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Attorney General Brown Urges Supreme Court of the United States to Preserve Crucial Telecommunications Services

BALTIMORE, MD (January 17, 2025) – As the Supreme Court of the United States reviews an important case that could determine the fate of internet and phone service for millions of people living in rural areas in Maryland and across the country, Attorney General Brown has joined a [bipartisan brief](#) urging the court to keep in place a fund that supports those services. The brief was filed in *Federal Communications Commission v. Consumers’ Research*, consolidated with *Schools, Health & Libraries Broadband Coalition v. Consumers’ Research*.

The Universal Service Fund (USF) was established as part of the Telecommunications Act of 1996 to promote the infrastructure necessary to provide nationwide communications services, including for rural communities, schools, and low-income users. The resources distributed by the Federal Communications Commission (FCC) through the USF help companies provide service in those areas and make those services affordable.

“It is difficult to keep in touch with loved ones in the 21st century without using a phone or going on the internet, tools that are also essential for paying bills, reporting to work, and keeping up with school assignments,” **said Attorney General Brown**. “Marylanders in rural communities should not be denied the ability to connect with their family and friends, or perform basic tasks.”

At issue is a 2021 challenge to the USF, which is managed by the Universal Service Administrative Company (USAC), a not-for-profit corporation created by the FCC to help with the administration of the fund. Consumers’ Research, the group that originally brought the challenge, argues that Congress delegated too much power to the FCC when it directed the FCC to use the USF program to provide universal telecommunications service, and that the FCC delegated too much power to USAC in administering the fund. While the Sixth Circuit, Eleventh Circuit, and a panel of the Fifth Circuit all have rejected such claims, the full Fifth Circuit struck the USF down as unconstitutional.

In the brief, Attorney General Brown and 23 officials from other states argue that the FCC has successfully and constitutionally provided the benefits envisioned by Congress thanks to the USF, including here in Maryland. The programs funded by the USF serve Marylanders by

providing subsidized telephone and broadband service to low-income residents, rural areas, and schools and libraries that they may otherwise be unable to access.

In filing the brief, Maryland Attorney General Brown joins officials from Arizona, Colorado, Connecticut, Delaware, the District of Columbia, Hawai'i, Illinois, Maine, the Maine Office of the Public Advocate, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Dakota, Vermont, Wisconsin, and Wyoming.

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