To direct the Department of Homeland Security to undertake a study on emergency communications.

IN THE SENATE OF THE UNITED STATES

JANUARY 26, 2011

Mr. LIEBERMAN (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

A BILL

To direct the Department of Homeland Security to undertake a study on emergency communications.

1 Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the “Amateur Radio Emer-
5 gency Communications Enhancement Act of 2011”.

6 SEC. 2. FINDINGS.

7 Congress finds the following:

8 (1) Nearly 700,000 amateur radio operators in
9 the United States are licensed by the Federal Com-
munications Commission in the Amateur Radio Service.

(2) Amateur Radio Service operators provide, on a volunteer basis, a valuable public service to their communities, their States, and to the Nation, especially in the area of national and international disaster communications.

(3) Emergency and disaster relief communications services by volunteer Amateur Radio Service operators have consistently and reliably been provided before, during, and after floods, hurricanes, tornadoes, forest fires, earthquakes, blizzards, train accidents, chemical spills and other disasters. These communications services include services in connection with significant incidents, such as—

(A) hurricanes Katrina, Rita, Hugo, and Andrew;

(B) the relief effort at the World Trade Center and the Pentagon following the 2001 terrorist attacks; and

(C) the Oklahoma City bombing in April 1995.

(4) Amateur Radio Service has formal agreements for the provision of volunteer emergency communications activities with the Department of
Homeland Security, the Federal Emergency Management Agency, the National Weather Service, the National Communications System, and the Association of Public Safety Communications Officials, as well as with disaster relief organizations, including the American National Red Cross and the Salvation Army.

(5) Section 1 of the joint resolution entitled “Joint Resolution to recognize the achievements of radio amateurs, and to establish support for such amateurs as national policy”, approved October 22, 1994 (Public Law 103–408), included a finding that stated: “Reasonable accommodation should be made for the effective operation of amateur radio from residences, private vehicles and public areas, and the regulation at all levels of government should facilitate and encourage amateur radio operations as a public benefit.”.

(6) Section 1805(c) of the Homeland Security Act of 2002 (6 U.S.C. 757(c)) directs the Regional Emergency Communications Coordinating Working Group of the Department of Homeland Security to coordinate their activities with ham and amateur radio operators among the 11 other categories of
emergency organizations such as ambulance services, law enforcement, and others.

(7) Amateur Radio Service, at no cost to taxpayers, provides a fertile ground for technical self-training in modern telecommunications, electronic technology, and emergency communications techniques and protocols.

(8) There is a strong Federal interest in the effective performance of Amateur Radio Service stations, and that performance must be given—

(A) support at all levels of government; and

(B) protection against unreasonable regulation and impediments to the provision of the valuable communications provided by such stations.

SEC. 3. STUDY OF ENHANCED USES OF AMATEUR RADIO IN EMERGENCY AND DISASTER RELIEF COMMUNICATION AND FOR RELIEF OF RESTRICTIONS.

(a) Authority.—Not later than 180 days after the date of enactment of this Act, the Secretary of Homeland Security shall—
(1) undertake a study on the uses and capabilities of Amateur Radio Service communications in emergencies and disaster relief; and

(2) submit a report on the findings of the Secretary to Congress.

(b) Scope of the Study.—The study required by this section shall—

(1) include a review of the importance of amateur radio emergency communications in furtherance of homeland security missions relating to disasters, severe weather, and other threats to lives and property in the United States, as well as recommendations for—

(A) enhancements in the voluntary deployment of amateur radio licensees in disaster and emergency communications and disaster relief efforts; and

(B) improved integration of amateur radio operators in planning and furtherance of the Department of Homeland Security initiatives; and

(2)(A) identify impediments to enhanced Amateur Radio Service communications, such as the effects of unreasonable or unnecessary private land
use regulations on residential antenna installations;

and

(B) make recommendations regarding such im-

pediments for consideration by other Federal depart-

ments, agencies, and Congress.

(c) USE OF EXPERTISE AND INFORMATION.—In con-

ducting the study required by this section, the Secretary

of Homeland Security shall utilize the expertise of stake-

holder entities and organizations, including the amateur

radio, emergency response, and disaster communications

communities.