

H.R. 5918, the Emergency Reporting Act, requires the Federal Communications Commission (FCC) to hold field hearings after disasters, issue preliminary and final reports about each disaster, and ensure 9–1–1 centers know when outages will impact calls they may receive.

Wildfires are becoming more intense and more frequent because of climate change, and this wildfire season is now a historic one, with the expected peak of the season yet to occur. Over a month ago a siege of lightning strikes ignited the CZU Lightning Complex fire in my congressional district, and it is now the tenth most destructive wildfire in California's history. The fire has destroyed nearly a thousand homes in my district and forced 77,000 of my constituents to evacuate.

Last year, I asked FCC Chairman Ajit Pai to visit California and hold a field hearing following the fires and associated power shutoffs in California, and many of my colleagues from California did the same. The Chairman agreed to do so at the request of Republican Leader KEVIN MCCARTHY. While Chairman Pai never visited California, learning about communications outages shouldn't be a matter of political pressure. At a Hearing of the House Subcommittee on Communications and Technology on September 17, 2020, I reissued my request of Chairman Pai to visit California and hear directly from the people impacted by the wildfires.

We need to learn from every disaster, especially by listening to and learning from local public safety leaders, municipal, county, and state officials, and members of the communities impacted. This should be required.

H.R. 5918 is critical legislation for Californians impacted by wildfires. It will also help those on the Gulf Coast victimized by hurricanes, Midwesterners who've had their communities destroyed by tornadoes, and those in the Northeast who have experienced far too many superstorms.

The Emergency Reporting Act is important legislation, and I urge my colleagues to support it.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. MCNERNEY) that the House suspend the rules and pass the bill, H.R. 5918, as amended.

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

A motion to reconsider was laid on the table.

MEASURING THE ECONOMICS DRIVING INVESTMENTS AND ACCESS FOR DIVERSITY ACT OF 2020

Mr. MCNERNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5567) to amend the Communications Act of 1934 to require the Federal Communications Commission to consider market entry barriers for socially disadvantaged individuals in the communications marketplace report under section 13 of such Act.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5567

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 “Measuring the Economics Driving Investments and Access for Diversity Act of 2020” or the “MEDIA Diversity Act of 2020”.

SEC. 2. CONSIDERING MARKET ENTRY BARRIERS FOR SOCIALLY DISADVANTAGED INDIVIDUALS.

Section 13(d) of the Communications Act of 1934 (47 U.S.C. 163(d)) is amended by adding at the end the following:

“(4) CONSIDERING SOCIALLY DISADVANTAGED INDIVIDUALS.—In assessing the state of competition under subsection (b)(1) and regulatory barriers under subsection (b)(3), the Commission, with the input of the Office of Communications Business Opportunities of the Commission, shall consider market entry barriers for socially disadvantaged individuals in the communications marketplace in accordance with the national policy under section 257(b).”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. MCNERNEY) and the gentleman from Montana (Mr. GIANFORTE) each will control 20 minutes.

The Chair recognizes the gentleman from California.

GENERAL LEAVE

Mr. MCNERNEY. 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 H.R. 5567.

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

There was no objection.

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

Mr. Speaker, I rise in strong support of H.R. 5567, the Measuring the Economics Driving Investments and Access for Diversity Act of 2020, or, simply, the MEDIA Diversity Act of 2020.

This bill promotes much-needed diversity in the communications marketplace, and I commend Representatives VEASEY and LONG and their staffs for all their efforts towards this bipartisan bill.

I also, of course, want to thank Communications and Technology Subcommittee Chairman MIKE DOYLE, full committee Chairman PALLONE, Ranking Member WALDEN, and Ranking Member LATTA for their work in bringing this bipartisan legislation to the floor.

This bill requires the FCC to consider, with the input of its Office of Communications Business Opportunities, market entry barriers for socially disadvantaged individuals in the communications marketplace.

When Representatives LONG and VEASEY first introduced this bill in January of this year, it was, of course, a different time. The murder of George Floyd has since led to protests across the country, highlighting decades of racial inequalities.

Those inequalities exist in our communications marketplace. For exam-

ple, the owners of broadcast and cable media outlets do not reflect our diverse population. These media outlets can influence people's opinions and perceptions through educational, political, entertainment, and news programming.

Diversity in ownership of media outlets helps to ensure that programming offers different perspectives and that viewers have access to programming that is relevant to them.

Experts have also found that ownership diversity can provide financial and competitive benefits. But in a concentrated communications marketplace, barriers for entry still exist, and the Federal Communications Commission is already tasked with studying what those barriers are. This bill simply asks the FCC to also consider market entry barriers for socially disadvantaged individuals.

Creating ownership parity to reflect the country's diversity is a worthy goal, and this bipartisan effort is just a small step that can have a genuine impact in identifying market entry barriers.

To be clear, there is so much more that we need to do, and the Energy and Commerce Committee, 2 weeks ago, reported out two additional bills that also take important steps to diversify our media market, one of which my Republican colleagues unfortunately objected to.

I would call on my Republican colleagues to support those measures as well when they come to the floor. This is no time to say that our work is done. We must recognize that Americans need transformative change to meet this moment.

While incremental steps are crucial, we must do more. These additional measures that were just reported by the committee, like this one, are modest changes that will help begin the task of comprehensive reform.

I am proud of the good work done by the members of the committee, and I am proud of this bill. I hope we can come together as a committee and as a Congress and do the additional work that is needed.

Mr. Speaker, I urge all of my colleagues to support the MEDIA Diversity Act of 2020, and I reserve the balance of my time.

□ 1730

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

Mr. Speaker, I rise today in support of H.R. 5567, the MEDIA Diversity Act, introduced by my friend from Missouri, Representative LONG.

This legislation represents another step forward to uplift minority voices and promote media diversity. I understand how important it is to serve communities with local programming that accurately reflects a community's population.

I have also seen the media industry make great strides to promote diversity and create new content to appeal

to communities that they serve. Many programs and initiatives have been established to promote opportunities for women, minorities, veterans, and other socially disadvantaged individuals to participate in the media marketplace.

Of course, the media industry is only one small part of the vast communications marketplace that also includes mobile wireless providers, online video distributors, fixed broadband providers, and so on.

There are also new entrants in the tech industry who are providing additional opportunities for minorities, women, veterans, and underrepresented groups that make their voices heard. There is still work to do to make sure these voices and underserved communities are represented in traditional media and all other areas of the large communications marketplace, and this legislation will help.

I am glad to support this piece of bipartisan legislation that will allow the FCC to evaluate the market barriers socially disadvantaged individuals face in the communications marketplace.

Mr. Speaker, I urge my colleagues to support this important legislation to make sure all voices are heard, and I yield back the balance of my time.

Mr. McNERNEY. Mr. Speaker, H.R. 5567 promotes much needed diversity in the communications marketplace. As the Member who represents the most racially and ethnically diverse city in the country, Stockton, California, I want to make sure that the owners of broadcast and cable media outlets reflect our diverse population. H.R. 5567 is a step toward achieving that goal.

Mr. Speaker, I urge my colleagues to support this legislation, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California (Mr. McNERNEY) that the House suspend the rules and pass the bill, H.R. 5567.

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.

DON'T BREAK UP THE T-BAND ACT OF 2020

Mr. McNERNEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 451) to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 451

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 “Don’t Break Up the T-Band Act of 2020”.

SEC. 2. REPEAL OF REQUIREMENT TO REALLOCATE AND AUCTION T-BAND SPECTRUM.

(a) REPEAL.—Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 (47 U.S.C. 1413) is repealed.

(b) CLERICAL AMENDMENT.—The table of contents in section 1(b) of such Act is amended by striking the item relating to section 6103.

SEC. 3. CLARIFYING ACCEPTABLE 9-1-1 OBLIGATIONS OR EXPENDITURES.

Section 6 of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a-1) is amended—

(1) in subsection (f)—

(A) in paragraph (1), by striking “as specified in the provision of State or local law adopting the fee or charge” and inserting “consistent with the purposes and functions designated in the final rules issued under paragraph (3) as purposes and functions for which the obligation or expenditure of such a fee or charge is acceptable”;

(B) in paragraph (2), by striking “any purpose other than the purpose for which any such fees or charges are specified” and inserting “any purpose or function other than the purposes and functions designated in the final rules issued under paragraph (3) as purposes and functions for which the obligation or expenditure of any such fees or charges is acceptable”; and

(C) by adding at the end the following:

“(3) ACCEPTABLE OBLIGATIONS OR EXPENDITURES.—

“(A) RULES REQUIRED.—In order to prevent diversion of 9-1-1 fees or charges, the Commission shall, not later than 180 days after the date of the enactment of this paragraph, issue final rules designating purposes and functions for which the obligation or expenditure of 9-1-1 fees or charges, by any State or taxing jurisdiction authorized to impose such a fee or charge, is acceptable.

“(B) PURPOSES AND FUNCTIONS.—The purposes and functions designated under subparagraph (A) shall be limited to the support and implementation of 9-1-1 services provided by or in the State or taxing jurisdiction imposing the fee or charge and operational expenses of public safety answering points within such State or taxing jurisdiction. In designating such purposes and functions, the Commission shall consider the purposes and functions that States and taxing jurisdictions specify as the intended purposes and functions for the 9-1-1 fees or charges of such States and taxing jurisdictions, and determine whether such purposes and functions directly support providing 9-1-1 services.

“(C) CONSULTATION REQUIRED.—The Commission shall consult with public safety organizations and States and taxing jurisdictions as part of any proceeding under this paragraph.

“(D) DEFINITIONS.—In this paragraph:

“(i) 9-1-1 FEE OR CHARGE.—The term ‘9-1-1 fee or charge’ means a fee or charge applicable to commercial mobile services or IP-enabled voice services specifically designated by a State or taxing jurisdiction for the support or implementation of 9-1-1 services.

“(ii) 9-1-1 SERVICES.—The term ‘9-1-1 services’ has the meaning given such term in section 158(e) of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942(e)).

“(iii) STATE OR TAXING JURISDICTION.—The term ‘State or taxing jurisdiction’ means a State, political subdivision thereof, Indian Tribe, or village or regional corporation serving a region established pursuant to the Alaska Native Claims Settlement Act (43 U.S.C. 1601 et seq.).

“(4) PARTICIPATION.—If a State or taxing jurisdiction (as defined in paragraph (3)(D))

receives a grant under section 158 of the National Telecommunications and Information Administration Organization Act (47 U.S.C. 942) after the date of the enactment of this paragraph, such State or taxing jurisdiction shall, as a condition of receiving such grant, provide the information requested by the Commission to prepare the report required by paragraph (2).

“(5) PETITION REGARDING ADDITIONAL PURPOSES AND FUNCTIONS.—

“(A) IN GENERAL.—A State or taxing jurisdiction (as defined in paragraph (3)(D)) may submit to the Commission a petition for a determination that an obligation or expenditure of a 9-1-1 fee or charge (as defined in such paragraph) by such State or taxing jurisdiction for a purpose or function other than a purpose or function designated under paragraph (3)(A) should be treated as such a purpose or function. If the Commission finds that the State or taxing jurisdiction has provided sufficient documentation to make the demonstration described in subparagraph (B), the Commission shall grant such petition.

“(B) DEMONSTRATION DESCRIBED.—The demonstration described in this subparagraph is a demonstration that the purpose or function—

“(i) supports public safety answering point functions or operations; or

“(ii) has a direct impact on the ability of a public safety answering point to—

“(I) receive or respond to 9-1-1 calls; or

“(II) dispatch emergency responders.”; and

(2) by adding at the end the following:

“(j) SEVERABILITY CLAUSE.—If any provision of this section or the application thereof to any person or circumstance is held invalid, the remainder of this section and the application of such provision to other persons or circumstances shall not be affected thereby.”.

SEC. 4. PROHIBITION ON 9-1-1 FEE OR CHARGE DIVERSION.

(a) IN GENERAL.—If the Commission obtains evidence that suggests the diversion by a State or taxing jurisdiction of 9-1-1 fees or charges, the Commission shall submit such information, including any information regarding the impact of any underfunding of 9-1-1 services in the State or taxing jurisdiction, to the interagency strike force established under subsection (c).

(b) REPORT TO CONGRESS.—Beginning with the first report under section 6(f)(2) of the Wireless Communications and Public Safety Act of 1999 (47 U.S.C. 615a-1(f)(2)) that is required to be submitted after the date that is 1 year after the date of the enactment of this Act, the Commission shall include in each report required under such section all evidence that suggests the diversion by a State or taxing jurisdiction of 9-1-1 fees or charges, including any information regarding the impact of any underfunding of 9-1-1 services in the State or taxing jurisdiction.

(c) INTERAGENCY STRIKE FORCE TO END 9-1-1 FEE OR CHARGE DIVERSION.—

(1) ESTABLISHMENT.—Not later than 180 days after the date of the enactment of this Act, the Commission shall establish an interagency strike force to study how the Federal Government can most expeditiously end diversion by a State or taxing jurisdiction of 9-1-1 fees or charges. Such interagency strike force shall be known as the “Ending 9-1-1 Fee Diversion Now Strike Force” (in this section referred to as the “Strike Force”).

(2) DUTIES.—In carrying out the study under paragraph (1), the Strike Force shall—

(A) determine the effectiveness of any Federal laws, including regulations, policies, and practices, or budgetary or jurisdictional constraints regarding how the Federal Government can most expeditiously end diversion by a State or taxing jurisdiction of 9-1-1 fees or charges;