



ARRL 2023-2024 CONGRESSIONAL LEGISLATION STATUS AND BUDGET

PURPOSE OF PRESENTATION

The A&F Committee and management did not include any funds for the ARRL's 2023-2024 Congressional legislative efforts in the *American Radio Relay League Proposed 2023-2024 Plan*, leaving approval of such Congressional efforts to the Board.

This report is for the purpose of providing the Board with the information necessary to approve the ARRL's requested budget for its 2023-2024 Congressional legislative efforts.

PAST LEGISLATIVE INITIATIVES

Commencing in 2014, the Centennial Year, the League initiated a Congressional effort to obtain relief for our Members from private land use restrictions prohibiting the operation of Amateur Radio from residences. The failure of alternative efforts over a 30-year period to obtain relief compelled the initiation of the Congressional effort.

The ARRL's multiple efforts after the landmark 1985 PRB-1 FCC ruling to persuade the FCC to expand PRB-1 to private land use restrictions were all denied by the FCC. The FCC made clear in rejecting those efforts that it would not grant the requested relief unless directed to do so by Congress. The 1996 Congress mandated the FCC to eliminate private land use restrictions prohibiting the installation of television antennas and TV satellite reception dishes used to receive video programming. Wireless internet antennas were added later when streaming video programming became common. But Amateur Radio antennas were not included in the statute, and because Amateur Radio is unrelated to reception of video programming, the FCC declined to include them in its regulations.

In 2014, ARRL legislation was introduced as a private land use version of PRB-1. In 2016 the legislation was amended — with the amendments being essentially written by the proponents of maintaining effective anti-Amateur Radio antenna restrictions. The ARRL representatives unfortunately agreed to the amendments, but Sen. Nelson of Florida blocked Senate passage of the bill for unrelated reasons. In January 2019, by Minute 13, the Board having determined that further pursuit of the "ARPA" legislation was not in the best interest of the League it ordered all efforts to pass it to cease with the understanding new legislation would be drafted and promoted in its place.

From January 2019 to January 2020, the Legislative Advocacy Committee worked to draft proposed private land use legislation for re-submission to Congress.

CURRENT PRIVATE LAND USE LEGISLATIVE INITIATIVE

After review of the proposed legislation in January 2020, the Board, by Minute 51, charged the Legislative Advocacy Committee “to obtain Congressional sponsorship” for one of the Board-approved versions of the legislation to eliminate private land use restrictions on Amateur Radio.

In early 2022, the LAC, working with its lobbyists, was successful in obtaining the support of Rep. Bill Johnson (R-OH-6) to serve as lead House sponsor for the private land use legislation. Rep. Johnson is a senior member of the House Committee and Subcommittee through which the legislation will have to pass. A year of intense work with Rep. Johnson’s staff and the U.S. House Legislative Counsel resulted in an agreement on the language of H.R. 9670 filed on December 21, 2022. Rep. Johnson intends to refile this bill (it will have a different HR number) early in the newly convened Congress.

CURRENT EXPANDED LEGISLATIVE EFFORTS

Because of Congressional action and FCC inaction, and because we already were talking with Members of Congress and their staffs, we expanded our efforts beyond the pursuit of obtaining private land use relief at little to no additional cost to the ARRL.

FCC

As we all know, ARRL initiated FCC petitions have languished at the FCC — some for over eight years. Despite multiple efforts, led by FCC Counsel David Siddall, the FCC still has not acted on these proceedings.

As a result, the LAC and FCC Counsel Siddall were tasked with drafting legislation and obtaining sponsors for such legislation to compel the FCC to act on pending Amateur Radio matters.

The first effort has been directed at obtaining elimination of the symbol rate limit and its replacement with a 2.8 kHz bandwidth limit, resulting in the filing by Rep. Debbie Lesko (R-AZ-8) of H.R. 9664 on December 20, 2022.

U.S. FOREST SERVICE FEE RELIEF

Congress, in the 2018 Farm Bill, directed the U.S. Forest Service to address the issue of costs incurred by the Forest Service in administering private communication installations in National Forests. This resulted in a Notice of Proposed Rulemaking in December 2021 by the Forest Service proposing to assess an annual \$1,400.00 fee on all communication facilities located in National Forests. The ARRL filed an opposition to the NPRM’s proposed fees for amateur uses. To date the Forest Service has not issued a final ruling.

To prevent a decision applying such a fee on Amateur Radio installations, the LAC has worked with the U.S. Senate Committee on Agriculture, Nutrition and Forestry in an effort to obtain Congressional support to persuade the Forest Service to exclude Amateur Radio from the application of the proposed use fee.

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To date, Sen. Debbie Stabenow (D-MI), Chairwoman of the Agriculture Committee, Sen. Ben Ray Lujan (D-NM), Agriculture Committee Member, Sen. Mike Crapo (R-ID), Sen. James E. Risch (R-ID), Rep. Mike Simpson (R-ID-2), Russ Fulcher, (R-ID-1) have all contacted the Forest Service on our behalf requesting that the Forest Service exclude Amateur Radio from the proposed use fee. The Forest Service, to our knowledge has not responded to any of our supporters.

Consequently, we requested Rep. Tom Cole, (R-OK-4), Vice Ranking Member of the U.S. House Committee on Appropriations, to attempt to attach an amendment to an appropriations bill, which if accepted, would have directed the Forest Service to exclude Amateur Radio installations from any proposed use fee. Unfortunately, he was unable to attach the requested amendment prior to the close of the 117th Session.

If the Forest Service does not act to exclude Amateur Radio, it is the Leagues' current intent to ask Rep. Cole and the supporters referenced above to co-sponsor House and Senate legislation to eliminate the Forest Service fee on Amateur Radio.

3 GHz BAND — RETENTION OF SECONDARY STATUS

Amateur Radio's use of all frequencies above 30 MHz has historically been on a secondary, non-interference basis. The majority of that spectrum has been shared with the U.S. military; the sharing arrangement has been extremely successful.

However, Congress required the FCC to auction 3.45-3.5 GHz for commercial wireless uses. In doing so, the FCC removed, despite our efforts to prevent it, Amateur Radio's right to operate on these frequencies on a secondary, non-interference basis. The reasons offered by the FCC for removal of our secondary status were not responsive to our filed objections.

For 3.3-3.45 GHz, the FCC removed permanent secondary authority but permitted Amateur Radio to retain secondary use on a temporary basis until it auctions this block of frequencies.

For 2022 we (the LAC and David Siddall) and our lobbyists have been working to obtain Congressional support for either an amendment to the auction authority that would direct the FCC to retain Amateur Radio's secondary status or to include language in the bill's Committee Report that would stress the importance of Amateur Radio's retention of secondary status.

Whether separate legislation is necessary depends on the advice of our House and Senate sponsors. Congressional action to specifically address the 3.1 – 3.45 GHz band is slated for action shortly, to be completed by March 2023.

2022-2023 BUDGET

For 2022-2023 the A&F Committee and management initially included only \$90,000.00 in the Budget for the ARRL's Congressional legislative efforts. The amount of \$90,000.00 was only for the purpose of covering the ARRL's contractual commitment of \$7,500.00 per month to our existing lobbyists, The Vogel Group.

This occurred despite repeated cautions by the Committee to the Board and the Executive Committee that if the ARRL was to be successful in its efforts to obtain sponsorship and passage of its land use legislation, FCC movement, defense against the Forest Service, and retention of 3 GHz secondary status that it would have to retain an additional lobbying firm with more extensive influence on the Democratic side of Congress and a firm that could field a more extensive team of lobbyists instead of the one/two available to us through The Vogel Group. It was also pointed out that the increased tempo of the ARRL's legislative efforts would require more frequent trips to Washington to meet with sponsors and Committees, resulting in additional expense.

The Board agreed budgeting for the additional amount was prudent, adding \$300,000.00 to the Legislative Budget for 2022-2023.

Three large and influential lobbying firms were interviewed: Cornerstone Government Group, Wiley Rein, and DLA Piper. Cornerstone and DLA Piper proposals included seasoned Congressional teams for a monthly flat rate of \$15,000.00. Wiley Rein's proposal was for an experienced, but smaller team, for a monthly retainer of \$15,000.00, with hourly fees to be billed against the retainer.

Cornerstone withdrew after initial discussions, deciding to accept Community Associations Institute ("CAI") as a 2023-2024 client.

Based on our research, it was determined that Wiley Rein's fee structure was likely to result in a monthly fee exposure approaching \$20,000+, with no actual ceiling. It was believed this was not a prudent use of the ARRL's resources.

DLA Piper's presentation was the most complete and well thought out of any of the other firms. In addition, DLA Piper took the time to actually map out a potential strategy — without having seen the language of any our proposed bills and without knowing the identity of our committed sponsors. Without knowledge of our current lobbyists, which we advised Piper we intended to retain, Piper made clear it could, would, and did have extensive experience in working as part of a multi-firm lobbying effort.

With the approaching end of the 117th Congress and not wanting to bring on an additional team until our legislation was actually filed, in discussions with the Executive Committee it was decided, despite budgetary authorization, to not expend any funds to retain a new team until after the 118th Congress commenced on January 3, 2023.

Of the authorized \$300,000.00 in additional funds, the Committee only incurred approximately \$7,000.00 for travel related expenses.

2023-2024 BUDGET

Retention of Lobbyists

2023-2024 The Vogel Group (\$7,500/month)	\$90,000.00
2023-2024 DLA Piper (\$15,000/month)	\$180,000.00
Total	\$270,000.00

The stated amounts are firm bids.

A detailed discussion of the advantages of each Firm and the reasons for retaining both, due to the sensitivity of such matters, is deferred to an in-person discussion.

Zip Code Conversion of Membership Database

Current Bid \$4,800.00

Although our current Membership database includes zip codes, our membership management software does not possess the ability to sort Members by Congressional (or State) legislative districts. In order to target the constituents of any Representative or Senator — and letters, emails and telephone calls from non-constituents are not deemed as persuasive as those of actual voters — we need the ability to precisely identify those constituents. Since Congressional districts are organized by zip code, we have to be able to search by zip code.

The \$4,800.00 is a one-time fee and represents a written bid. The bidder would work with the ARRL’s IT department to effect the sort. In the future, additional Members could be added for what is projected to be less than \$200.00 per year.

Travel & Meeting Expenses in Washington, D.C. \$54,000.00
with Congressional Supporters

The requested budget allowance is an estimate based on historical travel costs incurred by Committee members during the 2022-2023 fiscal year. Note: the actual 2022-2023 travel costs incurred were approximately \$7,000.00.

Legislative Service (Bloomberg)
2023-2024 Projected Cost (Actual cost: \$84,000+) \$00.00

The League has been without a legislative tracking service — Congressional or State — for a number of years. The absence of that tracking service has resulted in our being blindsided by Congressional legislation affecting Amateur Radio of which we had no forewarning, such as the FAA Reauthorization Act, the Farm Bill of 2018 and the 3 GHz FCC auction authority. The amount of State filed legislation that does or may adversely affect Amateur Radio is significant, but cannot at present be found or tracked.

Bloomberg is the primary legislative tracking service in the United States, but it is seriously expensive. For the League, were it to be a subscriber, the cost would exceed \$7,000.00 per month, for a total annual expense of in excess of \$84,000.00.

The Vogel Group has offered to permit us to use its Bloomberg service at no charge in addition to our monthly lobbying fee of \$7,500.00. This means we would be effectively only paying \$500.00 per month for TVG’s lobbying services.

ARRL Outreach Campaign To Members \$25,000.00
For all legislative efforts

The requested budget allowance is an estimate for the cost of Member outreach on all of our 2023-2024 Congressional legislative efforts. Unless we engage in mailings or advertising outside of our wholly owned publications, the primary cost will be internal.

CONGRESSIONAL BUDGET APPROVAL

The proposed 2023-2024 ARRL Congressional Budget allowance is less than the 2022-2023 allowance, but provides the ARRL with the resources to achieve the ARRL’s legislative directives.

Approval as submitted is requested.

Any questions are welcome.

**RESPECTIVELY SUBMITTED,
LEGISLATIVE ADVOCACY COMMITTEE**

John Robert Stratton
Chairman
West Gulf Division Director
N5AUS

Tom Abernethy
Atlantic Division Director
W3TOM

Fred Hopengarten
Past New England Division Director
K1VR

Lee H. Cooper
West Gulf Division Vice Director
W5LHC

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ARRL 2023-2024 CONGRESSIONAL LEGISLATION BUDGET

2023 Legislative Advocacy Committee Budget

Legislative Efforts:

- Private Land Use Restriction Legislation
- FCC Matters (Symbol Rate Initially; others as necessary)
- U.S. Forest Service Fee Relief
- 3 GHz Retention of Secondary Status

Retention of Lobbyists

2023-2024 The Vogel Group (\$7,500/month)	\$90,000.00
2023-2024 DLA Piper (\$15,000/month)	\$180,000.00
Total	\$270,000.00

Zip Code Conversion of Membership Database

Current Bid	\$4,800.00
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Travel & Meeting Expenses in Washington, D.C.

with Congressional Supporters	\$54,000.00
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Legislative Service (Bloomberg)

2023 Projected Cost (\$84,000+)	\$00.00
(TVG has agreed to permit us to use its Bloomberg service at no extra charge. This means we would be effectively only paying \$500.00 per month for TVG's lobbying services.)	

ARRL Outreach Campaign To Members

For all legislative efforts (Estimated: final number dependent on extent of our efforts.)	\$25,000.00
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Projected 2023 Budget

\$353,800.00