

2000B

May 31, 2013

This is a public comment for Wright Petition  
(CC Docket # 96-128)

Received & Inspected

JUN - 5 2013

Dear Chairwoman Clyburn,

FCC Mail Room

I wish to thank you and encourage you and your administration to regulate and review the many monopolistic phone contracts that amount to nothing more than "vigorous on loan shark" type phone rates. It is a hypocrisy that must end in this age of the new millennium. It is reprehensible that various states can collude with private companies for ~~what~~ amounts to nothing more than kickbacks. If any legislator should scoff at the end of such practices, in no uncertain terms let them know that they are lucky not to be held accountable for class action refunds for the damages already incurred by corrupt practices, and that the ethos of this nation shall no longer tolerate such conduct as prima facie.

Lest not our elected officials forget, that while my personal vote may be impeded, that the votes of my family and friends are not restricted.

I implore you to bring probity and uniformity to this industry.

Sincerely yours,

David Kraybill

David Kraybill  
#R51497 P.O. Box 1000, Menard, IL 62259

## New York state politics

## Riotous assembly

*Read the other side*

ALBANY

## Scandals scar the state capital

**C**ALLED "Gropes" by a tabloid, Vito Lopez, a Brooklyn assemblyman, groped or harassed at least eight young female staffers, according to a new report by New York state's Joint Commission on Public Ethics (JCOPE). It paints an unflattering picture of the former head of the Brooklyn Democratic Party. Speaking about a 14-year-old intern, Mr Lopez allegedly lamented the existence of statutory rape laws. He also asked underlings for messages and urged them to share hotel rooms with him, says the report. Mr Lopez denies the allegations, but resigned on May 20th.

Now that he has gone, some are calling for the head of Sheldon Silver, the Assembly Speaker, who is accused of failing to take allegations against Mr Lopez seriously over the years. The report found no legal or ethical violations by Mr Silver, but he and his staff orchestrated secret settlements with some of Mr Lopez's alleged victims. The Assembly voted to censure Mr Lopez last summer and to remove him from his leadership posts, but allowed him to run unopposed in the Democratic primary last autumn. That meant he hung on to his seat easily. Rather a reprobate than a Republican, voters in his district reckon.

Republicans, women's groups and local newspapers are demanding Mr Silver's resignation. Uncharacteristically contrite, he admits that he mishandled the scandal and has promised reforms to make it easier for complaints of sexual harassment against lawmakers to get a fair hearing.

If that happens, it barely begins to deal with the rot in Albany. Between 1976 and 2010, 2,522 elected New York state officials were convicted of corruption. One in 11 state lawmakers who left office between 1999 and 2010 did so because of misconduct or criminal charges, says Citizens Union, a watchdog.

During his 2010 election campaign Andrew Cuomo, New York's governor, vowed to "Clean up Albany". He created JCOPE, the ethics body that investigated Mr Lopez. The feds have taken an interest, too: Preet Bharara, the federal prosecutor for New York's southern district, has doggedly pursued pols he suspects of dodginess. Last month his office charged six with corruption. He quipped that the "best way to find Albany on a map is to look for the intersection of greed and ambition".

Breaking or bending rules is the norm in New York state politics. One rule says the budget must be passed by midnight on

the last day of the financial year. When that proved hard in 2011, lawmakers stopped the clock in the Assembly and kept working. The New York Public Interest Research Group, another watchdog, found more than 100,000 campaign-finance violations over two years. The Board of Elections lacks the staff to enforce regulations or investigate problems.

Is it any wonder locals are cynical? "Albany is very good at making very minor changes and calling it reform," sighs Lawrence Norden, of the Brennan Centre for Justice. As for Mr Lopez, he says he will run for New York City Council. ■

## Los Angeles's mayoral election

## Who?

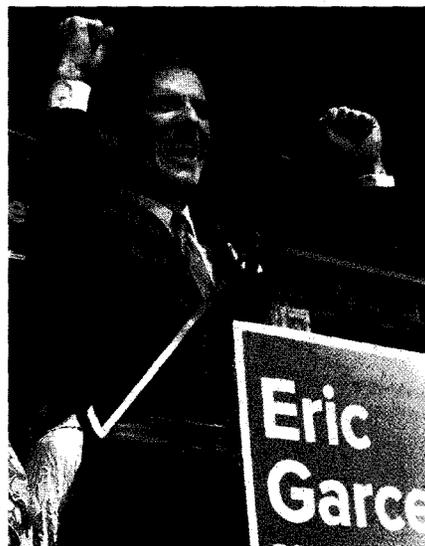
*Other side*

LOS ANGELES

## America's second city meets its new mayor

**L**OS ANGELES has a new mayor-elect. The question is whether anyone noticed. In a run-off on May 21st Eric Garcetti (pictured), a longtime city councilman, defeated his opponent, Wendy Greuel, by 54%-46%. The election followed an interminable campaign waged by two Democratic City Hall insiders, neither of whom strained to fight the widespread perception that there was little to choose between them. Angelenos grew bored long before election day. Provisional figures suggest that just 19% of them bothered to vote; patty even for a city that has never had much time for its elected officials.

Mr Garcetti was helped to victory after merrily encouraging voters to believe that the backing his opponent had secured from the city's still-powerful public unions



Now do something about the congestion

meant that she would serve as their lackey in office. By contrast he touted the "tough decisions" on pay and pensions he had made as council president, an office he occupied between 2006 and 2012. Many more lie ahead.

Top of the list will be discussions over a 5.5% rise in city-worker salaries planned for January 2014, part of a 25% rise the council foolishly agreed to in 2007 (in campaign mode both Mr Garcetti and Ms Greuel said this was a mistake). New contracts for city workers must be negotiated for later that year. In the longer term, Los Angeles, like many cities, will struggle to fund the pension and health-care liabilities it has incurred. The city's budget deficit has shrunk in recent years but Mr Garcetti has no clear proposals to eliminate it. Unions will fight any attempt to eat into salaries and benefits.

The 42-year-old Mr Garcetti will be Los Angeles's youngest mayor since Arthur Harper in 1906. His baroque heritage (Mexican-Italian-Jewish-American) makes him a good fit for a mongrel city, even if his privileged upbringing sets him apart from most residents. There are hints of a personality lurking behind his smooth exterior. He has studied, worked and taught on several continents. He plays jazz piano and claims to have composed musicals.

Despite this, he presented himself as the hipster candidate, throwing fund-raisers in clubs and securing endorsements from DJs. His council district, which includes Hollywood, has done well lately, enjoying drops in crime and a revived nightlife (at the expense of priced-out Latinos, say critics). One hallmark of the Garcetti mayoralty, says Raphael Sonenshein, a political scientist at the Pat Brown Institute of Public Affairs, may be a "smart-growth" approach, stressing public transport and building homes near workplaces to ease congestion.

School reform was not a big theme of this year's mayoral campaign. Los Angeles's struggling schools do not fall under the direct control of the mayor. Mr Garcetti's predecessor, the energetic and occasionally effective Antonio Villaraigosa, who leaves office on July 1st, tried but largely failed to remedy this. The battle between "reformists" and pro-union "traditionalists" on the school board is hotter than ever, and Mr Garcetti may not be able to remain above the fray.

To get much of anything done, adds Mr Sonenshein, the new mayor will first have to forge a relationship with an increasingly assertive city council. The mayor of Los Angeles is far weaker, relative to his council, than the mayors of Chicago or New York. But voters still expect results from the individual they elected to run the city. Mr Garcetti earned a reputation as a conciliator during his years on the council; he must now work out how to lead. ■

Crime and punishment

Cell phones

ATLANTA

Why does it cost so much for prisoners to keep in touch with their families?

MOST of the roughly 2.2m incarcerated Americans will eventually be freed. Those who remain in contact with loved ones on the outside are less likely, studies show, to return to a life of crime after serving their time. Much as voters hate criminals, they also have an interest in not being mugged. So why do prisons make it so hard for inmates to phone their families?

Prisoners' families tend to be poor. Talking to a brother, son or father behind bars can incur an upfront fee as high as \$4.99; per-minute charges may reach \$0.89. Americans at liberty, even if they don't have Skype, can easily get unlimited domestic calls for \$9.99 a month. That would buy one six-minute call from a state prison in Georgia to a neighbouring state.

Outside prison, phone companies compete fiercely for customers. Inside, they don't have to. Each state typically grants a single company a monopoly over tele-



Hurry up, mum; this call has already cost me my shirt

phones in any given prison. The result is high prices and a booming trade among inmates in contraband mobile phones.

To be fair, phones in prisons require special security features, such as the ability to record, monitor and block calls. Global Tel\*Link, one of America's biggest providers of phone services in prisons, insists that these "sophisticated security ele-

ments [often require] numerous on-site personnel, instruction and training", which make them far costlier to install and maintain than traditional telephones.

But some see a darker reason for the high costs. In all but a few states the phone-service providers return a large share (sometimes more than half) of revenue collected from each phone to the facility in "commissions". These commissions provide a ready source of discretionary money for cash-strapped prison systems to cope with a rising inmate population. But they do so by taking money from those whom Foster Campbell, one of Louisiana's five public-service commissioners, calls "the least of these...poor people in bad situations [with] no voice...and no political clout." No politician wants to be seen as soft on criminals, but exorbitant charges also hurt the 2.7m children who have a parent behind bars. Many of those parents are imprisoned in different states, far from home.

Mr Campbell thinks service providers are simply greedy. But Eleanor Holmes Norton, a congresswoman from Washington, DC, and the chair of the Congressional Black Caucus's Prison Telecom Reform Working Group, blames loose regulation, which has allowed companies to "extort excessive telephone rates from the people in society least able to pay them".

That may soon change. More than a decade after a federal court ruled that the Federal Communications Commission (FCC) may regulate prison phone calls, including "the reasonableness of rates", the agency has taken notice. Late last year it released a "notice of proposed rule-making". It is now reviewing public comments. Mignon Clyburn, who became the FCC's acting chairwoman on May 20th, believes that charges should be "just and reasonable". A small reform, perhaps, but lower rates might help prisoners go straight. ■

Intellectual property

Fighting China's hackers

WASHINGTON, DC

Is it time to retaliate against cyber-thieves?

IT SOUNDS like an airport thriller: a near-future in which American firms press private cyber-warfare against Chinese rivals. But precisely that scenario is being considered by former senior American officials, who report that intellectual property (IP) is being stolen on an unprecedented scale, and that passive defences no longer work.

Annual losses from the theft of American IP are probably on a similar scale to America's total exports to Asia, at around \$300 billion a year, concludes a report by a Commission on the Theft of American Intellectual Property, a private initiative led by Dennis Blair, Barack Obama's first director of national intelligence, and Jon Huntsman, a former ambassador to China and unsuccessful contender for the 2012 Republican presidential nomination. "Extraordinary" numbers of commercial and government entities are bent on stealing American IP. Between half and 80% of them are Chinese, depending on the sector, commissioners say. They also point accusing fingers at India (see page 61), Russia and Venezuela.

To date victims have been loath to

retaliate. Companies do not want to be seen as "weak" and fear being singled out for punishment as they seek access to Chinese markets, says Mr Huntsman. Companies under attack also face legal constraints that defy common sense, says Admiral Blair. Victims face prosecution if they accidentally damage hackers' American-hosted computers when trying to recover stolen files, let alone if they deliberately tell files to self-destruct.

Changing the law to permit aggressive counter-measures would be controversial, though some in Congress would doubtless be keen. Before that, commissioners will push to speed up and expand the process by which trade officials watch for counterfeit goods entering America, so that goods thought to contain stolen IP can be swiftly impounded. Other recommendations include denying repeat offenders access to America's banking system, or blocking IP abusers from making big American investments.

Risky stuff. But firms are losing patience, says Mr Huntsman. Lots for Mr Obama to discuss with China's president Xi Jinping when they meet in June.

is when people need their family the most.