



FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

March 23, 2015

The Honorable Gus Bilirakis  
U.S. House of Representatives  
2313 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Bilirakis:

Thank you for contacting me to express your concerns regarding the Commission's inmate calling services (ICS) proceeding. In your letter, you express concerns that ICS providers may be limited in their ability to recover costs to administer service in jails and smaller correctional facilities, and the potential security issues that may result from proposed changes to ICS. Your views are very important and will be included in the record of the proceeding and considered as part of the Commission's review.

On September 26, 2013, the Commission released a *Report and Order and Further Notice of Proposed Rulemaking* on ICS. In the *Report and Order*, the Commission adopted interim reforms of interstate ICS rates, requiring that providers' rates and charges be just, reasonable, and fair. The *Report and Order* also required submission of data from ICS providers on costs and usage, which the Commission received in August 2014. Importantly, the *Report and Order* recognized that security measures are an important part of ICS and made clear that it is appropriate for security costs to be recovered through ICS rates.

The *Report and Order* is already having positive results. Lower interstate rates and increased ICS usage enable more families to connect with inmates. Unfortunately, intrastate rates have increased in many states. Moreover, ICS providers are imposing an increasing array of ancillary charges.

Under the leadership of Commissioner Clyburn, who has been spearheading the Commission's effort on this issue, on October 17, 2014, the Commission adopted a *Second Further Notice of Proposed Rulemaking* ("*Further Notice*") with a goal of comprehensively reforming the ICS system, including both interstate and intrastate rates. The *Further Notice* seeks comment on the data submitted by ICS providers in August of this year, which included cost data for jails and prisons of all sizes. The *Further Notice* also seeks comment on the data and whether rules should account for the differences in costs to serve different types of facilities.

With respect to the concerns you have raised regarding cost recovery, the *Further Notice* also seeks comment on whether correctional institutions incur any costs in the provision of ICS and, if so, how facilities should recover such costs. Finally, the *Further Notice* seeks comment

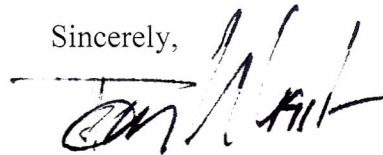
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on providing a multi-year transition period to provide sufficient time for correctional facilities to adjust their budgets.

Please be assured that we will take into consideration the issues and concerns presented by all stakeholders engaged in this proceeding, including representatives of the law enforcement community. The goal of the *Further Notice* is to reform the ICS system comprehensively, without sacrificing security, while ensuring appropriate cost recovery and transition periods for correctional facilities.

I appreciate your interest in this matter. Please let me know if I can be of any further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Tom Wheeler", with a horizontal line drawn through the middle of the signature.

Tom Wheeler