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For Immediate Release

**FCC CHAIRMAN HIGHLIGHTS NEED FOR STATE ACTION TO
LOWER INMATE CALLING RATES FOR IN-STATE CALLS**

***Reasonable Rates Keep Incarcerated People Connected, Helping to Reduce
Recidivism and Benefiting the Children of Incarcerated Parents***

WASHINGTON, September 22, 2020—Federal Communications Commission Chairman Ajit Pai today implored governors around the country to take action to ensure incarcerated individuals can maintain vital community connections by addressing the too-often exorbitant rates and fees charged for inmates to make intrastate phone calls. Chairman Pai and Brandon Presley, President of the National Association of Regulatory Utility Commissioners, [wrote](#) to the leadership of the National Governors Association to highlight this issue and focus the attention of state leaders on their unique power and responsibility to address this problem. The letter includes a [list](#) of every prison and jail in the country that, according to an FCC information collection, charged intrastate rates above the interstate caps last year, with some exceeding \$20 for a 15-minute call.

The FCC is taking aggressive action within its power by addressing interstate and international calling rates, but it does not have jurisdiction over intrastate rates. Unless and until Congress changes the law, only state and local leaders can address the rates and fees charged for in-state calls. In some states, this authority falls to public utility commissioners, and the Chairman has welcomed the support of NARUC in calling for action on that front. However, in most states, the authority to ensure reasonable rates falls on governors, state legislatures, or state and local corrections officials.

“The FCC is doing its part on this vital issue, but we can’t regulate the 80% or so of inmate calls that take place within a single state. That’s why we need action by state leaders,” said Chairman Pai. “We know that keeping inmates and their loved ones connected reduces recidivism and helps children with incarcerated parents. And given that most inmates are incarcerated in the same state where their families live, the rates charged for intrastate calls are critically important. I hope governors, state legislators, and other officials will take action. If they need a model for reasonable rates and fees, I encourage them to look at the FCC’s plan and our team stands ready to help them in any way we can.”

“Excessive rates remain a crucial connectivity issue,” said NARUC President Brandon Presley. “This letter is part of our continuing effort to work collaboratively with federal and state authorities to achieve the best possible outcome.”

Exorbitantly high rates and charges can impede the ability of incarcerated individuals to maintain vital connections by making it prohibitively expensive to stay in touch with their families. Studies have long shown that contact with family and other loved ones during

incarceration reduces recidivism and lessens disruptive and anxious behaviors in children with incarcerated parents.

Under current law, according to a decision by the U.S. Court of Appeals for the D.C. Circuit, the FCC has no authority to address exorbitant in-state calling rates facing inmates and their families. While Congress could change that—and Chairman Pai would welcome such action—the responsibility currently falls on the states to address in-state calling rates and fees. Although in some states that responsibility falls on regulatory utility commissions, in most states the governor, legislators, and correctional officials must lead this work.

For its part, in addition to [calling](#) for state utility commission action where they have authority and today's call for gubernatorial leadership, the FCC is working to comprehensively reform interstate and international rates. In a Notice of Proposed Rulemaking [adopted](#) last month, the Commission proposed lowering current interstate rate caps by up to 44% from existing interstate rate caps in prisons and jails. In addition, the Commission proposed to cap rates for international inmate calling services for the first time. The Commission also ensured that ancillary service charges are limited to just and reasonable levels when made in connection with interstate inmate calling services.

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