

MINUTES OF ARRL EXECUTIVE COMMITTEE
Number 486
Chicago, Illinois – October 18, 2008

Pursuant to due notice, the Executive Committee of The American Radio Relay League, Inc. met at 9:00 AM CDT Saturday, October 18, 2008 at the Marriott O'Hare, Chicago, Illinois. Present were committee members President Joel Harrison, W5ZN, in the Chair; First Vice President Kay Craigie, N3KN; Chief Executive Officer and Secretary David Sumner, K1ZZ; and Directors Coy Day, N5OK, Bill Edgar, N3LLR, Tom Frenaye, K1KI, George R. Isely, W9GIG and Henry Leggette, WD4Q. Also present were Vice President Rick Roderick, K5UR, International Affairs Vice President Rod Stafford, W6ROD, and General Counsel Christopher D. Imlay, W3KD.

1. Mr. Harrison welcomed everyone to the meeting. On motion of Mr. Edgar the following agenda was adopted:

- 1. Consideration of agenda*
- 2. President's report*
- 3. Chief Executive Officer's report*
- 4. FCC/regulatory items*
- 5. Antenna regulatory matters and other legal matters*
- 6. Red Cross Statement of Understanding and related matters*
- 7. Legislative matters*
- 8. International matters*
- 9. Organizational matters*
- 10. Review of pending action items*
- 11. Approval of conventions*
- 12. Affiliation of clubs*
- 13. Recognition of new Life Members*
- 14. Approval of minutes of March 15, 2008 meeting*
- 15. Other business*

2. Mr. Harrison observed that the attention of ARRL volunteers and staff is not taken up too much by short-term issues at the present time, and they are therefore able to focus on matters of longer-term significance such as strategic planning and website redesign. The committee discussed FCC enforcement issues and the status of the League's legislative action program.

3. Mr. Sumner reported that ARRL financial performance remains satisfactory despite the uncertainties currently plaguing the economy. Overall revenues are meeting expectations except for some weakness in voluntary contributions, while expenses are under effective control. He noted recent personnel changes and was pleased to report that the DXCC backlog is at its lowest level in several years. The number of new amateur licenses issued by the FCC in 2008 is expected to be approximately 28,000, a slight increase over 2007. The committee discussed the current state of licensing classes in different parts of the country. Mr. Sumner's report concluded with observations about the City of Manassas, Virginia being forced to take over its Broadband over Power Line (BPL) network.

4. Mr. Imlay reported on FCC and regulatory matters as follows:

4.1. The selection of a replacement for now-retired FCC Special Counsel Riley Hollingsworth is expected soon. FCC attention and resources currently are devoted primarily to publicizing the upcoming Digital TV conversion.

4.2. The FCC has not taken any steps to follow the directive of the U.S. Court of Appeals for the District of Columbia Circuit to correct the errors the FCC committed in adopting BPL rules. While the ARRL is in no rush for the regulatory uncertainty that now hangs over the BPL industry to be resolved, the existing rules are inadequate and cannot be left in their present state forever. The ARRL will consider what steps to take if action is not forthcoming by early 2009.

4.3. Further FCC action is expected shortly to address reported interference to the Air Force Pave Paws radar at Beale AFB, California from amateur stations operating in the 70-cm band. The FCC will be contacting individual repeater owners to request mitigation and has asked the ARRL to post a story on the Web to inform the affected amateur community.

4.4. FCC action is also expected soon on the modest expansion of 5-MHz (60-meter band) privileges that was requested by the ARRL some two years ago. Some “cleanup” items affecting Part 97 are expected to be included in the proceeding.

4.5. Earlier this year the ARRL filed comments objecting to the waiver request of ReconRobotics, Inc. for a video and audio surveillance system operating in the 430-448 MHz band. Other opposition is known to exist within the federal government, but it is not safe to predict a favorable outcome. After discussion, the Executive Committee supported the submission of an additional *ex parte* filing to document the fact that the 430-448 MHz is not the only band that ought to be considered for this application. ARRL staff will work with the General Counsel to prepare the submission.

4.6. The FCC still has not responded to the ARRL’s February 2005 request for a declaratory ruling that state statutes in Florida and (as adopted later) New Jersey addressing interference to broadcasting stations are overly broad and are preempted by federal regulation. It is understood that some action may be forthcoming soon.

4.7. The FCC Public Notice “Amateur Service Operation in CEPT Countries” has not been updated since 1999 and is no longer accurate. It is understood that a corrected draft was prepared some time ago and is awaiting release. The General Counsel was asked to seek its early release so that FCC licensees will have the correct document and accurate information in their possession when they operate in Europe.

4.8. Recently there has been an apparent increase in the number of experimental licenses and Special Temporary Authorizations issued for uses of amateur allocations that are fundamentally incompatible with amateur operation. Not all experimental and temporary operations in the amateur bands are incompatible; most are for very intermittent operation or are at low power levels or for restricted geographic areas, and all are issued on a not-to-interfere basis. However, unless the applications are placed on public notice they do not always come to the ARRL’s

attention until the grant has been issued. A recent example is the experimental license WE2XRH issued to Digital Aurora Radio Technologies for operation at extremely high power levels in, among other bands, 7.1 to 7.3 MHz. At the time of the meeting a protest of the license grant for this frequency range was in preparation for filing with the FCC. Mr. Imlay will pursue the objective of receiving advance notice of such applications as well as a requirement to coordinate with the ARRL when there is an interference potential. Mr. Imlay also reported for the record that a reply had been received from the FCC to the ARRL's objection to the renewal of experimental license WD2XEQ issued to Ambient Corporation for BPL trials. The ARRL will respond with a request that the Ambient operations be included in the online BPL database, since this is the only practical way to ensure that the operator of a licensed station experiencing interference will be able to determine if Ambient's operations might be the cause.

4.9. Mr. Imlay concluded this agenda item with a brief review of various pending regulatory items whose status had not changed since the July Board Meeting. The committee was in recess for luncheon from noon until 1:12 PM.

5. Antenna regulatory matters and other legal matters

5.1. Mr. Imlay noted Pennsylvania amateurs' success in making their state the 27th to enact a "PRB-1 bill," in this case Act 88 which was signed into law by Governor Rendell on October 8. The law provides that no ordinance, regulation, plan or any other action of a municipality shall restrict amateur radio antenna height to less than 65 feet above ground level. While municipalities may impose necessary regulations to ensure the safety of amateur radio antenna structures, they must reasonably accommodate amateur service communications. Mr. Edgar highlighted the effective work of ARRL member George Brechmann, N3HBT and the two Section Managers in Pennsylvania, among others, and also observed that Mr. Imlay's expert input was an important contributor to this success.

5.2. Mr. Imlay reported the resolution of a disputed estate that will result in the distribution of a small portion of the estate to the ARRL.

5.3. Mr. Isely noted the growing number of "distracted driving" statutes aimed at the use of cell phones by drivers. Mr. Imlay agreed, and observed that the legislation addressing the issue is often poorly drafted and could be interpreted to apply to two-way radio communication when that is not intended.

5.4. The FCC is sending "notice of dismissal" form letters to people who unsuccessfully apply for a vanity call sign. The wording of the letters misleads some recipients into thinking that their amateur licenses have been cancelled. The ARRL is working to have this corrected.

5.5. The unauthorized distribution of copyrighted ARRL publications and possible ways to address the problem were discussed.

6. A review was begun of the partial draft of a Memorandum of Understanding (MOU) between the ARRL and the American National Red Cross to replace the Statement of Understanding that expired in September 2007. After discussion, the following motion by Mr. Isely was adopted:

“Moved that the Executive Committee appreciates the work done to this point by the Red Cross and ARRL staff on the draft MOU. By November 3 the Executive Committee shall review the draft, including text from ARRL staff to incorporate Board policy regarding background checks as adopted at Minute 30 of the July 2007 Board Meeting. Red Cross and ARRL staff are requested to continue work on Attachment D and to incorporate therein reference to the onsite credentialing of ARRL volunteers.”

7. Legislative matters

7.1. Mr. Sumner reviewed the status of the ARRL’s legislative objectives for the 110th Congress. Rep. Mike Ross of Arkansas, the sponsor of HR 462, has been joined by 14 co-sponsors. HR 462 calls on the FCC to study the interference potential of broadband over power line (BPL) technology and report its findings to Congress. Similar legislation (S 1629) introduced in the Senate by Sen. Mark Pryor, also of Arkansas, has attracted one co-sponsor. No action on either bill can be expected in the remaining days of the 110th Congress.

7.2. The committee reviewed draft legislative objectives for the 111th Congress. The draft will be further reviewed with the objective of having completed recommendations for the Board to consider at its January 2009 meeting.

7.3. Mr. Sumner reported briefly on recent changes in regulations governing federal lobbying.

8. International matters

8.1. Mr. Stafford reported on the meeting of the IARU Region 2 Executive Committee held in Panama in early September. More volunteers are stepping forward to assume responsibilities on behalf of Region 2. The Region 2 Web site, www.iaru-r2.org, is very attractive and useful and is being kept up-to-date. Mr. Stafford and Mr. Sumner will attend the IARU Region 1 Conference in Cavtat, Croatia next month.

8.2. Mr. Harrison noted that voting by IARU member-societies on the ratification of the nominees for President and Vice President for the five-year term beginning May 9, 2009 is underway and will be completed on February 10, 2009. Mr. Sumner noted that voting is also underway on the admission of member-societies representing the United Arab Emirates and Kazakhstan. The ARRL Board will consider these latter two proposals at its January 2009 meeting.

9. Organizational matters

9.1. Mr. Day, as Chairman, reported for the Ethics and Elections Committee concerning issues related to the current election cycle for Director and Vice Director.

9.2. To implement Minute 29 of the July 2008 Board meeting, the September 2008 *QST* editorial invited membership input on the ARRL strategic plan. Several dozen members have submitted thoughtful comments, mostly via the Web site at www.arrl.org/stratplan. Membership input will continue to be gathered and will be reported to the Board for preliminary discussion at its

January 2009 meeting. The Executive Committee then will prepare a “straw plan” revision of the strategic plan, based on the Board discussion, at its Spring 2009 meeting. This will serve as the starting point for Board review at its July 2009 meeting. Mr. Frenaye observed that the ARRL’s mission statement should be more visible.

9.3. Mr. Sumner distributed a report on memoranda of understanding to which the ARRL is a party. There are 13 such memoranda including the now-expired Statement of Understanding with the Red Cross. Mr. Sumner and Ms. Craigie have collaborated on a brief statement of the purposes of ARRL memoranda of understanding. It was agreed to incorporate the information contained in the report in the ARRL Web site.

9.4. On motion of Mr. Edgar, it was voted to add to the list of Standing Orders of the ARRL the Board actions since the January 2005 Board meeting that have lasting effect and are not otherwise incorporated into the working documents of the organization.

10. Pending action items from the July 2008 Board meeting and earlier meetings were reviewed. Mr. Sumner reported progress on the action items for staff arising from the July 2008 meeting. Mr. Harrison announced the appointment of two committees, one to revise band plans for the bands between 902 MHz and 24.25 GHz (Minute 32, July 2003 Board meeting) and the second to review Part 97 of the FCC rules to determine what rule changes would be beneficial with regard to digital modes (Minute 32, July 2008 Board meeting).

11. On motion of Mr. Frenaye, the holding of the following ARRL conventions (all in 2009) was approved:

- New York City/Long Island Section, January 11, Bethpage
- Virginia State, February 7, Richmond
- Communications Academy specialty convention, April 4-5, Seattle, WA
- North Carolina State, April 11, Raleigh
- Utah State, April 25, South Ogden
- Wyoming State, May 22-24, Casper
- Eastern Pennsylvania Section, July 4, Bressler
- Pacific Northwest DX, August 7-9, Spokane, WA
- West Virginia State, August 22-23, Weston

12. On motion of Mr. Leggette, the affiliation of the CAUHF Group, Little Rock, Arkansas was approved as a Category 1 affiliated club. With this action the ARRL now has the following number of active affiliated clubs: Category 1, 1991; Category 2, 56; Category 3, 122; Category 4, 17; Total, 2186.

13. On motion of Mr. Edgar, 163 recently elected Life Members were recognized and the Secretary was instructed to list their names in *QST*.

14. On motion of Mr. Edgar, the minutes of the March 15, 2008 meeting were approved as distributed.

15. Mr. Harrison advised the committee of changes in AMSAT officers. He observed that this meeting was the last that Director Leggette will attend as a member of the Board, and thanked him for his camaraderie and support (applause).

There being no other business, the meeting was adjourned at 5:53 PM.

Respectfully submitted,

David Sumner, K1ZZ
Secretary