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No. 34

## House of Representatives

The House met at 2 p.m. and was called to order by the Speaker pro tempore (Mr. RASKIN).

### DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
February 25, 2019.

I hereby appoint the Honorable JAMIE RASKIN to act as Speaker pro tempore on this day.

NANCY PELOSI,  
*Speaker of the House of Representatives.*

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Loving God, we give You thanks for giving us another day.

You sent Your prophet Isaiah to Your people when they were in need of hope and vision. May Isaiah's prophetic words guide us still.

Send Your spirit upon this Nation and this Congress, that we may be open to hearing Your word and actively seek the salvation You alone can bring.

Make of us, and the Members of this people's House, a people of compassion and holiness. In pursuing the avenues of justice for all, may we be a sign to the community of nations.

The issues of this coming week promise to be contentious. Send Your spirit of amity and understanding, that the proceedings of the legislative sessions might be a model of good governance.

Lord, bless the Members of the people's House today and all days, and may all that is done be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the

last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Mr. COMER. Mr. Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COMER. 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, rule XX, further proceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Pennsylvania (Mr. THOMPSON) come forward and lead the House in the Pledge of Allegiance.

Mr. THOMPSON of Pennsylvania led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

### NATIONAL DEBT

(Mr. COMER asked and was given permission to address the House for 1 minute.)

Mr. COMER. Mr. Speaker, I rise today in disappointment that, once again, the Federal Government is nearing another debt limit. Our national debt is a record \$22 trillion.

I blame both parties for this reckless and immoral burden that has been placed on our children. We do not have

a taxing problem in Congress; we have a spending problem in Congress.

Both parties have lacked fiscal responsibility over the past four decades. Both parties have operated in deficits when they were in power.

Mr. Speaker, it will take both parties working together to control our spending. Our national debt is the single biggest challenge that faces our great country, and, surely, we can make it a bipartisan movement to cut unnecessary and wasteful spending while still funding our most important priorities of Social Security, Medicare, and our national defense.

### PENN STATE'S THON 2019

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Mr. Speaker, on February 15, thousands of students from my alma mater, Penn State University, participated in a 46-hour dance marathon called THON.

THON is the accumulation of a year-long fundraising effort to raise money for the fight against childhood cancer. Since the first THON took place in the mid-1970s, students have raised more than \$157 million.

All of the proceeds go to the Four Diamonds at Penn State University Children's Hospital. Four Diamonds ensures that families who are battling pediatric cancer are not faced with any costs, allowing them to fully focus on the needs of their child.

During the THON event, participants stand and dance 46 hours straight, without sleep. THON gives students the chance to stand in solidarity with those affected by this terrible disease.

Mr. Speaker, every year, THON is the largest student-run philanthropy in the world; and every year, I am in awe of the passion and thoughtfulness that

This symbol represents the time of day during the House proceedings, e.g.,  1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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our Penn State students have for this great cause.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 4:30 p.m. today.

Accordingly (at 2 o'clock and 7 minutes p.m.), the House stood in recess.

□ 1630

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. PETERS) at 4 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on motions to suspend the rules on which a recorded vote or the yeas and nays are ordered, or votes objected to under clause 6 of rule XX.

The House will resume proceedings on postponed questions at a later time.

#### PREVENTING ILLEGAL RADIO ABUSE THROUGH ENFORCEMENT ACT

Mr. TONKO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 583) to amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 583

*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 "Preventing Illegal Radio Abuse Through Enforcement Act" or the "PIRATE Act".

#### SEC. 2. PIRATE RADIO ENFORCEMENT ENHANCEMENTS.

Title V of the Communications Act of 1934 (47 U.S.C. 501 et seq.) is amended by adding at the end the following new section:

#### "SEC. 511. ENHANCED PENALTIES FOR PIRATE RADIO BROADCASTING; ENFORCEMENT SWEEPS; REPORTING.

"(a) INCREASED GENERAL PENALTY.—Any person who willfully and knowingly does or causes or suffers to be done any pirate radio broadcasting shall be subject to a fine of not more than \$2,000,000.

"(b) VIOLATION OF THIS ACT, RULES, OR REGULATIONS.—Any person who willfully and knowingly violates this Act or any rule, regulation, restriction, or condition made or imposed by the Commission under authority of this Act, or any rule, regulation, restriction, or condition made or imposed by any international radio or wire communications treaty or convention, or regulations annexed thereto, to which the United States is party, relating to pirate radio broadcasting shall, in addition to any other penalties provided by law, be subject to a fine of not more than \$100,000 for each day during which such of

fense occurs, in accordance with the limit described in subsection (a).

"(c) ANNUAL REPORT.—Not later than 1 year after the date of enactment of the PIRATE Act, and annually thereafter, the Commission shall submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report summarizing the implementation of this section and associated enforcement activities for the previous fiscal year, which may include the efforts by the Commission to enlist the cooperation of Federal, State, and local law enforcement personnel (including United States attorneys and the United States Marshals Service) for service of process, collection of fines or forfeitures, seizures of equipment, and enforcement of orders.

#### "(d) ENFORCEMENT SWEEPS.—

"(1) ANNUAL SWEEPS.—Not less than once each year, the Commission shall assign appropriate enforcement personnel to focus specific and sustained attention on the elimination of pirate radio broadcasting within the top 5 radio markets identified as prevalent for such broadcasts. Such effort shall include identifying, locating, and taking enforcement actions designed to terminate such operations.

"(2) ADDITIONAL MONITORING.—Within 6 months after conducting the enforcement sweeps required by paragraph (1), the Commission shall conduct monitoring sweeps to ascertain whether the pirate radio broadcasting identified by enforcement sweeps is continuing to broadcast and whether additional pirate radio broadcasting is occurring.

"(3) NO EFFECT ON REMAINING ENFORCEMENT.—Notwithstanding paragraph (1), the Commission shall not decrease or diminish the regular enforcement efforts targeted to pirate radio broadcast stations for other times of the year.

"(e) STATE AND LOCAL GOVERNMENT AUTHORITY.—The Commission may not preempt any State or local law prohibiting pirate radio broadcasting.

"(f) REVISION OF COMMISSION RULES REQUIRED.—The Commission shall revise its rules to require that, absent good cause, in any case alleging a violation of subsection (a) or (b), the Commission shall proceed directly to issue a notice of apparent liability without first issuing a notice of unlicensed operation.

"(g) PIRATE RADIO BROADCASTING DATABASE.—

"(1) IN GENERAL.—Not later than 90 days after the date of the enactment of this section, and semi-annually thereafter, the Commission shall publish a database in a clear and legible format of all licensed radio stations operating in the AM and FM bands. The database shall be easily accessible from the Commission home page through a direct link. The database shall include the following information:

"(A) Each licensed station, listed by the assigned frequency, channel number, or Commission call letters.

"(B) All entities that have received a notice of unlicensed operation, notice of apparent liability, or forfeiture order issued by the Commission.

"(2) CLEAR IDENTIFICATION.—The Commission shall clearly identify in the database—

"(A) each licensed station as a station licensed by the Commission; and

"(B) each entity described in paragraph (1)(B) as operating without a Commission license or authorization.

"(h) DEFINITION OF PIRATE RADIO BROADCASTING.—In this section, the term 'pirate radio broadcasting' means the transmission of communications on spectrum frequencies between 535 and 1705 kilohertz, inclusive, or

87.7 and 108 megahertz, inclusive, without a license issued by the Commission, but does not include unlicensed operations in compliance with part 15 of title 47, Code of Federal Regulations."

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

The Chair recognizes the gentleman from New York.

#### GENERAL LEAVE

Mr. TONKO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the measure under consideration.

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

There was no objection.

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

Mr. Speaker, I rise to support H.R. 583, the Preventing Illegal Radio Abuse Through Enforcement Act, or PIRATE Act, a bill sponsored by myself and Mr. BILIRAKIS. This measure is a bipartisan, commonsense bill that passed the House last Congress.

Mr. Speaker, first, a heartfelt thank you to everyone who has worked on this measure. I thank Representative BILIRAKIS for agreeing to lead this effort with me in this Congress. I thank our former colleague, Congressman Leonard Lance, for all his work on this bill in the past. And I thank the New York State broadcasters for their dedication.

For years, I, along with many Members of the New York and New Jersey delegations, have voiced our concern that pirate radio operators are a threat to Americans' public health and safety. Yet these lawbreakers are as prevalent as ever, and their actions have been met with few consequences. This legislation responds directly to that threat.

The FCC has taken some positive steps to remedy this issue, but more needs to be done.

In short, the PIRATE Act would increase penalties and restrictions on pirate radio.

Whether a radio frequency is being used by first responders coordinating to save lives, or parents who want to keep obscenity and bigotry away from their children, for example, our communities are better served when broadcasters respect the rule of law.

Previous drafts of the PIRATE Act included provisions creating liability for those who facilitate illegal pirate radio operation. These provisions were removed as being duplicative with existing law. For example, under current law, the FCC can hold a property owner liable for allowing a pirate radio operator access or other assistance.

Cutting these provisions should not be taken as limiting the Commission's authority to assess fines against those who assist illegal pirate operations. On the contrary, the consequences established in this act would also apply in these contexts.