



Legislative Update – Issue # 5 March 15, 2013

ARRL - 225 Main Street – Newington, CT 06111
Edited by Dan Henderson, N1ND, ARRL Regulatory Information Manager

ARRL Board Of Directors Sets League Legislative Objectives for the 113th Congress

On January 18, 2013 at its annual meeting, the ARRL Board of Directors unanimously confirmed its priorities for the organization as it deals with the new Congress.

“As you know, every two years a new Congress is elected,” says ARRL Regulatory Information Manager Dan Henderson, N1ND. “When a new Congress begins its work, all previously introduced or pending legislation is dead. A member of the new Congress may reintroduce a bill from the previous Congress into the new two-year session. When that happens, it starts the process all over from scratch. That new bill is assigned a new number and the process of securing members of the House and Senate to sign on as co-sponsors begins anew. So every two years, when the legislative cycle begins anew, the ARRL Board reviews its policy goals for legislative action,” he continued.

The ARRL was successful in achieving its goal to have Congress direct the FCC to study the impact of private land-use regulations on Amateur Radio’s ability to provide support for disaster communications and homeland security. Those provisions were included in the *Middle Class Tax Relief and Job Creation Act of 2012*. After receiving input from hundreds of sources, either directly or from almost 900 comments received or assembled by the ARRL from its membership, the FCC released its report to Congress in August 2012.

“There were many positive things included in the FCC report to Congress,” said Henderson. “We were pleased that the Commission highlighted the existing Amateur Radio infrastructure to provide disaster and time-critical communications. They also recognized the flexibility of the Amateur Service in working with federal, state, local and tribal emergency service agencies to supplement existing communications. The affirmation of the value that Amateur Radio brings to the communities across the country is underscored by the suggestion that ‘DHS work with state, local, and tribal authorities so they may develop disaster area access or credentialing policies for trained amateur operators, including a means for documenting their qualifications...’”

While the FCC did hold Amateur Radio in a positive light in its discussion of emergency Amateur Radio Service communications, the FCC report was not as favorable in the portion of the study that addressed impediments to enhanced Amateur Radio Service communications. In the comments provided to the FCC, the ARRL -- as well as numerous individuals -- cited the proliferation of specific land-use restrictions, such as deed restrictions and homeowner’s association covenants, which prohibit the erection of even modest Amateur Radio antennas. The FCC concluded that such restrictions did not present a serious impediment. The conclusions by the FCC were disappointing to the ARRL, but not entirely unexpected. “The FCC has indicated that unless directed to do so by Congress, that they are not inclined to extend the provisions afforded Amateurs by PRB-1 when dealing with municipal ordinances or along the lines of what are called the OTARD limited protection, which allow individuals in deed restricted properties to legally have “over-the-air reception devices” such as satellite dishes.

“The Board’s Legislative Objectives for the 113th Congress continue to seek action by Congress to direct the FCC to extend reasonable accommodate to private land-use restrictions, such as HOA covenants and deed restrictions,” said Henderson. “We all know Rome wasn’t built in a day, but the League remains committed to finding a means to extend the PRB-1 type reasonable accommodation provisions that apply to cities and towns to cover CC&Rs”

Beyond the CC&R relief issue, the ARRL continues to promote protection of the current Amateur Radio spectrum allocations and will seek protection from encroachment on that spectrum from what could be called “spectrum-pollution” devices. The League also will continue to oppose “distracted driver” legislation that does not accommodate normal Amateur Radio mobile operations.



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The full text of the ARRL Board's Legislative Objectives statement reads:

“The ability of the Amateur Radio Service to maintain and expand its benefits to the public rests on two key elements of public policy: adequate access to the radio spectrum and the ability to install and operate effective Amateur Radio stations.

To implement these two key elements of public policy in the 113th Congress, the following legislative positions were developed and approved by the ARRL Board to guide the efforts of ARRL volunteers and staff during the 113th Congress of the United States (2013-2014).

- To seek legislation instructing the FCC to extend the requirement for “reasonable accommodation” of Amateur Radio station antennas -- a requirement that now applies to state and local regulations -- to all forms of land use regulation.
 - To oppose legislation that would lead to the reallocation of amateur spectrum or to sharing arrangements that reduce the utility of existing allocations.
 - To oppose legislation that diminishes the rights of federal licensees in favor of unlicensed emitters or encourages the deployment of spectrum-polluting technologies.
 - To seek recognition of the unique resources, capabilities and expertise of the Amateur Radio Service in any legislation that addresses communications issues that are related to emergencies, disasters or homeland security.
 - To support the complementary legislative objectives of other radio communication services -- particularly the public safety and scientific services -- that require spectrum access and protection from interference for non-commercial purposes that benefit the public.
 - To oppose “distracted driving” legislation that does not clearly exempt two-way mobile radio transmitters or receivers used by FCC-licensed radio amateurs.
 - To support legislation authorizing FCC Commissioners to appoint an electrical engineer or computer scientist as an additional member of their staffs to ensure that Commissioners have adequate access to technical expertise when making decisions”
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How to Obtain Contact Information for Your Members of Congress

The ARRL Website allows League members to obtain the contact information for their representative in the US House and both members of the US Senate. After you log-on to the ARRL Website with your user ID (call sign), go to:

<http://www.arrl.org/contacting-your-congressional-representatives>

This page will display the Washington addresses and phone numbers for your elected Congressperson and Senators. Each Member of Congress also has a website, where additional contact information is located, including addresses and phone numbers for their various offices back home in their state or district. You can find individual websites for members of the US Senate by clicking on the link in the upper left hand corner of <http://www.senate.gov/> To find the website for your member of the House of Representatives visit <http://www.house.gov/> and type in your zip code in the search box near the top.



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A Message from ARRL President Kay Craigie, N3KN

Dear Fellow Amateurs,

The ARRL will soon take the next step in its legislative effort to make Amateur Radio operation possible for people whose homes are subject to covenants, conditions, and restrictions (CC&Rs). Success will not be easy. There will be significant opposition.

Our opponents' usual arguments are based on beliefs and assumptions rather than facts. Nevertheless, their arguments may be convincing to lawmakers unless we, the Amateur community, make our advocacy even more persuasive than theirs. In the past, we have emphasized writing letters to Senators and members of Congress, and we will be encouraging you to do that again when the time is right. However, I would also like to urge you to visit your lawmakers' offices and create personal relationships. Explain to them exactly how and why Amateur Radio operation is good for your state and your Congressional district.

How are you going to do that? How do you get through to someone who may never have heard of Amateur Radio? How do you re-educate a person who thinks Amateur Radio is something that went out with the Eisenhower administration? How do you advocate for a modern technical avocation to someone who may know zip about modern technology?

I can tell you how *not* to do it. I once heard a ham give a talk to an audience of non-technical people which started with a lengthy discussion of the electromagnetic spectrum and the ionosphere, went on to describe in detail the FCC and the licensing system, and by that time most of the audience was asleep, reading a book or looking as if they would rather be eating broken glass. The speaker, who meant well, had absolutely no understanding of the audience. In presenting Amateur Radio, it is all about our audience. If we do not "get" them, they will not "get" us.

When I was a volunteer at a ham radio station in a science museum, I learned that I had maybe one minute to capture visitors' attention – otherwise they would wander away. My first sentence had to be so interesting that they would stay put and listen to the second sentence and the third, and so on. I had to figure out what to say to my audience in a single breath that would pro-actively answer their questions, "So what? What do I care?" and make them want to know more about Amateur Radio.

A similar approach might work in beginning the relationship with your lawmaker, your audience. How do you get the person's attention right off the bat? What information will make this person unable to respond to your message with (probably unspoken) "So what?" What facts, what stories will show the local value of Amateur Radio in good plain English – no emergency communications jargon, no technical-speak – so that the person cannot possibly be thinking "What do I care?"

As advocates for Amateur Radio to people in positions of power and authority, we always have to consider our audience and what will be persuasive to them. In our letter-writing and in-person contacts with lawmakers, let us pair our passion for Amateur Radio with fine-tuned communication skills to create arguments that will convince and prevail.

73,

Kay Craigie, N3KN
President, ARRL



Some Realities and Tips About Connecting With Your Legislator

Elected officials are “counters” – they evaluate the feelings of their constituents by “counting” the number of responses they receive either for or against an issue. They also realize that a constituent who is concerned enough about an issue to comment – either pro or con – is more likely to be an active voter.

There are multiple ways to deliver your message to your legislator. In order of effectiveness, they are: a) personal visit with the legislator or their staff; b) personal, non-form letter; c) personalized form letter; d) telephone call to their office; e) e-mail and f) signing a petition. The more “face time” you have with the legislator or their staff on an issue, the more effectively your message is delivered. A general rule of thumb would be “the easier it is for you to make contact (such as a petition), the less significant impact the contact generally has.”

Because of time constraints, it is not always possible for individual constituent to have lengthy meetings with elected officials. That is why it is important to build relationships with key members of their staff. Do not expect access to the elected official if you simply drop by without an appointment. If you really want to present your position personally, call and ask for an appointment. You may not get a meeting with the legislator, but you will usually be able to have some time with one of their staff members. They understand constituent service is a good way to gauge support on issues – but also promotes goodwill for the elected official.

Remember you do not have to go to Washington to meet the legislator or their staff. Arrange to have your meeting back home in their district offices – a strategy which works just as well.

While many elected officials include easy methods of emailing them or sending messages to them on their official websites with web-based contact forms, recognize that e-mails are almost on the bottom rung of the “value ladder.” If all you want is to be “counted” for or against an issue, they are fine. If you want to maximize the impact of your message, choose a different method of conveying your thoughts. Finally, keep in mind – a petition is the least effective “rung on the ladder.”

If a legislator intends to support an issue, they (or their staff member) will tell you so very quickly. However, if you receive a response along the lines of “We appreciate your thoughts. This is a complex issue which we will pay close attention to” you have a tougher sell-job ahead. If you receive that kind of response, be polite and consider a reply in the vein of “We appreciate that the Senator has to make tough decisions, which is why we want to ensure she (or he) has a full understanding of all sides of the issue. The grass roots perspective should help the Senator make the best decision based upon all the facts.”

Some Do’s and Don’t

- Always thank the elected official or staffer for their “consideration,” if not support of your position.
- Be gracious and friendly with your contact – including the receptionist.
- Always thank the person assisting you - both verbally and by following up in writing after a meeting or phone call.
- Legislators deal with professional lobbyists each day. Presenting yourself as an informed, courteous constituent makes an impression. Demeanor and appearance matter! Be yourself – no fancy airs or pretentious frills. In addition, do not walk into a meeting like a “portable command post” with radios on your belt, and call sign badges pinned to your clothes.
- Never threaten or lie to a legislator or staffer. Never guess at or exaggerate facts. If you are not sure, promise them to get an full and accurate answer to their question - then deliver on your promise!
- Never fail to provide requested backup.



Key Committee Assignments – 113th Congress

House Energy and Commerce

Subcommittee on Communications and Technology

Greg Walden	OR – 2 (Chairman)
Robert E. Latta	OH – 5 (Vice-Chairman)
John Shimkus	IL - 15
Lee Terry	NE - 2
Mike Rogers	MI - 8
Marsha W. Blackburn	TN - 7
Steve J. Scalise	LA - 1
Leonard Lance	NJ - 7
Steven Brett Guthrie	KY - 2
Cory Gardner	CO -4
Mike Pompeo	KS -4
Adam Kinzinger	IL - 16
Billy Long	MO - 7
Renee Ellmers	NC - 2
Joe Barton	TX - 6
Fred Upton	MI – 6 (ex officio)

Anna G. Eshoo	CA – 18 (Ranking Member)
Edward J. Markey	MA - 5
Michael F. Doyle Jr.	PA - 14
Doris Okada Matsui	CA - 6
Bruce L. Braley	IA - 1
Peter F. Welch	VT - 1
Ben Ray Lujan Jr.	NM - 3
John D. Dingell	MI - 12
Frank Pallone Jr.	NJ - 6
Bobby L. Rush	IL - 1
Diana DeGette	CO - 1
Jim Matheson	UT - 4
Henry A. Waxman	CA – 33 (ex officio)

Senate Commerce, Science, and Transportation

Subcommittee on Communications, Technology, and the Internet

Mark L. Pryor	AR (Chairman)
Barbara Boxer	CA
Bill Nelson	FL
Maria Cantwell	WA
Frank Lautenberg	NJ
Claire McCaskill	MO
Amy Klobuchar	MN
Mark Warner	VA
Mark Begich	AK
Richard Blumenthal	CT
Brian Schatz	HI
William M. Cowan	MA
John Rockefeller IV	WV (exofficio)

Roger F. Wicker	MS (Ranking Member)
Roy Blunt	MO
Marco Rubio	FL
Kelly Ayotte	NH
Dean Heller	NV
Dan Coats	IN
Tim Scott	SC
Ted Cruz	TX
Deb Fischer	NE
Ron Johnson	WI
John Thune	SD (exofficio)



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Meeting With Your Elected Officials - Some pointers from John Chwat, ARRL's Washington Consultant

Personal meetings are the best way to get to know and communicate effectively with your elected officials. Keep in mind, face-to-face meetings are not easy to arrange, as lawmakers and their staffs have a busy schedule. But don't let that scare you off - it is easier than you think! Legislators will often meet their constituents locally but it is also very effective to bring your message directly to Washington, D.C.

A visit with your elected officials or his/her staff is an excellent opportunity for you to express your opinion to the people who make decisions that could affect your business and livelihood. *The first rule, make sure you ask for a meeting as far in advance as possible!*

Here are some more tips for planning an effective meeting.

1. What can your elected official help you with?

There are plenty of things an elected official can do for you. Some common things include:

- Introducing and cosponsoring legislation that impacts you or your industry;
- They can sponsor or sign a "Dear Colleague" letter to other elected officials in support of your specific issue;
- Lawmakers can vote on a bill or amendment that you are interested in;
- Send letters to state and federal agencies in support of your position.

2. Alternative meeting

You can build a relationship with a lawmaker through other means such as:

- Attend town hall meetings that they sponsor.
- Invite them to your business for a tour.
- Invite them to attend business events and make regular contact.
- Attend a social event, fundraiser or speaking engagement.

3. Know you legislator

Before meeting with your lawmaker, invest some time in learning about their background, positions on key issues (specifically what you are interested in) and current priorities. This will help build an effective communication strategy.

4. Know your issue

Before you call to set up an appointment, know what issue you are going to address and decide what you would like to get out of the visit (ie: a commitment to vote for your issue). Be prepared to state your issue and your purpose for the meeting clearly and succinctly.

5. Attending the meeting

Allow enough time for small talk at the outset of the meeting, but not too much. Remember, it is your visit!

- Be professional – in appearance and in your delivery.
- BE ON TIME, but be flexible. Make sure you arrive at least 10 minutes early. If your meeting is scheduled for 30 minutes and you show up 15 minutes late, that cuts your meeting time in half!
- Don't stay too long. Your meeting should last 15-30 minutes. Try to present your issue in the first 10 minutes.
- Stay away from "industry lingo." Lawmakers and staff deal with multiple issues each day and each has its own language.
- Leave behind informational packets on the issue.
- Follow-up is important. *Be sure to send a thank you note after the visit.* If commitments were made in the meeting, repeat your understanding of them.