

**Resolution on the Inclusion of Telecommunication Service  
in the  
General Agreement on Tariffs and Trade (GATT)**

**WHEREAS**, the United States Trade Representative is currently involved with representatives from other countries in the final stages of the multilateral treaty negotiations known as the General Agreement on Tariffs and Trade (GATT); and, GATT serves as both a code of rules and a forum in which countries can discuss and overcome their trade problems and negotiate to enlarge world trading opportunities; and

**WHEREAS**, it is being proposed that GATT be expanded to include trade in services; and telecommunication services are included in the negotiations on the General Agreement on Trade in Services (GATS); and

**WHEREAS**, NARUC, in its letter of September 13, 1990 to the United States Trade Representative, The Honorable Carla Hills, has taken an official position against the inclusion of basic telecommunication services and facilities in the GATT talks; and

**WHEREAS**, other parties including the FCC, the Secretary of Defense, the International Communications Associations, the Consumer Federation of America, AT&T, U.S.Sprint, MCI International, Comsat, and OPASTCO have sent similar letters opposing the inclusion of basic telecommunication services in the GATT negotiations, and

**WHEREAS**, some proposals being considered in the negotiations on services would be detrimental to the United States' policy of universal service in telecommunications, and national security if applied to basic telecommunication services and facilities, and

**WHEREAS**, the requirements of an approved multilateral treaty resulting from the present GATT negotiations could place restrictions and requirements on State and Federal regulatory commissions in their considerations of telecommunication issues that come before them, and

**WHEREAS**, Most-Favored-Nation Treatment, as included in Part II of the draft of the Multilateral Framework Agreement for Trade in Services (Framework Agreement), requires the parties to accord immediately and unconditionally to services and services providers of any other party, treatment no less favorable than it accords to like services and providers of like services of any other country with respect to the same mode of delivery, and

**WHEREAS**, Market Access, as included in Part III of the draft of the Framework Agreement, requires each party to grant access to its market to services and service providers of other parties in accordance with and no less favorable than the terms and conditions

and limitations agreed and specified in its appropriate schedule,  
and

**WHEREAS**, National Treatment, as included in Part III of the draft of the Framework Agreement, requires, in conformity with other relevant provisions of the Agreement and as set out in its appropriate schedules, each party to grant to services and services providers of other parties, in the application of all laws, regulations, administrative practices, and decisions relating to the provision of services, treatment no less favorable than that accorded to like domestic services and services providers in like circumstances, and

**WHEREAS**, The Framework Agreement applies to all services and the General Obligations required in that agreement would apply to basic telecommunication services as well as enhanced services, and

**WHEREAS**, the U.S. Trade Representative is in the final rounds of the negotiations on the GATT and the Framework Agreement on Services and annexes to be presented at the final GATT meeting on December 7, 1990; now, therefore, be it

**RESOLVED**, That the National Association of Regulatory Commissioners (NARUC) convened in its 102nd Annual Convention in Orlando, Florida, communicate to the U.S. Trade Representative its continued opposition to the inclusion of basic telecommunication services and facilities in the GATT Agreement on Trade in Services and its annexes; and be it further

**RESOLVED**, That NARUC commend the U.S. Trade Representative and her staff for the considerations that have been given to the concerns raised by the State regulators in recent meetings and communications; and be it further

**RESOLVED**, That NARUC specifically opposes the application of the principle of Most-Favored-Nation in the GATT to basic telecommunication services; and be it further

**RESOLVED**, That NARUC specifically opposes any commitments by the U.S. Trade Representative on market access and national treatment for basic telecommunication services and, therefore, opposes the inclusion of any aspect of basic telecommunication services on the United States' schedule to which the provisions apply; and be it further

**RESOLVED**, That basic telecommunication services be specifically and clearly excluded from the General Obligations as detailed in the Framework Agreement on Services (i.e. Transparency, Subsidies, Government Procurement, etc.); and be it further

**RESOLVED**, That the NARUC General Counsel be directed to expeditiously communicate the positions encompassed in this resolution to the U.S. Trade Representative.