

**STATEMENT OF
COMMISSIONER AJIT PAI**

Re: *Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375

Today we launch a proceeding to consider new rules for interstate inmate calling services pursuant to our duty under the Communications Act to ensure that rates for interstate telecommunications services are just and reasonable.¹ We do so in response to calls to action from hundreds of inmates and their families, Members of Congress,² the National Association of Regulatory Utility Commissioners,³ numerous civil rights organizations, the FCC's own Consumer Advisory Committee,⁴ and my colleague, Commissioner Mignon Clyburn.⁵

But it should not take a letter from Congress, it should not take manifold resolutions, it should not take hundreds of individual signatures to get the FCC to act on a *nine-year-old* petition for rulemaking. Martha Wright came to the Commission nine years ago, seeking redress for the high rates she paid to speak with her then-incarcerated grandson. When she did so, she could not have expected to wait longer for action on her petition than it took the prison system to release her grandson. Ms. Wright expected—and deserved—better. And although our response is late, I am nonetheless pleased to support today's action.

As a general matter, I believe that prices should be set by the free market rather than by government fiat. At the same time, however, we must recognize that choice and competition are not hallmarks of life behind bars. Inmates cannot choose among multiple carriers for lower rates. Instead, prison administrators select the service provider, and their incentives do not necessarily align with those who are incarcerated. Accordingly, I am open to exploring whether there is action we can and should take, consistent with our legal authority, to address the issues identified in Martha Wright's petition for rulemaking.

¹ 47 U.S.C. § 201(b).

² Letter from Representatives Henry A. Waxman and Bobby L. Rush to Julius Genachowski, Chairman, FCC (Sept. 12, 2012), available at <http://go.usa.gov/gAU9>.

³ NARUC, *TC-1 Resolution Urging the FCC to take Action to Ensure Fair and Reasonable Telephone Rates from Correctional and Detention Facilities* (adopted Nov. 14, 2012), available at <http://bit.ly/VWVFVB>.

⁴ FCC Consumer Advisory Committee, *Recommendation Regarding Affordable Phone Access for Incarcerated Individuals and Families* (adopted Sept. 21, 2012).

⁵ Statement of FCC Commissioner Mignon L. Clyburn on Meeting Petitioners Martha Wright and Ulandis Forte and Screening the Award-Winning Film *Middle Of Nowhere* (Sept. 24, 2012), available at <http://go.usa.gov/gARH>.