

115TH CONGRESS
2D SESSION

H. R. 7236

To amend the Communications Act of 1934 to provide for the establishment of a radiofrequency radiation site safety information database, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 10, 2018

Mr. HUNTER introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To amend the Communications Act of 1934 to provide for the establishment of a radiofrequency radiation site safety information database, and for other purposes.

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

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Radiofrequency Radi-
5 ation Site Safety Information Act of 2018”.

1 **SEC. 2. RADIOFREQUENCY RADIATION SITE SAFETY INFOR-**
2 **MATION DATABASE.**

3 (a) IN GENERAL.—Part I of title III of the Commu-
4 nications Act of 1934 (47 U.S.C. 301 et seq.) is amended
5 by adding at the end the following:

6 **“SEC. 344. RADIOFREQUENCY RADIATION SITE SAFETY IN-**
7 **FORMATION DATABASE.**

8 “(a) IN GENERAL.—The Commission shall promul-
9 gate regulations that provide for the establishment of an
10 online database that contains safety information relating
11 to the radiofrequency radiation emissions of covered facili-
12 ties.

13 “(b) REQUIREMENTS FOR DATABASE.—The regula-
14 tions promulgated under subsection (a) shall require that
15 the database—

16 “(1) enable the licensee of a covered facility,
17 the owner or property manager of a site where a
18 covered facility is located, any person performing
19 work at such a site or employing an individual per-
20 forming work at such a site, and such other persons
21 as the Commission considers appropriate to partici-
22 pate in the sharing of safety information relating to
23 the radiofrequency radiation emissions of such facil-
24 ity;

25 “(2) contain specific safety information relating
26 to the radiofrequency radiation emissions of each

1 covered facility, including a detailed depiction of all
2 radiofrequency radiation hazard areas;

3 “(3) be updated as changes in information
4 occur;

5 “(4) be available to the public, except that any
6 information that the licensee of the covered facility
7 determines to be sensitive shall only be accessible by
8 the persons described in paragraph (1) with respect
9 to such facility; and

10 “(5) be established and administered by one or
11 more neutral third parties (to be designated by the
12 Commission).

13 “(c) REQUIREMENT FOR LICENSEES AND OTHERS.—
14 The regulations promulgated under subsection (a) shall
15 require the persons described in subsection (b)(1) to par-
16 ticipate in the sharing of information as described in such
17 subsection.

18 “(d) AUDITS BY COMMISSION.—The Commission
19 shall routinely audit the database established under sub-
20 section (a) to verify the accuracy of the information in
21 the database.

22 “(e) LIMITATION OF LIABILITY.—A person described
23 in subsection (b)(1) with respect to a covered facility shall
24 not be liable in any civil action for an injury alleged to
25 have been caused by radiofrequency radiation emissions

1 of such facility, if such person is in compliance with the
2 information sharing requirement under subsection (c) with
3 respect to such facility during the period that—

4 “(1) begins—

5 “(A) in the case of an injury that is al-
6 leged to have occurred on or after the day that
7 is 180 days after the date on which the data-
8 base is established under subsection (a), on the
9 date on which the injury is alleged to have oc-
10 curred; or

11 “(B) in the case of an injury that is al-
12 leged to have occurred before the day described
13 in subparagraph (A), on such day;

14 “(2) ends on the date on which there is a final
15 disposition, from which no appeal may be taken, in
16 such civil action; and

17 “(3) excludes any time when such information
18 sharing requirement does not apply to such person.

19 “(f) DEFINITIONS.—In this section:

20 “(1) COVERED FACILITY.—The term ‘covered
21 facility’ means a facility, operation, or transmitter
22 that—

23 “(A) is subject to the radiofrequency radi-
24 ation exposure limits set forth in section 1.1310
25 of title 47, Code of Federal Regulations; and

1 “(B) is in a fixed location.

2 “(2) FIXED LOCATION.—The term ‘fixed loca-
3 tion’ means, with respect to a facility, operation, or
4 transmitter, that such facility, operation, or trans-
5 mitter is physically secured at one location and is
6 not able to be easily moved to another location.”.

7 (b) DEADLINE FOR RULEMAKING.—The Federal
8 Communications Commission shall promulgate the regula-
9 tions required by subsection (a) of section 344 of the Com-
10 munications Act of 1934, as added by subsection (a) of
11 this section, not later than 180 days after the date of the
12 enactment of this Act.

13 (c) DEADLINE FOR ESTABLISHMENT OF DATA-
14 BASE.—The Federal Communications Commission shall
15 establish the database provided for in such regulations not
16 later than 18 months after the date on which the Commis-
17 sion promulgates such regulations.

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