

RICHARD L. HANNA
22ND DISTRICT, NEW YORK

COMMITTEE ON
TRANSPORTATION & INFRASTRUCTURE
RAILROADS, PIPELINES, AND
HAZARDOUS MATERIALS SUBCOMMITTEE
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SMALL BUSINESS
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CHAIRMAN

JOINT ECONOMIC COMMITTEE

Congress of the United States
House of Representatives
Washington, DC 20515-3222

ACCEPTED/FILED

MAR 28 2014

Federal Communications Commission
Office of the Secretary

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<http://hanna.house.gov>

December 3, 2013

1186

Mr. Greg Guice
Director
Office of Legislative Affairs
Federal Communications Commission
445 Twelfth Street, SW, Room 8-C445
Washington, DC 20554-0004

Dear Mr. Guice,

Enclosed please find correspondence from Herkimer County, New York Sheriff Christopher Farber regarding the interstate inmate calling service (ICS).

I respectfully request your review of Sheriff Farber's concerns and greatly appreciate any advice, guidance or information you can provide that may be of assistance to him and the Herkimer County Sheriff's Office. Please do not hesitate to contact my Utica Office at 258 Genesee Street, Utica, NY 13502; phone (315) 724-9740; fax (315) 724-9746 if you have any questions or need additional information.

Thank you, in advance, for your time and consideration of this important matter. I look forward to hearing from you.

Warm Regards,



RICHARD HANNA
U.S. Representative

RH/mf

Herkimer County Sheriffs Office
320 N. Main St.
Herkimer NY. 13350

DEC 02 2013

December 2, 2013

The Honorable Richard Hanna
319 Cannon HOB
Washington, DC 20515

Dear Congressman Hanna

I am writing to inform you about an *Order* issued by the Federal Communications Commission (FCC) that will adversely impact my office and the performance of my duties as Sheriff of Herkimer County, and to seek your help in correcting this situation. Specifically, in the FCC's *Report and Order and Further Notice of Proposed Rulemaking on Rates for Interstate Inmate Calling Services (ICS)* (WC Docket No. 12-375), issued on September 26, 2013, the FCC has reduced the rate that can be charged for interstate inmate calling services in both prisons and jails by establishing arbitrary rules that fail to take into account the unique challenges inherent in providing telephone privileges to inmates.

The FCC *Order* establishes interstate inmate calling service (ICS) rate caps that fail to take into account the costs incurred by jails in providing inmate calling services. Inmate telephone systems are built to reflect the unique needs of each correctional facility and provide a variety of important security components. These security components come at a cost to the facility. Moreover, the small size of most jails, coupled with high turnover rates, means that jails must charge more per minute than larger facilities in order to recover the costs of providing ICS. The *Order* disregards these realities! It imposes unrealistically low rate caps that limit the ability of ICS providers to recover costs of administering services in smaller, higher cost facilities. As a result of the FCC's "one-size-fits-all" approach to ICS, many jails may be forced to severely limit or altogether eliminate inmate telephone privileges. Inmates use these phone privileges to contact family members and friends which makes their stay in our jails more palatable. This also improves their behavior and assists our Correction Officers in their supervision of the inmates.

The National Sheriffs' Association will soon be submitting a filing at the FCC to try to protect the ability of Sheriffs to continue to provide inmate calling services and to recover the costs of doing so. I will be contacting you again soon to get your support for this effort.

Sincerely,



Christopher F. Farber, Herkimer County Sheriff

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To: MR. GREG GUICE
FEDERAL COMMUNICATIONS COMMISSION

Number of Pages (Excluding the cover sheet): 2

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Linda Lambe Ellen Cole

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258 Genesee Street, First Floor
Utica, New York
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Comments:

RE: MERKEMER COUNTY SHERIFF CHRIS FARBER
INTERSTATE INMATE CALLING SERVICE