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For Immediate Release

FCC SEEKS COMMENT ON ITS EXPANDED AUTHORITY TO ENSURE JUST AND REASONABLE RATES AND CHARGES FOR INCARCERATED PEOPLE'S COMMUNICATIONS SERVICES

Begins Process to Implement Martha Wright-Reed Just and Reasonable Communications Act

WASHINGTON, March 16, 2023—The Federal Communications Commission today approved an item seeking comment on the Commission's expanded authority over incarcerated people's communications services, as set forth in the Martha Wright-Reed Just and Reasonable Communications Act of 2022. The new law gives the FCC authority to combat unjust and unreasonable rates and charges for voice and video calls, including calls within a state's borders, where previously the agency had ratemaking authority only over voice calls between states and foreign locations. The Notice of Proposed Rulemaking and Order adopted today begin the process of implementing the law, which requires the Commission to adopt just and reasonable rates no earlier than 18 months and no later than 24 months after the law's January 5, 2023 enactment.

The Martha Wright-Reed Act was the product of efforts by multiple people over many years, including former FCC Acting Chairwoman Mignon Clyburn, to cut the high costs of communications services that connect incarcerated people with their families and loved ones, clergy, counsel, and other critical support systems. Studies consistently show that incarcerated people who have regular contact with family members are more likely to succeed after release and have lower recidivism rates.

The Notice seeks comments on a number of issues related to implementing the Martha Wright-Reed Act, including:

- How the FCC should interpret the law's language to ensure that the agency's actions fulfill Congress's intent.
- What rules would be necessary to implement the law's directive that the Commission set "just and reasonable" rates and charges for incarcerated people's communications services.
- What is the appropriate rate-making approach for both audio and video services.
- Whether a broad interpretation of the Martha Wright-Reed Act advances the goal of section 716 of the Communications Act to ensure that services and equipment used for advanced communications services are accessible to and usable by incarcerated individuals with communications disabilities.

The Order adopted today reaffirms the Commission's prior delegation of data collection authority to the Wireline Competition Bureau and the Office of Economics and Analytics, and directs staff to collect additional provider data to implement the requirements of the Martha Wright-Reed Act.

Action by the Commission March 16, 2023 by Notice of Proposed Rulemaking and Order (FCC 23-19). Chairwoman Rosenworcel, Commissioners Carr, Starks, and Simington approving. Chairwoman Rosenworcel, Commissioners Carr and Starks issuing separate statements.

WC Docket Nos. 23-62, 12-375

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This is an unofficial announcement of Commission action. Release of the full text of a Commission order constitutes official action. See MCI v. FCC, 515 F.2d 385 (D.C. Cir. 1974).