



Governor Scott Walker  
115 East Capitol  
State Capitol  
Madison, WI 53702

June 10, 2011

Dear Governor Walker,

Today we write to ask for your leadership in removing sections 23-26 of the University Omnibus legislation.

For the United States to be a leader in the global economy, it is critical that government policy does not stifle innovation. One way to inadvertently undermine state and national economic competitiveness goals is to bar those who have been successful in the past from continuing to innovate while creating bureaucratic rules to limit who is eligible to provide services to the marketplace. And, without question, the University of Wisconsin's initiatives and Wisconsin's not for profit Wiscnet have been resounding successes that have changed the lives of citizens in Wisconsin and throughout the world.

#### **Draft language Bars Innovation and Reduces Market Choice**

The University of Wisconsin has long been recognized as one of the critical contributors responsible for the creation of the Internet. It was the University's faculty leaders who championed the idea of interlinked networks over distance and who prototyped those ideas in real-world settings that evolved into the Internet<sup>1</sup>. Even as telephone providers steadfastly argued that the concept of the Internet would fail, faculty leaders at the University of Wisconsin built the large-scale innovation prototypes that led to the development of the global Internet.

It would be the height of irony if sections 23-26 of the University Omnibus legislation were passed, as those provisions would prohibit the University from being directly involved in proving out further developments of innovations in the Internet that it helped create. This would deny the University the ability to participate in the innovation cycle that created the market for commercial providers (including those who support the 11<sup>th</sup> hour insertion of sections 23-26) to provide their services in the first place. Commercial providers who many years ago argued that the Internet cannot succeed were wrong, and those commercial providers today who support the addition of sections 23-26 are equally wrong when they claim that proven innovation leaders like the University should be barred from participating in innovation, thereby ensuring that they cannot repeat their successes. Such an approach may benefit other countries (because the U.S. will continue to fall behind in comparison), and it may benefit profit-maximizing telecommunications entities that can then charge higher rates for services or for outdated technologies. But such restrictions surely do not benefit the citizens of Wisconsin or this country.

According to the well-known adage, "those who don't learn from history are doomed to repeat it." Here, where history provides a roadmap of what works and who made it work, those who refuse to learn from history are not only missing out on a golden opportunity, they are also jeopardizing the United State's leadership role in the global economy. Any such move that places the U.S. at risk should not be taken lightly, let alone this quickly. There simply is no need to rush to pass legislation to limit our options.

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<sup>1</sup> The University of Wisconsin was responsible for the Computer Science Network (CSNET), a network starting in the late 1970s which provided an early version of Internet services. It played a significant role in spreading awareness of the ARPANET and was a major milestone on the path to the development of the Internet. In 1980, CSNET was funded by the National Science Foundation with \$5m to launch the network for a three-year period. Lawrence Landweber, a computer science faculty member at the University of Wisconsin-Madison prepared the original CSNET proposal to the National Science Foundation. The proposal gained the support of Vinton Cerf and the Defense Advanced Research Projects Agency (DARPA). CSNET was a forerunner of the National Science Foundation Network (NSFNet), which eventually became the backbone of what we now call the Internet.

The citizens of Wisconsin know how the Internet has played a critical role in creating and growing the economy that now shapes our global business environment. The Internet creates opportunities for Wisconsin businesses to compete not just in state or regionally, but globally too. To stay competitive, Wisconsin needs the most innovative network technologies, and it needs innovative network providers like Wiscnet and the University of Wisconsin to continuously push the envelope of possibilities and assure that future innovations are possible in Wisconsin.

**The Proposal would reduce the University to a Third-World Player in the Global Race for Research Leadership.**

The University of Wisconsin is also recognized globally as a major research institution with collaborations in science, technology and business reaching throughout the United States and globally. Big science is increasingly global, with the global high-energy physics collaboration now centered in Geneva and distributed through networks, with astronomers now reliant on networked observatories outside the US and with bioscience reliant on genome databases also networked throughout the world. Over \$1B in annual research funding that flows in to the Wisconsin economy depends on the University's ability to connect globally to the critical and massive information sets available only through research and education networks, like those operated by the University, Wiscnet and Internet2.

Yet, just when other states in the country are scrambling to invest in network infrastructure to help their universities rise to meet the international research and education challenge, this legislation could essentially disconnect Wisconsin from the global research it now leads. The result would be devastating. As the **only** intensive research institution in the United States that would be barred from participating in its own networks, Wiscnet and Internet2, the University, with respect to the ability to participate in global research, would become an immediate equivalent of a third-world University.

With respect to the University of Wisconsin's Research programs, serviced by its own networks and Wiscnet in the state and by Internet2 at the national and global scale, the essential and global collaborative nature of the research work would be effectively ended if sections 23-26 were passed. Such sections are so sweeping and overly broad that they would render the University of Wisconsin the only research-intensive university in the country that was not permitted to participate in 21<sup>st</sup> century science, which relies on 21st century connectivity like that, provided by the University and Wiscnet.

**Harm to Government Users of Services**

Finally, to artificially limit competition for the provision of services to governmental entities, such as schools, libraries, community colleges and local government, will likely result in higher prices and lower quality services to such governmental entities. Forcing governmental entities to pay more for their services (while potentially receiving lower quality), is counterintuitive in this age of tremendous budget issues and emphasis on quality of education. The legislature should be looking for further ways to expand options in the marketplace for schools and libraries – not for ways to restrict such options.

We are hopeful that the last-minute language restricting Wisconsin's flexibility to innovate and compete on the global stage will be rethought by the committee and the legislature. Restricting the University from participating in innovation, restricting the private sector not-for-profit Wiscnet from competing with other private companies for the state's business and ignoring the University's role in creating the very Internet technology that these private companies now wish to profit from will not serve Wisconsin, or the nation, well.

We strongly urge the committee and legislature to reconsider and remove sections 23-26.

Sincerely,



H. David Lambert  
Internet2 President & CEO