

**ARRL EXECUTIVE COMMITTEE
MINUTES OF TELECONFERENCE
Number 491
July 1, 2010**

The Executive Committee met by teleconference at 9 PM EDT on July 1, 2010, for the purpose of agreeing upon the ARRL's positions on points raised in the FCC's the Notice of Proposed Rule Making for ET 10-98 regarding 5 MHz. Comments in this proceeding were due on July 14, 2010. Participating in the teleconference were Directors Vallio, Frenaye, Isely, and Milesosky; Vice Presidents Roderick, Frahm, and Bellows; General Counsel Imlay; and President Craigie. Director Woolweaver and Executive VP Sumner were unable to participate.

1. Replacing the frequency 5368.0 kHz with 5358.5 kHz. This was approved, as it is what the ARRL proposed in our 2006 petition.
2. Allowing a power increase from 50 watts to 100 watts ERP. This was also approved, as it is what the ARRL proposed in 2006.
3. Permission to use modes besides USB, 60H0J2B, CW, and 2K80J2D. The ARRL will not propose to add any additional modes besides USB, which is already allowed, and those proposed in the NPRM. The ARRL agreed upon those emission types in past discussions with the NTIA and must keep to that agreement. With regard to digital modes, the revised Rules should refer to emission designators, not mode names. Issues identified were
 - A. Being able to clear a channel promptly if federal users need it.
 - B. Discouraging overly-aggressive operating habits.
 - C. Educating Amateurs about what the emission designators mean.

The ARRL will commit to a strong educational effort to minimize chances of conflicts with federal users and between Amateurs using the permitted emission types. Among the emphases will be the importance of listening before transmitting and the risks of failing to operate responsibly. Risks include losing access to the five channels and losing the possibility of obtaining a traditional band allocation at 5 MHz at some future time. The ARRL will engage in constructive dialog with leaders of user groups, including digital messaging networks, that will be new to 5 MHz to seek their cooperation in establishing responsible operating habits.

The ARRL prefers to rely upon education and voluntary band plans rather than to ask for FCC regulatory restrictions upon which emissions may use particular channels.

4. Should CW and PSK31 be permitted to operate only on the center frequencies? The ARRL will argue that restricting these narrow-band modes to the center frequencies only is a poor use of available spectrum. The ARRL will argue that multiple signals within the bandwidth of the SSB channel should be permitted. The discussion noted the need for the League to educate Amateurs about how to set their VFOs for non-USB modes.
5. Should there be a time limit imposed on data transmissions? The ARRL will oppose time limits. We will argue in favor of educating Amateurs about the importance of keeping transmissions short and listening before transmitting.
6. Should Automatic Link Establishment (ALE) be encouraged? We assume this means digital selective calling, not a particular form of data transmission. We do not favor "encouraging" ALE at this time but will not take a position at this point in the proceeding. Reply comments may be needed on this topic depending on comments filed by others.
7. Should VOX operation be required on phone? We view VOX as one of several methods available to ensure that federal users can quickly obtain use of a frequency. We agreed to VOX in

our discussions with NTIA but concede the point that in a noisy environment, VOX may cause unintended, undesirable transmissions. In addition, a rule requiring VOX is unenforceable, and we do not favor unenforceable Rules. We support VOX as an option but would prefer that it not be required.

8. Comments will refer to our ongoing desire to have a traditional band allocation at 5 MHz. Having a band rather than discrete channels would promote regulatory simplicity.

9. ARRL will assume the responsibility of developing a band plan intended to achieve cooperation among users of the various permitted emission types and will develop a set of best practices intended to educate Amateurs about use of these frequencies. Peer pressure, including the Official Observer program, may be sufficient to achieve cooperation. Operators who do not respond to peer pressure may be brought to the attention of the FCC's Amateur Radio Enforcement Program.

The teleconference adjourned at 10:25 PM.

Submitted by:

Kay Craigie, N3KN
President