

MINUTES OF ARRL EXECUTIVE COMMITTEE
Number 484
Little Rock, Arkansas – October 6, 2007

Pursuant to due notice, the Executive Committee of The American Radio Relay League, Inc. met at 8:30 AM CDT Saturday, October 6, 2007 at the Marriott Courtyard Downtown, Little Rock, Arkansas. All committee members were present: President Joel Harrison, W5ZN in the Chair; First Vice President Kay Craigie, N3KN; Chief Executive Officer and Secretary David Sumner, K1ZZ; and Directors Frank Butler, W4RH, Coy Day, N5OK, Jim Fenstermaker, K9JF, George R. Isely, W9GIG, and Warren G. "Rev" Morton, WS7W. Also present were Vice President Rick Roderick, K5UR, International Affairs Vice President Rod Stafford, W6ROD, and General Counsel Christopher D. Imlay, W3KD.

1. On motion of Mr. Butler, the following agenda as previously circulated was agreed:

- 1. Consideration of agenda for the meeting*
- 2. President's report*
- 3. Legal/regulatory action items*
- 4. Legal/regulatory reporting items*
- 5. Antenna and RFI cases and local legal matters*
- 6. Legislative report*
- 7. Other legal matters*
- 8. Election matters*
- 9. International matters*
- 10. New business*
- 11. Review of pending action items*
- 12. Approval of conventions*
- 13. Affiliation of clubs*
- 14. Recognition of new Life Members*
- 15. Approval of minutes*
- 16. Other business*

2. To begin the President's report, Mr. Harrison observed that 50 years ago today radio amateurs were making significant contributions by receiving the signals of the first Sputnik artificial earth satellite. He also observed that the ARRL legislative advocacy effort was ready, based on the experience gained to date, to move to the next level where responsibility for communication between Chwat & Company and the Division Legislative Action Chairs (DLACs) would be assigned to staff.

3. Legal/regulatory action items

3.1. Mr. Imlay reported that WilmerHale, the law firm retained to handle the court appeal of the FCC's Broadband over Power Line (BPL) rules, is completing its preparations for the Oral Argument on October 23. The appeal is costly but necessary, and cost containment efforts are underway.

3.2. Mr. Imlay reviewed the status of FCC enforcement actions with regard to BPL systems that are documented to have been causing harmful interference and/or operating at emission levels above FCC limits. New BPL hardware now being deployed is capable of being configured so as to not cause widespread interference to the amateur service. Coupled with the very limited deployment of BPL that so far has occurred, the number of active interference cases is small despite the inadequacy of the FCC's rules. Unfortunately, the FCC has been slow to address even these few cases.

3.3. Mr. Imlay reported that efforts to mitigate interference from amateur 440-MHz repeaters to Pave Paws radar installations in Massachusetts and California are continuing. The ARRL's role is to provide a single point of contact for the Air Force. It appears likely that some repeaters will have to be moved to another band or shut down. Any directives to cease operation will come from the FCC.

3.4. The committee discussed briefly the status of efforts to develop a generally acceptable proposal to regulate amateur subbands by bandwidth rather than by mode of emission. While addressing the issues that arise from the introduction of many new digital modes into the HF bands cannot be postponed indefinitely, it is important to develop a consensus in the amateur community before seeking FCC rulemaking again. The committee will not be offering specific recommendations to the Board for consideration at its 2008 Annual Meeting.

3.5. More than 2-1/2 years ago, the ARRL requested a declaratory ruling from the FCC to void a Florida statute dealing with unlicensed radio transmissions and interference to FCC-license broadcasting stations. The request was amended in 2006 to include a similar New Jersey statute. While these statutes clearly exceed the states' authority to regulate radio emissions, the FCC has failed to act. After discussion, it was agreed that Mr. Imlay should seek to meet with FCC staff and that President Harrison should send a followup letter urging early action.

3.6. Prior to the meeting, Mr. Imlay had prepared and circulated a draft letter to the FCC seeking the Commission's concurrence on an appropriate demarcation between equipment that may be used in an Amateur Radio station without Part 15 authorization, and equipment requiring such authorization. After review and discussion, it was agreed that Mr. Imlay should refine and submit the letter.

4. Legal/regulatory reporting items

4.1. Mr. Imlay reported that a letter to the FCC setting out the League's views on the regulatory status of stations using the D-Star system is in draft form, but not ready for committee review at this meeting.

4.2. Regulatory and enforcement issues related to message forwarding, control, and technical characteristics of some HF digital stations are being considered by FCC staff.

4.3. No further government action on the ARRL's petition seeking the expansion of 5-MHz operating privileges is expected until after government personnel return from the 2007 World Radiocommunication Conference (WRC-07).

4.4. Mr. Imlay reported there had been no recent action on the following pending FCC proceedings from 2006:

- RM-11325, an ARRL petition concerning automatic power control of spread spectrum transmissions.
- WT Docket No. 06-49, concerning the 904-909.75 MHz and 919.75-928 MHz bands.
- ET Docket No. 06-89 and the companion NTIA proceeding, concerning the creation of a spectrum sharing innovation test-bed.

5. Mr. Imlay reported briefly on the status of two cases involving local ordinances and permits for Amateur Radio antennas.

6. Legislative report

6.1. Mr. Sumner reported that there were 11 sponsors and co-sponsors for HR 462, the Emergency Amateur Radio Interference Protection Act of 2007, and a sponsor and one co-sponsor for a similar Senate bill, S.1629. Efforts to secure co-sponsors have concentrated on members of the respective Telecommunications Subcommittees.

6.2. Efforts continue to identify sponsors for legislation that has been styled in draft form as “The Amateur Radio Antenna Protection Act of 2007.” The draft legislation seeks to extend the requirement for “reasonable accommodation” of Amateur Radio station antennas – which now applies to state and local regulations – to all forms of land use regulation.

6.3. The ARRL is making known its support for HR 2743, the Military Affiliate Radio System Emergency Communication Act of 2007, to assist MARS members in continuing to use their amateur equipment while operating on MARS frequencies.

6.4. On October 3, the ARRL participated in a demonstration of Amateur Radio and MARS for federal legislators and Capitol Hill staffers near the Rayburn House Office Building.

6.5. As noted by Mr. Harrison in his report, the League’s legislative action program has matured to the point where it will benefit from increased staff involvement in communicating with the field volunteers. Responsibility will be given to Regulatory Information Manager Dan Henderson, N1ND, who reports directly to Mr. Sumner.

7. Other legal matters

7.1. A report was received from the Ad Hoc Background Investigation Committee. The prior Statement of Understanding between the ARRL and the American Red Cross expired in mid-September. After discussion, on motion of Mr. Isely it was agreed that Mr. Harrison should send a letter to the American Red Cross expressing the League’s desire to conclude negotiation of an amended Statement of Understanding in order to avoid such issues as may arise in the event of a request for Amateur Radio operators from the national Red Cross.

7.2. The prospects for the maintenance of the FCC's Amateur Radio enforcement program were discussed briefly.

The Executive Committee was in recess for luncheon from noon until 1:11 PM.

8. A draft summary of the events leading to the disqualification of Carl Gardenias, WU6D as a candidate for Director of the Southwestern Division was reviewed and approved for release. (See Minutes of the Executive Committee Teleconference, September 27, 2007.)

9. International matters

9.1. Those present who attended the IARU Region 2 Conference in Brasilia, September 10-14, reported on their experiences. Mr. Stafford was present in his capacity as President and area Director of Region 2. Mr. Harrison headed the ARRL delegation, chaired the Electoral Committee and served on the Finance Committee. Mrs. Craigie and Mr. Butler served on the Technical/Operational Committee. Mr. Sumner served on the Administrative Committee. Also representing the ARRL, Jon Siverling, WB3ERA served as Secretary of the Administrative Committee and Paul Rinaldo, W4RI was Secretary of the Technical/Operational Committee. Mr. Stafford did not stand for re-election as President. Region 2 Secretary Reinaldo Leandro, YV5AMH was elected President and Ramón Santoyo, XE1KK was elected Secretary. The other officers and Directors of Region 2 were re-elected.

9.2. Mr. Harrison reported that the consultative process for the nomination of candidates for IARU President and Vice President for the 2009-2014 term is proceeding satisfactorily.

9.3. The status of preparations for WRC-07 was reviewed briefly. The conference opens in Geneva on October 22 and is scheduled to conclude on November 16. Proposals for amateur secondary allocations at 136 kHz and 5 MHz will be considered at the conference. Mr. Siverling and Walt Ireland, WB7CSL of the ARRL Technical Relations staff have been named to the US delegation. The IARU is fielding an international team of "active observers" and other amateurs will be present as members of their national delegations.

9.4. Mr. Stafford observed that a study of a possible comprehensive restructuring of the IARU is underway. Whether there is a restructuring of the IARU will affect how IARU officers are selected in the future.

10. New business

10.1. AMSAT has advised the ARRL that it is investigating the feasibility of amateur satellites having a significant emergency communications capability. Discussions to date have involved Mr. Rinaldo. Mr. Harrison and Mr. Sumner will participate as soon as their schedules permit.

11. The status of work on pending action items was reviewed. The Programs and Services Committee is conducting a survey of Section Managers in support of its study of the governance of the Section Field Organization. Mr. Sumner will circulate a chart showing the status of pending action items.

12. On motion of Mr. Morton, the holding of the following ARRL conventions was approved:

Maryland-DC Section/FAR Digital Conference, November 11, 2007, Washington, DC

2008

Northern Florida Section, February 8-10, Orlando
Arkansas Section, February 16, Hoxie
West Texas Section, March 8, Midland
Southern Florida Section, March 15, Stuart
Louisiana State, March 21-22, Rayne
South Carolina Section, May 3, Spartanburg
Atlantic Division, May 30-31, Henrietta, NY
Northwestern Division, May 30-June 1, Seaside, OR
Rocky Mountain Division, July 11-13, Bryce Canyon, UT
Alaska State, August 1-4, Anchorage (date change)
Illinois State, August 3, Bolingbrook
Arkansas State, September 5-6, Mena
W9DXCC, September 19-20, Elk Grove Village, IL

Northwestern Division, June 5-7, 2009, Seaside, OR

13. On motion of Mr. Fenstermaker, affiliation of the following clubs was approved:

Category 1

Bladen Amateur Radio Society, Elizabethtown, NC
Brunswick Shores Amateur Radio Club, Oak Island, NC
Cocoa Amateur Radio Society, Cocoa, FL
Jersey Village Amateur Radio Club, Houston, TX
John D. Kraus Memorial Amateur Radio Club, Delaware, OH
Kaufman County Amateur Radio Emergency Service, Inc., Kaufman, TX
K2UGH Kilowatt Club, Lehigh Acres, FL
LaGrange Amateur Radio Club, LaGrange, GA
Ogemaw Arenac Amateur Radio Society, Prescott, MI

Category 2

RadioBakerVegas Club, Downey, CA
United States Power Squadrons Amateur Radio Club, Raleigh, NC

Category 3

Explorer Post 599, Phoenix, AZ
Glasgow Middle School Amateur Radio Club, Baton Rouge, LA

14. On motion of Mr. Butler, 120 recently elected Life Members were recognized and the Secretary was instructed to list their names in *QST*.

15. On motion of Mr. Isely, the minutes of the March 3, 2007 meeting and April 10, 2007 teleconference were approved as distributed.

16. Other business

16.1. Mr. Fenstermaker initiated a discussion of the need for better material to market Amateur Radio to young people.

16.2. Arrangements for the 2008 Annual Meeting of the Board were discussed briefly.

16.3. This being their last Executive Committee meeting prior to retiring from the Board, Directors Butler and Morton were thanked for their significant contributions to the work of the committee and expressed their appreciation for the fellowship of the group.

17. There being no further business, the meeting was adjourned at 4:00 PM.

Respectfully submitted,

David Sumner, K1ZZ

Secretary