

Public Law 117–338
117th Congress

An Act

Jan. 5, 2023
[S. 1541]

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.

Martha Wright-Reed Just and Reasonable Communications Act of 2022.
47 USC 609 note.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

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

SEC. 2. TECHNICAL AMENDMENTS.

(a) **IN GENERAL.**—Section 276 of the Communications Act of 1934 (47 U.S.C. 276) is amended—

(1) in subsection (b)(1)(A)—

(A) by striking “per call”;

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

(C) by striking “each and every”;

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

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

(2) in subsection (d), by inserting “and advanced communications services described in subparagraphs (A), (B), (D), and (E) of section 3(1)” after “inmate telephone service”.

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

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

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

(3) by adding at the end the following:

“(E) any audio or video communications service used by inmates for the purpose of communicating with individuals outside the correctional institution where the inmate is held, regardless of technology used.”.

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

47 USC 152 note.
Deadlines.

SEC. 3. IMPLEMENTATION.

(a) **RULEMAKING.**—Not earlier than 18 months and not later than 24 months after the date of enactment of this Act, the Federal

Communications Commission shall promulgate any regulations necessary to implement this Act and the amendments made by this Act.

(b) **USE OF DATA.**—In implementing this Act and the amendments made by this Act, including by promulgating regulations under subsection (a) and determining just and reasonable rates, the Federal Communications Commission—

(1) may use industry-wide average costs of telephone service and advanced communications services and the average costs of service of a communications service provider; and

(2) shall consider costs associated with any safety and security measures necessary to provide a service described in paragraph (1) and differences in the costs described in paragraph (1) by small, medium, or large facilities or other characteristics.

SEC. 4. EFFECT ON OTHER LAWS.

47 USC 152 note.

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

Approved January 5, 2023.

LEGISLATIVE HISTORY—S. 1541:

CONGRESSIONAL RECORD, Vol. 168 (2022):

Dec. 21, considered and passed Senate.

Dec. 22, considered and passed House.

