



Chairman Bergquist and Members of the Committee:

Thank you, Chairman and members of the committee. I am Tom Cox, Vice President of Government Affairs for Connected Nation.

I presented testimony on Monday, March 10th on HB 2282. SB 194 is a near identical companion bill addressing the same issue. The only changes in SB 194 from HB 2282 are changing its effective date to publication of the register and adding the word “only” in the second paragraph to clarify it only effects covenants that meet all the criteria in that date range.

Connected Nation is a 501c3 founded in 2001 in Kentucky with the purpose of helping close the digital divide. In the last 24 years we have done programmatic work in more than 30 states and multiple US territories. Our work has focused on supporting state broadband offices in grant administration, GIS broadband mapping and data validation, strategic planning for broadband deployment, E-rate program strategies, digital literacy and skills training, and developing and running carrier-neutral Internet Exchange Points.

Senate Bill 194 allows the removal of restrictive land covenants under the following very specific conditions:

- The land must be owned by a Kansas Regents Institution
- The covenant must have been signed between 1948 and 1958
- The covenant must include language that restricts ownership and occupancy based on race and limit the use of the land to single family housing only.

This should only effect one parcel of land that Connected Nation or WSU are aware of. A 1.3-acre parcel in Wichita at the corner of 21st street and Fountain. This parcel was acquired in the 1950's along with the parcel next to it, in which the Phi Delta Theta Fraternity resides. The university was under the opinion that this land fell under the university overlay and requested and received approval from the Kansas Board of Regents to develop the parcel. In August of 2024 the university was made aware of a restrictive covenant pertaining to the 21st and Fountain lot but not to the Phi Delta Theta house parcel.

This restrictive covenant poses two problems for the University and Connected Nation. The first is that Connected Nation and Wichita State University are morally opposed to any racist covenant. The second is it prevents the University from utilizing the land for any projects to benefit the public.

Wichita State University continues to have a national profile and significant \$1.3 Billion economic impact on the state of Kansas. Ranking 1st in the US in aerospace engineering R&D expenditures, 2nd in industry-funded engineering R&D, and 6th in ALL industry-funded R&D expenditures. With 17,700 students WSU set an enrollment record this year while other universities nationally have seen declines. Of those 17,700 students 9,854 participated in applied learning experiences generating \$33.3M in student wages with more than 700 different employers.

Connected Nation entered into an agreement to lease the land from WSU to build the state's first Internet Exchange Point. An Internet Exchange Point (IXP) is physical infrastructure where different networks, including internet service providers (ISPs), content delivery networks (CDNs), cloud

providers, and enterprises, interconnect to exchange traffic directly rather than relying on third-party transit providers. The benefits of having an IXP in your region are:

- **Reduced Latency:** IXPs enable local traffic exchange, reducing the distance data must travel and significantly improving internet performance.
- **Lower Costs:** Direct peering at an IXP reduces reliance on expensive upstream transit providers, lowering operational costs for ISPs and network operators.
- **Increased Reliability & Redundancy:** A well-connected IXP enhances network resilience by providing alternative paths for data traffic in case of network failures.
- **Enhanced Speed & Performance:** With traffic exchanged locally, end-users experience faster load times, better video streaming quality, and improved overall internet performance.
- **Economic & Digital Growth:** IXPs attract businesses, data centers, and cloud providers, fostering regional economic development and expanding broadband access in underserved areas.

IXPs are a crucial component of internet infrastructure, improving network efficiency while fostering a more resilient and interconnected digital ecosystem. Connected Nation received a \$5 million grant from the Department of Commerce under its LINC program to build this critical infrastructure to help support, not just the Wichita region but the entire state of Kansas. WSU in partnership with Connected Nation will utilize this state-of-the-art facility to help train the next generation of information technology and networking students. This will give them a hands-on educational opportunity no other university in the nation can currently offer.

We humbly ask for your support of SB 194 to allow the University to remove itself from this racially biased, crude, and immoral restrictive covenant.

Respectfully,

Tom Cox
Vice President
Connected Nation, Inc

