

117<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# S. 1541

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## AN ACT

To amend the Communications Act of 1934 to require the Federal Communications Commission to ensure just and reasonable charges for telephone and advanced communications services in correctional and detention facilities.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Martha Wright-Reed  
3 Just and Reasonable Communications Act of 2022”.

4 **SEC. 2. TECHNICAL AMENDMENTS.**

5 (a) **IN GENERAL.**—Section 276 of the Communica-  
6 tions Act of 1934 (47 U.S.C. 276) is amended—

7 (1) in subsection (b)(1)(A)—

8 (A) by striking “per call”;

9 (B) by inserting “, and all rates and  
10 charges are just and reasonable,” after “fairly  
11 compensated”;

12 (C) by striking “each and every”;

13 (D) by striking “call using” and inserting  
14 “communications using”; and

15 (E) by inserting “or other calling device”  
16 after “payphone”; and

17 (2) in subsection (d), by inserting “and ad-  
18 vanced communications services described in sub-  
19 paragraphs (A), (B), (D), and (E) of section 3(1)”  
20 after “inmate telephone service”.

21 (b) **DEFINITION OF ADVANCED COMMUNICATIONS**  
22 **SERVICES.**—Section 3(1) of the Communications Act of  
23 1934 (47 U.S.C. 153(1)) is amended—

24 (1) in subparagraph (C), by striking “and” at  
25 the end;

1           (2) in subparagraph (D), by striking the period  
2           at the end and inserting “; and”; and

3           (3) by adding at the end the following:

4                   “(E) any audio or video communications  
5           service used by inmates for the purpose of com-  
6           municating with individuals outside the correc-  
7           tional institution where the inmate is held, re-  
8           gardless of technology used.”.

9           (c) APPLICATION OF THE ACT.—Section 2(b) of the  
10          Communications Act of 1934 (47 U.S.C. 152(b)) is  
11          amended by inserting “section 276,” after “sections 223  
12          through 227, inclusive,”.

13          **SEC. 3. IMPLEMENTATION.**

14           (a) RULEMAKING.—Not earlier than 18 months and  
15          not later than 24 months after the date of enactment of  
16          this Act, the Federal Communications Commission shall  
17          promulgate any regulations necessary to implement this  
18          Act and the amendments made by this Act.

19           (b) USE OF DATA.—In implementing this Act and  
20          the amendments made by this Act, including by promul-  
21          gating regulations under subsection (a) and determining  
22          just and reasonable rates, the Federal Communications  
23          Commission—

24                   (1) may use industry-wide average costs of tele-  
25          phone service and advanced communications services

1 and the average costs of service of a communications  
2 service provider; and

3 (2) shall consider costs associated with any  
4 safety and security measures necessary to provide a  
5 service described in paragraph (1) and differences in  
6 the costs described in paragraph (1) by small, me-  
7 dium, or large facilities or other characteristics.

8 **SEC. 4. EFFECT ON OTHER LAWS.**

9 Nothing in this Act shall be construed to modify or  
10 affect any Federal, State, or local law to require telephone  
11 service or advanced communications services at a State or  
12 local prison, jail, or detention facility or prohibit the imple-  
13 mentation of any safety and security measures related to  
14 such services at such facilities.

Passed the Senate December 21, 2022.

Attest:

*Secretary.*



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