

Jed Margolin
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1981 Empire Rd.

VC Highlands, NV 89521-7430
May 6, 2011

Storey County Commissioners
Storey County, Nevada

Reference: Taormina Towers Comments #5

Dear Storey County Commissioners,

This is regarding Tom and Midge Taormina's application for a Special Use Permit Case No. 2011-010. Please put this in the permanent public file for the issue.

In my comments to the Storey County Commissioner, Comments #1, dated May 1, 2011 I described the favorable publicity Tom had gotten regarding his preparations for providing emergency communications with Japan. In one section I quoted from an ARRL article:

Here is another nice piece. This one, dated March 14, is from the ARRL.

<http://www.arrl.org/news/japan-asks-radio-amateurs-to-keep-frequencies-clear-as-country-goes-into-recovery-mode-after-devasta> .

Here's the part about Tom.

In Northern Nevada, hams spent the weekend preparing to handle health and welfare messages in and out of Japan. In a joint exercise, Storey County and Washoe County ARES® members spent two days establishing communications protocol on HF, VHF and on Internet-based voice and data communications systems. According to ARRL Storey County Emergency Coordinator Tom Taormina, K5RC, this was the first time that many of the ARES® members used HF communications to operate in a joint exercise with neighboring counties and foreign countries.

Taormina said that more than a dozen Japanese hams were contacted, all of whom were outside the earthquake area. "We are now on standby, awaiting permission of the Japanese government to begin formal third party communications relays," he said.

Then I explained the rules for third party communications by radio amateurs when transmitting emergency or disaster relief communications.

I reproduced the email I had sent to Bob Vallio (W6RGG) the ARRL Director of the Pacific Division and his response. (Japan can give unilateral permission for third-party communications by U.S. radio amateurs.)

I mentioned that I had contacted the Embassy of Japan in Washington, DC, but that due to a national holiday they had not been able to respond in time for the County Commissioners meeting on May 3.

I received an answer today from Campbell Tyler, Diplomatic Assistant at the Embassy of Japan in Washington, DC. He said:

Dear Jed,

Sorry it's taken a little while, but I just heard confirmation that there has not been any relaxation of the third party communication rules. As to any specific individual requests, I cannot verify such information.

But again, no third party communication permission has been granted.

Hope that helps.

Regards,

Campbell

I have reproduced my email correspondence with Diplomatic Assistant Tyler in Exhibit 1.

I would like the record to accurately show that, despite the favorable publicity that Tom obtained for his amateur radio station, the Government of Japan has not given permission for third-party communications by radio amateurs.

I assume that Tom has followed the law, and therefore, not provided emergency communications with Japan during the present disaster.

73,

Jed Margolin
WA2VEW

Exhibit 1

Exhibit 1

{This is a true and accurate reproduction of my email correspondence with Campbell Tyler, Diplomatic Assistant at the Embassy of Japan in Washington, DC, with the exception that I have redacted Mr. Tyler's email address. Jed Margolin, 5/6/2011}

From: "TYLER CAMPBELL" <campbell.tyler@xxxx.yyy.zz>
To: "Jed Margolin" <jm@jmargolin.com>
Sent: Friday, May 06, 2011 6:40 AM
Subject: RE: Third Party Communications with Japan by U.S. Radio Amateurs

Dear Jed,

Sorry it's taken a little while, but I just heard confirmation that there has not been any relaxation of the third party communication rules. As to any specific individual requests, I cannot verify such information.

But again, no third party communication permission has been granted.

Hope that helps.

Regards,

Campbell

From: Jed Margolin [mailto:jm@jmargolin.com]
Sent: Friday, April 29, 2011 3:57 PM
To: TYLER CAMPBELL
Subject: Re: Third Party Communications with Japan by U.S. Radio Amateurs

Dear Campbell.

Thank you, sir.

Regards,

Jed

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----- Original Message -----

From: [TYLER CAMPBELL](#)
To: '[Jed Margolin](#)'
Sent: Friday, April 29, 2011 12:51 PM
Subject: RE: Third Party Communications with Japan by U.S. Radio Amateurs

Dear Mr. Margolin,

I've briefly checked on this and at this point it doesn't seem like permission has been granted. However, I will check with Tokyo to get this confirmed. It might take a week or so to get back to you as it is Golden Week in Japan and they are on holiday.

Regards,

Campbell

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From: Jed Margolin [mailto:jm@jmargolin.com]
Sent: Friday, April 29, 2011 3:06 PM
To: TYLER CAMPBELL
Subject: Third Party Communications with Japan by U.S. Radio Amateurs

Dear Mr. Tyler,

I want to express my sympathy and my condolences to the victims and their families and friends caused by the disaster of March 11, 2011.

I live in the Virginia City Highlands, Nevada.

The American Radio Relay League (an organization of Amateur Radio operators in the United States) posted a story last month which included a paragraph about a radio amateur in my community:

In Northern Nevada, hams spent the weekend preparing to handle health and welfare messages in and out of Japan. In a joint exercise, Storey County and Washoe County ARES® members spent two days establishing communications protocol on HF, VHF and on Internet-based voice and data communications systems. According to ARRL Storey County Emergency Coordinator Tom Taormina, K5RC, this was the first time that many of the ARES® members used HF communications to operate in a joint exercise with neighboring counties and foreign countries.

Taormina said that more than a dozen Japanese hams were contacted, all of whom were outside the earthquake area. "We are now on standby, awaiting permission of the Japanese government to begin formal third party communications relays," he said.

The story is at:

<http://www.arrl.org/news/japan-asks-radio-amateurs-to-keep-frequencies-clear-as-country-goes-into-recovery-mode-after-devasta>

Sir, I am curious.

Has the Japanese Government given permission for third party communications relay to provide emergency communications to aid in the current disaster in Japan?

This is what third party communications is about.

From:

http://wireless.fcc.gov/services/index.htm?job=about_1&id=amateur#Third%20Party%20Communications

Q: What is a "third-party communication"?

[Section 97.3](#) defines the term "third-party communication" as a message from the control operator (first party) of an amateur station to another amateur station control operator (second party) on behalf of another person (third party).

And from: http://wireless.fcc.gov/services/index.htm?job=about_2&id=amateur

Third Party Communications

Section 97.115 of the Commission's Rules, [47 C.F.R. §97.115](#), authorizes an amateur station regulated by the FCC to transmit a message from its control operator (first party) to another amateur station control operator (second party) on behalf of another person (third party). No amateur station, however, shall transmit messages for a third party to any station within the jurisdiction of any foreign government whose administration has not made arrangements with the United States to allow amateur stations to be used for transmitting international communications on behalf of third parties.

The following countries have made the necessary arrangements with the United States to permit an amateur station regulated by the FCC to exchange messages for a third party with amateur stations in: Antigua and Barbuda, Argentina, Australia, Belize, Bolivia, Bosnia-Herzegovina, Brazil, Canada, Chile, Colombia, Federal Islamic Republic of Comoros, Costa Rica, Cuba, Dominica, Dominican Republic, Ecuador, El Salvador, The Gambia, Ghana, Grenada, Guatemala, Guyana, Haiti, Honduras, Israel, Jamaica, Jordan, Liberia, Republic of the Marshall Islands, Mexico, Federated States of Micronesia, Nicaragua, Panama, Paraguay, Peru, Philippines, St. Christopher and Nevis, St. Lucia, St. Vincent and the Grenadines, Sierra Leone, South Africa, Swaziland, Trinidad and Tobago, Turkey, United Kingdom (special event stations with call sign prefix GB followed by a number other than 3), Uruguay, and Venezuela. The United Nations also has arrangements with the United States to permit an amateur station regulated by the FCC to exchange messages for a third party with amateur stations 4U1ITU in Geneva, Switzerland, and 4U1VIC in Vienna, Austria.

No amateur station regulated by the FCC shall transmit messages for a third party to any amateur station located within the jurisdiction of any foreign government not listed above. This prohibition does not apply to a message for any third party who is eligible to be the control operator of the station.

Japan is not on the list.

That is why Mr. Taormina had to wait for the Japanese government to give its permission for third party communications.

(The reason for this law is because Amateur Radio is a non-commercial service and may not compete with the numerous companies which are in the business of providing communications.)

Did anyone actually ask the Japanese government for permission for Radio Amateurs to engage in third party communications?

Did the Japanese government grant it?

Sincerely yours,

Jed Margolin
1981 Empire Rd.
VC Highlands, NV 89521-7430
775-847-7845