should try to do the best we can do for the American people when it comes to their health. It is true that a handful of States have already adopted lower standards, but it is just a handful of States. We have 50 States, and over 40 still have not done this. So I think it is important we set a national standard. This will in effect set a national standard which uses the best technologies available to get us as low as we can based on what we know today.

The industry has said that we can do this at minimal cost to the industry. We force no individual to buy replacements. This is something people can choose to do if they want to. I think most families will take advantage of this. For the average faucet, if you look at a faucet that is about $85, and everyone knows when you go into a store, you can buy faucets that cost $500, and you can buy faucets that cost $30 or $40, or anywhere in between. But if you look at the average, which is around $80, what we are talking about is somewhere between $1.70 extra on a faucet, so we are not talking about a big cost.

As I said, I have the industry letter, which I am happy to share with you, saying that they think that it is a good thing, too.

So I would just say to my colleagues, let's do the best we can for all of America. Sure, a handful of States have already taken the lead and have gone further.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. DOYLE. I yield myself an additional 30 seconds.

When people's health and safety is involved, we should never skimp on that. If we are going to err, let's err on the side of doing the most we can do based on the technology we have with a bill that does not put any onerous burden on manufacturers, by their own statements, and which many dozens of organizations and utility companies support and that has the support of conservative Senators, cosponsors like Senator INHOFE of Oklahoma and Senator ALEXANDER of Tennessee, and a unanimous vote in the Senate. Let's have a unanimous vote here in the House.

I reserve the balance of my time.

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

Let me first of all say, when you are quoting conservatives, the former chairman of the Energy and Commerce Committee, Ranking Member JOE BARTON, is against this bill. So when you talk about who is the spokesman in the House, JOE BARTON on Energy and Commerce is the spokesman. You serve on Energy and Commerce, so you obviously would respect his opinion.

Also, I would say to my colleague, we are not a subcommittee of the Senate. We are an independent body. So as much as I respect your voicing accommodation to the Senate frequently here, I submit that the House of Representatives is a totally different body and represents closer to the people, the people who go to Lowe's, the people who go to the hardware stores, and the people who don't want to have overregulation and are trying to create jobs in this economy.

You keep mentioning how the Senate overwhelmingly supports this bill. I would say rhetorically to you: Did you support the tax cuts last night? Did you support the tax cut extension? A lot of people on the majority did not; yet in the Senate, it was overwhelmingly supported. So oftentimes there is a different approach in the Senate than in the House.

And I suspect if you get elected every 6 years as opposed to every 2 years, you are going to have a little more close relationship with your constituents. You will do town meetings. You will do telephone town meetings. Whereas if you are a U.S. Senator, perhaps you have a large State, you will be doing it through the media. But if you are there in a town meeting when somebody comes up to you face to face and says, STEARNS, why are you going to put this new requirement in? I thought we had the proper levels already in place, and why are you stipulating more regulation?

And so I go back again to your statement that basically this is a case where the States are underneath the requirement. Going by your own statement, I think you have summed up my argument that the bill is not needed.

I reserve the balance of my time.

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

I would just say to my friend, the one thing I would agree with my friend on is that the House of Representatives is not the United States Senate. I wholeheartedly agree with that.

I would also say to my friend, and I believe he may not have been present that day, but on May 26 of this year, we had a vote in committee on this bill, and Representative BARTON voted for this bill in committee as part of our drinking water bill. So did 18 other Republicans. So the bill passed our committee with 45 members voting in favor.

□ 1050

Mr. STEARNS. Will the gentleman yield?

Mr. DOYLE. I yield to the gentleman from Florida.

Mr. STEARNS. At that point, that was not the bill that BARBARA BOXER introduced in the Senate. That was a bill that was instituted and created in the House.

Mr. DOYLE. Reclaiming my time, that bill was the companion bill here in the House, which was the same as the Boxer bill. It was Ms. ESHOO's bill, which passed the committee 45–1, with 18 Republicans supporting it, including Chairman BARTON, who is my dear friend.

So I would just say to my friend that I would be more concerned with someone coming up to a town hall meeting to me and asking me why we haven't done everything we could to get lead out of drinking water. The standard is 8 percent in my State; to my knowledge, we don't have a lower standard. So I certainly appreciate legislation like this which sets the lowest standard we can attain with the technology we have and do so in a way that's not onerous to either the public or the manufacturers who support this bill.

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

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair would remind all Members to address their remarks to the Chair.

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

This debate has probably gone on too long for this. I will wrap up and just say to my colleagues that at the point that Mr. BARTON had an understanding with Mr. WAXMAN, it was under different understandings for the funding of the bill, the science of the bill, and the labor provisions. These things have since changed.

As you know, if it was the same bill, it would come back under a House bill number, but it is coming back as a Senate bill that was introduced by BARBARA BOXER. So, as you would realize, this is not the same bill; otherwise, what Mr. BARTON agreed upon with Mr. WAXMAN, that would be the bill that we would be voting on. As you know, this is not the bill. This is a different bill.

I urge my colleagues, with that, to vote against the bill, and I yield back the balance of my time so we can move on to other important bills.

Mr. DOYLE. I yield myself 30 seconds.

I want to thank my friend for this debate. I would say to my friend that this bill is identical to the bill that we had in the House. It is an identical bill. It is identical in portion. It is not the entire bill that we had in the House, but this portion of the bill is identical to the bill that we had in the House.

I would hope my colleagues would join our colleagues in the Senate in supporting this legislation.

I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. DOYLE) that the House suspend the rules and pass the bill, S. 3874.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. STEARNS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

LOCAL COMMUNITY RADIO ACT OF 2010

Mr. DOYLE. Mr. Speaker, I move to suspend the rules and pass the bill

(H.R. 6533) to implement the recommendations of the Federal Communications Commission report to the Congress regarding low-power FM service, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 6533

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 ''Local Community Radio Act of 2010''.

SEC. 2. AMENDMENT.

Section 632 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2001 (Public Law 106–553; 114 Stat. 2762A–111), is amended to read as follows:

''SEC. 632. (a) The Federal Communications Commission shall modify the rules authorizing the operation of low-power FM radio stations, as proposed in MM Docket No. 99–25, to—

''(1) prescribe protection for co-channels and first- and second-adjacent channels; and

''(2) prohibit any applicant from obtaining a low-power FM license if the applicant has engaged in any manner in the unlicensed operation of any station in violation of section 301 of the Communications Act of 1934 (47 U.S.C. 301).

''(b) Any license that was issued by the Federal Communications Commission to a low-power FM station prior to April 2, 2001, and that does not comply with the modifications adopted by the Commission in MM Docket No. 99–25 on April 2, 2001, shall remain invalid.''.

SEC. 3. MINIMUM DISTANCE SEPARATION REQUIREMENTS.

(a) IN GENERAL.—The Federal Communications Commission shall modify its rules to eliminate third-adjacent minimum distance separation requirements between—

(1) low-power FM stations; and

(2) full-service FM stations, FM translator stations, and FM booster stations.

(b) RESTRICTION.—

(1) IN GENERAL.—The Federal Communications Commission shall not amend its rules to reduce the minimum co-channel and first- and second-adjacent channel distance separation requirements in effect on the date of enactment of this Act between—

(A) low-power FM stations; and

(B) full-service FM stations.

(2) WAIVER.—

(A) IN GENERAL.—Notwithstanding paragraph (1), the Federal Communications Commission may grant a waiver of the second-adjacent channel distance separation requirement to low-power FM stations that establish, using methods of predicting interference taking into account all relevant factors, including terrain-sensitive propagation models, that their proposed operations will not result in interference to any authorized radio service.

(B) REQUIREMENTS.—

(i) SUSPENSION.—Any low-power FM station that receives a waiver under subparagraph (A) shall be required to suspend operation immediately upon notification by the Federal Communications Commission that it is causing interference to the reception of an existing or modified full-service FM station without regard to the location of the station receiving interference.

(ii) ELIMINATION OF INTERFERENCE.—A low-power FM station described in clause (i) shall not resume operation until such interference has been eliminated or it can demonstrate to the Federal Communications Commission that the interference was not due to emissions from the low-power FM station, except that such station may make short test transmissions during the period of suspended operation to check the efficacy of remedial measures.

(iii) NOTIFICATION.—Upon receipt of a complaint of interference from a low-power FM station operating pursuant to a waiver authorized under subparagraph (A), the Federal Communications Commission shall notify the identified low-power FM station by telephone or other electronic communication within 1 business day.

SEC. 4. PROTECTION OF RADIO READING SERVICES.

The Federal Communications Commission shall comply with its existing minimum distance separation requirements for full-service FM stations, FM translator stations, and FM booster stations that broadcast radio reading services via an analog subcarrier frequency to avoid potential interference by low-power FM stations.

SEC. 5. ENSURING AVAILABILITY OF SPECTRUM FOR LOW-POWER FM STATIONS.

The Federal Communications Commission, when licensing new FM translator stations, FM booster stations, and low-power FM stations, shall ensure that—

(1) licenses are available to FM translator stations, FM booster stations, and low-power FM stations;

(2) such decisions are made based on the needs of the local community; and

(3) FM translator stations, FM booster stations, and low-power FM stations remain equal in status and secondary to existing and modified full-service FM stations.

SEC. 6. PROTECTION OF TRANSLATOR INPUT SIGNALS.

The Federal Communications Commission shall modify its rules to address the potential for predicted interference to FM translator input signals on third-adjacent channels set forth in section 2.7 of the technical report entitled ''Experimental Measurements of the Third-Adjacent Channel Impacts of Low-Power FM Stations, Volume One—Final Report (May 2003)''.

SEC. 7. ENSURING EFFECTIVE REMEDIATION OF INTERFERENCE.

The Federal Communications Commission shall modify the interference complaint process described in section 73.810 of its rules (47 CFR 73.810) as follows:

(1) With respect to those low-power FM stations licensed at locations that do not satisfy third-adjacent channel spacing requirements under section 73.807 of the Commission's rules (47 CFR 73.807), the Federal Communications Commission shall provide the same interference protections that FM translator stations and FM booster stations are required to provide as set forth in section 74.1203 of its rules (47 CFR 74.1203) as in effect on the date of enactment of this Act.

(2) For a period of 1 year after a new low-power FM station is constructed on a third-adjacent channel, such low-power FM station shall be required to broadcast periodic announcements that alert listeners that interference that they may be experiencing could be the result of the operation of such low-power FM station on a third-adjacent channel and shall instruct affected listeners to contact such low-power FM station to report any interference. The Federal Communications Commission shall require all newly constructed low-power FM stations on third-adjacent channels to—

(A) notify the Federal Communications Commission and all affected stations on third-adjacent channels of an interference complaint by electronic communication within 48 hours after the receipt of such complaint; and

(B) cooperate in addressing any such interference.

(3) Low-power FM stations on third-adjacent channels shall be required to address complaints of interference within the protected contour of an affected station and shall be encouraged to address all other interference complaints, including complaints to the Federal Communications Commission based on interference to a full-service FM station, an FM translator station, or an FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station. The Federal Communications Commission shall provide notice to the licensee of a low-power FM station of the existence of such interference within 7 calendar days of the receipt of a complaint from a listener or another station.

(4) To the extent possible, the Federal Communications Commission shall grant low-power FM stations on third-adjacent channels the technical flexibility to remediate interference through the colocation of the transmission facilities of the low-power FM station and any stations on third-adjacent channels.

(5) The Federal Communications Commission shall—

(A) permit the submission of informal evidence of interference, including any engineering analysis that an affected station may commission;

(B) accept complaints based on interference to a full-service FM station, FM translator station, or FM booster station by the transmitter site of a low-power FM station on a third-adjacent channel at any distance from the full-service FM station, FM translator station, or FM booster station; and

(C) accept complaints of interference to mobile reception.

(6) The Federal Communications Commission shall for full-service FM stations that are licensed in significantly populated States with more than 3,000,000 population and a population density greater than 1,000 people per one square mile land area, require all low-power FM stations licensed after the date of enactment of this Act and located on third-adjacent, second-adjacent, first-adjacent, or co-channels to such full-service FM stations, to provide the same interference remediation requirements to complaints of interference, without regard to whether such complaints of interference occur within or outside of the protected contour of such stations, under the same interference complaint and remediation procedures that FM translator stations and FM booster stations are required to provide to full-service stations as set forth in section 74.1203 of its rules (47 CFR 74.1203) as in effect on the date of enactment of this Act. Notwithstanding the provisions of section 74.1203, no interference that arises outside the relevant distance for the full-service station class specified in the first column titled ''required'' for ''Co-channel minimum separation (km)'' in the table listed in section 73.807(a)(1) of the Commission's rules (47 CFR 73.807(a)(1)) shall require remediation.

SEC. 8. FCC STUDY ON IMPACT OF LOW-POWER FM STATIONS ON FULL-SERVICE COMMERCIAL FM STATIONS.

(a) IN GENERAL.—The Federal Communications Commission shall conduct an economic study on the impact that low-power FM stations will have on full-service commercial FM stations.

(b) REPORT.—Not later than 1 year after the date of enactment of this Act, the Federal Communications Commission shall submit a report to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and

Commerce of the House of Representatives on the study conducted under subsection (a).

(c) LICENSING NOT AFFECTED BY STUDY.—Nothing in this section shall affect the licensing of new low-power FM stations as otherwise permitted under this Act.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DOYLE) and the gentleman from Florida (Mr. STEARNS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

Mr. DOYLE. 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 in the RECORD.

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

There was no objection.

Mr. DOYLE. I yield myself such time as I may consume.

Mr. Speaker, I first want to thank Chairman BOUCHER, and to let Mr. BOUCHER know that it has been a privilege to work with him during our years together on the Energy and Commerce Committee, and especially during the 2 years he served as chairman of the Subcommittee on Energy and of the Subcommittee on Communications Technology and the Internet. He has been a great colleague and partner in legislation and a great friend, and I want to wish Chairman BOUCHER only the best in his next steps.

I also want to thank Chairman WAXMAN for strongly supporting this bill that will give local communities across this country access to their airwaves. I am grateful for the support that this bill has from both sides of the aisle, from myself, the former vice chairman of the Communications Subcommittee, to the future vice chairman of the Communications Subcommittee, this bill's lead cosponsor and my good friend, LEE TERRY from Omaha.

We have been working together to bring local community-oriented radio to more cities, counties, and neighborhoods across the country for 10 years now, and I would say to my friend that I think we are finally on the last leg of this journey.

This bill will allow churches, schools, neighborhood groups, and others to put community-oriented programming on the air, and it will help first responders provide those communities with critical information in times of natural disasters and other emergencies.

You see, when the Federal Communications Commission created the Low Power FM radio service, they sought to create opportunities for new voices on the airwaves and to allow local schools, churches, and other community-based organizations to provide programming that is responsive to local community needs and interests. Congress, however, passed the Radio Broadcasting Preservation Act in 2000, and many of those organizations were prevented from communicating to their members, supporters, and residents on the FM radio dial. That bill called for a field study performed by the MITRE Corporation, and for the FCC to recommend to us what we should do.

In 2004, on a unanimous bipartisan basis, the Federal Communications Commission issued a report to Congress which stated that, ''Congress should readdress this issue and modify the statute to eliminate the third adjacent channel distant separation requirements for LPFM stations.''

For a second time, in November of 2007, and for a third time, again, in September 2009, all five FCC Commissioners agreed that Congress should lift the restriction on LPFM stations and allow them to license new stations in more communities. The bill we have under debate today, the Local Community Radio Act of 2009, does just that.

When they are allowed to exist under current law, LPFM stations have proven to be a vital source of information during local or national emergencies. And these stations promote the arts and education from religious organizations, community groups, organizations promoting literacy, and many other civically oriented organizations; stations like:

KOCZ in Opelousas, Louisiana, which is operated by the Southern Development Foundation, a group active in the African American community. The station broadcasts public affairs shows, religious programing, hip-hop and zydeco music 24 hours a day. Zydeco music is central to the cultural heritage of the Acadiana region but had mostly disappeared from the airwaves dominated by commercial radio; or

WRFR in Rockland, Maine, which broadcasts talk and call-in shows on issues important to the community on a variety of things. Though six other stations have their transmitters in the station's home in Knox County, WRFR is the only station that originates its programming there; and

WQRZ in Bay St. Louis, Mississippi, which remained on the air during Hurricane Katrina and served as the Emergency Operations Center for Hancock County during the worst storm there in a century.

But Congress has to act on the Commission's recommendations; otherwise, similar stations are prevented from operating in communities across America, communities like mine, which are too large to have any slots for any LPFM stations at 4th adjacent, but could fit several at 3rd.

But you don't have to take my word for it—every FCC Commissioner since 2003 has vouched for this—or the MITRE Corporation's outside study's word for it either. We all know this is going to work because it already works.

Currently, large commercial and noncommercial FM stations duplicate and extend their signals on these same 3rd adjacent channels that the FCC wants to also make available to new noncommercial stations.

This bill has broad support, as evidenced in these letters from almost a dozen leaders, from Catholic and Protestant faiths like the United Church of Christ and the National Association of Evangelicals; a letter from two dozen national and local public interests, civil rights, local groups; and another letter from the Leadership Conference on Civil Rights; and, finally, this letter from the National Federation of Community Broadcasters and the Prometheus Radio Project, all of whom support this bill.

Exactly a year and a day ago, the House passed an earlier version of this legislation, H.R. 4711, a fine bill, but the broadcasters' concerns kept it bottled up in the Senate all year.

□ 1100

I am pleased to tell you that at the 11th hour, in the nick of time the various stakeholders were able to reach an agreement over the disputed language, and all of the Senate holds have been lifted.

This version of the bill was supported by everyone with a stake in broadcasting: Small noncommercial stations, big noncommercial stations like NPR, big commercial stations like the National Association of Broadcasters. This bill deserves my colleagues' support, unanimous support, as well.

The time has finally come for Congress to rewrite this law. The time has come to make the airwaves available to the people they serve. As I said a year ago, the time has come to bring low power to the people.

Mr. Chairman, thank you again for support of this legislation.

LIST OF ORGANIZATIONS THAT SENT LETTERS OF SUPPORT

Director—California Indian Heritage Council (No PDF), Association of California Water Agencies, Wateruse Association, American Water Works Association, Association of Metropolitan Water Agencies, La Clinica de La Raza, A Community Voice Louisiana, Nancy Skinner, Assemblywoman for the 14th District, National Resource Defense Council, California Safe Schools (no PDF).

Planning and Conservation League, Council of the District of Columbia, San Francisco Public Utilities Commission, California Public Health Association, Environmental Defense Fund, East Bay Municipal Utility District, Environmental Justice Coalition for Water, California Rural Legal Assistance Foundation, Community Water Center, Southern California Watershed Alliance.

Clean Water Action, Urban Semillas, Friends of the River, Institute for Socio-Economic Justice, Planning and Conservation League, North Richmond Shoreline Open Space Alliance, California League of Conservation Voters, California Conference of Directors of Environmental Health, San Jerardo Co-Op Inc, Karuk Tribe.

Sierra Club, Consumer Union, Contra Costa Water District, Inland Empire Utilities Agency, Environmental Defense Fund, Ellen Corbett, 10th Senate District, Planning and Conservation League (second one), PMI, Vermont PRIG, and Action Now.

I reserve the balance of my time.

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

I think the gentleman did an excellent job. I obviously support this bill. We support it on this side. I think the gentleman said everything, but we are going to also hear from the principal cosponsor, LEE TERRY from Nebraska, who has worked with you. I am told you folks have worked together for almost 8 years. So this is a very significant accomplishment.

I would defend the National Association of Broadcasters because during this process they did have some very technical concerns. I understand now they are supporting it. The new concessions that they brought out I think were helpful, although I am sorry it took so long to bring it together.

It permits any citizen to complain to the FCC that a low power radio station is causing interference to any full power radio station and requires the FCC to shut down the station within 1 business day.

It requires a low power FM station to seek a waiver from the FCC to use the most modern and efficient engineering methods to find spectrum for their station.

It mandates that a full power station that wants to relocate will be able to knock a low power radio station off the air, but permits the FCC to use waivers and other means to find spectrum for displaced low power FM stations.

I say that only because there are businesses that have in place broadcast spectrum that are operating, have operated for many years, and their concern was that the churches, the community centers, the schools and universities and their low power stations might interfere. I think that that was a legitimate concern. I am glad that the National Association of Broadcasters has now conceded these and worked them out.

Obviously, I think any of us in this body would agree that it is a very important part of democracy to have some of these, shall we say, eclectic type of stations that offer, as you say, church music and church services and hip-hop music. They are tailored in a special way, plus they are available for emergency services. So I commend you and Mr. LEE TERRY, who is going to speak shortly, on this.

Basically the legislation expands the opportunity for, as we say, all of these groups to the 116 million Americans in the top 50 radio markets in the country who thus far have been excluded. It accomplishes this by returning the authority to the FCC for licensing decisions related to low power FM stations.

Major features of the bill, which is very similar to the bill that passed the House last year, are that it fully protects full power stations from interference by new low power radio stations. It responds to the concerns of the NPR and the NAB and protects reading for the blind services. The Senate bill added a requirement that the FCC conduct a study on the economic impact of low power FM stations. So this is all part of the process.

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

Mr. DOYLE. Mr. Speaker, I yield myself 30 seconds.

I want to thank my friend for his support of the bill. I know he is looking forward to being able to listen to his favorite hip hop music on his favorite low power FM station in Florida.

This has been a long journey. We have tried earnestly to address all of the concerns that the broadcasters have, and there were many at times. But I think we finally reached a point where we all agree, broadcasters, commercial and noncommercial, that we now have a process in place that protects their interests and their concerns and allows local communities now to have this valuable resource.

I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I am going to yield to the distinguished gentleman from Nebraska, who also has been the principal author of this bill and worked again tirelessly for 8 years. I would say to my friend on the other side, AKOZ, is that the station that I should listen to for this?

With that, I yield such time as he may consume to the gentleman from Nebraska (Mr. TERRY).

Mr. TERRY. The gentleman from Jacksonville, Florida, knows the hip-hop station. I am impressed.

But this is grassroots radio. We have had pirate radio. Now we are going to have legitimate grassroots radio. This is empowering to those that have little or no voice in their communities. This is why the gentleman from Pittsburgh and I have worked so diligently over the last 8–10 years. Actually it goes back almost 12 years, when we helped get the MITRE Study, so we could know based on science whether or not there would be interference or not. And when that study, a thorough study, came back and said there would be no interference, MIKE and I began the process of making sure that we could allow on the third adjacency communities to have a licensed FM station.

That is what low power is about, communities. It is not going to blast from Omaha to Lincoln. It probably won't even go from East Omaha to midtown in Omaha or in Pittsburgh. But the reality is it will serve the community.

Just in my district alone, in the Omaha metropolitan area, since beginning this process we have had dozens of community groups contact us about when they will be able to apply for a low power FM station. This includes the Chicano Awareness Center. This includes Catholic Charities. This includes Salem Baptist Church, which is located in the heart of the most impoverished area of my district, one of the most impoverished, unfortunately for the Omaha area, and one of the most impoverished areas in the United States and in the African American community. One of their issues is that they don't have a particular voice for the African American or North Omaha community. So this is why it is empowering. They finally have the opportunity now to have a radio voice with which to communicate community issues.

Today MIKE says this is low power to the people. It is the essence of grassroots radio. This is a day to celebrate for all of our community groups, because they will now be empowered once the Senate takes this up, since all of the objections have been dealt with in the appropriate manner. So this is truly a day for them to celebrate.

Mr. DOYLE. Mr. Speaker, I yield myself 2 minutes.

I just want to share with my colleagues, we have been waiting. We were told this letter was en route, and it has arrived. Just for the record, this is the letter from the National Association of Broadcasters which was addressed to myself and Mr. TERRY informing us both that they are now in support of this bill, that they appreciate the work that our staffs have done with them, along with the Senate cosponsor, and that they support the bill.

Another piece of good news. CBO has scored this bill. It has no budgetary impact. The CBO score is zero. Another piece of good news for my colleagues who are concerned about cost.

Last, I think it is only fair that we recognize that a lot of people have worked very, very hard on this bill. I would be remiss personally if I didn't thank Kenneth DeGraff, who staffs me on the Telecom Subcommittee, who has put his heart and soul into this legislation and is more responsible than anybody in my office for seeing this day come today.

Also from the Prometheus Radio Project, Pete Tridish; Cheryl Leanza from the United Church of Christ; Michael Daum with Senator CANTWELL's office; Lee Dunn with Senator MCCAIN's office. There have been many, many people who have worked hard. I know that LEE TERRY, his staff too has worked very hard on this issue, and that all of our staffs deserve credit. They are the unsung heroes behind the scenes that do all the work. Brad Schweer with LEE TERRY's office has been just great on this too.

So I want to thank my colleagues.

I reserve the balance of my time.

Mr. STEARNS. Mr. Speaker, I have no further speakers. I think the gentleman has pointed out this is a bipartisan bill. It took awhile. The National Association of Broadcasters are now supporting this, it doesn't cost any money, so I urge its adoption.

I yield back the balance of my time.

Mr. DOYLE. In closing, Mr. Speaker, this bill passed unanimously in the House of Representatives when it was H.R. 1147. This bill has broad bipartisan support.

I want to thank all of my colleagues for their work, and I would hope that we could have a unanimous vote today on the House floor when the bill is brought up.

Mr. WAXMAN. Madam Speaker, I rise in support of H.R. 6533, the Local Community

Radio Act of 2010. I want to thank Chairman BOUCHER for his leadership in guiding this bipartisan bill through the Energy and Commerce Committee and the House last year. I also want to recognize and thank Mr. DOYLE and Mr. TERRY—the original sponsors of the bill—for their tireless leadership in pushing this legislation forward, and for their commitment to expanding diversity, localism, and competition in our media landscape. Mr. DOYLE has been an energetic champion of local community radio, and I greatly appreciate his leadership, flexibility, and perseverance.

I have long-supported expanding Low Power FM radio services. This bill removes a statutory barrier to the creation of potentially thousands of new low power stations across the country. The creation of these stations will further the overriding national policy goals of promoting broadcast localism and diversity. At the same time, this legislation fully protects incumbent radio broadcasters from unreasonable interference, with a clear dispute resolution process to mitigate interference with station transmissions.

In December 2009, the House has approved the Local Community Radio Act by voice vote. Since that time, however, the bill has been held up in the Senate due to ongoing concerns from some broadcasters. To address these concerns, Mr. DOYLE, Mr. TERRY, Senator CANTWELL, and Senator MCCAIN have been working diligently to eliminate outstanding objections so we can finally pass this legislation and send it to President Obama for signature. It is my hope that the Senate will take up H.R. 6533 promptly and do just that.

Most notably, this revised version of the bill incorporates additional interference remediation procedures preferred by the broadcasters. I am pleased that H.R. 6533 now has the full support of the National Association of Broadcasters. I want to thank NAB for working with us cooperatively to move this legislation closer to passage. I also want to thank the Prometheus Radio Project, the United Church of Christ, and other long-time supporters of Low Power FM services for their input and support.

This is a good bipartisan bill that will promote localism and diversity over the airwaves. I urge my colleagues to support H.R. 6533.

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

The SPEAKER pro tempore (Mr. HOLDEN). The question is on the motion offered by the gentleman from Pennsylvania (Mr. DOYLE) that the House suspend the rules and pass the bill, H.R. 6533.

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.

□ 1110

AIDING THOSE FACING FORECLOSURE ACT OF 2010

Mr. CAPUANO. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 5510) to amend the Emergency Economic Stabilization Act of 2008 to allow amounts under the Troubled Assets Relief Program to be used to provide legal assistance to homeowners to avoid foreclosure, as amended.

The Clerk read the title of the bill.

The text of the bill is as follows:

H.R. 5510

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 ''Aiding Those Facing Foreclosure Act of 2010''.

SEC. 2. FORECLOSURE AVOIDANCE ASSISTANCE.

Section 109 of the Emergency Economic Stabilization Act of 2008 (12 U.S.C. 5219) is amended by adding at the end the following new subsection:

''(d) LEGAL ASSISTANCE.—

''(1) USE OF FUNDS.—The Secretary shall make amounts that were obligated under this title, through the financial instruments for the Housing Finance Agency Innovation Fund for the Hardest-Hit Housing Markets program of the Secretary (in this subsection referred to as the 'Hardest-Hit Fund'), available to eligible entities, housing finance agencies, or affiliates of such entities or agencies participating in the Hardest-Hit Fund, upon request by such entities, housing finance agencies, or affiliates, for the additional purpose of providing assistance to State and local legal organizations, including nonprofit legal organizations, whose primary business or mission is to provide legal assistance, for use for providing legal assistance to homeowners of owner-occupied homes consisting of from one to four dwelling units who have mortgages on such homes that are in default or delinquency, in danger of default or delinquency, or subject to or at risk of foreclosure, to assist such homeowners with legal issues directly related to such default, delinquency, foreclosure, or any deed in lieu of foreclosure or short sale.

''(2) PROHIBITION ON CLASS ACTIONS.—No funds provided under this subsection to a State or local legal organization, including a nonprofit legal organization, may be used to support any class action litigation.

''(3) LIMITATION ON DISTRIBUTION OF ASSISTANCE.—

''(A) IN GENERAL.—None of the amounts made available under this subsection shall be distributed to—

''(i) any organization which has been convicted for a violation under Federal law relating to an election for Federal office; or

''(ii) any organization which employs applicable individuals.

''(B) DEFINITION OF APPLICABLE INDIVIDUAL.—In this paragraph, the term 'applicable individual' means an individual who—

''(i) is—

''(I) employed by the organization in a permanent or temporary capacity;

''(II) contracted or retained by the organization; or

''(III) acting on behalf of, or with the express or apparent authority of, the organization; and

''(ii) has been convicted for a violation under Federal law relating to an election for Federal office.

''(4) AUTHORIZATION.—Amounts used as described under paragraph (1) shall be deemed to be for actions authorized under this title.''.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Massachusetts (Mr. CAPUANO) and the gentleman from Nebraska (Mr. TERRY) each will control 20 minutes.

The Chair recognizes the gentleman from Massachusetts.

GENERAL LEAVE

Mr. CAPUANO. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks.

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

There was no objection.

Mr. CAPUANO. Mr. Speaker, I yield such time as she may consume to the sponsor of the bill, the gentlewoman from Ohio (Ms. KAPTUR).

Ms. KAPTUR. Thank you very much to my dear colleague, Congressman CAPUANO of Massachusetts, for yielding me this time in support of moving today H.R. 5510, the Aiding Those Facing Foreclosure Act, which merely allows technical clarification language to existing legislation. No authorization of funding or any expansion of existing funding is included in this bill.

I would like to thank my colleagues on both sides of the aisle for their support and for bringing this forth today. In particular, I would like to thank Chairman FRANK and Congressman STEVE LATOURETTE for their ongoing efforts on behalf of homeowners facing foreclosure.

Ohio is among those States labeled as the hardest hit in our Nation by the foreclosure and economic crisis, along with 18 other States. These states receive what is called ''hardest hit'' assistance funds.

Ohio, among other States, wants the discretion to use a small amount of its existing funds under existing authorities to support legal advice through not-for-profit legal organizations to individual families facing foreclosure. However, Treasury interpreted that existing law didn't allow that. That is why we are here today—to clarify that, in fact, citizens of our Nation who are single-family homeowners do have the right to proper legal advice in such critical mortgage workout proceedings that affect their equity, that affect their family's home and their future.

Millions of people have faced foreclosure across our Nation. Far too many are losing their homes without proper, necessary legal representation. Many even have no idea that they have legal standing in such property proceedings. At such a critical and emotional moment in a family's life, legal advice can help a family find the outcome that works best for them in a foreclosure proceeding. In today's very complex mortgage proceedings, it becomes daunting for affected homeowners to gain the legal advice necessary to navigate the increasingly complex world of distant banks and courts, which often are much more easily navigated by the mortgagor. And certainly the mortgagee should have similar legal rights as well.

We appreciate the fact that the Treasury is sending a letter of support in furtherance of our efforts. Thus, I introduce this legislation as a legislative fix, H.R. 5510. For those States already receiving hardest hit funds, H.R. 5510 increases the State's ability to serve only single-family owner-occupied units that are facing default, delinquency, foreclosure, deed in lieu, or