

**Congress of the United States**  
**Washington, DC 20515**

July 10, 2018

The Honorable John McCain  
Chairman  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, DC 20510

The Honorable Jack Reed  
Ranking Member  
Senate Armed Services Committee  
228 Russell Senate Office Building  
Washington, DC 20510

The Honorable Mac Thornberry  
Chairman  
House Armed Services Committee  
2216 Rayburn House Office Building  
Washington, DC 20515

The Honorable Adam Smith  
Ranking Member  
House Armed Services Committee  
2340 Rayburn House Office Building  
Washington, DC 20515

Dear Chairmen McCain and Thornberry, and Ranking Members Reed and Smith:

As we commence Conference Committee negotiations on the National Defense Authorization Act (NDAA) for Fiscal Year 2019, we write to strongly urge you to maintain the language in Section 1083 of the House-passed version of the NDAA pertaining to the Amateur Radio Service. These provisions are critical to the future of one of the nation's best and most reliable volunteer resources. Radio amateurs, informally known as "ham" radio operators, provide critical emergency and disaster relief communications within and among our communities, for our first responders, and to our military in times of need. It is vital that this legion of FCC-licensed, volunteer service providers be allowed to continue and grow, and we urge adoption of the Amateur Radio Parity Act in the final conference report.

Thousands of hours of public service communications support are provided by amateur radio operators to our communities annually. During and in the aftermath of disasters and emergencies, when other forms of communications are unavailable, hams provide communications for first responders as well as federal, state, and local governmental agencies and non-governmental agencies—including the American Red Cross and Salvation Army—and to their neighbors when communications systems are overloaded or fail. Through the Military Auxiliary Radio System (MARS), hams assist the United States Military by providing supplemental services as an adjunct to normal communications. Their help is always provided at no cost to taxpayers.

In the aftermath of the hurricanes that struck the U.S. last fall, hams played a vital emergency communications role when traditional communications failed. When Hurricane Maria devastated all forms of communications in Puerto Rico and the U.S. Virgin Islands, ham radio operators were the only form of reliable communications for several weeks thereafter. Amateur radio operators coordinated deliveries of food, water, shelter, medical supplies, and fuel. They also provided health and welfare communications to family members and loved ones intra-Island and between the Islands and the U.S. mainland. Prior to weather emergencies, radio amateurs conduct and coordinate real-time weather spotting for National Oceanic and Atmospheric Administration, the National Weather Service, and the National Hurricane Center from their residential radio stations. Hams have been providing communications support to our country since the advent of two-way radio.

Ham radio requires an effective outdoor antenna. There has been an exponential growth of private land use regulations over the past three decades, which almost universally preclude the installation and maintenance of any outdoor antenna in residential areas. Amateur radio operators are quickly losing their ability to practice their craft in their residences—a necessity in order to be ready and able when called upon in a disaster. Now, 90

percent of homes built since 1990 come with a deed restriction, making it nearly impossible to find a home at which an antenna is permitted. The Amateur Radio Parity Act will grant hams the right to an effective outdoor antenna; the size, placement, and aesthetic impact of which will be entirely up to the homeowners association in that community.

To be clear, the House-passed NDAA effectuates a carefully crafted compromise between the interests of amateur radio operators and the interests of homeowners associations. Each group engaged in diligent and earnest negotiations in 2016, culminating in compromise language that was incorporated into the bipartisan Amateur Radio Parity Act. The text included in the NDAA is supported by the American Red Cross, the Salvation Army, and the Community Associations Institute (letters attached). The stand-alone bipartisan bill was subsequently passed by voice vote in the House twice, before being incorporated into the National Defense Authorization Act.

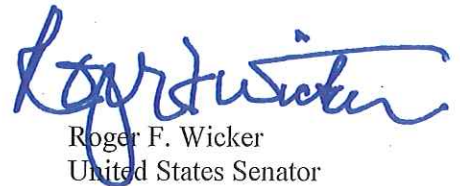
In every disaster to strike the U.S., amateur radio operators willingly provide emergency communication services to their communities and their country. Amateur radio also provides a positive, constructive means of technical self-training for the STEM-oriented youth of America. We urge you to maintain this language, without amendment, in the Conference Report to Accompany the National Defense Authorization Act for Fiscal Year 2019 so that this vital emergency service can continue to be provided at no cost to the taxpayer.

We thank you for your thoughtful consideration of this request, as well as your leadership of the House and Senate Armed Services Committees. Should you have any questions or concerns, please do not hesitate to contact us.

Sincerely,



Adam Kinzinger  
Member of Congress



Roger F. Wicker  
United States Senator



Greg Walden  
Member of Congress



Richard Blumenthal  
United States Senator



Joe Courtney  
Member of Congress





May 25, 2016

The Honorable Greg Walden  
Chairman  
Subcommittee on Communications &  
Technology  
Committee on Energy & Commerce  
2125 Rayburn House Office Building  
Washington DC 20515

The Honorable Anna Eshoo  
Ranking Member  
Subcommittee on Communications &  
Technology  
Committee on Energy & Commerce  
2125 Rayburn House Office Building  
Washington DC 20515

**RE: H.R. 1301, the Amateur Radio Parity Act of 2015, as proposed to be amended**

Dear Chairman Walden and Ranking Member Eshoo:

On behalf of the 68 million Americans who live in community associations and members of the Community Associations Institute (CAI),<sup>1</sup> we express support for H.R. 1301, the Amateur Radio Parity Act, as proposed to be amended.

In general, CAI members do not support federal legislation to preempt the private contracts and agreements that bind property owners who have voluntarily opted to purchase a home in a community association. This view is consistent with the verified, long-term views of the overwhelming majority of community association homeowners who have responded in multiple national surveys they do not believe their community association should be subjected to additional government regulation or intervention.<sup>2</sup>

Your commitment to understanding and accommodating the concerns of the majority of community association homeowners who may be affected by this special legislation allowing amateur radio operators to install station antennas is commendable. The agreement by interested parties on a revised H.R. 1301 is a direct result of the good faith, even-handed dialogue facilitated by your good offices.

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<sup>1</sup> CAI is the only national organization dedicated to fostering competent, well-governed community associations (condominiums, cooperatives and planned communities) that are home to approximately one in every five American households. For more than 40 years, CAI has been the leader in providing education and resources to the volunteer homeowners who govern community

<sup>2</sup> In a March 2016 national survey of community association residents conducted by Zogby Analytics, 74 percent of respondents answered that there should be less government regulation or no change in government regulation of their community association. Visit [www.caionline.org/validation](http://www.caionline.org/validation) for full survey results.

As proposed in the amended H.R. 1301, the federal preemption of community association covenants, conditions and restrictions is adequately balanced. This balanced approach preserves a community association's authority to adopt and enforce reasonable written rules concerning the installation, placement, and aesthetic impact of external amateur service station antennas; requires notification and prior approval of antenna installations; and prohibits installation of antennas on general common property.

Fundamental to CAI's support for H.R. 1301, as amended, are provisions directing the Federal Communications Commission to craft a separate preemption policy from the current Commission preemption policy applicable to State and local governments. CAI members strongly support this key distinction: the rights and responsibilities of community associations and association residents are materially different from those of municipal zoning boards and property owners who choose not to be subject to private land use restrictions.

Application of the Commission's existing State and local government preemption standard (PRB-1 or "reasonable accommodation") to community associations would have resulted in an unwarranted and unbalanced subordination of the contractual rights of community residents, generally, to those of resident amateur service operators. As amended, H.R. 1301 expressly provides that a new, balanced Commission policy concerning amateur service communications in community associations, separate and distinct from PRB-1, will apply.

Thank you again for your strong leadership and for your determination to achieve an equitable and balanced compromise on H.R. 1301.

Sincerely,



Thomas M. Skiba, CAE  
Chief Executive Officer  
Community Associations Institute



Ronald Perl, Esquire  
Chair, Federal Legislative Committee  
Community Associations Institute



American Red Cross National Headquarters  
2025 E Street, NW  
Washington, DC 20006

Mr. Tom Gallagher, CEO  
American Radio Relay League, Inc.  
225 Main Street  
Newington, CT 06111

May 31, 2016

Re: H.R. 1301 and S. 1685, the Amateur Radio Parity Act

Dear Mr. Gallagher:

The American Red Cross would like to express its support for the *Amateur Radio Parity Act*, which legislation is currently widely supported on a bipartisan basis. This legislation will greatly enhance the volunteer communications efforts by radio Amateurs that have benefited public safety organizations for many years. Amateur Radio, at no cost to taxpayers, provides opportunities for technical self-training in modern communications technology, electronics and emergency communications techniques and protocols that are of great value in the immediate aftermath of disasters. Amateur Radio is resilient and often provides restorative emergency communications for first responders. It is included as a component of most state emergency communications plans.

Amateur Radio operators are self-regulating, self-administering and require very little from the Federal government. They do, however, minimally require the ability to install functional outdoor antennas at their residences. The FCC, 30 years ago, adopted a very flexible policy promoting the "strong Federal interest" in Amateur Radio and limiting overregulation by municipal government land use authorities. Municipalities may *not prohibit*, but must make *reasonable accommodation* for some effective outdoor antenna for Amateur Radio use. This policy has resulted in cooperative relationships between licensees and municipal land use planners. However, the FCC has not to date applied this same policy to private land use regulations, including restrictive covenants and homeowners' association rules which routinely deprive communities and public safety agencies of the vital emergency communications services willingly provided by radio amateurs.

The Amateur Radio Parity Act will extend the FCC's "reasonable accommodation" policy to encompass all land use regulations. An important component of the usefulness of Amateur Radio to public safety entities is the ubiquitous geographic distribution of Amateur Radio stations throughout residential areas, which ensures that there will be functioning Amateur Radio stations within and without disaster areas when they are needed in the early stages of a local or regional disaster. We rely on Amateur Radio, and this legislation is urgently important to the continued provision of their volunteer services in emergency communications. We urge the passage of H.R. 1301 and S. 1685.

Sincerely,

A handwritten signature in black ink that reads "April D. Wood".

April D. Wood  
Sr. Director, Community Mobilization and Partnerships  
Disaster Cycle Services





DOING THE  
MOST GOOD™

William Booth, *Founder*  
André Cox, *General*  
Commissioner David E. Jeffrey, *National Commander*

August 8, 2016

Mr. Tom Gallagher, CEO  
American Radio Relay League, Inc.  
225 Main Street  
Newington, CT 06111

Dear Mr. Gallagher:

Re: H.R. 1301 and S. 1685, the Amateur Radio Parity Act

The Salvation Army National Headquarters would like to express its support for the *Amateur Radio Parity Act*, which legislation is currently widely supported on a bipartisan basis. This legislation will greatly enhance the volunteer communications efforts by radio Amateurs that have benefited public safety organizations for many years. Amateur Radio, at no cost to taxpayers, provides opportunities for technical self-training in modern communications technology, electronics and emergency communications techniques and protocols that are of great value in the immediate aftermath of disasters. Amateur Radio is resilient and often provides restorative emergency communications for first responders. It is included as a component of most state emergency communications plans.

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God bless you.

David E. Jeffrey  
Commissioner  
The Salvation Army  
National Headquarters

DEJ:vl