

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

publishing its new rules fairly quickly after adoption. However, on more controversial items, the documents are not available until much later. For example, the Lifeline Order, adopted on March 31, was not available for 27 days. That is nearly a month. The FCC should not be delaying publication on controversial items. It should seek to add information and facts to the debate rather than appearing to hide the ball.

At the same time, we recognize that the FCC must have the ability to respond to dissenting statements that criticize its decisions. Accordingly, we worked with our colleagues across the aisle to ensure that the Commission had a fair opportunity to address dissents to dissents and still make sure that new rules became available to the public in a timely way. In other words, so the Commission can do its work back and forth among Commissioners and finish their product. But once they do, they need to make it available to the public. By the way, that is who they work for.

I would like to thank my colleagues on the committee for their work, particularly Representative ELLMERS and Representative MCNERNEY. I believe the bill strikes the right balance, and I urge my colleagues to support Representative ELLMERS' bill.

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

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

Mr. Speaker, I rise in support of H.R. 2589.

For the past several years, Republicans have been focused on changing procedures at the Federal Communications Commission. The bill we are considering today demonstrates that Democrats are willing to work with Republicans on these ideas when the proposals are reasonable.

The original bill had some issues. It would have required the FCC to post within 24 hours of adoption any final rules that were modified by the Commission. Such a requirement was inconsistent with the Administrative Procedure Act, which requires that any rule changes are accompanied by an explanatory text.

Additionally, the original bill failed to take into account the fact that in many cases where there is a delay in the release of FCC decisions, it is usually due to late receipt of dissenting statements from some Commissioners. To fix these issues, Democrats proposed an amendment during markup to provide the FCC to post, in its entirety, the text of any actions within 24 hours after dissenting Commissioners file their statements. The improvements ensure that this bill will not force the FCC to act in conflict with other laws, such as the Administrative Procedure Act.

I urge my colleagues to support the bill.

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

Mr. WALDEN. Mr. Speaker, I urge passage of this fine piece of legislation.

I yield back the balance of my time.

The SPEAKER pro tempore (Mr. BROOKS of Alabama). 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. 2589, 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. PALLONE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

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

The point of no quorum is considered withdrawn.

□ 1500

ALABAMA HILLS NATIONAL SCENIC AREA ESTABLISHMENT ACT

Mr. COOK. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 496) to establish the Alabama Hills National Scenic Area in the State of California, and for other purposes, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 496

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Alabama Hills National Scenic Area Establishment Act”.

(b) TABLE OF CONTENTS.—The table of contents for this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Definitions.
- Sec. 3. Alabama Hills National Scenic Area, California.
- Sec. 4. Management plan.
- Sec. 5. Land taken into trust for Lone Pine Paiute-Shoshone Reservation.
- Sec. 6. Transfer of administrative jurisdiction.
- Sec. 7. Protection of services and recreational opportunities.
- Sec. 8. Clarification regarding funding.

SEC. 2. DEFINITIONS.

In this Act:

(1) MANAGEMENT PLAN.—The term “management plan” means the management plan for the National Scenic Area developed under section 4(a).

(2) MAP.—The term “Map” means the map titled “Proposed Alabama Hills National Scenic Area”, dated September 8, 2014.

(3) MOTORIZED VEHICLES.—The term “motorized vehicles” means motorized or mechanized vehicles and includes, when used by utilities, mechanized equipment, helicopters, and other aerial devices necessary to maintain electrical or communications infrastructure.

(4) NATIONAL SCENIC AREA.—The term “National Scenic Area” means the Alabama Hills National Scenic Area established by section 3(a).

(5) SECRETARY.—The term “Secretary” means the Secretary of the Interior.

(6) STATE.—The term “State” means the State of California.

(7) TRIBE.—The term “Tribe” means the Lone Pine Paiute-Shoshone.

(8) UTILITY FACILITY.—The term “utility facility” means any and all existing and future water system facilities including aqueducts, streams, ditches, and canals; water facilities including, but not limited to, flow measuring stations, gauges, gates, valves, piping, conduits, fencing, and electrical power and communications devices and systems; and any and all existing and future electric generation facilities, electric storage facilities, overhead and/or underground electrical supply systems and communication systems consisting of electric substations, electric lines, poles and towers made of various materials, “H” frame structures, guy wires and anchors, crossarms, wires, underground conduits, cables, vaults, manholes, handholes, above-ground enclosures, markers and concrete pads and other fixtures, appliances and communication circuits, and other fixtures, appliances and appurtenances connected therewith necessary or convenient for the construction, operation, regulation, control, grounding and maintenance of electric generation, storage, lines and communication circuits, for the purpose of transmitting intelligence and generating, storing, distributing, regulating and controlling electric energy to be used for light, heat, power, communication, and other purposes.

SEC. 3. ALABAMA HILLS NATIONAL SCENIC AREA, CALIFORNIA.

(a) ESTABLISHMENT.—Subject to valid, existing rights, there is established in Inyo County, California, the Alabama Hills National Scenic Area. The National Scenic Area shall be comprised of the approximately 18,610 acres generally depicted on the Map as “National Scenic Area”.

(b) PURPOSE.—The purpose of the National Scenic Area is to conserve, protect, and enhance for the benefit, use, and enjoyment of present and future generations the nationally significant scenic, cultural, geological, educational, biological, historical, recreational, cinematographic, and scientific resources of the National Scenic Area managed consistent with section 302(a) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1732(a)).

(c) MAP; LEGAL DESCRIPTIONS.—

(1) IN GENERAL.—As soon as practicable after the date of enactment of this Act, the Secretary shall file a map and a legal description of the National Scenic Area with—

(A) the Committee on Energy and Natural Resources of the Senate; and

(B) the Committee on Natural Resources of the House of Representatives.

(2) FORCE OF LAW.—The map and legal descriptions filed under paragraph (1) shall have the same force and effect as if included in this Act, except that the Secretary may correct any clerical and typographical errors in the map and legal descriptions.

(3) PUBLIC AVAILABILITY.—Each map and legal description filed under paragraph (1) shall be on file and available for public inspection in the appropriate offices of the Forest Service and Bureau of Land Management.

(d) ADMINISTRATION.—The Secretary shall manage the National Scenic Area—

(1) as a component of the National Landscape Conservation System;

(2) so as not to impact the future continuing operations and maintenance of any activities associated with valid, existing rights, including water rights;

(3) in a manner that conserves, protects, and enhances the resources and values of the National Scenic Area described in subsection (b); and

(4) in accordance with—