

AUGUST 2017



A view from a mountaintop on the route of the Iron Horse Challenge Ride in Anza, California. The Iron Horse event is scheduled for September 23-24, 2017. Operators are still needed for this event. June McCollough, SWR Ø54



board@southwesternreact.org www.swreact.com

OFFICERS President: Roger McCollough SWR 098

Vice-President: Daniel McDougal SWR 063

Secretary: June McCollough SWR 054

Treasurer: Daniel Willan SWR 061

> Director-At-Large: Jim Patterson SWR 151

SWR's mission is to prepare for communications during emergencies and disasters. This preparation is accomplished though working community events such as: The Lakeside Western Days, and North Park Toyland parades, the Midnight Madness Bicycle Ride and Fiesta Island Time Trials, the Silver Strand Half-Marathon, the San Diego International Triathlon and the Descanso Endurance Horse Ride

The Southwestern REACT General Meeting is held the third Thursday of the month at 7:00 PM at: 2650 Melbourne Drive San Diego, CA

Reactive Team Net

The Team net is held on the first and fourth Thursdays of the month at 8:00 PM on the 449.440 Community based Repeater witha negative offset and a PL tone of 107.2 (Mt. Otay)

KNOCKING AT OUR DOOR

By Roger McCullough, SWR Ø98, President

Friend or Foe? Man or Nature?

Part of disaster preparedness is the realization that serious problems can have many possible sources, and causes that need cures. Many will be called on but only those that have training and experience can do the jobs that need to be done. I (and perhaps you) have been somewhere where life and/ or property have been in jeopardy and by-standers do not respond to the need.

In my early years I came across a grass fire in a developed area. Many people gathered to watch expecting the San Diego Fire to arrive. I have found that "looky-loos" come to watch, get in the way, and criticize those that respond, but report the problem. So I got on the radio, called a Channel 9 monitor, and asked if SD Fire had a report of the fire. As expected, NO ONE had reported it, even though it had been burning for over five minutes. The same thing can be found at accidents, although, with the growth of cell phone use, people now continue calling in incidents while responding agencies are there and mopping up, jamming up 911. I have seen and heard reports of large groups at an incident doing NOTHING safe or useful until someone takes the lead and gets things done, until help arrives. You are probably asking why I bring this up, and I'll suggest to you that you could find yourself in a opportunity to make things right.

to mind. First, problems in the world have brought homeland security awareness to a new height, and second, seismic activities are a bit on the rise along the Pacific Coast. So, I guess my question to you should be, are you ready to step up and be part of the solution, not the problem, if any of these issues should occur?

This is not a ploy to get you to meetings and direct the path of the team. Nor is it an advertisement to invite you to the new, improved and enlarged Training Moments, and expand and refresh your knowledge. Of course we know you must be ready for anything because you learned through experience, to "think on your feet" to solve problems at events.

So What Am I Saying?

You know why you joined. You know what we do. You know what you can do. You should know what, as a Team, we can do and our reputation grows. My question is what needs to be done to raise your desire to participate?

Let us, together, make it happen. IT's IN YOUR HANDS!

"Nuf said..."

Let's GIT' ER DONE!!! ◊

pres@southwesternreact.org

And This Applies to Us How?

Well, for starters, two reasons come

American Red Cross Communication Team Report

By June McCollough, SWR Ø54

The ARCCT meeting was held on August 5, 2017. Charlene Zettel was named interim CEO for the Red Cross. There are going to be new activities for ARCCT working with the DST team.

ARCCT has a net every Tuesday night at 2000 hours (8:00 PM) on the ACS frequency: 147.195; all amateur radio operators are welcome to check-in.

The next meeting will be Sept. 9, 2017 at 9:00 AM at 3950 Calle Fortunada, San Diego CA 92123. These are open meetings for anyone unless they are discussing confidential ARC business. **◊**

Auxiliary Communications Services (ACS)

By June McCollough, SWR Ø54

The ACS meeting was held on August 7, 2017 at the Office of Emergency Service (OES).	ACS upcoming event(s) and training: Miramar Air Show Sept. 22-24, 2017 – participation to be determined.
There was training on use of phonetic alphabet - law	be determined.
enforcement with practice in small groups.	Earthquake & Tsunami Preparedness Classroom Train- ing Sept 30, 2017 (0900-1300)
ACS has a net every Monday except the First Monday or	
County Holidays at 1930 hours. It starts on frequency 147.195 and then moves to 223.800, 52.600 and 448.78	The Great California Shakeout/Message Handling Ex- ercise Oct. 19, 2017 1019 hours.
(not necessarily in that order). If you would like to check it out, please feel free to check-in as a visitor when re- quested at the end of the formal part of the Net.	The next meeting will be on Sept. 11, 2017 at 1830 hours (6:30 рм). All are welcome. ◊

San Diego Amateur Radio Council (SANDARC)

By June McCollough SWR Ø54

The quarterly SANDARC meeting was held on July 27, 2017. Roger & June McCollough attended as Southwestern REACT delegates.

SANDARC, currently a 501 (c) 4 has voted to proceed with paper work to change to a 501 (c) 3. This process will take a while but will benefit the member clubs and the council.

Bill Metzger, recently elected Vice Chairman, has resigned that position to accept the position of Secretary. With the Vice Chairman position open, Joe Acevedo, Chairman, appointed Mike Corum as the new Vice Chairman.

The delegates voted to confirm these changes.

The next quarterly SANDARC meeting will be October 26, 2017. **◊**

Amateur Radio Emergency Service (ARES)

By John Wright, SWR Ø42

The ARES meeting for August was held on the 12th at Scripps Hospital La Jolla.

Topics discussed included updates to the new California hands-free driving law and to the Amateur Radio Parity Act now before the US Senate. *Editor: More on these later in this issue.*

The next SET (Simulated Emergency Test) drill will take place on September 9 and 10.

The next hospital drill is scheduled for November 16th.

Some facilities may be up as early as 0500 but the drill is scheduled to begin at 0800. One of the injects calls for a 30 minute communications blackout, so operators can expect to be handling a lot of traffic.

The Miramar Air Show is scheduled for September 22-24. There will be no twilight show again this year. Operators are needed for all three days. If you wish to help, contact either Roger McCollough or John Wright.

As always, the meeting was followed by the Gateway Communicator Workshop. ◊

We Are More than Communication Experts!

By Michael Bailey, SWR Ø92

A s react Team members, we are expert communicators and share those skills with community and government organizations to support special events.

With terrorist attacks, accidents, and natural disasters that can occur with the blink of an eye, we may be called up to be first responders.

Because we carry radios and wear a uniform, people will automatically turn to us for aid, assistance, and information. We may have to pivot from radio operator to first responder in the first moments of a crisis.



At the September Team meeting, learn the basic skills of Hemorrhage Control through a didactic presentation and hands-on instruction. Come learn about hemostatic agents, specialized compression bandages, and when to use tourniquets. While you won't be an EMT at the end of the meeting, you will have the confidence to stem a major hemorrhage in the critical first 3 minutes of a disaster.

You are more than a communications expert, you can be a lifesaver!! ◊

New California "Hands-Free" Driving Law

By john Wright, SWR Ø42

On January 1, 2017, a new "hands-free" driving law went into effect in California. This legislation essentially made it illegal to hold a cell by hand when operating a motor vehicle, no matter what purpose it was being used for. It requires the phone be mounted on the vehicle dash or windshield and activated only with a touch or swipe of a finger. Language in the statute, specifically the words "specialized mobile radio device" led many in the amateur radio community to believe this effectively outlawed use of an amateur mobile radio while driving. The full text of the current law may be found at: <u>https://leginfo.legislature.ca.gov/ faces/codes_displaySection.xhtml?sectionNum=23</u> 123.5.&lawCode=VEH. Through the efforts of ARRL officials in Southern California, the California Highway Patrol ruled that the intent of the legislation was not to prohibit mobile radio operation and specifically said radios mounted in vehicles with a wired microphone were not subject to enforcement. In the meantime, efforts to change the law continued and an amended version of the law has been introduced in the state legislature. The proposed legislation will remove the words "specialized mobile radio device" and "two-way messaging device" from the law.

The text of the new legislation can be found at: <u>https://leginfo.legislature.ca.gov/faces/billTextClient.</u> <u>xhtml?bill_id=201720180AB1222</u>. The next reading of the bill in committee will take place August 21. \Diamond

The Amateur Radio parity Act (HR-555)

By John Wright, SWR Ø42

The Amateur Radio Parity Act, HR-555, currently before the US Senate, was originally proposed in the last congress as a means to allow amateur radio operators in deed restricted communities and subject to restrictions imposed by homeowner associations, a means to enable operation from within these communities. It was originally intended to allow a "reasonable accommodation" as defined in the FCC'S PRB-1 regulations. Although the bill

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passed the House of Representatives it met with opposition from a single Senator and the ARRL was forced to enter into negotiations with CAI, a national trade association of homeowners associations. During the negotiations, the language of the bill changed and that is the subject of this article. (The bill ultimately failed in the US Senate because the session ended before the bill came out of committee.)

The legislation was reintroduced in the current congress and passed the house without opposition. However, because of the change in language of the bill, it now appears the legislation may not be the benefit it originally was. The following is a statement by former ARRL Vice Director Marty Woll, N6VI, outlining the changes to the legislation and how they may effect hams in deed restricted communities.

"Now that I am a former ARRL Vice Director, I am free to speak my mind on this matter. As a long-time proponent of antenna rights, it is with great disappointment that I say I do not favor passage of HR-555. I should add upfront, by way of disclaimer, that I am not an attorney.

I was a big supporter of the original Amateur Radio Parity Act - the PRB-1 version. The ability to put up outdoor antennas and the structures necessary to support them on your property is crucial to being an active Ham for many licensees. Since 2010 I have visited the offices of numerous elected officials, sent over a thousand e-mail messages, spent entire convention weekends generating letters from Hams to their elected representatives and spoken at countless club meetings to drum up support for this legislation. It's fair to say that I invested a major chunk of my time in support of the original Parity Act, and I certainly respect ARRL leadership for its persistence in seeking relief for all impacted Amateurs, whether League members or not. However, in February of 2016 the language that mirrored PRB-1 was removed from HR-1301 (now HR-555), and this is a critique of the result, not of the intent or effort.

Last year, ARRL found itself at odds with one senator over the bill and was required to negotiate compromise language with CAI, a national trade association of homeowner associations (HOAS) and similar groups. While I had some major misgivings at the time, I did not object to the compromise language because I believed it would help at least those Amateurs who live in homes with developer-imposed deed restrictions not within the purview of an active HOA.

Since that time, however, some high-profile, competent and very knowledgeable attorneys (all of them Hams but none associated with the ARRL Board) have evaluated the compromise language and found that it may do more harm than good. They have pointed out some serious shortcomings in HR-555 that significantly restrict how many Hams may benefit from its passage and that, if uncorrected, could actually diminish the rights of some Amateurs and grant the right to regulate Amateur antennas to HOAs that do not now have that right.

What follows is an abbreviated description of the issues surrounding HR-555, the current version of the Parity Act. For those who want to dig deeper into the matter, I have a version I can e-mail you separately that include attachments containing (1) the original bill language, (2) the compromise language in the current bill, and (3) an analysis prepared by former FCC attorney and active Amateur Radio operator Jim Talens N3JT for the Potomac Valley Radio Club. Many of the points in Jim's critique were also made by Fred Hopengarten K1VR (author of Antenna Zoning for the Radio Amateur) at his presentation to the Legal Forum at the May 2017 Dayton Hamvention. Suffice it to say that the expert Ham-attorneys are NOT all lining up in support of HR-555 in its current form.

The original bill pretty much paralleled PRB-1, the Federal Preemption Statute. It required the FCC to revise its regulations to prohibit private deed restrictions that preclude or fail to reasonably accommodate Amateur Radio communications or that do not constitute the minimum practicable restriction on such communications to accomplish the legitimate purpose of the private entity seeking to enforce such restriction.

On the other hand, the compromise bill that CAI *insisted on does the following:*

- It grants ноль the right to use aesthetics as a basis for antenna decisions, even to those associations whose rules do not now have any provisions concerning antennas. This grant of power to ноль is unprecedented in Federal law, and it adds a right - as a matter of Federal law - for нол's that has never been previously approved in Federal law. That right cannot be undone by state law.
- 2. It requires a deed-restricted Amateur to notify and seek prior permission from the HOA before installing any outdoor

antenna, with no grand fathering for those already installed.

- 3. It does not establish a time frame within which the HOA must render a decision; an HOA can stall indefinitely and do so without adverse consequence.
- *4. It does not grant or guarantee to an Amateur the right to operate on the band(s) of his or her choice.*
- 5. It permits but does not require the HOA to establish written rules regarding antenna size, type and location.
- 6. It does not establish or require an нол administrative process for redress if an нол denies a Ham's requested antenna. The decision of the нол is final.

Under HR-555, if passed, Hams who have existing "stealth" antennas, even with the concurrence of their immediate neighbors, would now be in violation of Federal law and FCC regulations.

HOAs will be legally able to write their own rules with no objective criteria and no standards, and they will have the unrestricted power of Federal law to back them up.

The band(s) on which the Amateur wishes to operate need not be a consideration in any HOA decision; they could limit you to a small UHF whip a few inches long on your gutter and say that have accommodated Amateur Radio.

An HOA that previously existed only to conduct limited activities, such as maintaining roads, utilities and exterior landscaping, one that has never held any power to regulate Amateur Radio, would be granted the power to demand the removal of existing antennas and to demand that an Amateur seek its approval to install any Amateur antennas or supports. Imagine having moved into a neighborhood because the HOA had no regulatory power over Amateur Radio antennas, only to have Federal law now grant the HOA that power!

The compromise bill expressly disconnects itself from PRB-1. Unfortunately, that means that none of the Ham-friendly court decisions interpreting PRB-1 would be binding on an HOA.

It has been argued that the FCC, in writing the regulations required by HR-555, could eliminate some of the above risks. However, the FCC has opposed restricting the rights of HOAs for over thirty years, and I don't think it is prudent to count on the Commission to reverse itself and interpret the law in our favor. Neither can we count on CAI, having won the rights it demanded, to sit by and make no attempt to influence the post-enactment regulatory process in its favor. Wishful thinking to the contrary is hardly a sound basis on which to make our decisions.

Because of the aforementioned shortcomings of HR-555 and the likely adverse consequences of its passage, I cannot support it any longer. There may be a better path than the one the League is now pursuing; I don't know if we can ever get there, but I certainly don't want us to make things worse for a significant number of Amateurs or expose them to being found in violation of Federal law and FCC regulations. Please consider these points when you are asked to write letters of support for HR-555 to your legislators.

As an aside, I want to remind you that some licensees have been successful in selling the advantages of Amateur Radio-based disaster communication capability to their HOA boards. Offering benefits can be much easier and less costly than demanding one's rights."

The following is a reprint of a white paper published by CQ Magazine with more information and additional resources.

Pros and Cons on The Amateur Radio Parity Act of 2017 (H.R. 555/S. 1534)

<u>Background</u>

Radio amateurs who live in housing developments controlled by homeowners' associations (HOAS) or on property subject to Covenants, Conditions and Restrictions (CC&Rs or deed restrictions) are facing increasing restrictions on putting up outdoor antennas or even operating at all. In addition, a growing number of new housing

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developments fall into the HOA/CC&R category.

For the past several years, the ARRL has been working hard in Washington to persuade Congress to pass legislation directing the FCC to write rules that would provide amateurs with the same rights to operate and erect outdoor antennas that it provides to hams living elsewhere (so-called PRB-1 rights). The "Amateur Radio Parity Act" was first introduced in 2014 in an effort to achieve this goal.

The Amateur Radio Parity Act

The original bill was strongly opposed by the Community Associations Institute (CAI), the trade organization representing homeowners' associations. The ARRL worked with CAI to find compromise language that would satisfy major HOA concerns while still providing hams with the ability to set up reasonable outdoor antennas at HOA/CC&R-controlled homes. We applauded those efforts at the time. The revised bill passed the House of Representatives unanimously in 2016 but was not voted on by the Senate prior to the end of the last Congress.

The amended language was re-introduced in the current Congress as H.R. 555 in the House of Representatives <<u>http://bit.ly/2vOn8Jq</u>>, where it again passed unanimously; and is now being considered in the Senate as bill s. 1534. The ARRL is making a major push to encourage its members and other hams to contact their senators and urge support of the bill.

Concerns Arise

However, as some hams with legal and legislative backgrounds began reading the bill closely, they pointed up significant concerns that the bill's revised language may hurt hams as much as it might help them, including adding new requirements to seek permission to put up antennas and the possibility that new or existing "stealth" antennas might become violations of federal law.

We published a summary of those concerns, as set forth by former FCC attorney Jim Talens, N3JT, in a "Food for Thought" article in the August 2017 issue of CQ, titled "Why H.R. 555 is Not Good (Enough) for Hams."

Click here to view.

Within a week of its publication, the ARRL responded (without specifically mentioning the Talens cQ article) with a "Frequently Asked Questions" document claiming to "debunk" the "myths" raised by Talens, titled "The Amateur Radio Parity Act: Setting the Record Straight." The League posted it online at <<u>http://bit.ly/2upYEqA</u>>, and ARRL President Rick Roderick, K5UR, e-mailed all League members, urging them to read the document and to contact their senators if they hadn't already done so.

Jim Talens quickly issued a rebuttal to the League's "FAQ," pointing out what he sees as the flaws in the ARRL's reasoning. <u>Click here to view his complete rebuttal.</u>

Talens was joined in rebutting the League's comments by communications attorney Fred Hopengarten, K1VR. Fred is the author of the ARRL book, Antenna Zoning for the Radio Amateur, and is considered by many to be today's leading authority on amateur radio antenna law. Fred says he is a strong supporter of the ARRL but opposes this bill. <u>Click here to view his statement</u>.

Your Turn ...

We urge all amateurs to:

- a) Read the bill: <<u>http://bit.ly/2vOn8Jq</u>>
- b) Read N3JT's "Food for Thought" article: Click here to view
- c) Read the ARRL's response: <<u>http://bit.ly/2upYEqA</u>>
- d) Read N3JT's rebuttal: Click here to view
- e) Read KIVR's rebuttal: <u>Click here to view</u>

f) Make up your own mind about whether you support this bill as written or whether it needs more work before final Congressional consideration. **◊**

The San Diego HRO Hamboree & SwapMeet will be held on Saturday August 26, 2017. Spaces for the swapmeet are limited (25) and must be reserved in advance of the event. Seller space reservations can be made at HRO San Diego or by calling 858-560-4900.

Icom will be sponsoring a "No Host Pizza Party" at the Giovanni's Restaurant on Clairemont Mesa Blvd on Friday August 25, 2017 at 6:30pm. Cost for the Pizza Party is \$9.50. An ID-4100 will be given away on Saturday at the Hamboree and only those who paid to attend the Pizza Party will qualify for the ID-4100 drawing.







"Ham Radio for Everyone" is our theme with much to see and do at HAMCON 2017

- Full range of talks by experts on radio equipment, operating techniques, public service, DXing, technical subjects, and much more
- 10,300 sq. ft. Vendor/Exhibit Hall with 63 booth spaces
- Distinguished speakers at Saturday lunch and dinner, and Sunday breakfast
- Extensive prize drawings
- W1AW/6 Special Event station
- ARRL Forums, Ham License test sessions
- Young ham forum
- Sunday swap meet
- Discount hotel room rates (available through the Marriott link on our website)
- With more to come . . .

AND FOR THE FIRST TIME EVER

Special Friday Afternoon tour of the **Battleship Iowa**

- Includes Catered Buffet Dinner in the Officer's Wardroom
- Tour the Radio Room (not open to the general public) and operate the ship's NI6BB amateur station
- Bus transportation to and from the Marriott Hotel included
- Limited to 80 guests, so register early

For complete convention details, registration and hotel bookings log onto:

WWW.HAMCONINC.ORG



- All Local Ham Clubs Welcome
- Button Hole "QSO's" with other Hams
- Visit Ham Club Booths
- ARRL Forum
- Ham Radio Vendors
- Door Prizes
- VE Testing
- T-Hunt
- Speakers
- "FREE" Antenna Friendly Parking





Sponsored by: Lakeside Amateur Radio Club Visit us on the Web at WWW.LakesideARC.org





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Time of the Event: 7 AM-3 PM

"Old Radio Trade Show" Starts at 6 AM

Old Radio Trade Show in parking lot! Set-up a table and sell your unwanted Old Radio Gear ONLY \$5.00 a space!

Hamfest Cost: \$5.00 Trading Post: "Consignment Booth"

Location Lakeside Rodeo Grounds 12584 Mapleview St., Lakeside CA

You are cordially invited to attend the

3rd Annual San Diego Hamfest 2017.

We plan on starting out the day with an

Old Radio Trade Show, Vendors,

Speaker Forums, and VE Testing.

So come on out and let's Ham it Up!

For the most up to date information Please visit: WWW.SDhamfest.org