

**MINUTES OF ARRL EXECUTIVE COMMITTEE**  
**Number 498**  
**Irving, Texas – March 9, 2013**

Pursuant to due notice, the Executive Committee of the American Radio Relay League, Inc. met at 8:30 AM CST Saturday, March 9, 2013 at the Courtyard by Marriott DFW Airport North, Irving, Texas. 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 Jim Fenstermaker, K9JF, George R. Isely, W9GIG, Brian Milesosky, N5ZGT, Bob Vallio, W6RGG, and Dr. David Woolweaver, K5RAV. Also present were Second Vice President Bruce Frahm, KØBJ, International Affairs Vice President Jay Bellows, KØQB, and General Counsel Christopher D. Imlay, W3KD.

1. On motion of Mr. Vallio, the agenda for the meeting was adopted as distributed in draft form with the addition of the following items:

- 9.2 Report of the Centennial Celebration Committee
- 9.3 Organizational liability
- 15.1 International Microwave Symposium

The main agenda items were:

- 1. *Consideration of agenda for the meeting*
- 2. *President's report*
- 3. *Chief Executive Officer'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. *Date and place of next meeting of Executive Committee*
- 15. *Other business*

2. President Craigie noted that work on a new Memorandum of Understanding with the National Frequency Coordinators Council (NFCC) had been completed. Dr. Woolweaver congratulated President Craigie on the successful completion of negotiations. Other activities of the President since the January Board of Directors Meeting included work with the Second Century Campaign Committee, the Centennial Celebration Committee in cooperation with the Public Relations Committee, attendance at the Puerto Rico State Convention, and – on a personal note – completion of Worked All States on 160 meters with a modest station. She outlined her anticipated travel through September.

3. Mr. Sumner reported briefly on Headquarters operations.

4. FCC/Regulatory items

4.1. Action items

4.1.1. Strategies for ARRL's reply comments in FCC ET Docket No. 12-338 were discussed. The Utilities Telecom Council and a small number of electric utilities filed comments opposing the domestic implementation of the international allocation to the amateur service of 135.7-137.8 kHz but offered no technical analysis to justify their opposition. On motion of Mr. Isely it was agreed that in its reply comments the ARRL will emphasize that there is no justification whatsoever for not implementing the allocation and permitting its use by amateur stations operating within the limits of the international allocation, as long as the stations are located at least 1 km from a PLC-bearing transmission line. For amateur stations within 1 km of a transmission line the ARRL is willing to accept a procedure for notification and coordination as long as it does not prevent amateur stations from operating when there is no possibility of interfering with PLC.

4.1.2. The Notice of Proposed Rule Making in FCC ET Docket No. 13-49 was discussed. The NPRM proposes, among other things, the introduction of unlicensed wireless broadband devices into the band 5850-5925 MHz, where the amateur service has a secondary allocation. On motion of Mr. Isely the General Counsel was authorized to file comments emphasizing the record of satisfactory sharing of the band with the other incumbent services by the amateur service.

4.1.3. In GN Docket No. 12-91 the FCC solicited comments as to whether its rules create impediments to enhanced Amateur Radio communications capabilities. Some commenters identified the rules that proscribe encryption as being an impediment, in view of privacy concerns and the obligations of some served agencies under the Health Insurance Portability and Accountability Act (HIPAA). After discussion it was agreed that Mr. Sumner and Mr. Imlay, with assistance from staff as needed, will prepare a briefing paper detailing the significant aspects of the encryption issue for circulation to the committee no later than June 30. New England Division Director Tom Frenaye, K1KI will be invited to participate.

4.1.4. Per Minute 51 of the 2012 Annual Meeting of the Board, the Executive Committee is responsible for periodic review and reassessment of the recommendations of the ARRL Ad Hoc National Broadband Plan Committee. Mr. Imlay observed that no new, acute threats to amateur allocations have appeared on the horizon as a result of the National Broadband Plan. However, there may be indirect threats arising from the displacement of other services from other bands and the need for them to be reaccommodated elsewhere, possibly within amateur allocations.

4.1.5. Mr. Imlay noted two pending FCC items with regard to the ReconRobotics surveillance devices that are designed to operate in the band 430-448 MHz:

1. On October 4, 2010 the ARRL filed a complaint with the FCC's laboratory requesting that in view of several serious errors made by the Telecommunications Certification Body (TCB) in granting an equipment authorization for the Recon Scout device, the grant be rescinded. In January 2011 the ARRL and ReconRobotics were both advised that the complaint was under review. However, after more than two years no action has been forthcoming. Mr. Imlay was asked to write to the FCC seeking action on our complaint without further delay.
  2. On March 6, 2012 the ARRL filed a Petition for Reconsideration of an FCC Order modifying an earlier waiver granted to ReconRobotics authorizing the sale and marketing of the Recon Scout. A full year since it was filed, there has been no FCC action on the Petition for Reconsideration.
- 4.1.6. In a Notice of Proposed Rule Making in ET Docket No. 13-44 released February 15, the FCC proposes changes to its equipment authorization processes that would delegate even greater authority to TCBs. On motion of Mr. Isely, the General Counsel was instructed to prepare comments emphasizing the poor record of some TCBs and the need for continued oversight by the FCC lab.
- 4.1.7. The status of the amateur allocation at 2300-2305 MHz was discussed. No rulemaking will be sought at this time.
- 4.1.8. The FCC Report and Order in ET Docket No. 10-236 concerning experimental licensing was reviewed. It was observed that the rules ultimately adopted in this proceeding differ significantly from what had been proposed and do not pose a significant threat of increased interference to amateur stations.
- 4.1.9. Some encouraging progress has been made with regard to FCC enforcement activity since the September 2012 meeting of the committee. Two major enforcement actions have been publicized recently, one involving an unlicensed station interfering with amateur communications on 20 meters and the other involving alleged jamming of public safety communications by a licensed amateur. In February FCC Special Counsel Laura Smith attended the ARRL Southeastern Division Convention in Orlando. Shortcomings in the new FCC website continue to prevent the updating of information about amateur enforcement actions.
- The committee was in recess for lunch from 11:58 AM until 12:45 PM.
- 4.2. On November 29, 2012 the ARRL filed a petition with the FCC seeking domestic implementation of the international amateur allocation at 472-479 kHz. The petition was misrouted to the Mass Media Bureau by the Office of the Secretary. After repeated requests over a period of three months the petition is now with the Office of Engineering and Technology.
- 4.3. Mr. Imlay reviewed briefly several FCC proceedings on which there had been no action since the January Board Meeting.

5. Antenna/RFI cases

5.1. There have been no further developments with regard to an antenna issue in LaGrangeville, NY.

5.2. The ARRL is providing material for use by an amateur in Hilo, Hawaii in dealing with a homeowners' association that has exceeded the legal bounds on its authority.

6. Mr. Imlay reported that the ARRL succeeded in quashing a subpoena for records in a matter that had nothing whatsoever to do with the ARRL or Amateur Radio. There were no other legal matters to be brought to the attention of the committee.

7. Legislative matters

7.1. Mr. Imlay reported progress in preparing a briefing memo for use on Capitol Hill as we seek legislation instructing the FCC to extend its limited preemption of land use regulations to include private restrictions.

7.2. Mr. Sumner distributed a draft Request for Proposal for legislative relations services beginning in January 2014. Committee members were asked to provide comments on the draft no later than April 9.

8. International matters

8.1. On motion of Mrs. Craigie the following resolution was adopted:

Whereas the Radio Society of Great Britain, known worldwide as the RSGB, is celebrating the 100<sup>th</sup> anniversary of its founding in the year 2013, and

Whereas the RSGB and the ARRL have enjoyed a productive and mutually beneficial relationship for the entire shared history of the two organizations, and

Whereas the RSGB is and always has been a world leader in Amateur Radio technology, and

Whereas the RSGB has played, and continues to play, a key role in the work of the International Amateur Radio Union, and

Whereas the RSGB will mark its centenary on 5 July with a special event at Bletchley Park, the location of its National Radio Centre, now therefore, be it

Resolved by the Executive Committee of the ARRL, the national association for Amateur Radio in the United States, that the ARRL heartily congratulates the RSGB on this significant occasion, and be it

Further resolved, that the ARRL looks forward to a continuing and close relationship with the RSGB in the second centuries of our two organizations.

8.2. Mr. Bellows noted that preparations are underway for the IARU Region 2 Conference to be held in Mexico in September. There will be a companion conference on regional emergency communications. He reported that IARU Region 2 is working smoothly.

9. Organizational matters

9.1. On motion of Mr. Isely, it was agreed that the Executive Committee recommends to the Board the replacement of Standing Order 24 with the following:

Election to the Executive Committee requires a majority of the ballots cast, i.e. eight votes if there are 15 Directors voting. The five candidates with the most votes will be elected.

- If a tie vote results in an indeterminate outcome, reballoting will be conducted between or among the candidates who tied; those candidates with more votes will be declared elected and those with fewer votes will be eliminated from further balloting.
- If fewer than five candidates receive a majority, those who received a majority will be declared elected and reballoting will occur between or among those candidates who received less than a majority.

9.2. Mrs. Craigie reported on behalf of the Centennial Celebration Committee. Valuable input and support has been offered by the Public Relations Committee. The outline of a yearlong operating event for 2014 is taking shape. Plans are being developed to bring the centennial celebration to major conventions in parts of the country far removed from the site of the Centennial National Convention in Hartford.

9.3. A question had arisen as to the extent of the ARRL's potential liability in the event of an injury caused by an ARES volunteer during a deployment. After discussion, Mr. Bellows offered to work with the General Counsel and the Chief Executive Officer to draft a clarifying statement to protect the interests of the organization. The draft will be circulated to the committee for review.

10. Mr. Sumner distributed a chart listing past Board actions on which work is ongoing.

11. On motion of Mr. Vallio the holding of the following ARRL conventions was approved:

EmComm East, September 29, 2013, Rochester, NY  
West Central Florida Section, December 6-7, 2013, Plant City, FL

12. There were no applications for club affiliation to be considered, all recent applications having been approved by mail vote.

13. On motion of Mr. Milesosky the committee recognized 122 recently elected Life Members and instructed the Secretary to list their names in *QST*.

14. It was agreed that the next regular meeting of the committee will be held on October 5, 2013 in a location to be selected later.

15. Other business

15.1 After discussion, on motion of Mr. Isely, staff was requested to arrange for an ARRL booth at the International Microwave Symposium in Seattle, June 4-6, 2013.

There being no further business, on motion of Mr. Vallio the meeting was adjourned at 3:58 PM.

Respectfully,

David Sumner, K1ZZ  
Secretary