

MINUTES OF ARRL EXECUTIVE COMMITTEE
Number 501
Memphis, Tennessee – October 4, 2014

Pursuant to due notice the Executive Committee of the American Radio Relay League, Inc. met at 8:35 AM CDT Saturday, October 4, 2014 at the Marriott Memphis East, Memphis, Tennessee. 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 Cliff Ahrens, KØCA, George R. Isely, W9GIG, Mike Lisenco, N2YBB, and Bob Vallio, W6RGG. Also present were Second Vice President Jim Fenstermaker, K9JF and General Counsel Christopher D. Imlay, W3KD.

1. The Chair welcomed the attendees and noted that apologies had been received from committee member Dr. David Woolweaver, K5RAV, and International Affairs Vice President Jay Bellows, KØQB, who were unable to attend.

On motion of Mr. Vallio the agenda for the meeting was adopted as distributed in draft form. The main agenda items were:

1. *Consideration of agenda for the meeting*
 2. *President's report*
 3. *Chief Executive Officer and Secretary's report*
 4. *FCC/regulatory items*
 5. *Antenna/RFI cases*
 6. *Other legal matters*
 7. *Legislative matters*
 8. *International matters*
 9. *Organizational matters*
 10. *Review of pending action items including work in progress by committees*
 11. *Approval of conventions*
 12. *Affiliation of clubs*
 13. *Recognition of new Life Members*
 14. *Other business and adjournment*
2. President Craigie reported on her activities since the July Board meeting including attendance at the Centennial Regional Convention in Huntsville, Alabama and her upcoming attendance at Pacificon, the final Centennial Regional Convention in Santa Clara, California. Two days in late July and four days in September were spent visiting Congressional offices in Washington advocating for H.R. 4969.
3. Mr. Sumner reported that the budget planning process for 2015-16 was proving to be challenging. There was a brief discussion of possible ways to increase revenue from membership dues.
4. FCC/regulatory items
- 4.1. Action items

4.1.1. Mr. Imlay observed that there has been a significant uptick in FCC enforcement activity including two major forfeiture proceedings and that the new Chief of the Enforcement Bureau, Travis LeBlanc, appears to be heading in the right direction although there is a shortage of personnel in some field offices. Mr. Lisenco noted that on the other side of the ledger, no action has been taken yet against a known source of ongoing malicious interference on New York City area repeaters. The committee discussed the status of the agreement between the ARRL and the FCC that in 1984 established the "Amateur Auxiliary to the FCC Field Operations Bureau" and the desirability of revitalizing this relationship with the Enforcement Bureau. Mr. Imlay reported that a review of power line interference case files is underway to identify serious cases that are still in need of attention.

4.1.2. Mr. Imlay reported that in the Report and Order in MD Docket No. 14-92 concerning regulatory fees, the FCC said that in the case of Amateur Radio vanity call sign fees it did not have adequate support to determine whether the cost of recovery and burden on small entities outweighs the collected revenue or whether eliminating the fee would adversely affect the licensing process. Mr. Imlay explained that the vanity call sign fee is a regulatory fee for the use of the call sign and is not an application fee. Some Executive Committee members objected to the fee on principle but it was noted that eliminating the fee could have undesirable consequences. The question may resurface in next year's regulatory fee proceeding.

4.1.3. In 1995 the FCC reserved a block of amateur call signs for use by the Federal Emergency Management Agency when communicating with amateur stations situated in areas where a disaster is occurring or has recently occurred. At the time the FCC staff noted that amendments to the Part 97 rules might be necessary in order to implement the arrangement but the matter has lain dormant since then. FEMA is now interested in completing the implementation and has sought ARRL support. In the spirit of the recently concluded Memorandum of Agreement between the two organizations the Executive Committee instructed the Chief Executive Officer to prepare a response for review by the committee.

4.1.4. Mr. Imlay complimented ARRL Chief Technology Officer Brennan Price, N4QX, for having prepared excellent comments in FCC ET Docket No. 14-99. The FCC and NTIA jointly propose in this proceeding to establish, via a public/private partnership, a "model city" that is considered a test bed for spectrum sharing and technology development and initial rollout and evaluation. The original idea came from a report by the President's Council of Advisors on Science and Technology (PCAST) in 2012. The basic premise of the ARRL's comments is that any such model city must have a significant Amateur Radio presence and that the concept will fail if any of the radio services in the model city are saddled with public, private or environmental antenna regulations which preclude the creation of a representative environment. The proceeding was included on the agenda as an action item because the PCAST Report also recommended the creation of a "spectrum superhighway" from 2700 to 3700 MHz to provide contiguous spectrum for mobile wireless broadband services. Continued monitoring and liaison with other concerned entities is required.

4.2. Mr. Imlay reported briefly on the status of the following FCC-related matters:

4.2.1. RM-11708. An FCC Notice of Proposed Rule Making is expected sometime in the next few months that will propose the elimination of the existing symbol rate limit on amateur HF data communication but will leave open for comment the specific bandwidth limitation that should replace it. The NPRM may also address additional topics.

4.2.2. There has been no FCC action on a petition filed by Robert Bosch more than two years ago, RM-11666, to permit operation of automotive radars in the 77-81 GHz band under Part 15 of the FCC rules. A related matter is Agenda Item 1.18 of the 2015 World Radiocommunication Conference under which a primary allocation of 77.5 – 78.0 GHz to the radiolocation service for automotive applications is to be considered.

4.2.3. The 5 GHz band is under intense pressure for additional wireless broadband use under Part 15 of the FCC rules, although there has been no further FCC action in ET Docket No. 13-49 since its April 1 *First Report and Order*.

4.2.4. Efforts continue to develop a partnership with broadcasters to address the growing problem of radio spectrum pollution from RF lighting and other devices.

4.2.5. The FCC has taken no action on a petition by Mimosa Networks, Inc., RM-11715, proposing a mobile allocation for wireless broadband at 10.0 – 10.5 GHz. The ARRL filed strong opposition, pointing out among other things that the FCC lacks the authority to make the requested allocation.

4.2.6. The ARRL commented on a petition by AT&T Mobility Spectrum LLC, RM-11731, seeking modification of Part 27 rules governing wireless communications services at 2305 – 2320 and 2345 – 2360 MHz to permit an LTE-based in-flight broadband service. Our comments argued that the petition is incomplete and fails to justify the relief requested, and that the diminished utility of the 2305 – 2310 MHz band for the amateur service justifies an upgrade from secondary to primary status in the adjoining segment, 2300 – 2305 MHz. Mr. Ahrens recused himself from participation in this matter.

4.2.7. In the WRC-15 preparatory proceeding, IB Docket No. 04-286, the ARRL filed comments taking issue with NTIA opposition to an amateur allocation in the range 5275 – 5450 kHz as previously supported by the FCC's WRC Advisory Committee. The NTIA position is inconsistent with United States WRC-12 proposals for oceanographic radars in the same frequency range.

4.3. Mr. Imlay listed several other FCC proceedings on which there has been no action since the July Board meeting.

5. Antenna/RFI cases

5.1. Mr. Imlay has sought an update from Myles Landstein, N2EHG, on the status of his antenna case in the Town of LaGrange, New York.

5.2. In a case supported by the ARRL, an amateur in Swanton, Ohio prevailed over the town's denial of his right to erect a 60-foot tower.

5.3. In another proceeding supported by the ARRL, a long-running effort by amateurs in Poway, California to achieve a satisfactory antenna ordinance finally was successful.

6. There were no other legal matters requiring the attention of the committee.

7. Legislative matters

7.1. A major effort by the ARRL to secure co-sponsors for H.R. 4969, the Amateur Radio Parity Act of 2014, resulted in 47 co-sponsors by the time Congress recessed for the fall elections. An additional 10 representatives have committed to signing on as co-sponsors when Congress returns in November. Mr. Imlay briefed the Committee on recent discussions with House Telecommunications Subcommittee staff. President Craigie observed that everyone who has participated in this effort should feel good about what has been accomplished so far.

7.2. The committee reviewed a draft revision of the ARRL Mobile Amateur Radio Policy. The policy was adopted by the Executive Committee in 2009 and was in need of revision in order to take into account the requirements of Public Law 112-141 (MAP-21) for states to qualify for federal safe-driving grants. After final edits, on motion of Mr. Isely the revised policy was approved.

7.3. Mr. Imlay reported on state legislative efforts to regulate the visibility of meteorological evaluation towers that are installed temporarily to heights of up to 199 feet in order to evaluate potential sites for wind energy conversion facilities. Several fatal accidents involving low-flying aircraft have occurred. He outlined the basis for the argument that measures to insure aircraft safety are federally preempted, irrespective of the height of the obstruction. Nevertheless, a few states have adopted legislation to address the issue. While amateur and other telecommunications towers are not the intended targets of such legislation, not all statutes adopted to date include specific exemptions. The issue is expected to arise in more state legislatures in the coming year.

The committee was in recess for lunch from noon until 12:45 PM.

8. International matters

8.1. The Executive Committee of IARU Region 2 met in Hartford just prior to the ARRL Centennial National Convention in July. A written report on the meeting submitted by Mr. Bellows was received.

8.2. Mr. Sumner reported on the IARU Region 1 Conference held in Albena, Bulgaria in late September. Several new members were elected to the Region 1 Executive Committee including a new President, Don Beattie, G3BJ. He also reported on a meeting of the IARU Administrative Council held in the same location at the conclusion of the conference.

8.3. On motion of Mr. Isely, the Secretary was instructed to initiate a mail vote of the Directors to authorize an affirmative vote by the ARRL on the admission of two new IARU member-societies from Kosovo and Rwanda.

9. Organizational matters

9.1. Studies directed by the Board at its July 2014 Meeting

9.1.1. At Minute 27 of the July 2014 Board Meeting the Executive Committee was directed to study the proposal for a new Bylaw reading as follows:

Unless a majority of the Directors vote to exclude the Vice Directors from a specific meeting, Vice Directors have the right to be present at all formal meetings of the Board including Special Meetings, Electronic Meetings, and meetings of the Committee of The Whole.

The committee considered both the possibility of a new Bylaw and the possibility of its being adopted as a Board policy and made a Standing Order.

The value of Vice Director participation in the life and work of the Board is recognized by the committee, several of whose members have served as Vice Directors. However, the committee does not recommend the adoption either of a new Bylaw or a Board policy. The current practice is for Vice Directors generally to be allowed to be present throughout Board meetings, including Committees of the Whole, even though they are not members of the Board. The determination of who is allowed to be present at any portion of a Board meeting, apart from Board members themselves, is already within the control of the Directors. There would be no change if the proposed Bylaw were to be adopted.

9.1.2. At Minute 28 of the July 2014 Board Meeting the Executive Committee was directed to study a proposal to amend the last paragraph of Bylaw 41 to read as follows:

The members of the committee shall be elected at the Annual Meeting of the Board from among those Directors not subject to election during the year of service. The Director receiving the greatest number votes will be the chairman of the committee. Should two or more Directors tie, an election will be held between the tied Directors to determine the chairman.

The effect of the amendment would be to change the method of selection of the Ethics & Elections Committee from appointment by the President. Prior to opening discussion President Craigie advised the committee that if the issue came to a vote she would abstain.

After discussion it was the unanimous conclusion of the Directors present that the committee does not recommend adoption of the proposed amendment. Election of the members of the Ethics & Elections Committee would unnecessarily politicize the committee, which sometimes must make decisions that will be unpopular with some members of the Board. The Executive

Committee concluded that the underlying issue that prompted this proposal arose from a problem with Bylaw 45 that must and will be addressed separately.

9.1.3. At Minute 37 of the July 2014 Board Meeting the Executive Committee was directed to study the addition of specific data privileges in narrow segments of the 80, 40, and 15 meter bands for Technician licensees. After extended discussion of the pros and cons of the proposal, on motion of Mr. Lisenco the Executive Committee voted to recommend that the Board consider soliciting input from the membership on adding data privileges for Technician and Novice licensees in their existing 15 meter subband.

9.2. Earlier in the year the application of the conflict of interest policy contained in Bylaw 45 had proved to be problematic. Bylaw 40 gives the Executive Committee responsibility for periodically reviewing the Bylaws and recommending changes to the Board. The principles that should guide the conflict of interest policy were discussed. After discussion, on motion of Mr. Lisenco it was agreed that a drafting committee consisting of Messrs. Ahrens, Isely, Lisenco, Sumner, Imlay, and President Craigie (ex officio) will develop proposed text for changes to Bylaw 45, including related bylaws and the Rules and Regulations Concerning ARRL Elections if required, for consideration by the Executive Committee and ultimately by the full Board.

9.3. The Executive Committee is responsible for the periodic review and implementation of the January 2012 report of the National Broadband Plan Committee. President Craigie requested that Messrs. Sumner, Imlay, and Chief Technology Officer Price review the report and be prepared by the January 2015 Board Meeting to recommend updates and implementation steps that should be taken.

9.4. Mr. Sumner presented a draft letter to the Secretary of Defense urging that the High Frequency Active Auroral Research Program (HAARP) facility in Alaska be maintained in its current condition until the process of assessing its usefulness for future ionospheric research has been completed. The draft was approved on motion of Mr. Vallio.

10. Mr. Sumner distributed a chart of past Board actions. Action had been completed on several items since the previous meeting of the Executive Committee, and several others had been added to the list as a result of the July 2014 Board Meeting. At Minute 40 of the July 2014 Board Meeting the Board had referred the possible creation of an Information Technology Strategic Planning Committee to the Administration & Finance Committee for study. Director Doug Rehman, K4AC had requested that the Executive Committee put the creation of the committee before the Board by electronic mail vote. The Executive Committee's unanimous opinion was that the Board action referring the matter to the Administration & Finance Committee should stand.

11. On motion of Mr. Lisenco, the holding of the following ARRL conventions in 2015 was approved:

Virginia State, February 7, Richmond, VA
Vermont State, February 28, South Burlington, VT
Texas State, March 28, Rosenberg, TX

Nevada State, May 1-3, Verdi, NV

12. On motion of Mr. Ahrens, the affiliation of the following clubs was approved (all Category 1):

2 Meter Weak Signal Group, Lancaster, CA
Bozinga DX and Contest Club, De Pere, WI
Carolina Amateur Radio Club, Lincolnton, NC
Worldwide Amateur Radio Club, Bristol, CT
Memphis Digital Amateur Radio Club, Germantown, TN
Rocky Mountain Ham Radio, New Mexico, Inc., Corrales, NM
Rusk County Amateur Radio Club, Henderson, TX
Three Rivers Amateur Transmitting Society, McEwen, TN
Washington County Amateur Radio Club, Brenham, TX
Wells County Amateur Radio Club, Bluffton, IN
National World War I Museum Amateur Radio Club, Kansas City, MO

The ARRL now has 2,200 active affiliated clubs. Category 1: 2,019; Category 2: 52; Category 3: 116; Category 4: 13.

13. On motion of Mr. Vallio, the committee recognized 227 recently elected Life Members and instructed the Secretary to publish the list in *QST*.

14. Other business

As Mr. Ahrens is not running for re-election as Director, this was his last Executive Committee meeting. By a standing ovation, his colleagues expressed appreciation for his many contributions to the work of the Board over the past eight years.

There being no further business, on motion of Mr. Ahrens, the meeting was adjourned at 4:09 PM.

David Sumner, K1ZZ
Secretary