

Minutes: October 2018 ARRL Executive Committee Meeting

Saturday October 20, 2018

Minneapolis Airport Marriott, Bloomington, MN

1. The ARRL Executive Committee met at the Minneapolis Airport Marriott, Bloomington, MN on Saturday October 20, 2018 at 8:58 AM CDT with Rick Roderick, K5UR, in the Chair. Present were committee members First Vice-President Greg Widin, KØGW; CEO Howard Michel, WB2ITX; and Directors David Norris, K5UZ; Dale Williams, WA8EFK; Jim Boehner, N2ZZ; Tom Frenaye, K1KI and Matt Holden, KØBBC. Also present were Second Vice-President Bob Vallio W6RGG; International Affairs Vice-President Jay Bellows KØQB; Secretary Barry Shelley N1VXY; General Counsel Chris Imlay, W3KD; and Assistant Secretary Dan Henderson, N1ND. Also present were Andrew Wood, Grant Sanders, Tim Drugan and Magdalena Owczarska from Mintz & Hoke.
2. On the motion of Mr. Norris, seconded by Mr. Williams, the agenda was ADOPTED.
3. Mr. Roderick presented the President's report as general observations of his recent meetings and hamfests. His contact with membership reveals strong member support for the Entry Level License Enhancement petition and the Volunteer Monitor Program. We need to continue to explain in detail the important rationales of these initiatives.
4. Mr. Shelley introduced the Mintz & Hoke team to present their status report on the discovery and strategy phase of the lifelong learning project. They led the committee members through several exercises designed to gather data for the project and provided the committee with their research findings to date. They are on track to present final strategies to the ARRL Board at the January 2019 meeting. The Mintz and Hoke visitors left the meeting at 11:10 AM, and the Committee recessed until 11:23 AM.
5. Mr. Shelley presented oral remarks as the outgoing CEO and Secretary. Through September, the organization's gain from operations is ahead of projections. The Committee discussed Headquarters and Organizational orientation for Dr. Michel. Sales of the new edition of the ARRL Handbook are solid. Headquarters response to the fall's hurricane season has gone relatively well.
6. The Committee moved to the report of the General Counsel. Mr. Imlay noted that the Parity Act is still active in Congress as part of the House-passed version of the Financial Services and General Government Authorization Act. The Bill is now before a House and Senate Committee of Conference to resolved differences between the respective passed versions of the FSGG. We are also laying the groundwork for pursuing administrative

implementation of the provisions of the Bill should that become the best procedural route before the end of this year.

Discussion turned to the implementation of the new Volunteer Monitor program. We are waiting for final approval from the FCC of the new Memorandum of Understanding (MOU) for the Amateur Auxiliary. Discussions are underway with key players for planning the roll out and implementation of the VM program.

FCC has not yet replied to our concerns about the recent FCC advisory (No. 2018-3, DA-18-980) on the importation and use of non-certified radios and the marketing of them to the general public. Mr. Imlay, Mr. Shelley and Mr. Henderson recently participated in a teleconference with FCC officials about the order and expressed concerns about the portion of the notice that calls on radio amateurs who possess such radios not to use them. ARRL is of the view that there is no valid legal basis for this portion of the Notice. On the motion of Mr. Norris, seconded by Dr. Boehner, the Committee directed Mr. Imlay to prepare a white paper on the ARRL's position on this issue to be used to inform members in response to inquiries.

Discussion turned to RM-11815, Wireless Power Transfer for Electric Vehicles. Mr. Imlay was instructed to file comments on the Petition and to evaluate the need for reply comments thereafter.

During a meeting with the Chief and staff of the FCC's Wireless Telecommunications Bureau Mr. Imlay and Mr. Shelley urged more rapid Commission resolution of a series of long-pending rulemaking proceedings now before the Bureau. Most urgent among these are the long-delayed Symbol Rate petition (Docket No. 16-239) and the ARRL Entry Level License Enhancement petition (which has not yet been placed on public Notice since its filing in February)

On the motion of Mr. Frenaye, seconded by Mr. Williams, the Committee directed the National Broadband Plan Committee to continue to monitor potential threats to the 5.850 - 5.925 GHz, 10 GHz, and 24 GHz bands (the Amateur Allocations within the so-called "mid-band" now under consideration by the Commission for fixed and mobile broadband allocation.

7. On the motion of Dr. Boehner, seconded by Mr. Frenaye, and on the urgent recommendation of Connecticut legal counsel, it was voted to recommend to the Board of Directors the following change in the Articles of Association:

Article 1: The name of our corporation shall be The American Radio Relay League, Incorporated. It may be informally referred to as ARRL, the national association for Amateur Radio. Our corporation commenced its corporate

existence as The American Radio Relay League, Incorporated, when its Articles of Association were approved by the Secretary of the State of Connecticut on January 29, 1915. The original Articles of Association were subscribed by Hiram Percy Maxim, Clarence D. Tuska and Lawrence A. Howard. The affairs of the corporation have since that time been continuously governed by a Board of Directors selected by the membership. The Corporation is nonprofit and shall not have or issue shares of stock or make distributions.

The change is the addition of the last sentence and is required by the Secretary of the State of Connecticut to bring the organization's Articles of Association in alignment with state statutes.

8. The Committee next held a brief discussion on Connecticut corporate counsel. Recently, Mr. Shelley has used the firm of Murtha Cullina for several projects. Dr. Michel will work with Mr. Shelley and the General Counsel in continuing evaluation of Connecticut corporate counsel.
9. The Committee next turned to the Board directed review of the ARRL Policy on Board Governance and Conduct of Members of the Board of Directors and Vice Directors. Two proposed restatements of that Policy were considered with extensive discussion. Mr. Holden moved, seconded by Mr. Norris that the draft proposal prepared by International Affairs Vice President Bellows, Vice Director Raisbeck and Director Norris (Restatement #1) be recommended to the Board of Directors, with a draft prepared by General Counsel Imlay also be presented as an alternative. After discussion, Mr. Frenaye moved, seconded by Mr. Williams to have Revision #1 reviewed by CT counsel. The motion to amend failed. The main motion was then adopted.
10. The Committee received a status update on the review of Ethics and Elections Guidelines, to be presented to the Board in January. The *ad hoc* committee formed for the purpose will be circulating its proposal 60 days in advance of the January meeting.
11. Mr. Norris provided an update on the work of the *ad hoc* committee reviewing rules and regulations for Advisory Committees. Several recommendations were provided to the Executive Committee for consideration. Mr. Norris will work with the PSC Chairman on implementation of the recommendations.
12. On the motion of Mr. Williams seconded by Mr. Norris the new life members presented to the Committee were approved with applause.
13. The Committee reviewed a list of ongoing/outstanding actions provided by Mr. Frenaye. Dr. Michel will assume management of the status list moving forward.

14. There being no further business, on the motion of Dr. Boehner, and second of Mr. Williams, the meeting was adjourned at 5:57 PM.

Respectfully submitted:

Dan Henderson, N1ND
Assistant Secretary