

MINUTES OF ARRL EXECUTIVE COMMITTEE

Number 485

Memphis, Tennessee –

March 15, 2008

Pursuant to due notice, the Executive Committee of The American Radio Relay League, Inc. met at 9:00 AM CDT Saturday, March 15, 2008 at the Marriott East, Memphis, Tennessee. Present were committee members First Vice President Kay Craigie, N3KN, in the Chair; 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 and General Counsel Christopher D. Imlay, W3KD.

1. Mrs. Craigie welcomed the new and returning members of the committee. On motion of Mr. Day the following agenda as previously circulated was agreed:

1. *Consideration of agenda*
2. *President's report*
3. *Chief Executive Officer's report*
4. *Legal/regulatory items*
5. *Antenna/RFI cases and local legal matters*
6. *Other legal matters*
7. *Legislative matters*
8. *International matters*
9. *Strategic planning*
10. *Review of ARRL policy regarding communicating and commenting on FCC petitions*
11. *New business*
12. *Review of pending action items*
13. *Approval of conventions*
14. *Affiliation of clubs*
15. *Recognition of new Life Members*
16. *Approval of minutes of October 6, 2007 meeting*
17. *Date and place of next meeting of Executive Committee*
18. *Other business*

2. The committee members expressed their condolences to President Joel Harrison, W5ZN, who was unable to attend owing to the recent deaths of his parents.

3. Mr. Sumner reported as follows:

3.1. Overall ARRL performance in the first two months of the year was good. A computer system upgrade was successfully completed the previous weekend. The principal operational challenge currently being addressed is a backlog in the processing of DXCC applications.

3.2. The important role of local clubs in recruiting, training and mentoring new radio amateurs was discussed. Staff is seeking help in identifying clubs that are achieving exceptional success in this endeavor.

3.3. On motion of Mr. Edgar, it was VOTED to endorse the addition of Technology as the “fifth pillar” of our association, joining Public Service, Advocacy, Education and Membership.

3.4. Several issues arose during 2007 related to the administration of ARRL elections. On motion of Mr. Isely, it was VOTED that the Executive Committee will prepare recommendations for consideration by the Board at its July meeting with regard to (1) clarifying the procedures for filing an election-related complaint, (2) amendment of Bylaw 42 to clarify that the Executive Committee is authorized to consider appeals of decisions of the Ethics and Elections Committee, and (3) amendment of Bylaw 18 to permit the submission of nominating petition forms and related documents by facsimile, subject to confirmation by later submission of the original. In addition, the Executive Committee will begin developing recommendations for clarification of the rules governing campaign statements, mass communications at League expense and other campaign practices. The Chief Executive Officer was asked to look into the feasibility, advantages and disadvantages of offering members the option of voting electronically. To the extent that any changes being considered might affect the election of Section Managers, the Programs & Services Committee will be consulted.

4. Mr. Imlay reported as follows:

4.1. The U.S. Court of Appeals for the D.C. Circuit has not released its decision in *ARRL v. FCC and USA*, our challenge of several aspects of the FCC’s rules for Access Broadband Over Power Line (BPL) systems. Cooperation with the industry has led to improvements in capabilities for notching of BPL emissions in the amateur bands. The committee discussed several options for further action once the Court of Appeals decides the case.

4.2. Ongoing BPL interference in Briarcliff Manor, NY appears finally to have been resolved when Ambient, the operator of the experimental system, shut off its first generation equipment. The company has expressed a desire to cooperate with the ARRL in resolving interference in the future. Ambient’s application for renewal of its experimental license, to which the ARRL filed an objection, is still pending.

4.3. The FCC has assumed responsibility for notifying the owners and operators of repeaters who need to take steps to mitigate interference to Pave Paws radar systems in the vicinity of Beale AFB, California. While additional steps may be required there, the situation with regard to the Pave Paws system on Cape Cod, MA is now reported to be satisfactory.

The committee was in recess for luncheon from 11:53 AM until 12:53 PM.

4.4. On February 6, 2008 General Counsel Imlay sent a letter to FCC staff setting out the ARRL’s understanding of how Part 97 of the FCC Rules applies to amateur stations in D-Star systems. FCC enforcement actions are expected to be consistent with this view.

4.5. On motion of Mr. Frenaye, the General Counsel was instructed to file *ex parte* comments in response to comments filed by GE Healthcare (GEHC) in ET Docket No. 06-135. GEHC seeks a spectrum allocation for body sensor networks in the 2360-2400 MHz band. While the interference potential to the amateur service at 2390-2400 MHz appears to be low, the interference susceptibility of the proposed devices is unclear.

4.6. ARRL will communicate with a medical group that is seeking the establishment of a Medical Micro-power Network Service in the 420-450 MHz band to express our concerns about the need for devices operating in such a service to be designed so as to be immune from interference.

4.7. Recent developments with regard to HF digital stations were discussed without formal action.

4.8. The establishment by the FCC of a “spectrum sharing test bed” at 470-512 MHz may provide opportunities for innovative experiments by amateurs with dynamic frequency selection and spectrum access technology.

4.9. The ARRL is still awaiting a response from the American National Red Cross to a letter sent by President Harrison last November concerning background checks for volunteers and the now-expired Statement of Understanding between the two organizations. While the committee recognizes the magnitude of the problems currently facing the Red Cross, it is anxious to receive a formal reply addressing our concerns.

4.10. Mr. Imlay concluded this portion of his report by noting a number of matters on which FCC action is pending.

5. Mr. Imlay reported briefly on antenna issues in Palmdale, California and Pinellas County, Florida. He also noted a case recently remanded to the FCC by the U.S. Court of Appeals for the D.C. Circuit. The court found that the FCC’s handling of a petition relating to the impact of very tall towers on migratory birds was deficient in some respects. Very few, if any, amateur towers would be affected.

6. Mr. Imlay reported briefly on other potential legal matters.

7. Legislative matters: Mr. Sumner noted the recent addition of Rep. Tim Murphy (PA-18) to the list of co-sponsors of HR 462. State legislatures continue to wrestle with whether and how to restrict drivers’ use of cellphones, with possible ramifications for mobile radio operation if the legislation is not carefully crafted.

8. International matters: Mrs. Craigie reported that she has been asked by President Harrison to attend the annual Board Meeting of the Radio Amateurs of Canada in early May on his behalf.

9. Strategic planning

9.1. On motion of Mr. Isely it was VOTED to open consultation with the Administration & Finance and Programs & Services Committees on the selection of strategies from the Strategic Plan for implementation in the 2009 operational plan. Responses are requested by June 1 in order that a coordinated recommendation can be prepared for the July Board Meeting.

9.2. The committee discussed various options for updating the Strategic Plan. A recommendation will be developed for Board consideration at its July 2008 meeting.

10. Mr. Sumner reviewed existing policy on publicizing and commenting on FCC petitions filed by others that seek changes in the amateur rules. The review was prompted by a recent inadvertent departure from policy. Such petitions are to be publicized when an RM-number is assigned and a time period for public comment is opened. The ARRL does not generally comment on such petitions, if they do not threaten spectrum allocations, unless and until they become part of a Notice of Proposed Rulemaking (NPRM) or Notice of Inquiry (NOI) proceeding. Unless the petition deals with an issue on which the ARRL already has a clear policy it would be difficult, time-consuming and expensive to develop an organizational position and draft comments in support of that position within the limited time period that is afforded by the FCC at this stage. There is always an opportunity to comment later, should the petition have sufficient merit to be included in an NPRM or NOI proceeding. The General Counsel and staff are taking steps to avoid future departures from policy.

11. New business: Mr. Day had requested that the existing Memorandum of Understanding (MOU) with the National Frequency Coordinators' Council, Inc. be placed on the agenda. After discussion, it was agreed to begin a review of the MOU over the next several months. Because the Executive Committee is responsible for periodically reviewing and recommending to the Board any changes in the Memoranda of Understanding with other organizations, the Secretary was asked to provide a list of such agreements with their expiration dates (if any).

12. A chart showing the status of pending action items from past Board meetings was reviewed and updated.

13. On motion of Mr. Day, the holding of a Connecticut State Convention on October 12, 2008 in Wallingford was approved.

14. On motion of Mr. Edgar, the affiliation of the following clubs was approved:

Category I

Beaufort Radio Amateur Group, Beaufort, SC

Bedford Amateur Radio Club, Bedford, TX

Damascus Emergency Communications Team, Damascus, MD

Hickory Lake Contest Club, Rochester, NY

Mound Amateur Radio Association, Miamisburg, OH

New Castle County Emergency Operations Group, Inc., Newport, DE

Ozark Mountain Amateur Radio Club, Houston, MO

Tri County HF Society, Metamora, IN

Tualatin Valley Contesters, Hillsboro, OR

Category 3

Dixie Heights High School Amateur Radio Club, Edgewood, KY
Take II Alternative Academy Amateur Radio Club, Ardmore, OK

With this action the ARRL now has the following numbers of active affiliated clubs: Category 1, 1922; Category 2, 55; Category 3, 119; Category 4, 17; Total, 2113.

15. On motion of Mr. Leggette, 106 recently elected Life Members were recognized and the Secretary was instructed to list their names in *QST*.

16. On motion of Mr. Day, the minutes of the October 6, 2007 meeting were approved as distributed.

17. The date of the next Executive Committee was confirmed as Saturday, October 18 at a location to be designated by the President.

18. There being no other business, on motion of Mr. Edgar the meeting was adjourned at 4:17 PM.

Respectfully submitted,

David Sumner, K1ZZ
Secretary