

111TH CONGRESS  
1ST SESSION

# S. 1755

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

---

IN THE SENATE OF THE UNITED STATES

OCTOBER 6, 2009

Mr. LIEBERMAN (for himself and Ms. COLLINS) introduced the following bill; which was read twice and referred to the Committee on Homeland Security and Governmental Affairs

---

## A BILL

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,*

3 **SECTION 1. SHORT TITLE.**

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

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Nearly 700,000 amateurs radio operators in  
9 the United States are licensed by the Federal Com-

1       munications Commission in the Amateur Radio  
2       Service.

3               (2) Amateur Radio Service operators provide,  
4       on a volunteer basis, a valuable public sector service  
5       to their communities, their States, and to the Na-  
6       tion, especially in the area of national and inter-  
7       national disaster communications.

8               (3) Emergency and disaster relief communica-  
9       tions services by volunteer Amateur Radio Service  
10       operators have consistently and reliably been pro-  
11       vided before, during, and after floods, hurricanes,  
12       tornadoes, forest fires, earthquakes, blizzards, train  
13       accidents, chemical spills and other disasters. These  
14       communications services include services in connec-  
15       tion with significant examples, such as—

16                       (A) hurricanes Katrina, Rita, Hugo, and  
17                       Andrew;

18                       (B) the relief effort at the World Trade  
19                       Center and the Pentagon following the 2001  
20                       terrorist attacks; and

21                       (C) the Oklahoma City bombing in April  
22                       1995.

23               (4) Amateur Radio Service has formal agree-  
24       ments for the provision of volunteer emergency com-  
25       munications activities with the Department of

1 Homeland Security, the Federal Emergency Man-  
2 agement Agency, the National Weather Service, the  
3 National Communications System, and the Associa-  
4 tion of Public Safety Communications Officials, as  
5 well as with disaster relief agencies, including the  
6 American National Red Cross and the Salvation  
7 Army.

8 (5) Section 1 of the joint resolution entitled  
9 “Joint Resolution to recognize the achievements of  
10 radio amateurs, and to establish support for such  
11 amateurs as national policy”, approved October 22,  
12 1994 (Public Law 103–408), included a finding that  
13 stated: “Reasonable accommodation should be made  
14 for the effective operation of amateur radio from  
15 residences, private vehicles and public areas, and the  
16 regulation at all levels of government should facili-  
17 tate and encourage amateur radio operations as a  
18 public benefit.”.

19 (6) Section 1805(c) of the Homeland Security  
20 Act of 2002 (6 U.S.C. 757(c)) directs the Regional  
21 Emergency Communications Coordinating Working  
22 Group of the Department of Homeland Security to  
23 coordinate their activities with ham and amateur  
24 radio operators among the 11 other emergency orga-

1 nizations such as ambulance services, law enforce-  
2 ment, and others.

3 (7) Amateur Radio Service, at no cost to tax-  
4 payers, provides a fertile ground for technical self-  
5 training in modern telecommunications, electronic  
6 technology, and emergency communications tech-  
7 niques and protocols.

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

11 (A) support at all levels of government;

12 and

13 (B) protection against unreasonable regu-  
14 lation and impediments to the provision of the  
15 valuable communications provided by such sta-  
16 tions.

17 **SEC. 3. STUDY OF ENHANCED USES OF AMATEUR RADIO IN**  
18 **EMERGENCY AND DISASTER RELIEF COMMU-**  
19 **NICATION AND FOR RELIEF OF RESTRIC-**  
20 **TIONS.**

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

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

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

6           (b) SCOPE OF THE STUDY.—The study required by  
7           this section shall—

8           (1) include a review of the importance of ama-  
9           teur radio emergency communications in furtherance  
10          of homeland security missions relating to disasters,  
11          severe weather, and other threats to lives and prop-  
12          erty in the United States, as well as recommenda-  
13          tions for—

14                (A) enhancements in the voluntary deploy-  
15                ment of amateur radio licensees in disaster and  
16                emergency communications and disaster relief  
17                efforts; and

18                (B) improved integration of amateur radio  
19                operators in planning and furtherance of the  
20                Department of Homeland Security initiatives;  
21                and

22           (2)(A) identify impediments to enhanced Ama-  
23           teur Radio Service communications, such as the ef-  
24           fects of unreasonable or unnecessary private land

1 use regulations on residential antenna installations;  
2 and

3 (B) make recommendations regarding such im-  
4 pediments for consideration by other Federal depart-  
5 ments, agencies, and Congress.

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

○