

111TH CONGRESS
1ST SESSION

S. 1755

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 15, 2009

Referred to the Committee on Energy and Commerce

AN ACT

To direct the Department of Homeland Security to undertake
a study on emergency communications.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Amateur Radio Emer-
3 gency Communications Enhancement Act of 2009”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) Nearly 700,000 amateurs radio operators in
7 the United States are licensed by the Federal Com-
8 munications Commission in the Amateur Radio
9 Service.

10 (2) Amateur Radio Service operators provide,
11 on a volunteer basis, a valuable public sector service
12 to their communities, their States, and to the Na-
13 tion, especially in the area of national and inter-
14 national disaster communications.

15 (3) Emergency and disaster relief communica-
16 tions services by volunteer Amateur Radio Service
17 operators have consistently and reliably been pro-
18 vided before, during, and after floods, hurricanes,
19 tornadoes, forest fires, earthquakes, blizzards, train
20 accidents, chemical spills and other disasters. These
21 communications services include services in connec-
22 tion with significant examples, such as—

23 (A) hurricanes Katrina, Rita, Hugo, and
24 Andrew;

1 (B) the relief effort at the World Trade
2 Center and the Pentagon following the 2001
3 terrorist attacks; and

4 (C) the Oklahoma City bombing in April
5 1995.

6 (4) Amateur Radio Service has formal agree-
7 ments for the provision of volunteer emergency com-
8 munications activities with the Department of
9 Homeland Security, the Federal Emergency Man-
10 agement Agency, the National Weather Service, the
11 National Communications System, and the Associa-
12 tion of Public Safety Communications Officials, as
13 well as with disaster relief agencies, including the
14 American National Red Cross and the Salvation
15 Army.

16 (5) Section 1 of the joint resolution entitled
17 “Joint Resolution to recognize the achievements of
18 radio amateurs, and to establish support for such
19 amateurs as national policy”, approved October 22,
20 1994 (Public Law 103–408), included a finding that
21 stated: “Reasonable accommodation should be made
22 for the effective operation of amateur radio from
23 residences, private vehicles and public areas, and the
24 regulation at all levels of government should facili-

1 tate and encourage amateur radio operations as a
2 public benefit.”.

3 (6) Section 1805(c) of the Homeland Security
4 Act of 2002 (6 U.S.C. 757(c)) directs the Regional
5 Emergency Communications Coordinating Working
6 Group of the Department of Homeland Security to
7 coordinate their activities with ham and amateur
8 radio operators among the 11 other emergency orga-
9 nizations such as ambulance services, law enforce-
10 ment, and others.

11 (7) Amateur Radio Service, at no cost to tax-
12 payers, provides a fertile ground for technical self-
13 training in modern telecommunications, electronic
14 technology, and emergency communications tech-
15 niques and protocols.

16 (8) There is a strong Federal interest in the ef-
17 fective performance of Amateur Radio Service sta-
18 tions, and that performance must be given—

19 (A) support at all levels of government;
20 and

21 (B) protection against unreasonable regu-
22 lation and impediments to the provision of the
23 valuable communications provided by such sta-
24 tions.

1 **SEC. 3. STUDY OF ENHANCED USES OF AMATEUR RADIO IN**
2 **EMERGENCY AND DISASTER RELIEF COMMU-**
3 **NICATION AND FOR RELIEF OF RESTRIC-**
4 **TIONS.**

5 (a) **AUTHORITY.**—Not later than 180 days after the
6 date of enactment of this Act, the Secretary of Homeland
7 Security shall—

8 (1) undertake a study on the uses and capabili-
9 ties of Amateur Radio Service communications in
10 emergencies and disaster relief; and

11 (2) submit a report on the findings of the Sec-
12 retary to Congress.

13 (b) **SCOPE OF THE STUDY.**—The study required by
14 this section shall—

15 (1) include a review of the importance of ama-
16 teur radio emergency communications in furtherance
17 of homeland security missions relating to disasters,
18 severe weather, and other threats to lives and prop-
19 erty in the United States, as well as recommenda-
20 tions for—

21 (A) enhancements in the voluntary deploy-
22 ment of amateur radio licensees in disaster and
23 emergency communications and disaster relief
24 efforts; and

25 (B) improved integration of amateur radio
26 operators in planning and furtherance of the

1 Department of Homeland Security initiatives;
2 and

3 (2)(A) identify impediments to enhanced Ama-
4 teur Radio Service communications, such as the ef-
5 fects of unreasonable or unnecessary private land
6 use regulations on residential antenna installations;
7 and

8 (B) make recommendations regarding such im-
9 pediments for consideration by other Federal depart-
10 ments, agencies, and Congress.

11 (c) USE OF EXPERTISE AND INFORMATION.—In con-
12 ducting the study required by this section, the Secretary
13 of Homeland Security shall utilize the expertise of stake-
14 holder entities and organizations, including the amateur
15 radio, emergency response, and disaster communications
16 communities.

Passed the Senate December 14, 2009.

Attest: NANCY ERICKSON,
Secretary.