

MINUTES OF ARRL EXECUTIVE COMMITTEE
Number 490
Denver, Colorado – March 13, 2010

Pursuant to due notice, the Executive Committee of the American Radio Relay League, Inc. met at 9:05 AM MST Saturday, March 13, 2010 at the Renaissance Denver Hotel, Denver, Colorado. Present were committee members President Kay Craigie, N3KN, in the Chair; First Vice President Rick Roderick, K5UR; Chief Executive Officer and Secretary David Sumner, K1ZZ; and Directors Tom Frenaye, K1KI, George R. Isely, W9GIG, Brian Milesosky, N5ZGT, Bob Vallio, W6RGG, and Dr. David Woolweaver, K5RAV. Also present were Vice President Bruce Frahm, KØBJ, International Affairs Vice President Jay Bellows, KØQB and General Counsel Christopher D. Imlay, W3KD.

President Craigie welcomed the first-time attendees and new members of the committee.

1. On motion of Mr. Vallio, the agenda for the meeting was adopted as distributed in draft form. The main items listed are:
 1. *Consideration of agenda for the meeting*
 2. *President's report*
 3. *Chief Executive Officer's report*
 4. *FCC/Regulatory items*
 5. *Antenna regulatory matters, RFI matters and other legal matters*
 6. *Legislative matters*
 7. *International matters*
 8. *Organizational matters*
 9. *Review of pending action items including work in progress by committees*
 10. *Approval of conventions*
 11. *Affiliation of clubs*
 12. *Recognition of new Life Members*
 13. *Approval of minutes of October 24, 2009 meeting*
 14. *Date and place of next meeting*
 15. *Other business*
2. President Craigie summarized her activities on behalf of the ARRL since the January meeting of the Board. All action items from this and earlier meetings have been set in motion. She expressed appreciation for everyone's patience and assistance during her first weeks as ARRL President.
3. Mr. Sumner reported briefly on Headquarters operations, financial results for the first two months of the year, and meetings with FCC staff in which he participated with Mr. Imlay.
4. FCC/Regulatory Items
 - 4.1. At Minute 49 of its January 2010 meeting the ARRL Board authorized the Executive Committee to develop ARRL positions on the FCC Notice of Proposed Rule Making in WT Docket No. 09-209, concerning vanity and club station call signs, and related issues arising from

Minute 34 of the January 2009 meeting of the Board. The committee reached the following consensus and instructed the General Counsel to file comments consistent with these positions by the March 26, 2010 deadline:

- The ARRL agrees with the FCC proposals with regard to license cancellation procedure for deceased licensees, timing of the availability of a deceased licensee's call sign, an exception to the two-year waiting period for former holders of a call sign, and the definition of "in-law."
- The ARRL agrees that a two-year waiting period should not commence upon the surrender of a call sign that was erroneously granted to an ineligible applicant. However, there should be a 30-day waiting period after the FCC staff updates the licensing database for the same reasons as in the case when a deceased person's call sign is made available for reassignment.
- The ARRL agrees that there should continue to be an exception to the two-year waiting period for an *in memoriam* club station call sign when a close relative has consented, provided that the deceased licensee was a member of the club. The ARRL notes that there is some potential for dispute to arise with regard to whether a deceased licensee was a club member, but that club membership at the time of death should not be a requirement.
- The ARRL agrees with the FCC proposals with regard to applications to modify a club station license grant, but proposes that the signatures of two officers of the club, neither of whom shall be the new trustee, be required on any application to change a trustee.
- While few clubs will want a Novice licensee to be the trustee of their club station because of the cumbersome identification requirements when a club station is operated outside of the trustee's operating privileges by a control operator with a higher class of license, the ARRL has no objection to the FCC proposal to permit Novices to be trustees.
- The ARRL does not support the FCC proposal to limit a club to one license grant and one call sign. Clubs often have more than one station, particularly in the case of repeater stations. The FCC proposal would not correct the perceived problem of an individual obtaining multiple vanity call signs as the trustee for a club, because there would be no bar to the creation of multiple clubs. Instead, the ARRL offers the following alternative proposal to address in several ways the shortage of Group A vanity call signs (1X2 and 2X1 call signs, and 2X2 call signs beginning with AA-AG and AI-AK that are not sequentially assigned).
 - Except for *in memoriam* call signs, no new Group A call signs should be issued to club stations. Existing Group A call signs held by clubs would be grandfathered.
 - The pool of available Group A call signs should be expanded by permitting the first character of a two-character Group A call sign suffix to be a numeral as well as a letter (for example, W23A). As the result of modifications to the ITU Radio Regulations adopted in 2003, such call signs are now permitted for amateur stations.
 - To address particular shortages of Group A call signs in offshore areas, prefixes that are assigned to locations without postal addresses and prefixes that are unassigned should be made available in the offshore areas that do have postal addresses.
 - Applicants for Group A vanity call signs should be required to affirm on the application that they are United States citizens.

- To expand the pool of available call signs, the FCC should permit the issuance of call signs with prefixes NA-NZ, WC, WK, WM, WR, and WT and with three-letter suffixes.
- The FCC is asked to revisit the issue of special event call signs at a later date, to determine whether the public interest would be served by expanding the options for special event call signs beyond the current 1X1 format.

4.2. Mr. Sumner and Mr. Imlay have presented to FCC staff the ARRL's position on additional language for §97.113(a)(3) of the FCC Rules. The addition would provide for a narrow exception to the prohibition on communications on behalf of an employer in order to permit participation in emergency preparedness and disaster drills. They spoke to advisors to all five FCC Commissioners and to the Chief and a Deputy Chief of the Public Safety and Homeland Security Bureau. The FCC has received and has put on public notice a request from the American Hospital Association (AHA) for a blanket waiver to permit hospitals seeking accreditation to use Amateur Radio operators who are hospital employees to transmit communications on behalf of the hospital as part of emergency preparedness drills. After discussion the committee agreed that the ARRL will file comments supporting the waiver to the extent that it is consistent with the ARRL's proposed modification to §97.113(a)(3), and will ask AHA to clarify its waiver request to bring it into conformity with that policy.

4.3. Mr. Imlay reported the results of a review of §15.103 of the FCC Rules conducted by himself and the ARRL technical staff in response to Minute 56 of the January 2010 Board meeting. The report concludes that the exempted devices listed in this section are not sources of interference to amateur reception, and that the rules changes that would constructively address the issue of radio interference in residential areas are in other sections of Part 15. The committee agreed that modifications to §15.103 will not be pursued, and that the committee will work with the General Counsel and staff to identify the sections of Part 15 that are deserving of attention.

4.4. Mr. Imlay reviewed the status of the Further Notice of Proposed Rule Making in ET Docket 04-37, a proceeding to revisit the Access Broadband over Power Lines (BPL) rules initiated after considerable delay by the FCC in response to a remand from the Court of Appeals. The ARRL has supplemented its filings with presentations of its proposed solution to advisors to each of the Commissioners and to the Chief of the Office of Engineering and Technology and his staff. An additional submission is in preparation to respond to questions posed by OET staff. ARRL technical staff is investigating and documenting an interference case involving a BPL system that previously was thought to be benign.

The committee was in recess for luncheon from noon until 1:00 PM.

4.5. Mr. Imlay reported on an FCC grant of a waiver to permit the marketing of a remote-controlled, maneuverable surveillance robot by ReconRobotics, Inc. that operates in the 430-450 MHz band. The ARRL had opposed the waiver on the grounds that the device has a significant potential to interfere with amateur stations and that the company is simply trying to avoid redesigning for the domestic market a device that was designed for military use overseas. On motion of Mr. Isely, the General Counsel was instructed to file a petition for reconsideration by the deadline of March 25.

4.6. Mr. Imlay and Mr. Sumner reported briefly on concerns that have arisen following the adoption in the ITU Telecommunication Standardization Sector (ITU-T) of a standard that contemplates the use of the frequency range 80 – 200 MHz by BPL (also known as PLT) systems. The issue is being addressed by both the ARRL and the IARU.

4.7. Mr. Imlay reported on the denial by the FCC, five years after submission, of the ARRL's Request for Declaratory Ruling that Section 877.27 of the Florida Criminal Statutes and Section C.2C:33-23.1 of the New Jersey Statutes, which make it a felony to make a radio transmission without Commission authorization or to interfere with a licensed public or commercial radio station, are preempted by federal law. While the laws are aimed at pirate broadcasters, the ARRL is concerned that they could be misused against amateurs. The Commission's denial was based not on the merits of our argument but on the absence of reports of amateurs being prosecuted or threatened with prosecution under either statute. ARRL was invited to file a new petition in the event of changed circumstances. The committee concluded that the ARRL should also investigate whether it is desirable to seek amendments to the statutes via state legislation.

4.8. Mr. Imlay reported briefly on several pending FCC items. A Notice of Proposed Rule Making is expected to be released soon in response to an ARRL petition, RM-11325, to delete a requirement for automatic power control (APC) of spread spectrum transmissions at power levels above 1 watt. In response to a question from Mr. Frenaye about the status of the FCC's handling of experimental license applications and requests for Special Temporary Authority to operate in amateur allocations, Mr. Imlay reported that he and Chief Technology Officer Brennan Price, N4QX are working on a request that applicants whose operations would pose a potential for harmful interference to amateur stations be required to notify the ARRL before commencing operations. President Craigie noted this as an action item.

5. Antenna regulatory matters

5.1. Mr. Imlay reported on the status of an appeal by the City of Palmdale, California that seeks to overturn a trial court decision ordering the City to reissue a previously revoked permit issued to Alec Zubarau, WB6X. A very restrictive ordinance proposal appears to be on hold as the result of the court decision.

5.2. The Planning Commission of the City of San Diego, California has unanimously recommended to the City Council that it reject an antenna ordinance that the Commission concluded was too restrictive. The Planning Commission recommended that City staff work with the Amateur Radio community to produce a more acceptable ordinance. In support of local efforts, General Counsel Imlay travelled to San Diego to meet with local amateurs and City officials.

5.3. Efforts are continuing in Mustang, Oklahoma to blunt proposals for a severely restrictive antenna ordinance.

6. Legislative matters

6.1. President Craigie noted a flurry of activity by ARRL officials and members in support of the current strategy recommended by Chwat & Co., our legislative relations consultants, aimed at moving S.1755, which already has passed the Senate, through the House Committee on Energy and Commerce and to the full House for adoption.

6.2. Mr. Sumner observed that the ARRL Mobile Amateur Radio Policy adopted a year ago and the letter from the President of the National Safety Council affirming that the Council does not support legislative bans or prohibitions on drivers' use of two-way radios, including amateur radios, continue to be very useful tools in addressing distracted driving legislation at both the federal and state levels. The committee discussed how information about state legislation is shared with the ARRL field organization; the Programs and Services Committee is studying the matter and is expected to offer a recommendation.

6.3. A House version of S.2881, the FCC Commissioners' Technical Resource Enhancement Act, has been introduced as H.R.4809. President Craigie has communicated the ARRL's support of this legislation to the committee of jurisdiction in the Senate and will do the same with the House. ARRL members are asked to seek support of the bills by their Senators and Representative.

6.4. President Craigie has written to the appropriate committee leadership in the House and Senate to convey the ARRL's support of legislation to increase the charitable mileage deduction for volunteers. Because of the other legislative activity now underway, an effort to involve ARRL members in this campaign will be initiated later.

7. International matters

7.1. Mr. Sumner reported briefly on the status of preparations for the 2012 ITU World Radiocommunication Conference. Defensive efforts are going well, but there is resistance from the maritime community to an amateur secondary allocation near 500 kHz.

7.2. President Craigie reported on preparations for the IARU Region 2 Conference in El Salvador later this year. ARRL members have been invited to offer comments and suggestions on the Region 2 band plan adopted at the previous conference in 2007. On behalf of the Ad Hoc Band Planning Committee, Vice President Frahm reported that 23 comments already had been received.

7.3. President Craigie reported that International Affairs Vice President Bellows will represent the ARRL at the centenary celebration of the Wireless Institute of Australia to be held in Canberra at the end of May. On motion of Mr. Vallio the following resolution was unanimously adopted:

WHEREAS, in 1910, Australians interested in the new phenomenon of radio proposed "the formation of an institution amongst experimenters and enthusiasts in wireless for their mutual benefit;" and

WHEREAS, regional organizations founded in that year united to form the Wireless Institute of Australia; and

WHEREAS, the Wireless Institute of Australia has from its inception courageously defended and tirelessly advanced the interests of Amateur Radio in Australia; and

WHEREAS, the Wireless Institute of Australia celebrates in 2010 its centenary as the oldest national Amateur Radio Society in the world;

NOW THEREFORE BE IT RESOLVED, that the American Radio Relay League congratulates our friend, the Wireless Institute of Australia, on the joyful occasion of its centenary; and

BE IT FURTHER RESOLVED, that the American Radio Relay League wishes great success and good fortune to the Wireless Institute of Australia as it embarks upon its second century of leadership on behalf of Amateur Radio in the Commonwealth of Australia.

8. Organizational matters

8.1. Mr. Isely and Mr. Sumner reported on possible revisions to election rules and procedures, including the possibility of offering members the option of voting electronically as an alternative to the traditional paper ballot.

8.1.1. After discussion, on motion of Mr. Vallio the committee voted to recommend to the Board that the ARRL offer the option of voting electronically beginning in 2011.

8.1.2. On further motion of Mr. Vallio, it was voted to recommend to the Board the adoption of an amendment of Bylaw 18 to permit the Secretary to receive nominating petitions and statements of eligibility from candidates for Director and Vice Director by facsimile or electronic transmission of images, provided that the original documents are received by the Secretary no later than noon Eastern Time on the fourth Friday of August, that is, seven days after the filing deadline.

8.1.3. On motion of Mr. Isely, it was voted to recommend to the Board the adoption of an amendment of Bylaw 42 to modify the procedure for review of decisions of the Ethics and Elections Committee by setting a deadline for appeal and authorizing the Executive Committee to conduct the review.

8.1.4. On motion of Mr. Vallio, it was voted to recommend to the Board an amendment to the Rules and Regulations Concerning ARRL Elections to conform them to the proposed amendment of Bylaw 42.

8.2. Mr. Imlay reviewed the extent of the discretion that the ARRL and its officials have in deciding to accept, or to continue to accept, the services of a volunteer. The committee agreed that existing guidelines and procedures are sufficient, but that there may be a need to communicate them more effectively to the field organization and especially to Section Managers. President Craigie and Secretary Sumner will contact the Programs and Services Committee to convey the views of the Executive Committee.

9. Mr. Sumner distributed a chart showing the status of pending Board action items.

10. On motion of Mr. Vallio, the holding of the following ARRL conventions was approved (all in 2010):

Southeastern VHF Society Conference (Operating Specialty Convention), April 23-24, Morehead, KY

Washington State, September 25, Spokane Valley, WA

Connecticut State, October 10, Wallingford, CT

West Central Florida Section, December 4-5, Palmetto, FL

11. On motion of Mr. Isely, the affiliation of the following clubs was approved:

Kuemper Catholic High School Amateur Radio & Technology Club, Carroll, IA (Category 3)

Martinez Amateur Radio Club, Martinez, CA (Category 1)

Mayland Amateur Radio Club, Bakersville, NC (Category 1)

Simpson County Amateur Radio Club, Magee, MS (Category 1)

12. On motion of Dr. Woolweaver, the committee recognized 104 recently elected Life Members and instructed the Secretary to list their names in *QST*.

13. On motion of Mr. Milesosky, the minutes of the October 24, 2009 meeting were approved as distributed.

14. October 23 was selected as the date for the next meeting of the Executive Committee.

15. Other business

15.1. President Craigie and Secretary Sumner noted that the ARRL, along with other member-societies in IARU Region 2, had received an invitation to submit a bid to host the 2011 High Speed Telegraphy (HST) World Championships. They did not recommend doing so for several reasons, notably that the US has only been represented by a team of competitors at one such

event, interest in HST is still relatively low in Region 2, a substantial commitment is required of the host, and a member-society in Region 1 is believed to be interested in hosting the event in 2011. Committee members agreed, but suggested that CW organizations might wish to become involved in assisting with such an event in the future.

15.2. Mr. Frenaye expressed concern at the extent to which Volunteer Examiners are encouraged to conduct test sessions overseas.

There being no further business, President Craigie thanked all present for their help in completing a demanding agenda. The meeting was adjourned at 4:58 PM.

Respectfully submitted,

David Sumner, K1ZZ
Secretary