

United States Senate

WASHINGTON, DC 20510

October 28, 2025

Brendan Carr
Chairman
Federal Communications Commission
45 L Street NE
Washington, DC 20554

Dear Chairman Carr:

We write in strong opposition to your effort to effectively gut the Federal Communications Commission's (FCC) 2024 final rule implementing the bipartisan Martha Wright-Reed Just and Reasonable Communications Act of 2022 (Public Law 117-338), which the United States Senate passed by unanimous consent and the U.S. House of Representatives passed by voice vote.

As a Commissioner, you voted for the FCC's 2024 final rule that was adopted on a bipartisan basis, 5-0. Consistent with Congressional intent, the 2024 final rule cut prison phone rates by more than half and banned junk fees charged by providers. As you said at the time, you "support[ed] the decision in this proceeding to address the worst abuses and ensure that [incarcerated people's communications services] rates are just and reasonable."

As Chairman, you initially directed your General Counsel to defend the 2024 final rule against challenges brought by prison phone providers seeking to preserve their lucrative monopolies. Your General Counsel expertly implemented your initial directive, filing a strong and compelling brief that effectively defended the FCC's 2024 final rule against baseless challenges. Ironically, at the behest of corporate special interests, you are now seeking to trash the FCC's excellent legal defense, which was produced at your request, to defend a final rule that you voted to adopt.

Specifically, at the end of June 2025, without notice to affected parties, you directed Commission staff to delay the 2024 final rule for two years, snatching away relief for the incarcerated people and their families from predatory rates just as they were starting to go into effect. This decision was unlawful.

The Martha Wright-Reed Just and Reasonable Communications Act contained a clear statutory requirement under section 3 ("Implementation"): "Not earlier than 18 months and not later than 24 months after the date of enactment of this Act [January 5, 2023], the Federal Communications Commission **shall** promulgate any regulations necessary to implement this Act and the amendments made by this Act." Your waiver order violated the law by ignoring this requirement to enact rules implementing the law by January 5, 2025.

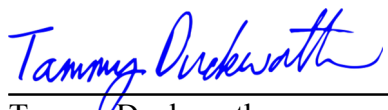
You have now circulated a draft order to the Commission that would increase the rates paid by incarcerated people and their families by up to 83 percent compared to the 2024 final rule. Your claim that the 2024 final rule created "unintended consequences" lacks any support in the record or fact. Worse, by repealing the rule and delaying enforcement, your arbitrary and capricious

action will inflict irreparable harm on millions of Americans who simply seek to remain in contact with incarcerated loved ones—critical connections that benefit us all by helping to reduce recidivism in a country where approximately 95 percent of all Americans sentenced to Federal and State prison will eventually reenter society.

We demand that you follow the law by withdrawing the proposed order and the June 2025 delay order and restoring the 2024 final rule. Anything else would violate Congressional intent, delay relief from usurious prison phone charges, and represent a troubling continuation of your pattern and practice of failing to respect separation of powers principles.

We do not require, nor desire, a response to our letter. We simply want you to enforce the law.

Sincerely,



Tammy Duckworth
United States Senator



Charles E. Schumer
United States Senator



Maria Cantwell
United States Senator



Richard Blumenthal
United States Senator



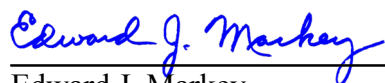
Cory A. Booker
United States Senator



Christopher A. Coons
United States Senator



Amy Klobuchar
United States Senator



Edward J. Markey
United States Senator



Bernard Sanders
United States Senator



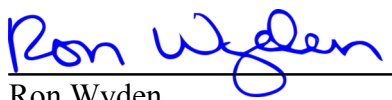
Chris Van Hollen
United States Senator



Raphael Warnock
United States Senator



Elizabeth Warren
United States Senator



Ron Wyden
United States Senator