

## MEMORANDUM

**To: NOW Foundation Board Members**

**From: Bonnie Grabenhofer, Vice President, and Jan Erickson, Director of Programs\***

**Date: June 29, 2017**

### **Federal Communications Commission (FCC) Issues**

#### **Predatory Inmate Calling Service Rates**

Four years ago, NOW signed onto a bipartisan joint letter to the FCC urging them to reform Inmate Calling Service (ICS) rates to combat the prison phone industry instituting prohibitively high prices for calls between incarcerated people and their loved ones. In June, a federal appeals court voted 2-1 that the FCC had acted unconstitutionally by trying to cap ICS rates for intrastate calls. These phone calls can cost families upwards of thousands of dollars a year, leading many people to have to choose between putting food on their table or calling someone in prison. Studies have consistently concluded that incarcerated people who maintain contact with their loved ones have lower recidivism rates and better post-incarceration outcomes. The prison phone industry, booming at \$1.2 billion a year, is prioritizing its own profits over incarcerated people's prospects of becoming productive members of society.

#### **Maintaining Diversity in Broadcasting**

Since its inception, the FCC has claimed to support diversity in broadcasting. Its policies dictate four pillars in this respect: diversity of viewpoints, diversity of programming, outlet diversity, and minority and female ownership of broadcast media outlets. The FCC's media ownership rules seek to promote not only diversity but also localism and competition by directly limiting the amount of media outlets that can be owned by one monopolizing entity. The Telecommunications Act of 1996 requires the FCC to review its rules on media ownership every four years and "repeal or modify those it no longer deems to be in the public interest."

Unfortunately, these quadrennial regulatory reviews have been consistently used to try and relax the FCC's ownership rules to make it easier for media conglomerates to monopolize entire regions. The most recent review was no different. NOW has joined with the Institute for Public Representation, housed within the Georgetown University Law Center, to oppose the FCC's latest attempt to relax ownership rules.

#### **Preserving Net Neutrality**

"Net neutrality" is the principle that forms the basis of a free and open internet. Ensuring net neutrality means that internet providers cannot treat data differently from one another; they cannot charge one type of content more than another or penalize some content by making it harder for users to access than others. Violations of net neutrality from the past include

\*This memorandum was prepared by NOW Foundation Public Policy Intern Leah Starbuck.

Comcast slowing uploads from file sharing applications and the Madison River Communications company blocking access to content by its rival company, Vonage.

Donald Trump's appointment to chair the FCC, Ajit Pai, is trying to roll back Obama-era regulations that sought to protect net neutrality. Pai, while claiming he supports net neutrality, believes the regulations in question were "preemptive" in a way that stifles the internet's innovation and growth and that the government should instead focus on correcting "actual anti-competitive behavior." Net neutrality is a longstanding U.S. policy and should continue to be protected, particularly as the internet becomes more crucial for employment, education, and political organizing. NOW stands with others to oppose Chairman Pai's attempt to dismantle the tradition of a free and open internet.