

PRISON POLICY INITIATIVE

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August 30, 2019

Marlene Dortch, Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: WC Docket 19-232

Dear Ms. Dortch,

The Prison Policy Initiative writes in support of the petition of Network Communications International Corporation (“NCIC”) seeking to exempt all Inmate Calling Service (“ICS”) carriers from Universal Service Fund (“USF”) contribution obligations. Because USF contributions are passed on to end-users, the proposed exemption would instantly reduce the cost of calls home from prisons and jails by approximately 25%.

The Prison Policy Initiative is a non-profit non-partisan research organization that advocates for criminal justice reform. Since 2012, we have urged the FCC, primarily through dockets 96-128 and 12-375, to address the market dysfunction that has led to unconscionable charges of up to \$1/minute for simple telephone communication, and to cap ancillary fees. The FCC’s efforts in this regard have yielded some successes and some setbacks; for a variety of reasons the FCC has been relatively silent on these issues of late.

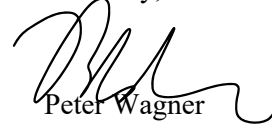
This petition addresses a simple but significant issue: an approximately 25% federal fee that the FCC has the power to waive for this class of companies. By granting NCIC’s petition and eliminating the obligation of carriers to contribute to the USF, carriers will no longer be permitted to pass the fee through to customers.

As a policy matter, the USF is an important program that raises revenue from telecommunications carriers generally to support services for low-income people specifically. This petition highlights an important need for an exception: the users of prison and jail telephone services are disproportionately low-income¹, so the objectives of the USF would be better achieved by *not* charging the end-users of Inmate Calling Services.

¹ As the FCC knows from previous orders citing our research, we found that incarcerated people are disproportionately low income in our reports *Detaining the Poor* (about jails) and *Prisons of Poverty* (about prisons) available at <https://www.prisonpolicy.org/reports.html#income/poverty>.

Exempting ICS carriers from contributing to the USF would be a tremendous savings to the low-income users of these services but would not materially affect the operation of the Fund, so the Prison Policy Initiative urges the FCC to grant this petition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Peter Wagner', with a stylized flourish extending to the right.

Peter Wagner
Executive Director