

On the congressional agenda

As the Senate and House prepare to convene the second session of the 105th Congress, there are several key issues of importance pending for academic librarians. Last month we wrote about the important debates proceeding on intellectual property, which should remain a number one legislative priority for library supporters. (See *C&RL News*, January 1998, on cyber-copyright bills, page 30.) This session of the 105th Congress should also see a return to efforts to reauthorize the Higher Education Act, but few new specifics are known at this time about which titles or issues they will address first within HEA. The president's proposed FY99 budget has not yet been released, so there will be much more to report in next month's column. Expect battles over most appropriations issues, especially given the overlay of an election year.

The universal service fund

On the other side of town, the FCC quietly completed work on another issue important to colleges and universities. On December 30, the FCC exempted nonprofit schools, colleges, and libraries from the requirement to contribute to the universal service fund. There had been confusion about whether colleges and universities, in particular, would be required to contribute to the universal service fund to the extent that they provide interstate telecommunications on a non-common carrier basis. While the FCC has "permissive authority" over "other providers of interstate telecommunications," the commission concluded that the public interest would not be served if the FCC were to exercise its authority in this instance.

The FCC cited two reasons for this conclusion. First, many of these entities will be eligible to receive universal service support, and "it would be counterproductive to the goals of universal service" to require recipients to contribute because it would, in ef-

fect, reduce the support they receive.

Second, the FCC said "it would be inconsistent with the educational goals of the universal service support mechanisms to require colleges and universities to contribute to universal service." The commission will treat nonprofit schools, colleges, universities, libraries, and health care providers as telecommunications end users, thus they will not be required to contribute to the universal service fund, even if they derive revenues from the provision of interstate telecommunications to others. This FCC decision was part of an end-of-year order providing a number of clarifications and mid-course corrections on issues raised by petitioners and others who commented on the commission's previous three orders on universal service issues. The FCC's Fourth Order on Reconsideration (FCC 97-420) was issued December 30, 1997. (FCC orders are available electronically from the FCC at www.fcc.gov/ccb/universal_service/.) The ALA had earlier written separately and together with the National Association of State Universities and Land-Grant Colleges (NASULGC) and several other national higher-education organizations in letters to the FCC indicating that colleges and universities, schools and libraries, should not be subject to a requirement to contribute to universal service. ALA will continue to monitor these various issues. More to come as Congress returns from winter recess with many agenda items and a fall election campaign on the horizon. ■

Support the Digital Copyright Act

ACRL encourages you to support Sen. John Ashcroft's (R-Missouri) **Digital Copyright Clarification and Technology Act (S.1146)** and the **Digital Era Copyright Enhancement Act**, jointly introduced by Reps. Rick Boucher (D-Virginia) and Tom Campbell (R-California) (H.R. 3048). Please contact your House and Senate delegations requesting them to co-sponsor the bills. (See page 76 for details.)