

SECURING ACCESS TO NETWORKS IN DISASTERS ACT

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3998) to direct the Federal Communications Commission to commence proceedings related to the resiliency of critical telecommunications networks during times of emergency, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 3998

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 “Securing Access to Networks in Disasters Act”.

SEC. 2. STUDY ON NETWORK RESILIENCY.

Not later than 36 months after the date of enactment of this Act, the Commission shall submit to Congress, and make publically available on the Commission’s website, a study on the public safety benefits and technical feasibility and cost of—

(1) making telecommunications service provider-owned WiFi access points, and other communications technologies operating on unlicensed spectrum, available to the general public for access to 911 services, without requiring any login credentials, during times of emergency when mobile service is unavailable;

(2) the provision by non-telecommunications service provider-owned WiFi access points of public access to 911 services during times of emergency when mobile service is unavailable; and

(3) other alternative means of providing the public with access to 911 services during times of emergency when mobile service is unavailable.

SEC. 3. ACCESS TO ESSENTIAL SERVICE PROVIDERS DURING FEDERALLY DECLARED EMERGENCIES.

Section 427(a)(1)(A) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5189e(a)(1)(A)) is amended by striking “telecommunications service” and inserting “wireline or mobile telephone service, Internet access service, radio or television broadcasting, cable service, or direct broadcast satellite service”.

SEC. 4. DEFINITIONS.

As used in this Act—

(1) the term “Commission” means the Federal Communications Commission;

(2) the term “mobile service” means commercial mobile service (as defined in section 332 of the Communications Act of 1934 (47 U.S.C. 332)) or commercial mobile data service (as defined in section 6001 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1401));

(3) the term “WiFi access point” means wireless Internet access using the standard designated as 802.11 or any variant thereof; and

(4) the term “times of emergency” means either an emergency as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122), or an emergency as declared by the governor of a State or territory of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members

have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, in late October of 2012, Superstorm Sandy, the largest Atlantic hurricane in recorded history, hit the Caribbean and Northeastern United States with devastating impact. Sandy caused an estimated \$72 billion in damages in the United States and took 286 lives.

While the economic impact of the storm was massive in scope—homes and buildings damaged or destroyed, roads impassible or washed out altogether—the damage to power and communications infrastructure was particularly severe.

Broadcasting, wireless and landline telephone services, broadband services, cable services all suffered disruptions and outages that lasted long after the storm’s fury had passed. At a time when families struggled to find and reunite with loved ones, this only added to the confusion and, frankly, the panic.

But beyond the impact on the personal communications that are needed to assuage the fears in the wake of a disaster, these outages also threatened the delivery of public safety messages and emergency response services. This put even more lives at risk, including those of the first responders—the men and women who race to save others—and made recovery that much more difficult.

While our public safety and emergency response experts at all levels of government and the communications industry have implemented changes as a result of the lessons learned from Superstorm Sandy, there is more that must be done.

Just a few weeks ago, the wireless industry—CTIA, together with AT&T, Sprint, T-Mobile, U.S. Cellular, and Verizon—announced the adoption of the Wireless Network Resiliency Cooperative Framework. This set of voluntary practices will provide consumers with access to wireless services even when their wireless provider’s network goes down, will improve preparedness, and will speed the restoration of services.

I would like to thank Ranking Member PALLONE of New Jersey, whose district suffered so badly and so much from the effects of Sandy. His leadership and efforts led to the industry’s voluntary adoption of this framework, and I commend the industry for its commitment and him for his work.

The SANDY Act lets us build on that accomplishment, as there are some changes that only the government can make. This legislation makes what I believe is a commonsense change to the Robert T. Stafford Disaster Relief

and Emergency Assistance Act to recognize not only wireline, but mobile telephone service and broadcast radio, broadcast television, cable service, and broadcast satellite service as essential services when we have an emergency.

This change will ensure that providers of these critical services are not denied or impeded access to a disaster when they are trying to restore service. Without question, these services are critical to ensuring the safety and well-being of both those impacted by the disaster, but also those who are responding to that very disaster.

In addition to expediting access for network restoration teams, this legislation also directs the FCC to study making the telecommunications service provider-owned WiFi access and other communications technologies operating on unlicensed spectrum available to access 911 service when commercial mobile service is unavailable.

We have an abundance of communications tools in the modern information economy. We should be looking at ways to leverage all of them during emergencies, and this report will do just that.

I thank the ranking member for his work on this legislation, and I urge my colleagues to support it.

Mr. Speaker, I reserve the balance of my time.

COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES,

Washington, DC, May 18, 2016.

Hon. FRED UPTON,
Chairman, Committee on Energy and Commerce,
Washington, DC.

DEAR MR. CHAIRMAN: I write concerning H.R. 3998, the Securing Access to Networks in Disasters Act, as ordered reported by the Committee on Energy and Commerce. There are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

In order to expedite this legislation for Floor consideration, the Committee will forgo action on this bill. However, this is conditional on our mutual understanding that forgoing consideration of the bill does not alter or diminish the jurisdiction of the Committee with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. I request you urge the Speaker to name members of the Committee to any conference committee named to consider such provisions.

Please place a copy of this letter and your response acknowledging our jurisdictional interest into the Congressional Record during consideration of the measure on the House Floor. I appreciate the Committee on Energy and Commerce working with me to address my concerns.

Sincerely,

BILL SHUSTER,
Chairman.

HOUSE OF REPRESENTATIVES,
COMMITTEE ON ENERGY AND COMMERCE,
Washington, DC, May 19, 2016.

Hon. BILL SHUSTER,
Chairman, Committee on Transportation and Infrastructure, Washington, DC.

DEAR CHAIRMAN SHUSTER: Thank you for your letter concerning H.R. 3998, Securing Access to Networks in Disasters Act, as ordered reported by the Committee on Energy

and Commerce. As you noted, there are certain provisions in the legislation that fall within the Rule X jurisdiction of the Committee on Transportation and Infrastructure.

I appreciate your willingness to forgo action on this bill in order to expedite this legislation for Floor consideration. I agree that forgoing consideration of this bill does not alter or diminish the jurisdiction of the Committee on Transportation and Infrastructure with respect to the appointment of conferees or to any future jurisdictional claim over the subject matters contained in the bill or similar legislation. In addition, I will support your request for the Speaker to name members of the Committee to any conference committee named to consider such provisions.

I will place a copy of your letter and this response into the Congressional Record during consideration of the measure on the House Floor.

Sincerely,

FRED UPTON,
Chairman.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 3998, Securing Access to Networks in Disasters, or SANDy, Act.

Superstorm Sandy had a dramatic effect on my district back in New Jersey. We saw firsthand the importance of communications networks during an emergency.

Broadcast and cable networks provide critical information to help us stay out of harm's way, and telecommunications networks are what makes sure we can call for help and keep track of our loved ones.

Unfortunately, when Hurricane Sandy ripped through the Northeast, we could not rely on several of these systems when we needed them most. For instance, nearly one in four cell towers were knocked out. In some of the hardest hit areas of my State, as many as half of the towers went down. Many of them stayed down for weeks.

That is why I have spent the past several years figuring out what went right and what went wrong. We learned about issues that have plagued our networks for at least a decade—not just during Sandy, but during Hurricane Katrina and other major disasters as well.

The SANDy Act will take another step toward making that right. Specifically, the SANDy Act would recognize the important role that wireline and mobile telephone, Internet, radio and television broadcasting, and cable and satellite services play during emergencies.

These communication providers need priority access to help them repair and maintain their communications equipment during disasters. But this bill is part of a larger effort to keep us safe in emergencies.

As part of the lead-up to today, I worked, as my colleague said, with the Nation's largest wireless carriers and the Federal Communications Commission to pull together a voluntary framework to ensure the industry complies with the wireless provisions that were originally set forth in the SANDy Act.

Most important, the framework makes sure that if one network goes down, its customers can access another network that is still operational. Everyone should be able to call for help as long as any signal is available.

Mr. Speaker, this agreement will save lives during major emergencies in the future. I would like to thank the wireless carriers and the FCC for working with me to craft this comprehensive agreement, as well as Chairman WALDEN. Having these networks operational can mean the difference between life and death during an event like Superstorm Sandy.

I urge all Members to support H.R. 3998, and I hope that once it passes the House today, the Senate will take up the measure and send it to the President.

Mr. Speaker, I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is a fine piece of legislation. It is important, in moving ahead, to correct some things that need to be corrected, frankly, in terms of emergency communications during super emergencies.

I urge passage of the bill.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Oregon (Mr. WALDEN) that the House suspend the rules and pass the bill, H.R. 3998, as amended.

The question was taken.

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

Mr. WALDEN. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE FEDERAL COMMUNICATIONS COMMISSION

Mr. WALDEN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 2589) to amend the Communications Act of 1934 to require the Federal Communications Commission to publish on its Internet website changes to the rules of the Commission not later than 24 hours after adoption, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 2589

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. TIMELY AVAILABILITY OF ITEMS ADOPTED BY VOTE OF THE COMMISSION.

(a) AMENDMENT.—Section 4 of the Communications Act of 1934 (47 U.S.C. 154) is amended by adding at the end the following:

“(p) In the case of any item that is adopted by vote of the Commission, the Commission shall publish on the Internet website of the Commission the text of such item not later than 24 hours after the Secretary of the Commission has received dissenting statements from all Commissioners wishing to submit such a statement with respect to such item.”.

(b) EFFECTIVE DATE.—The amendment made by this section shall apply with respect to an item that is adopted after the date that is 30 days after the date of the enactment of this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Oregon (Mr. WALDEN) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Oregon.

GENERAL LEAVE

Mr. WALDEN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

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

There was no objection.

Mr. WALDEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Federal Communications Commission regulates an incredibly dynamic and innovative sector of the American economy. The communications technology sector directly impacts the lives of consumers in meaningful ways. Consumers are able to map their ways to new places like, frankly, I did this morning; find information and enriching content; and reach their loved ones who might live in the most remote places.

Communications technology also enables other industries to reach their audiences in new and life-changing ways. Health care, finance, manufacturing, agriculture: all of these industries are leveraging communication technologies in ways to better serve the American consumer.

We can't afford to allow this functional sector of the economy to languish or fail under outdated regulations or a faulty regulatory process. That is why the Committee on Energy and Commerce has focused on improving the process at the FCC so that it operates in an effective and more transparent manner.

This House passed a comprehensive FCC process reform bill back in November, H.R. 2583, but we continue to work on improving the FCC's communications with the public. Hence, H.R. 2589. This is one such improvement.

Sponsored by my colleague, Representative ELLMERS of North Carolina, this bill is targeted at the FCC's struggle to make its newly adopted rules available to the public in a timely fashion. The bill requires the FCC to show the public what it has just voted on by publishing the text of the rules within 24 hours of the filing of the last dissenting statement.

This should not be too difficult. Normally, the FCC does a reasonable job in