



FOR IMMEDIATE RELEASE

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## **WLF Calls On Sixth Circuit To Reject The FCC's Latest Regulatory Power Grab Over The Internet** *(In the Matter of Securing and Safeguarding the Open Internet)*

**“Congress has largely refused to regulate the Internet, and it is not up to the FCC to write laws Congress will not pass. The FCC’s approach to Internet regulation is especially disturbing given its lack of any accountability to voters.”**

—Cory Andrews, WLF General Counsel & Vice President of Litigation

WASHINGTON, DC—Earlier today, Washington Legal Foundation joined TechFreedom on an amicus brief urging the U.S. Court of Appeals for the Sixth Circuit to vacate the Federal Communication Commission’s (FCC’s) latest effort to impose heavy-handed regulation on the Internet.

The case arose from several legal challenges to the FCC’s order imposing heavy-handed regulation on the Internet. Besides reclassifying broadband service as a Title II telecommunications service subject to common carrier regulation under the Communications Act of 1934, the FCC’s Order imposes new “Open Internet Rules” that severely restrict broadband providers’ ability to control or prioritize traffic over their networks, even if the practice would expand end users’ access to Internet content or serve another legitimate purpose in meeting consumer demand.

As the brief explains, the FCC lacks statutory authority to impose Title II common-carrier status on broadband service providers. Under the major questions doctrine, the people’s representatives in Congress must make all important policy decisions themselves. With this latest power grab, the FCC is seeking to answer a major policy question—but it lacks clear authority to do so. Simply put, Congress has not granted the FCC clear authority to place broadband under Title II.

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