



ARRL The national association for
AMATEUR RADIO

Office of the President
225 Main St.
Newington, CT 06111

September 15, 2009

Via U.S. Mail

Mr. Armond T. Mascelli
Vice President
Disaster Services Operations
American Red Cross
2025 E Street, N.W.
Washington, D.C. 20006

ARRL and Red Cross Memorandum of Understanding

Dear Armond:

I have and appreciate your letter of May 20, 2009 relative to the long-delayed Memorandum of Understanding (MOU) between ARRL and the Red Cross. I believe that you have helped us arrive at a practical and reasonable resolution of ARRL's remaining concern with the Red Cross' background check policy, and specifically with the concern ARRL still has with respect to the background check consent form.

We agree that the Red Cross has made clear that it has not authorized its contractor to conduct other than criminal background checks, name and social security verifications. Our concern is not with respect to Red Cross' stated policy, which is quite clear. Rather, the concern is the expansive language still contained in the consent form of your contractor that appears to us to be substantially at variance with the Red Cross' stated policy (as I have explained previously). You have made clear, nevertheless, that the Red Cross does not intend to ask its contractor to further modify the consent form.

However, your letter states that "[i]f our background check process and consent form is still uncomfortable for some ARRL members, then there is still the option of ARRL arranging for background checks through a recognized law enforcement agency at either its own or its members' expense. In such a case we would ask that such a check meets our base standard and that written verification is provided that the check was successfully completed." While ARRL has no intention of establishing a background check program for its members or for radio Amateurs generally, we anticipate that acceptance by the Red Cross of background checks procured by the volunteer himself or herself from a *bona fide* law enforcement

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ADMINISTRATIVE
HEADQUARTERS
225 Main Street
Newington, Connecticut,
USA 06111-1494

Telephone: 860-594-0200
FAX: 860-594-0259
www.arrl.org

AMERICAN RADIO RELAY LEAGUE

INTERNATIONAL SECRETARIAT OF THE INTERNATIONAL AMATEUR RADIO UNION



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agency provides a reasonable alternative to the process established by the Red Cross that is a far more encouraging option for radio amateurs.

In order to bring this protracted matter to a close and finally allow the execution of the MOU that our organizations have worked hard to develop, we would offer the attached minor edits to the text of the MOU that incorporates the "law enforcement agency background check" option.

As we understand the Red Cross' base criteria for such checks, they include two basic elements: (1) a name and social security verification; and (2) a criminal history check. If these are performed by a *bona fide* law enforcement agency, the Red Cross should be willing to accept these as well as those obtained through the Red Cross' own contractor. Indeed, many ARRL members already have completed background checks obtained through State and local law enforcement agencies. Finally, though you indicate that the volunteer would have to obtain the background check from a law enforcement agency at his or her own expense, we believe it fair and reasonable to request that the Red Cross reimburse the volunteer for the actual cost of obtaining that background check, at least to the extent that the Red Cross would pay its contractor for such background checks on a per capita basis. This would further encourage volunteers to participate in the process that otherwise might be viewed as a disincentive to provide volunteer service to the Red Cross.

A redline version of the MOU incorporating the foregoing provisions is attached for your review. Upon your indication that this is acceptable to the Red Cross, directly or through Mr. Robertory, we will present this MOU to our Board of Directors; request their approval; and when obtained, arrange with you a signing procedure for the MOU.

With kind regards,

Joel Harrison
ARRL President

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