

23-1127 WISCONSIN BELL, INC. V. UNITED STATES, EX REL. HEATH

DECISION BELOW: 92 F.4th 654

LOWER COURT CASE NUMBER: 22-1515

QUESTION PRESENTED:

The Telecommunications Act of 1996 directs the FCC to further the goal of universal access to telecommunications services. In response, the FCC established what's known as the "E-rate" program to provide discounted services to eligible schools and libraries.

The program is administered by a private, non-profit corporation and funded entirely by contributions from private telecommunications carriers. After telecommunications carriers provide services to eligible schools and libraries, either the schools and libraries or the providers can submit reimbursement requests to the private corporation for the amount of the discount. In this way, the E-rate program distributes up to \$4.5 billion each year.

The question presented is:

Whether reimbursement requests submitted to the E-rate program are "claims" under the False Claims Act.

CERT. GRANTED 6/17/2024