

the balance between the development of new technology and the protection of our personal information is not only necessary but critical. That is why Representative KINZINGER and I introduced H. Res. 835, the bipartisan financial technology resolution.

It is time Congress recognizes and encourages innovation, while setting the tone for security and transparency. This resolution underscores fintech's ability to improve a consumer's experience when it comes to managing their finances online.

It also states that fintech could help increase financial literacy rates across the U.S. by creating new opportunities for the nearly 25 million households in the United States that are still unbanked.

Let it be known: identity theft is a real concern for all Americans at all levels. But the good news is that many within fintech are committed to improving security through increased transparency and verifiable trust mechanisms.

Not only does fintech give small businesses and consumers an alternative way to bank, it also offers the possibility of a safer, more convenient financial experience while creating U.S. jobs.

Seeing as the United States is the world leader in software development and technology, it is in our best interest to develop a national policy. We must drive innovation, boost economic growth, and ensure the protection of every American's personal information.

Fintech not only makes products and services more accessible to the consumer, but it can also make these services more affordable. It is needless to say that fintech has great potential in our future.

We need to do what we have to, as government, to unleash the creativity, convenience, but more importantly, its responsible and safe environment for these technologies, all the while, seeing to it that we stay out of the way of getting in the way of the billions and eventually trillions of dollars that will be manifested through this new industry; and that means, jobs, jobs, jobs right here in America.

If we don't harness this policy, if we don't work with the industries, if we don't do our job as making sure that we set the tone, not only for this country but for the world, we may find ourselves missing out on this tremendous opportunity on behalf of the American public and the American worker.

I urge my colleagues to vote "yes" on H. Res. 835, the bipartisan fintech bill.

Ms. SCHAKOWSKY. Mr. Speaker, I look forward to the passage of H. Res. 835.

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

Mr. Speaker, this resolution reaffirms Congress' commitment to innovation. I support H. Res. 835. I want to

thank again Mr. KINZINGER and Mr. CÁRDENAS for their leadership.

I yield back the balance of my time. Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H. Res. 835, which encourages the development of new technologies that increase consumers' access to commerce and financial tools. This is an exciting time in American Commerce.

Each day, innovators are connecting consumers, industries, and markets through brand new technologies and connected devices. These new technologies will empower American consumers and our economy like never before. With innovations coming so rapidly, we need to ensure that these new technologies are not at the expense of consumer privacy and cybersecurity.

These resolutions would support American innovation in financial technology, transparency, security, and consumer empowerment while protecting consumers' personal information. By improving consumers' access to commerce through technological means, we can greatly improve the quality of life for future Americans.

I urge my colleagues to support this resolution so that our innovators can confidently take on the challenge of developing technology for tomorrow's marketplace.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and agree to the resolution (H. Res. 835.)

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. BURGESS. 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.

AMATEUR RADIO PARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1301) to direct the Federal Communications Commission to extend to private land use restrictions its rule relating to reasonable accommodation of amateur service communications, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 1301

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 "Amateur Radio Parity Act of 2016".

SEC. 2. FINDINGS.

Congress finds the following:

(1) More than 730,000 radio amateurs in the United States are licensed by the Federal Communications Commission in the amateur radio services.

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

(3) There is a strong Federal interest in the effective performance of amateur stations established at the residences of licensees. Such stations have been shown to be frequently and increasingly precluded by unreasonable private land use restrictions, including restrictive covenants.

(4) Federal Communications Commission regulations have for three decades prohibited the application to stations in the amateur service of State and local regulations that preclude or fail to reasonably accommodate amateur service communications, or that do not constitute the minimum practicable regulation to accomplish a legitimate State or local purpose. Commission policy has been and is to require States and localities to permit erection of a station antenna structure at heights and dimensions sufficient to accommodate amateur service communications.

(5) The Commission has sought guidance and direction from Congress with respect to the application of the Commission's limited preemption policy regarding amateur service communications to private land use restrictions, including restrictive covenants.

(6) There are aesthetic and common property considerations that are uniquely applicable to private land use regulations and the community associations obligated to enforce covenants, conditions, and restrictions in deed-restricted communities. These considerations are dissimilar to those applicable to State law and local ordinances regulating the same residential amateur radio facilities.

(7) In recognition of these considerations, a separate Federal policy than exists at section 97.15(b) of title 47, Code of Federal Regulations, is warranted concerning amateur service communications in deed-restricted communities.

(8) Community associations should fairly administer private land use regulations in the interest of their communities, while nevertheless permitting the installation and maintenance of effective outdoor amateur radio antennas. There exist antenna designs and installations that can be consistent with the aesthetics and physical characteristics of land and structures in community associations while accommodating communications in the amateur radio services.

SEC. 3. APPLICATION OF PRIVATE LAND USE RESTRICTIONS TO AMATEUR STATIONS.

(a) AMENDMENT OF FCC RULES.—Not later than 120 days after the date of the enactment of this Act, the Federal Communications Commission shall amend section 97.15 of title 47, Code of Federal Regulations, by adding a new paragraph that prohibits the application to amateur stations of any private land use restriction, including a restrictive covenant, that—

(1) on its face or as applied, precludes communications in an amateur radio service;

(2) fails to permit a licensee in an amateur radio service to install and maintain an effective outdoor antenna on property under the exclusive use or control of the licensee; or

(3) does not constitute the minimum practicable restriction on such communications to accomplish the lawful purposes of a community association seeking to enforce such restriction.

(b) ADDITIONAL REQUIREMENTS.—In amending its rules as required by subsection (a), the Commission shall—

(1) require any licensee in an amateur radio service to notify and obtain prior approval from a community association concerning installation of an outdoor antenna;

(2) permit a community association to prohibit installation of any antenna or antenna support structure by a licensee in an amateur radio service on common property not under the exclusive use or control of the licensee; and

(3) subject to the standards specified in paragraphs (1) and (2) of subsection (a), permit a community association to establish reasonable written rules concerning height, location, size, and aesthetic impact of, and installation requirements for, outdoor antennas and support structures for the purpose of conducting communications in the amateur radio services.

SEC. 4. AFFIRMATION OF LIMITED PREEMPTION OF STATE AND LOCAL LAND USE REGULATION.

The Federal Communications Commission may not change section 97.15(b) of title 47, Code of Federal Regulations, which shall remain applicable to State and local land use regulation of amateur service communications.

SEC. 5. DEFINITIONS.

In this Act:

(1) **COMMUNITY ASSOCIATION.**—The term “community association” means any non-profit mandatory membership organization composed of owners of real estate described in a declaration of covenants or created pursuant to a covenant or other applicable law with respect to which a person, by virtue of the person’s ownership of or interest in a unit or parcel, is obligated to pay for a share of real estate taxes, insurance premiums, maintenance, improvement, services, or other expenses related to common elements, other units, or any other real estate other than the unit or parcel described in the declaration.

(2) **TERMS DEFINED IN REGULATIONS.**—The terms “amateur radio services”, “amateur service”, and “amateur station” have the meanings given such terms in section 97.3 of title 47, Code of Federal Regulations.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from New York (Mr. TONKO) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

□ 1800

GENERAL LEAVE

Mr. BURGESS. 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 on the bill H.R. 1301.

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

There was no objection.

Mr. BURGESS. Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. KINZINGER).

Mr. KINZINGER of Illinois. Mr. Speaker, I want to thank the chairman for yielding. I also want to thank Chairman WALDEN and Ranking Member ESHOO for working with me to get this legislation to a point where all interested parties are able to support its passage today.

Additionally, I would like to thank the representatives from the ARRL and CAI for meeting with our offices time and again to come to an agreement that helps us move forward on this legislation in a bipartisan and very positive manner.

Under current law, there is an outright prohibition on the use of any antennae for amateur radio use in certain areas with no consideration for the emergency ramifications that come as a result. For some, this is merely a nuisance; but for others, those who use their amateur radio license for life-saving emergency communications, a dangerous situation can be created by limiting their ability to establish effective communication for those in need.

During times of emergency service, such as following a hurricane or tor-

nado, amateur radio operators are able to use their skills and equipment to create a network of communications for first responders when other wired or wireless technologies are down—a vital and lifesaving function.

Additionally, there are some hams that take their certifications even further by purchasing expensive equipment and going through extensive training to become part of MARS, the Military Auxiliary Radio System. The purpose of MARS is to help our military patch through their communications to one another domestically and abroad, and I have personally used this system as a pilot in the military.

What is so impressive about this group is what it takes to be part of this system. MARS members must have access to expensive, high-frequency radio equipment; it must file monthly reports; and they participate in a minimum of 12 hours of radio activity each quarter, all on their own dime and all on their own time.

This legislation that is brought before us today would change current regulations hampering the ability of amateur radio operators to effectively communicate in certain areas while respecting and maintaining the rights of local communities in those areas where hams reside.

Mr. Speaker, I appreciate the willingness of all the interested groups in coming to the table with myself, with Chairman WALDEN, and Ranking Member ESHOO, in order to come to an amicable agreement on how to move this legislation forward. I urge support of this bill.

Mr. TONKO. Mr. Speaker, I yield myself such time as I may consume. I rise in support of H.R. 1301, the Amateur Radio Parity Act.

Mr. Speaker, I commend both cosponsors here, Mr. KINZINGER of Illinois and Mr. COURTNEY of Connecticut, who have placed common sense into this legislative format that will drive fairness, I believe, into the equation for amateur radio operators.

Operators provide essential services in times of emergencies, and they should not be prohibited from building their facilities. They provide a very useful role in our given neighborhoods and communities. H.R. 1301 will provide for new rules that will help these operators navigate homeowner association restrictions when they are attempting to build their given stations.

The bill, Mr. Speaker, strikes the right balance to ensure that homeowner associations can impose reasonable regulations for amateur radio towers, but it would also make sure that amateur radio enthusiasts can continue to operate.

I do congratulate Chairman WALDEN and Ranking Member ESHOO for their work to come up with an agreement that everyone can support based on the efforts of the cosponsors of the legislation.

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

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

Mr. TONKO. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. COURTNEY), my good friend.

Mr. COURTNEY. Mr. Speaker, I want to, again, thank my friend, Mr. TONKO, and salute his great work on the Energy and Commerce Committee, as well as Mr. BURGESS and Mr. KINZINGER. For the last two Congresses we have worked together to get this legislation to the place we are at this evening. Again, it really recognizes the passionate work and highly skilled work that over 700,000 ham radio operators conduct every day in this country.

A couple of years ago in Hartford, Connecticut, they had the Centennial Convention of the American Radio Relay League, which brought together thousands of ham operators from all over the country to share their skills and to look at the latest innovation and technology, which Mr. KINZINGER referred to and, again, talked about the networks that they collaborate on in terms of early weather warnings as well as assisting the American military.

Last Congress, we had 69 bipartisan cosponsors. This year, it grew to 126, and, again, that is because of the external grassroots pressure which these groups brought forward. Again, they have no sort of skin in the game in terms of any personal benefit. As the Congressman from Illinois said, they are all basically volunteers. But I think it is important to realize this is not just a feel-good bill. This is about really strengthening our systems of emergency services and first responders that are out there.

In the State of Connecticut in 2014 we got a pretty good taste of this when Hurricane Sandy hit. It basically struck the power grid down for about 10 days or so. In the wake of that, we saw all the advanced communication that we take for granted—whether it is cable communication or cellular communication—completely sort of fall by the wayside. So the only way that first responders could communicate, the folks who were delivering emergency medical care to the State during that time period was, in fact, going back in time and relying on the ham radio operators to make sure that these groups were in real-time communication.

So what this bill seeks to do is to rebalance what has happened out there in terms of land use restrictions that have inhibited the ability of these really hardworking volunteers—American patriots I would argue—to really perform this critical duty.

The vast majority of homes that have been built since the 1980s in this country have contained some type of deed restrictions that have inhibited that capability. As a result of this legislation, it will sort of rebalance legitimate property rights of private property owners to make sure that non-intrusive antennas and technology will

be able to allow this network to continue to thrive and to do the great work that it does to support local disaster response all across the country.

I had a conversation recently with the chairman of the FCC, Tom Wheeler, who, again, as an organization going back to the 1970s, has recognized the value of amateur radio in terms of bolstering America's communication system providing kind of a redundancy system, a backup system, in case, again, the advanced stuff that we take for granted now is struck down by external events. He strongly supports this legislation.

Again, I want to salute the great bipartisan work that was done on the Energy and Commerce Committee to bring this bill after 3 long years to the floor here, and I strongly urge all the Members to support its passage.

Mr. TONKO. Mr. Speaker, as I indicated, the cosponsors of this legislation have struck a very sound balance between the interests of the homeowner associations and amateur radio operators. It is done in a spirit of bipartisanship. So for those reasons, I strongly suggest we support the measure.

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

Mr. BURGESS. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, I urge my colleagues to support this legislation.

I yield back the balance of my time.

Mr. CARTER of Georgia. Mr. Speaker, I rise today in support of H.R. 1301, the Amateur Radio Parity Act, and its positive effects on amateur radio operators and our communities.

Amateur radio operators not only participate due to interests in the hobby, but also because they serve an important role in the communications and coordination of communities and emergency services.

Under existing regulations, amateur radio operators can be subjected to regulations that other industries are not subject to, effectively singling them out. This bill doesn't display favoritism, it simply created an equal playing field for an industry that is little known, but contributes immensely to the well-being of our communities.

The Amateur Radio Parity Act would ensure that amateur operators are able to continue their hobby within the confines of the law, including in deed-restricted communities.

Across the United States, there are more than 720,000 amateur radio operators licensed by the FCC whose services to their communities cost nothing to the taxpayers.

They are instrumental in helping to coordinate during natural disasters and have provided services to organizations including the American Red Cross, the Salvation Army, FEMA and the Department of Defense.

As the Representative for coastal Georgia, I know all too well the effects of a natural disaster on an area and the benefits to having in place every protection possible to help combat the challenges that arise in those difficult times.

I applaud my good friend Mr. KINZINGER for his work on this issue and the work of the Energy and Commerce Committee to address these reforms and I urge passage of this important legislation.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas (Mr. BURGESS) that the House suspend the rules and pass the bill, H.R. 1301, as amended.

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

The title of the bill was amended so as to read: "A bill to direct the Federal Communications Commission to amend its rules so as to prohibit the application to amateur stations of certain private land use restrictions, and for other purposes."

A motion to reconsider was laid on the table.

SPORTS MEDICINE LICENSURE CLARITY ACT OF 2016

Mr. BURGESS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 921) to provide protections for certain sports medicine professionals who provide certain medical services in a secondary State, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 921

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 "Sports Medicine Licensure Clarity Act of 2016".

SEC. 2. PROTECTIONS FOR COVERED SPORTS MEDICINE PROFESSIONALS.

(a) *IN GENERAL.*—In the case of a covered sports medicine professional who has in effect medical professional liability insurance coverage and provides in a secondary State covered medical services that are within the scope of practice of such professional in the primary State to an athlete or an athletic team (or a staff member of such an athlete or athletic team) pursuant to an agreement described in subsection (b)(4) with respect to such athlete or athletic team—

(1) *such medical professional liability insurance coverage shall cover (subject to any related premium adjustments) such professional with respect to such covered medical services provided by the professional in the secondary State to such an individual or team as if such services were provided by such professional in the primary State to such an individual or team; and*

(2) *to the extent such professional is licensed under the requirements of the primary State to provide such services to such an individual or team, the professional shall be treated as satisfying any licensure requirements of the secondary State to provide such services to such an individual or team.*

(b) *DEFINITIONS.*—In this Act, the following definitions apply:

(1) *ATHLETE.*—The term "athlete" means—

(A) *an individual participating in a sporting event or activity for which the individual may be paid;*

(B) *an individual participating in a sporting event or activity sponsored or sanctioned by a national governing body; or*

(C) *an individual for whom a high school or institution of higher education provides a covered sports medicine professional.*

(2) *ATHLETIC TEAM.*—The term "athletic team" means a sports team—

(A) *composed of individuals who are paid to participate on the team;*

(B) *composed of individuals who are participating in a sporting event or activity sponsored or sanctioned by a national governing body; or*

(C) *for which a high school or an institution of higher education provides a covered sports medicine professional.*

(3) *COVERED MEDICAL SERVICES.*—The term "covered medical services" means general medical care, emergency medical care, athletic training, or physical therapy services. Such term does not include care provided by a covered sports medicine professional—

(A) *at a health care facility; or*

(B) *while a health care provider licensed to practice in the secondary State is transporting the injured individual to a health care facility.*

(4) *COVERED SPORTS MEDICINE PROFESSIONAL.*—The term "covered sports medicine professional" means a physician, athletic trainer, or other health care professional who—

(A) *is licensed to practice in the primary State;*

(B) *provides covered medical services, pursuant to a written agreement with an athlete, an athletic team, a national governing body, a high school, or an institution of higher education; and*

(C) *prior to providing the covered medical services described in subparagraph (B), has disclosed the nature and extent of such services to the entity that provides the professional with liability insurance in the primary State.*

(5) *HEALTH CARE FACILITY.*—The term "health care facility" means a facility in which medical care, diagnosis, or treatment is provided on an inpatient or outpatient basis. Such term does not include facilities at an arena, stadium, or practice facility, or temporary facilities existing for events where athletes or athletic teams may compete.

(6) *INSTITUTION OF HIGHER EDUCATION.*—The term "institution of higher education" has the meaning given such term in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001).

(7) *NATIONAL GOVERNING BODY.*—The term "national governing body" has the meaning given such term in section 220501 of title 36, United States Code.

(8) *PRIMARY STATE.*—The term "primary State" means, with respect to a covered sports medicine professional, the State in which—

(A) *the covered sports medicine professional is licensed to practice; and*

(B) *the majority of the covered sports medicine professional's practice is underwritten for medical professional liability insurance coverage.*

(9) *SECONDARY STATE.*—The term "secondary State" means, with respect to a covered sports medicine professional, any State that is not the primary State.

(10) *STATE.*—The term "State" means each of the several States, the District of Columbia, and each commonwealth, territory, or possession of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Texas (Mr. BURGESS) and the gentleman from Illinois (Ms. SCHAKOWSKY) each will control 20 minutes.

The Chair recognizes the gentleman from Texas.

GENERAL LEAVE

Mr. BURGESS. 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 into the RECORD on the bill.

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

There was no objection.

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

Mr. Speaker, I rise in support of H.R. 921, the Sports Medicine Licensure Clarity Act of 2016, introduced by my