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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.

The text of the bill before us today includes changes that were requested in the Senate last Congress.

Mr. Speaker, I include in the RECORD letters of support for H.R. 583 from the 50 State broadcast associations.

JANUARY 18, 2019.

50 State Broadcasters Associations Urge Passage of the Bipartisan PIRATE Act

Hon. NANCY PELOSI,
Speaker, House of Representatives,
Washington, DC.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC.

Hon. KEVIN MCCARTHY,
Minority Leader, House of Representatives,
Washington, DC.

Hon. CHARLES SCHUMER,
Minority Leader, U.S. Senate,
Washington, DC.

DEAR SPEAKER PELOSI AND LEADERS MCCARTHY, MCCONNELL AND SCHUMER: The undersigned broadcasters associations representing local, over-the-air broadcast stations in all 50 States, the District of Columbia and the Commonwealth of Puerto Rico urge your swift consideration and passage of the Preventing Illegal Radio Abuse Through Enforcement (PIRATE) Act (H.R. 583). The PIRATE Act would provide the Federal Communications Commission (FCC) with critical new enforcement measures to combat pirate radio operations. Last Congress, substantially similar bipartisan legislation (H.R. 5709, 115th) passed the House of Representatives unanimously.

For years unauthorized pirate radio stations have harmed communities across the country by undermining the Emergency Alert System, interfering with airport communications, posing direct health risks and interfering with licensed stations' abilities to serve their listeners. The time has come to take significant steps to resolve this vexing problem.

The PIRATE Act gives the FCC additional tools to address the growing pirate radio problem. It provides the authority to levy increased fines up to \$100,000 per violation and \$2,000,000 in total. The PIRATE Act streamlines the enforcement process and requires the FCC to conduct pirate radio enforcement sweeps in cities with a concentration of pirate radio stations. It recognizes the importance of FCC coordination with federal, state and local law enforcement authorities. Finally, the PIRATE Act would create a database of all licensed radio stations operating in the AM and FM bands as well as those entities that have been subject to enforcement actions for illegal operation.

We are reaching the point where illegal pirate stations undermine the legitimacy and purpose of the FCC's licensing system to the detriment of listeners in communities across the country. The PIRATE Act will help the FCC restore integrity to the system. For these reasons, local broadcasters across our great nation fully support the bipartisan PIRATE Act and urge its swift passage without changes.

Respectfully,

Sharon Tinsley, Alabama Broadcasters Association; Cathy Hiebert, Alaska Broadcasters Association; Christopher Kline, Arizona Broadcasters Association; Luke Story, Arkansas Broadcasters Association; Joe Berry, California Broadcasters Association; Justin Sasso, Colorado Broadcasters Association; Michael Patrick Ryan, Connecticut Broadcasters Association; C. Patrick Roberts, Florida Association of Broadcasters; Bob Houghton, Georgia Association of Broadcasters; Jamie Hartnett, Hawaii Association of Broadcasters; Connie Searles, Idaho State Broadcasters Association; Dennis Lyle, Illinois Broadcasters Association.

Dave Arland, Indiana Broadcasters Association; Sue Toma, Iowa Broadcasters Association; Kent Cornish, Kansas Association of Broadcasters; Chris Winkle, Kentucky Broadcasters Association; Polly Prince Johnson, Louisiana Association of Broadcasters; Suzanne Goucher, Maine Association of Broadcasters; Lisa Reynolds, Maryland/D.C./Delaware (MDCD) Broadcasters Association; Jordan Walton, Massachusetts Broadcasters Association; Karole L. White, Michigan Association of Broadcasters; Wendy Paulson, Minnesota Broadcasters Association; Margaret Perkins, Mississippi Association of Broadcasters; Mark Gordon, Missouri Broadcasters Association.

Dewey Bruce, Montana Broadcasters Association; Jim Timm, Nebraska Broadcasters Association; Mitch Fox, Nevada Broadcasters Association; Tracy Caruso, New Hampshire Association of Broadcasters; Paul Rotella, New Jersey Broadcasters Association; Paula Maes, New Mexico Broadcasters Association; David Donovan, New York State Broadcasters Association; Lisa Reynolds, North Carolina Association of Broadcasters; Beth Helfrich, North Dakota Broadcasters Association; Christine Merritt, Ohio Association of Broadcasters; Vance Harrison, Oklahoma Association of Broadcasters; John Tamerlano, Oregon Association of Broadcasters.

Joe Conti, Pennsylvania Association of Broadcasters; Jose A. Ribas Dominici, Radio Broadcasters Association of Puerto Rico; Lori Needham, Rhode Island Broadcasters Association; Margaret Wallace, South Carolina Broadcasters Association; Steve Willard, South Dakota Broadcasters Association; Whit Adamson, Tennessee Association of Broadcasters; Oscar Rodriguez, Texas Association of Broadcasters; Michele Zabriske, Utah Broadcasters Association; Wendy Mays, Vermont Association of Broadcasters; Doug Easter, Virginia Association of Broadcasters; Keith Shipman, Washington State Association of Broadcasters; Michele Crist, West Virginia Broadcasters Association; Michelle Vetterkind, Wisconsin Broadcasters Association; Laura Grott, Wyoming Association of Broadcasters.

Mr. TONKO. Mr. Speaker, H.R. 583 is a bipartisan, commonsense advance in the laws that support our first responders and protect our communities. I urge my colleagues to support this legislation so it can be taken up in the Senate and signed into law.

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

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

Mr. Speaker, I also rise in support of H.R. 583, the Preventing Illegal Radio Abuse Through Enforcement Act, the PIRATE Act, introduced by my friends Mr. TONKO and Mr. BILIRAKIS.

Mr. Speaker, I thank Mr. TONKO and Mr. BILIRAKIS for their bipartisan efforts to combat illegal pirate radio operations.

This bill gives the Federal Communications Commission, along with State and local law enforcement, more tools to go after pirate radio operators. Without the ability to effectively go after illegal transmitters, the FCC and other entities cannot protect the over 240 million Americans who rely on radio broadcasting for vital news and entertainment.

Furthermore, stopping bad actors from pirating our airwaves improves public safety by preventing unlawful

broadcasts from interfering with first responders' lifesaving communications and public safety officials' transmission of critical information in an emergency.

Mr. Speaker, I urge passage of the PIRATE Act, and I reserve the balance of my time.

Mr. TONKO. Mr. Speaker, I have no further Members who choose to speak. I reserve the balance of my time.

Mr. LATTA. Mr. Speaker, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Speaker, I rise today in support of H.R. 583, the PIRATE Act, led by Chairman TONKO and Representative BILIRAKIS.

The bipartisan bill takes an important step to protect the vital public safety announcements, news, and educational benefits local broadcasters serve to their communities.

When illegal pirate radio operators interfere with important public safety communications, it can be detrimental to the public. These illegal pirate operators also interfere with critical aviation frequencies, potentially putting lives at risk.

Legitimate, licensed broadcasters who provide the foundation of our Nation's Emergency Alert System must be protected from this type of harmful interference.

H.R. 583 would give the FCC stronger tools to continue their enforcement sweeps and fine violators in order to better protect Americans.

Mr. Speaker, I thank my colleagues on the Energy and Commerce Committee for their leadership on this bipartisan legislation, and I urge its passage today.

Mr. LATTA. Mr. Speaker, again, for all the reasons that I have stated here today on the PIRATE Act, I believe that this bill is essential to pass today, and I ask the House to pass H.R. 583.

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

Mr. TONKO. Mr. Speaker, to close, I believe that this measure, H.R. 583, moves us forward in a way that better protects public health and safety. It has the endorsement of many in the field, including 50 State broadcast associations.

Mr. Speaker, I encourage our colleagues to support H.R. 583, and I yield back the balance of my time.

Mr. WALDEN. Mr. Speaker, I rise today in support of H.R. 583, the Preventing Illegal Radio Abuse Through Enforcement (PIRATE) Act, introduced by Reps. PAUL TONKO and GUS BILIRAKIS. I want to thank Rep. CHRIS COLLINS of New York and former Rep. Leonard Lance of New Jersey for leading on this last Congress.

Mr. Speaker, I've been around radio for most of my life. From working as a teenage janitor at my dad's radio station to spending more than 20 years as a radio station owner myself; in fact, I'm still a licensed amateur radio operator today. But you don't need that much experience to understand that protecting our public airwaves from illegal pirate radio interference is important for consumers and broadcasters alike.

The PIRATE Act gives the FCC additional tools to address the growing pirate radio problem and increases the penalties for bad actors. These illegal broadcasts deprive Americans of important programming provided by legitimate broadcast license-holders serving the public interest. And they can disrupt important public safety communications, including our nation's Emergency Alert System and critical aviation frequencies. In many cases, these pirate radio stations broadcast vile and vulgar content, which also harms consumers. By preventing illegal pirate radio operations, consumers are protected, and airwaves are kept free for legitimate broadcasts and public safety announcements.

Last Congress, this House passed the PIRATE Act by voice vote. I'd like to thank our former colleague Leonard Lance, who first authored this legislation last Congress, and my colleagues Mr. TONKO and Mr. BILIRAKIS for bringing this important bill to strengthen our public safety communications back to the House floor today. I urge its quick passage.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from New York (Mr. TONKO) that the House suspend the rules and pass the bill, H.R. 583.

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.

POISON CENTER NETWORK ENHANCEMENT ACT OF 2019

Mr. ENGEL. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 501) to amend the Public Health Service Act to reauthorize and enhance the poison center national toll-free number, national media campaign, and grant program, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 501

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 "Poison Center Network Enhancement Act of 2019".

SEC. 2. REAUTHORIZATION OF POISON CENTER NATIONAL TOLL-FREE NUMBER.

Section 1271 of the Public Health Service Act (42 U.S.C. 300d-71) is amended to read as follows:

"SEC. 1271. ESTABLISHMENT AND MAINTENANCE OF THE NATIONAL TOLL-FREE NUMBER AND ENHANCED COMMUNICATIONS CAPABILITIES.

"(a) IN GENERAL.—The Secretary shall provide coordination and assistance to poison control centers for—

"(1) the development, establishment, implementation, and maintenance of a nationwide toll-free phone number; and

"(2) the enhancement of communications capabilities, which may include text capabilities.

"(b) CONSULTATION.—The Secretary may consult with nationally recognized professional organizations in the field of poison control to determine the best and most effective means of achieving the goals described in paragraphs (1) and (2) of subsection (a).

"(c) RULE OF CONSTRUCTION.—In assisting with public health emergencies, responses, or

preparedness, nothing in this section shall be construed to restrict the work of poison control centers or the use of their resources by the Secretary or other governmental agencies.

"(d) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$700,000 for each of fiscal years 2020 through 2024."

SEC. 3. REAUTHORIZATION OF NATIONWIDE PUBLIC AWARENESS CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION.

Section 1272 of the Public Health Service Act (42 U.S.C. 300d-72) is amended to read as follows:

"SEC. 1272. NATIONWIDE PUBLIC AWARENESS CAMPAIGN TO PROMOTE POISON CONTROL CENTER UTILIZATION AND THEIR PUBLIC HEALTH EMERGENCY RESPONSE CAPABILITIES.

"(a) IN GENERAL.—The Secretary shall—

"(1) carry out, and expand upon, a national public awareness campaign to educate the public and health care providers about—

"(A) poisoning, toxic exposure, and drug misuse prevention; and

"(B) the availability of poison control center resources in local communities; and

"(2) as part of such campaign, highlight the nationwide toll-free number and enhanced communications capabilities supported under section 1271.

"(b) CONSULTATION.—In carrying out and expanding upon the national campaign under subsection (a), the Secretary may consult with nationally recognized professional organizations in the field of poison control response for the purpose of determining the best and most effective methods for achieving public awareness.

"(c) CONTRACT WITH ENTITY.—The Secretary may carry out subsection (a) by entering into contracts with one or more public or private entities, including nationally recognized professional organizations in the field of poison control and national media firms, for the development and implementation of the awareness campaign under subsection (a), which may include—

"(1) the development and distribution of poisoning and toxic exposure prevention, poison control center, and public health emergency awareness and response materials;

"(2) television, radio, internet, and newspaper public service announcements; and

"(3) other means and activities to provide for public and professional awareness and education.

"(d) EVALUATION.—The Secretary shall—

"(1) establish baseline measures and benchmarks to quantitatively evaluate the impact of the nationwide public awareness campaign carried out under this section; and

"(2) on a biennial basis, prepare and submit to the appropriate committees of Congress an evaluation of the nationwide public awareness campaign.

"(e) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section, \$800,000 for each of fiscal years 2020 through 2024."

SEC. 4. REAUTHORIZATION OF THE POISON CONTROL CENTER GRANT PROGRAM.

Section 1273 of the Public Health Service Act (42 U.S.C. 300d-73) is amended to read as follows:

"SEC. 1273. MAINTENANCE OF THE POISON CONTROL CENTER GRANT PROGRAM.

"(a) AUTHORIZATION OF PROGRAM.—The Secretary shall award grants to poison control centers accredited under subsection (c) (or granted a waiver under subsection (d)) and nationally recognized professional organizations in the field of poison control for the purposes of—

"(1) preventing, and providing treatment recommendations for, poisonings and toxic exposures including opioid and drug misuse;

"(2) assisting with public health emergencies, responses, and preparedness; and

"(3) complying with the operational requirements needed to sustain the accreditation of the center under subsection (c).

"(b) ADDITIONAL USES OF FUNDS.—In addition to the purposes described in subsection (a), a poison center or professional organization awarded a grant under such subsection may also use amounts received under such grant—

"(1) to research, establish, implement, and evaluate best practices in the United States for poisoning prevention, poison control center outreach, opioid and drug misuse information and response, and public health emergency, response, and preparedness programs;

"(2) to research, develop, implement, revise, and communicate standard patient management guidelines for commonly encountered toxic exposures;

"(3) to improve national toxic exposure and opioid misuse surveillance by enhancing cooperative activities between poison control centers in the United States and the Centers for Disease Control and Prevention and other governmental agencies;

"(4) to research, improve, and enhance the communications and response capability and capacity of the Nation's network of poison control centers to facilitate increased access to the centers through the integration and modernization of the current poison control centers communications and data system, including enhancing the network's telephony, internet, data, and social networking technologies;

"(5) to develop, support, and enhance technology and capabilities of nationally recognized professional organizations in the field of poison control to collect national poisoning, toxic occurrence, and related public health data;

"(6) to develop initiatives to foster the enhanced public health utilization of national poison data collected by such organizations;

"(7) to support and expand the toxicologic expertise within poison control centers; and

"(8) to improve the capacity of poison control centers to answer high volumes of contacts and internet communications, and to sustain and enhance the poison control center's network capability to respond during times of national crisis or other public health emergencies.

"(c) ACCREDITATION.—Except as provided in subsection (d), the Secretary may award a grant to a poison control center under subsection (a) only if—

"(1) the center has been accredited by a nationally recognized professional organization in the field of poison control, and the Secretary has approved the organization as having in effect standards for accreditation that reasonably provide for the protection of the public health with respect to poisoning; or

"(2) the center has been accredited by a State government, and the Secretary has approved the State government as having in effect standards for accreditation that reasonably provide for the protection of the public health with respect to poisoning.

"(d) WAIVER OF ACCREDITATION REQUIREMENTS.—

"(1) IN GENERAL.—The Secretary may grant a waiver of the accreditation requirements of subsection (c) with respect to a nonaccredited poison control center that applies for a grant under this section if such center can reasonably demonstrate that the center will obtain such an accreditation within a reasonable period of time as determined appropriate by the Secretary.

"(2) RENEWAL.—The Secretary may renew a waiver under paragraph (1).

"(3) LIMITATION.—The Secretary may not, after the date of enactment of the Poison