

study on network resiliency during times of emergency and distress. Under this bill, the study done by the FCC would be made publicly available on their Web site and would include public safety benefits and the costs of implementing new alternatives that will aid in contacting and coordinating emergency services during those difficult times.

I urge my friends and colleagues to support this legislation because I have seen firsthand not only what disasters can do to an area, but the importance of our emergency services in having the networks and communication means to coordinate relief.

Strengthening our network resiliency is a benefit to everyone across our great country.

□ 1645

Mrs. BLACKBURN. Mr. Speaker, I have no further speakers.

I yield back the balance of my time. Ms. JACKSON LEE. Mr. Speaker, I rise in support of H.R. 588, "Securing Access to Networks in Disaster Act", which requires the Federal Communications Commission to submit to Congress and publish on the FCC website a study on the: public safety benefits, technical feasibility, and cost of providing the public with access to 9-1-1 services during times of emergency when mobile service is unavailable.

As a senior member of the Homeland Security Committee, I am well aware of the importance of telephone service during disasters.

The Securing Access to Networks in Disasters (SANDy) Act seeks to ensure the resiliency of the nation's communications networks during emergencies.

Acquiring cellphone service during a massive natural or manmade disaster is often difficult, if not impossible, and this is why this piece of legislation is so essential.

During the September 11, 2001 terrorist attacks that destroyed the World Trade Center in New York City, cellphone service was severely disrupted, forcing many callers to repeatedly dial to get through to 9-1-1 emergency services.

On that day, some of the most tragic, heart wrenching calls came from those trapped in the Twin Towers.

It is not only during terrorist attacks that cellphone services are severely disrupted, but also natural disasters such as Hurricane Katrina, which claimed the lives of over 1,800 people.

The SANDy Act would ensure that during an emergency, consumers' cell phones work on other carriers' networks if a consumer's own network goes down.

H.R. 588 would give priority to calls to 9-1-1 services and emergency alerts.

It also would increase coordination between wireless carriers, utilities, and public safety officials by creating a directory of the contact information for relevant disaster response officials.

The bill would require the FCC to report to Congress regarding whether additional outage data should be provided in times of emergency.

In addition, the bill requires the FCC to report to Congress on the viability of providing 9-1-1 services over Wi-Fi hotspots during emergencies.

H.R. 588 would be of immense benefit to the 18th Congressional District and the greater Houston area.

On April 17–18, 2016, Houston experienced a historic flood event that claimed the lives of eight people; damaged over 1,150 households; disrupted hundreds of businesses; closed community centers, schools, and places of worship due to flood waters.

On April 25, President Obama granted the request for federal Individual Assistance for Harris County residences and business owners who were affected by severe weather and flooding.

Unfortunately, that was not the end of the story of flooding in Houston for 2016—in early June another record setting rainfall led to catastrophic flooding throughout the Houston area.

I am grateful to President Obama and the great work of those at the Department of Homeland Security who worked tirelessly to help people after both 2016 flood events.

I spoke on the House Floor several times about the floods and the suffering caused by the waters that came through our communities—damaging homes, our schools, places of business, and our places of worship.

The flooding problems in the Houston area are frequent, widespread, and severe, with projects to reduce flood risks in place that are valued at several billion dollars.

In 2015, the Houston and surrounding area experienced widespread historic flooding.

The importance of being able to contact emergency responders in the case of natural disasters is critical in order to save the lives of those directly affected by such events.

The SANDy Act would provide telecommunication access to victims of natural and man-made disasters.

The SANDy Act amends the Stafford Act to ensure that all communications providers:

1. Have the ability to access relevant disaster stricken areas during emergencies to restore service; and

2. Are included in the universal credentialing program for essential service providers

The SANDy Act would recognize the critical role that all communications providers—broadcasters, cable, and telecommunications—serve in emergencies, but most notably, the bill would ensure consumers have access to wireless service even if their cellphone service provider's wireless network goes down.

I urge my colleagues to join me in supporting H.R. 588, the "Securing Access to Networks in Disaster Act."

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Illinois (Mr. RODNEY DAVIS) that the House suspend the rules and pass the bill, H.R. 588.

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

A motion to reconsider was laid on the table.

AMATEUR RADIO PARITY ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 555) 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.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 555

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 2017".

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 New Jersey (Mr. LANCE) and the gentleman from Pennsylvania (MICHAEL F. DOYLE) each will control 20 minutes.

The Chair recognizes the gentleman from New Jersey.

GENERAL LEAVE

Mr. LANCE. 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 New Jersey?

There was no objection.

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

Mr. Speaker, amateur radio, also known as ham radio, is a fun hobby for enthusiasts who use it to communicate with people around the world while teaching themselves the basics of communications technology. But more importantly, amateur radio operators utilize their skills to provide essential communication services to first responders when the conventional networks go down in times of emergency.

In order to be eligible to operate an amateur radio station, individuals must obtain a license from the FCC and comply with the FCC’s rules. One such requirement is that individuals must own and install the equipment needed to operate a station. This includes a transceiver, transmission lines, and an antenna. Currently, there are more than 730,000 amateur radio operators licensed in the United States, including a number of active clubs in New Jersey, the State I represent in the House.

Because communications equipment provides a societal benefit and is a critical part of our Nation’s infrastructure, the FCC prohibits land use restrictions imposed by governments or homeowners’ associations on certain communications equipment. However, these protections do not extend to amateur radio equipment.

Roughly 90 percent of new housing in the United States is subject to deed restrictions, homeowners’ associations, and other land use limitations. This is increasingly making the installation of amateur radio equipment more challenging.

Amateur radio operators have a history and tradition of being ready, willing, and able to lend their services during times of emergencies at no cost to taxpayers. Due to the nature and structure of amateur radio, hams are able to link communications between first responders using their own networks and equipment.

The only necessity for amateur radio stations, however, is some form of outdoor antenna. For this group of unsung heroes with a long tradition of public service when it is needed most, Congress should help deter barriers to their operation. H.R. 555 would extend the FCC protections over limitations on communications equipment to include amateur radio equipment.

Now, while I have described the critical role that amateur radio plays during times of disaster, I also understand the concerns shared by homeowners’ associations that this bill will expose their neighborhoods to big towers and antennas. This bill recognizes that there needs to be a balance between the right of homeowners and their associations with the rights of amateur radio operators. That is why Mr. KINZINGER’s bill passed without objection twice last Congress and enjoys the support of both the amateur radio community and the Community Associations Institute. I congratulate our distinguished col-

league from Illinois on working with both sides on this critical issue.

Mr. Speaker, there was much discussion and hard work that went into this bill in order to strike the right balance between the rights of the amateur radio community and the concerns of homeowners’ associations. Both sides were willing to compromise, and we are considering a good bill today because of that compromise. I hope all of our colleagues will support this bipartisan piece of legislation that I believe is critical to the safety of the American Nation.

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

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of H.R. 555, the Amateur Radio Parity Act. This is a bill that passed the House last Congress by voice vote after careful negotiations in the Subcommittee on Communications and Technology.

Amateur radio operators provide essential services in times of emergencies, and they shouldn’t be prohibited from building their facilities. H.R. 555 will provide for new rules that will help these operators navigate homeowner association restrictions when they are attempting to build their stations.

The bill 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.

Again, this measure passed the House by voice vote last Congress, and I encourage Members to support it today.

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

Mr. LANCE. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois (Mr. KINZINGER), who is the sponsor of the bill.

Mr. KINZINGER. Mr. Speaker, I thank the gentleman from New Jersey for yielding. I also want to thank Chairman WALDEN and Congressman COURTNEY for working with me to introduce this legislation and bring it to the floor for debate today.

Additionally, I appreciate the willingness of the associations impacted by this legislation, both the CAI and the ARRL, for working with our offices last Congress in order to come to an agreement on where this legislation needs to be in order to move forward in a bipartisan and a positive manner.

The legislation before us today is the same legislative text as H.R. 1301, which was able to gather over 100 bipartisan cosponsors and passed the House by voice vote in the 114th Congress.

The intent of this legislation is to remedy current law which prohibits the use of any antenna for amateur radio operators in certain areas with no consideration for the emergency ramifications that come about as a result. For some, this is merely a nuisance, but for others—those who use

their amateur radio licenses for emergency communications—a dangerous situation has been established by limiting the ability of hams to create effective communications for those in need.

For example, during times of emergency service, such as following a hurricane or a tornado, amateur radio operators are able to use their skills and equipment to create a network of communications that are utilized by first responders when other wired or wireless networks are taken down or are otherwise unavailable. This is a vital and lifesaving function.

Additionally, there are numerous 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. I have personally used this system as a pilot in the military. What is amazing about MARS is that it gives our military members the ability to communicate both domestically and abroad when other systems are not available or are simply not able to establish communications the way that these hams are able to do.

MARS members are able to accomplish this not only due to their extensive training and knowledge, but due to their commitment to this program. MARS members must not only have access to expensive high-frequency radio equipment, but they must also file monthly reports and participate in a minimum of 12 hours of radio activity each quarter in order to stay in compliance with the requirements of this program. This is a great service provided by these individuals, and it is my hope that we can get even more amateur radio operators involved in the future with the passage of this bill.

Again, the purpose of this bipartisan legislation is to 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 which many of these hams reside. It is my hope that by passing this bipartisan legislation early in this session of Congress, that we will be able to get this legislation through the Senate and to the President's desk in short order.

Mr. Speaker, I urge support of this bill, and I thank all my friends who helped work with me on this.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I yield such time as he may consume to the gentleman from Connecticut (Mr. COURTNEY), in spite of the fact that the gentleman is a New England Patriots fan who showed no mercy to my Pittsburgh Steelers last night, to show there are no hard feelings.

Mr. COURTNEY. Mr. Speaker, I want to thank Mr. DOYLE for his generous yielding of time and the great work he does representing the great city of Pittsburgh, which has had many Super Bowl rings in the past and will again in the future no doubt.

Mr. Speaker, again, I rise in support of this measure. As Mr. KINZINGER indicated, this is the third try that we have pushed this bill on a bipartisan basis, and hopefully the third time will be the charm. It was introduced only 10 days ago, and the fact that, again, we are moving so quickly hopefully is going to send an encouraging signal that the Senate can really move forward and finish this very, I think, important and useful piece of legislation.

There are about 737,000 ham radio operators that have been licensed by the Federal Communications Commission across the country. As has been said, they provide a great backup for emergency services around the country. Again, in Connecticut, where we did get hit with Hurricanes Sandy and Irene in back-to-back years, the harm that was done to the wireless communications system as well as just the regular radio system really put the spotlight on the fact that ham radio operators were critical in terms of keeping police, fire, and small communities and State services in up-to-date, realtime communication regarding both weather conditions as well as public safety conditions. So the work that they perform is not just kind of a hobby; it really has great value to the country.

What I think this bill tries to address is that, in 1985, the FCC issued an order and ruling basically describing ham radio as critical to the Nation's information and communication infrastructure, and that reasonable accommodation should be made in terms of public entities like zoning boards and land use bodies. It did not extend, however, to private land use restrictions.

Since the 1980s, there probably hasn't been a deed signed in the country that hasn't had land use restrictions, and this bill really tries to, I think, adjust to that reality with the compromise language that has been put forward so that condominium associations and, again, neighborhood developments have to reasonably make sure that this network is going to be able to function.

The good news is that the technology has moved forward so well that the antenna intrusion really is not what it used to be, that the equipment that they have is quite remarkable to see how strong their signals are and the reception is with, again, just really almost tiny antenna technology.

So, again, this legislation I think really updates the FCC's promotion of ham radio. Communities that are going to end up depending on it because of natural disaster and other emergency situations I think will benefit strongly. So again, I congratulate all the members of the Energy and Commerce Committee. I thank Mr. DOYLE again for generously yielding his time to me.

Mr. MICHAEL F. DOYLE of Pennsylvania. Mr. Speaker, I have no further speakers.

I yield back the balance of my time.

Mr. LANCE. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. NEWHOUSE).

Mr. NEWHOUSE. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I rise to add my voice of strong support for the Amateur Radio Parity Act of 2017. This important measure will affirm individual freedom and property rights and ensure every ham radio operator has the opportunity to enjoy their pastime regardless of the community in which they live.

H.R. 555 guarantees that all amateur radio operators living in deed-restricted communities have the right to construct and operate an effective outdoor antenna without burdensome restrictions being imposed by their respective homeowners' association.

Under the bill, HOAs would be required to allow ham radio use with the least practicable restrictions to preserve their aesthetic interests.

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Across central Washington, many of my constituents are avid ham radio operators. I believe we should be encouraging this advocacy, which also serves as a useful tool for emergency communications and preparedness.

I was proud to cosponsor this legislation in the 114th Congress, and I commend the work of Chairman KINZINGER, Chairman WALDEN, and Mr. LANCE to bring this bill forward again.

I look forward to supporting this bill on the House floor later today, and remain hopeful that, in this new Congress, we can advance the Amateur Radio Parity Act to the President's desk, where it can be signed into law.

Mr. LANCE. 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 New Jersey (Mr. LANCE) that the House suspend the rules and pass the bill, H.R. 555.

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

A motion to reconsider was laid on the table.

IMPROVING RURAL CALL QUALITY AND RELIABILITY ACT OF 2017

Mr. LANCE. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 460) to amend the Communications Act of 1934 to ensure the integrity of voice communications and to prevent unjust or unreasonable discrimination among areas of the United States in the delivery of such communications.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 460

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 "Improving Rural Call Quality and Reliability Act of 2017".