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FCC releases Amateur Radio study

By [Carl Marcucci](#) on Aug. 24 2012 with [Comments 0](#)

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In response to a Spring 2012 Congressional mandate, the FCC released its findings on the “Uses and Capabilities of Amateur Radio Service Communications in Emergencies and Disaster Relief: Report to Congress Pursuant to Section 6414 of the Middle Class Tax Relief and Job Creation Act of 2012.”

This report, says ARRL (The American Radio Relay League), contains the FCC’s review of the importance of emergency Amateur Radio Service communications relating to disasters, severe weather and other threats to lives and property in the United States; and recommendations for enhancements in the voluntary deployment of Amateur/Ham Radio operators in disaster and emergency communications and disaster relief efforts; and recommendations for improved integration of Amateur Radio operators in the planning and furtherance of initiatives of the federal government.” It also required “that the study identify impediments to enhanced Amateur Radio Service communications and provide recommendations regarding the removal of such impediments.”

“There are many positive things included in the FCC report to Congress,” said ARRL Regulatory Information Manager Dan Henderson, N1ND. “We are 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 as they prepared the study, the ARRL — as well as numerous individuals — cited the proliferation of specific land-use restrictions, such as deed restrictions and homeowners’ associations covenants, that prohibit the erection of even modest Amateur Radio antennas.

The ARRL cited that such restrictions now apply to tens of millions of homes and condominiums. In communities across every state, these restrictions make finding suitable living arrangements that would also allow amateurs to participate effectively in providing support communications nearly impossible to find. The FCC disagreed with that assessment stating “...our review of the record does not indicate that amateur operators are unable to find homes that are not subject to such restrictions. Therefore, at this time, we do not see a compelling reason for the Commission to revisit its previous determinations that preemption should not be expanded to CC&Rs.”

When considering any current rules that serve as impediments to enhanced Amateur Radio Service communications, the report did agree with the ARRL’s position, stating that “Commission rules that may be an impediment to enhanced Amateur Service emergency communications can, as the ARRL notes, be considered through the Commission’s rulemaking process. Consequently, we do not believe that Congressional action is necessary to address any of these issues.”

In the report, the FCC recommended that “DHS consult with the public safety, emergency management and Amateur Radio emergency communications associations and groups to identify training opportunities that will support better utilization of Amateur Radio operators for emergency communications, and to solicit views on how Amateur Radio capabilities could be further incorporated into response plans or initiatives. We also recommend that OEC include these recommendations in the NECP.”

Henderson noted that it is significant “that the FCC recommends efforts be continued by DHS to facilitate the training and utilization of Amateur Radio across the emergency and disaster response spectrum — from the public sector through to the various groups and organizations which provide support communications via the Amateur Service, including ARES, RACES, MARS or locally organized support groups. When served agencies and amateur groups plan and train cooperatively, it only enhances our abilities to serve our communities and the public.”

With the delivery of the FCC’s report to Congress, the ARRL will determine its next step in its efforts to find relief for amateurs who live under unduly restrictive private land-use regulations. “Our review of the FCC report shows that there is a lot to be done if amateurs living in deed-restricted properties are to receive even the limited relief they enjoy under the Commission’s PRB-1 ruling or the limited relief given to deed-restricted properties given by the FCC’s OTARD ruling,” Henderson said. “This means continuing ARRL’s efforts on Capitol Hill and continuing to seek a Congressional directive to the Commission to extend those limited preemptions to include prohibition of effective Amateur Radio antennas and support structure that are imposed by private land use restrictions. The FCC report to Congress is not the final action in this fight. It merely lays the groundwork for the next steps to be taken by the ARRL,” he concluded.

[See the ARRL story here](#)

RBR-TVBR observation: The OTARD rules force HOAs to allow rooftop antennas to homeowners or renters, as HOAs cannot force residents to pay for cable every month in lieu of free OTA TV. OTARD rules do allow for significantly tall antenna masts, as well. The FCC needs to rule similarly for Amateur Radio operators—antennas need to be within reason, but able to transmit and receive with adequate distance. Let’s face it, with all of the disasters we’ve had in the past decade and threats of super-catastrophic disasters, the public needs to be able to communicate and get information locally and regionally to be able to bring help, food emergency gear, etc. to needy folks. We can’t just rely on the government for everything. The Amateur Radio Service fulfills that mission and frankly, there are quite a bit of citizens buying up Ham receivers with BFO built in to “descramble” the Ham broadcasts that use SSB modulation (most of them do). But to transmit, you need an outdoor antenna.

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About The Author: Carl has been with RBR-TVBR since 1997 and is currently Managing Director/Senior Editor. Residing in Northern Virginia, he covers the business of broadcasting, advertising, programming, new media and engineering. He’s also done a great deal of interviews for the company and handles our ever-growing stable of bylined columnists.



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