



State of Wisconsin Department of Public Instruction

Elizabeth Burmaster, State Superintendent

February 23, 2005

The Honorable Russ Feingold
United States Senate
506 Hart Senate Office Building
Washington, D.C. 20510-4904

Dear Senator Feingold:

I am writing to urge you to co-sponsor S. 241 introduced by Senators Stevens, Inouye, Snowe, and Rockefeller on February 1, 2005. This bill will exempt the Universal Service Fund—including the E-rate program—from the accounting requirements of the Antideficiency Act.

Last year, staff at the Federal Communications Commission concluded that at least some Universal Service programs, including the E-rate, are subject to the Antideficiency Act. This decision unnecessarily threatened to raise phone rates, caused the Universal Service Administrative Company to lose millions in safe government-backed securities and disrupted the E-rate program for nearly 6 months. For example, in Wisconsin and in other states, no E-rate funds were awarded between August 2004 and December 2004. This delay, and the resulting uncertainty in funding, was very much a cause for concern in our schools and public libraries. Congress intervened in December by temporarily exempting the Universal Service Fund from the Antideficiency Act until December 31, 2005. I appreciated your vote in support on this measure. This action again allowed E-rate funds to be awarded to our schools and libraries.

The sponsors of S. 241 seek to make the temporary exemption from the Antideficiency Act permanent. Congress has on numerous other occasions exempted a variety of federal programs from the Antideficiency Act. If this bill is not passed, there is again a very real potential for repeating the disruptions to the E-rate program that occurred last year. Thus, I urge you to support S. 241 and I furthermore hope you will consider co-sponsoring this important legislation.

The E-rate has been a tremendous success in our state. Wisconsin schools and libraries have received an average of \$27.6 million annually in Internet and telecommunication discounts through the program. With the budgets of our schools and libraries stretched to the breaking point, the E-rate has proven extremely valuable in helping our schools and libraries build and support their telecommunications infrastructure and provide Internet access to students and patrons.

Thank you for considering my request. Please feel free to contact me if you need more information.

Sincerely,

Elizabeth Burmaster
State Superintendent