is detrimental to the interests of  
9 the state;

10       NOW, THEREFORE, Your Memorialists respectfully pray that the  
11 members of the Committee on Commerce, Science, and Transportation of  
12 the United States Senate; and members of the Subcommittee on  
13 Telecommunications, Trade and Consumer Protection, Committee on  
14 Commerce, United States House of Representatives, urge the Federal  
15 Communications Commission to address promptly the matters raised in the  
16 Department of Information Service's Petition for Reconsideration, and  
17 find that schools and libraries may participate with independent  
18 colleges in consortia to procure telecommunications services at below-  
19 tariffed rates without losing their eligibility for universal service  
20 discounts.

21       BE IT RESOLVED, That copies of this Memorial be immediately  
22 transmitted to the Honorable William J. Clinton, President of the  
23 United States, the members of the Committee on Commerce, Science, and  
24 Transportation of the United States Senate, and members of the  
25 Subcommittee on Telecommunications, Trade and Consumer Protection,  
26 Committee on Commerce, United States House of Representatives, the  
27 President of the United States Senate, the Speaker of the House of  
28 Representatives, each member of Congress from the State of Washington,  
29 and the members of the Federal Communications Commission.

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