

Michaud	Rahall	Snyder
Miller (FL)	Rehberg	Souder
Miller (MI)	Reichert	Space
Miller (NC)	Reyes	Speier
Miller, Gary	Richardson	Spratt
Miller, George	Rodriguez	Stark
Minnick	Roe (TN)	Stearns
Mitchell	Rogers (AL)	Stupak
Mollohan	Rogers (KY)	Sullivan
Moore (KS)	Rogers (MI)	Sutton
Moore (WI)	Rohrabacher	Tanner
Moran (KS)	Rooney	Taylor
Moran (VA)	Ros-Lehtinen	Teague
Murphy (CT)	Roskam	Terry
Murphy (NY)	Ross	Thompson (CA)
Murphy, Patrick	Rothman (NJ)	Thompson (MS)
Murphy, Tim	Roybal-Allard	Thompson (PA)
Myrick	Royce	Thornberry
Nadler (NY)	Ruppersberger	Tiahrt
Napolitano	Rush	Tiberi
Neal (MA)	Ryan (OH)	Tierney
Neugebauer	Ryan (WI)	Titus
Nunes	Sánchez, Linda	Tonko
Nye	T.	Towns
Oberstar	Sarbanes	Tsongas
Obey	Scalise	Turner
Olson	Schakowsky	Upton
Olver	Schauer	Van Hollen
Ortiz	Schiff	Velázquez
Owens	Schmidt	Visclosky
Pallone	Schock	Walden
Pascarell	Schrader	Walz
Pastor (AZ)	Schwartz	Wamp
Paulsen	Scott (GA)	Wasserman
Payne	Scott (VA)	Schultz
Pence	Sensenbrenner	Waters
Perlmutter	Serrano	Watson
Perriello	Sessions	Watt
Peters	Sestak	Waxman
Peterson	Shadegg	Weiner
Petri	Shea-Porter	Welch
Pingree (ME)	Sherman	Westmoreland
Pitts	Shimkus	Wexler
Platts	Shuster	Whitfield
Poe (TX)	Simpson	Wilson (OH)
Polis (CO)	Sires	Wilson (SC)
Pomeroy	Skelton	Wittman
Posey	Slaughter	Wolf
Price (GA)	Smith (NE)	Woolsey
Price (NC)	Smith (NJ)	Wu
Putnam	Smith (TX)	Yarmuth
Quigley	Smith (WA)	Young (AK)

NOES—1

Paul

NOT VOTING—19

Abercrombie	Hinchey	Rangel
Barrett (SC)	Hodes	Salazar
Bishop (UT)	Johnson (IL)	Sanchez, Loretta
Bonner	Johnson, Sam	Shuler
Clay	LaTourette	Young (FL)
Deal (GA)	Murtha	
Heller	Radanovich	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1245

So (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 972, had I been present, I would have voted "aye."

FIRST RESPONDER ANTI-TERRORISM TRAINING RESOURCES ACT

The SPEAKER pro tempore. The unfinished business is the question on suspending the rules and passing the bill, H.R. 3978.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. CUELLAR) that the House suspend the rules and pass the bill, H.R. 3978.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

RECORDED VOTE

Mr. HARE. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 413, noes 1, not voting 20, as follows:

[Roll No. 973]

AYES—413

Ackerman	Cleaver	Graves
Aderholt	Clyburn	Grayson
Adler (NJ)	Coble	Green, Al
Akin	Coffman (CO)	Green, Gene
Alexander	Cohen	Griffith
Altmire	Cole	Grijalva
Andrews	Conaway	Guthrie
Arcuri	Connolly (VA)	Gutierrez
Austria	Conyers	Hall (NY)
Baca	Cooper	Hall (TX)
Bachmann	Costa	Halvorson
Bachus	Costello	Hare
Baird	Courtney	Harman
Baldwin	Crenshaw	Harper
Barrow	Crowley	Hastings (FL)
Bartlett	Cuellar	Hastings (WA)
Barton (TX)	Culberson	Heinrich
Bean	Cummings	Hensarling
Becerra	Dahlkemper	Herger
Berkley	Davis (AL)	Hersteth Sandlin
Berman	Davis (CA)	Higgins
Berry	Davis (IL)	Hill
Biggert	Davis (KY)	Himes
Bilbray	Davis (TN)	Hinchey
Bilirakis	DeFazio	Hinojosa
Bishop (GA)	DeGette	Hirono
Bishop (NY)	Delahunt	Hoekstra
Blackburn	DeLauro	Holden
Blumenauer	Dent	Holt
Blunt	Diaz-Balart, L.	Honda
Boccieri	Diaz-Balart, M.	Hoyer
Boehner	Dicks	Hunter
Bono Mack	Dingell	Inglis
Boozman	Doggett	Inslee
Boren	Donnelly (IN)	Israel
Boswell	Doyle	Issa
Boucher	Dreier	Jackson (IL)
Boustany	Driehaus	Jackson-Lee
Boyd	Duncan	(TX)
Brady (PA)	Edwards (MD)	Jenkins
Brady (TX)	Edwards (TX)	Johnson (GA)
Braley (IA)	Ehlers	Johnson, E. B.
Bright	Ellison	Jones
Broun (GA)	Ellsworth	Jordan (OH)
Brown (SC)	Emerson	Kagen
Brown, Corrine	Engel	Kanjorski
Brown-Waite,	Eshoo	Kaptur
Ginny	Etheridge	Kennedy
Buchanan	Fallin	Kildee
Burgess	Farr	Kilpatrick (MI)
Burton (IN)	Fattah	Kilroy
Butterfield	Filner	Kind
Buyer	Flake	King (IA)
Calvert	Fleming	King (NY)
Camp	Forbes	Kingston
Campbell	Fortenberry	Kirk
Cantor	Foster	Kirkpatrick (AZ)
Cao	Fox	Kissell
Capito	Frank (MA)	Klein (FL)
Capps	Franks (AZ)	Kline (MN)
Capuano	Frelinghuysen	Kosmas
Cardoza	Fudge	Kratovil
Carnahan	Gallegly	Kucinich
Carney	Garamendi	Lamborn
Carson (IN)	Garrett (NJ)	Lance
Carter	Gerlach	Langevin
Castle	Giffords	Larsen (WA)
Castor (FL)	Gingrey (GA)	Larson (CT)
Chaffetz	Gohmert	Latham
Chandler	Gonzalez	Latta
Childers	Goodlatte	Lee (CA)
Chu	Gordon (TN)	Lee (NY)
Clarke	Granger	Levin

Lewis (CA)	Nye	Sessions
Lewis (GA)	Oberstar	Sestak
Linder	Obey	Shadegg
Lipinski	Olson	Shea-Porter
LoBiondo	Olver	Sherman
Loeb sack	Ortiz	Shimkus
Lofgren, Zoe	Owens	Simpson
Lowe y	Pallone	Sires
Lucas	Pascarell	Skelton
Luetkemeyer	Pastor (AZ)	Slaughter
Lujan	Paulsen	Smith (NE)
Lummis	Payne	Smith (NJ)
Lungren, Daniel	Pence	Smith (TX)
E.	Perlmutter	Smith (WA)
Lynch	Perriello	Snyder
Mack	Peters	Souder
Maffei	Peterson	Space
Maloney	Petri	Speier
Manzullo	Pingree (ME)	Spratt
Marchant	Pitts	Stark
Markey (CO)	Platts	Stearns
Markey (MA)	Poe (TX)	Stupak
Marshall	Polis (CO)	Sullivan
Massa	Pomeroy	Sutton
Matheson	Posey	Tanner
Matsui	Price (GA)	Taylor
McCarthy (CA)	Price (NC)	Teague
McCarthy (NY)	Putnam	Terry
McCaull	Quigley	Thompson (CA)
McClintock	Rahall	Thompson (MS)
McCollum	Rangel	Thompson (PA)
McCotter	Rehberg	Thornberry
McDermott	Reichert	Tiahrt
McGovern	Reyes	Tiberi
McHenry	Richardson	Tierney
McIntyre	Rodriguez	Titus
McKeon	Roe (TN)	Tonko
McMahon	Rogers (AL)	Towns
McMorris	Rogers (KY)	Tsongas
Rodgers	Rogers (MI)	Turner
McNerney	Rohrabacher	Upton
Meek (FL)	Rooney	Van Hollen
Meeks (NY)	Ros-Lehtinen	Velázquez
Melancon	Roskam	Visclosky
Mica	Ross	Walden
Michaud	Rothman (NJ)	Walz
Miller (FL)	Roybal-Allard	Wamp
Miller (MI)	Royce	Wasserman
Miller, Gary	Ruppersberger	Schultz
Miller, George	Rush	Waters
Minnick	Ryan (OH)	Watson
Mitchell	Ryan (WI)	Watt
Mollohan	Sánchez, Linda	Waxman
Moore (KS)	T.	Weiner
Moore (WI)	Sarbanes	Welch
Moran (KS)	Scalise	Westmoreland
Moran (VA)	Schakowsky	Wexler
Murphy (CT)	Schauer	Whitfield
Murphy (NY)	Schiff	Wilson (OH)
Murphy, Patrick	Schmidt	Wilson (SC)
Murphy, Tim	Schock	Wittman
Myrick	Schrader	Wolf
Nadler (NY)	Schwartz	Woolsey
Napolitano	Scott (GA)	Wu
Neal (MA)	Scott (VA)	Yarmuth
Neugebauer	Sensenbrenner	Young (AK)
Nunes	Serrano	

NOES—1

Paul

NOT VOTING—20

Abercrombie	Heller	Radanovich
Barrett (SC)	Hodes	Salazar
Bishop (UT)	Johnson (IL)	Sanchez, Loretta
Bonner	Johnson, Sam	Shuler
Cassidy	LaTourette	Shuster
Clay	Miller (NC)	Young (FL)
Deal (GA)	Murtha	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). There are 2 minutes remaining in this vote.

□ 1252

So (two-thirds being in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. HELLER. Mr. Speaker, on rollcall No. 973, had I been present, I would have voted "aye."

Mr. CASSIDY. Mr. Speaker, on rollcall No. 973, I was unavoidably detained. Had I been present, I would have voted "aye."

LOCAL COMMUNITY RADIO ACT OF 2009

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1147) to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1147

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 "Local Community Radio Act of 2009".

SEC. 2. AMENDMENT.

Section 632 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (Public Law 106-553; 114 Stat. 2762A-111), is amended to read as follows:

"SEC. 632. (a) The Federal Communications Commission shall modify the rules authorizing the operation of low-power FM radio stations, as proposed in MM Docket No. 99-25, to—

"(1) prescribe protection for co-channels and first- and second-adjacent channels; and

"(2) prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934 (47 U.S.C. 301).

"(b) Any license that was issued by the Federal Communications Commission to a low-power FM station prior to April 2, 2001, and that does not comply with the modifications adopted by the Commission in MM Docket No. 99-25 on April 2, 2001, shall remain invalid."

SEC. 3. MINIMUM DISTANCE SEPARATION REQUIREMENTS.

The Federal Communications Commission shall modify its rules to eliminate third-adjacent minimum distance separation requirements between—

(1) low-power FM stations; and

(2) full-service FM stations, FM translator stations, and FM booster stations.

SEC. 4. PROTECTION OF RADIO READING SERVICES.

The Federal Communications Commission shall comply with its existing minimum distance separation requirements for full-service FM stations, FM translator stations, and FM booster stations that broadcast radio reading services via an analog subcarrier frequency to avoid potential interference by low-power FM stations.

SEC. 5. ENSURING AVAILABILITY OF SPECTRUM FOR LOW-POWER FM STATIONS.

The Federal Communications Commission, when licensing new FM translator stations, FM booster stations, and low-power FM stations, shall ensure—

(1) that licenses are available to FM translator stations, FM booster stations, and low-power FM stations; and

(2) that such decisions are made based on the needs of the local community.

SEC. 6. PROTECTION OF TRANSLATOR INPUT SIGNALS.

The Federal Communications Commission shall modify its rules to address the poten-

tial for predicted interference to FM translator input signals on third-adjacent channels set forth in section 2.7 of the technical report entitled "Experimental Measurements of the Third-Adjacent Channel Impacts of Low-Power FM Stations, Volume One—Final Report (May 2003)".

SEC. 7. ENSURING EFFECTIVE REMEDIATION OF INTERFERENCE.

The Federal Communications Commission shall modify the interference complaint process described in section 73.810 of its rules (47 CFR 73.810) as follows:

(1) With respect to those low-power FM stations licensed at locations that do not satisfy third-adjacent channel spacing requirements under section 73.807 of the Commission's rules (47 CFR 73.807), the Federal Communications Commission shall provide the same interference protections that FM translator stations and FM booster stations are required to provide as set forth in section 74.1203 of its rules (47 CFR 74.1203) as in effect on the date of enactment of this Act.

(2) For a period of 1 year after a new low-power FM station is constructed on a third-adjacent channel, such low-power FM station shall be required to broadcast periodic announcements that alert listeners that interference that they may be experiencing could be the result of the operation of such low-power FM station on a third-adjacent channel and shall instruct affected listeners to contact such low-power FM station to report any interference. The Federal Communications Commission shall require all newly constructed low-power FM stations on third-adjacent channels to—

(A) notify the Federal Communications Commission and all affected stations on third-adjacent channels of an interference complaint by electronic communication within 48 hours after the receipt of such complaint; and

(B) cooperate in addressing any such interference.

(3) Low-power FM stations on third-adjacent channels shall be required to address complaints of interference within the protected contour of an affected station and shall be encouraged to address all other interference complaints, including complaints to the Federal Communications Commission based on interference to a full-service FM station, an FM translator station, or an FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station. The Federal Communications Commission shall provide notice to the licensee of a low-power FM station of the existence of such interference within 7 calendar days of the receipt of a complaint from a listener or another station.

(4) To the extent possible, the Federal Communications Commission shall grant low-power FM stations on third-adjacent channels the technical flexibility to remediate interference through the collocation of the transmission facilities of the low-power FM station and any stations on third-adjacent channels.

(5) The Federal Communications Commission shall—

(A) permit the submission of informal evidence of interference, including any engineering analysis that an affected station may commission;

(B) accept complaints based on interference to a full-service FM station, FM translator station, or FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station; and

(C) accept complaints of interference to mobile reception.

SEC. 8. FCC STUDY ON IMPACT OF LOW-POWER FM STATIONS ON FULL-SERVICE COMMERCIAL FM STATIONS.

(a) IN GENERAL.—The Federal Communications Commission shall conduct an economic study on the impact that low-power FM stations will have on full-service commercial FM stations.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives on the study conducted under subsection (a).

(c) LICENSING NOT AFFECTED BY STUDY.—Nothing in this section shall affect the licensing of new low-power FM stations as otherwise permitted under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

GENERAL LEAVE

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to revise and extend their remarks and insert extraneous material into the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOUCHER. Mr. Speaker, I yield such time as he may consume to the chairman of the Energy and Commerce Committee, the gentleman from California (Mr. WAXMAN).

Mr. WAXMAN. Mr. Speaker, I rise in strong support of H.R. 1147, the Local Community Radio Act of 2009, and I want to thank Chairman BOUCHER for his leadership in guiding this bipartisan bill through the committee.

I also want to recognize and thank Mr. DOYLE and Mr. TERRY, the original sponsors of the bill, for their efforts to expand diversity, localism, and competition in our media landscape. Mr. DOYLE has been a tireless advocate of local community radio, and I greatly appreciate his leadership, flexibility, and persistence.

I'm pleased that the House is taking up this important measure, as I have long supported expanding low-power FM radio services. The bill removes a statutory barrier to the creation of potentially thousands of new low-power stations across the country. The creation of these stations will further the overriding national policy goals of promoting broadcast localism and diversity.

I'm pleased that the bill includes strong protections against unreasonable interference for incumbent radio broadcasters, as well as a clear dispute resolution process should such interference occur. I want to thank National Public Radio for working with the Energy and Commerce Committee in a constructive manner. I also want