

Jed Margolin
775-847-7845

1981 Empire Rd.
jm@jmargolin.com

VC Highlands, NV 89521-7430
November 28, 2012

Senator Dean Heller
361-A Russell Senate Office Building
Washington, DC 20510

Dear Senator Heller,

This is regarding the latest attempts by ARRL (American Radio Relay League) to extend FCC Rule PRB-1 (1985) to Home Owners Associations.

I will discuss why extending PRB-1 to Home Owners Associations would be a mistake.

A. The Numbers:

Radio Amateurs in Nevada = 6,795

Nevadans who are members of Home Owners Associations = 544,664 (estimated)

B. ARRL and PRB-1 (1985) - Having failed to get FCC to sign on to their agenda they will be lobbying Congress directly by using a professional lobbying company.

C. How PRB-1 works in the real world. It's not pretty.

A Radio Amateur in my community (Thomas S. Taormina, K5RC) sued the County in U.S. District Court and threatened to bankrupt the County (and County Officials personally) if he didn't get what he wanted. The County's insurance company rolled over for him even though, by doing so, they damaged Taormina's neighbors and the community as a whole. There is reason to believe that ARRL provided financial support to Taormina's case, either directly or indirectly. If a County cannot stand up to the ARRL juggernaut what chance would a Home Owners Association have?



Before the Settlement Agreement. I have outlined the towers and antennas because they are not as visible in pictures as they are in real life. This is across Cartwright Road at the main entrance to the Highlands. The small brown building to the left is one of our mail sheds. There is another mail shed to the left of it. The tallest tower here is 140'. Taormina is adding a 170' tower.

D. Fallout from the Taormina lawsuit

E. Why Amateur Radio is becoming increasingly irrelevant when it comes to providing Emergency Communications

Details

A. The Numbers

1. According to a search yesterday of the FCC database there are 6795 active amateur radio licenses in Nevada. Some are radio club licenses and some radio amateurs are under 18 years of age, but let's go with 6795.

(The FCC database is at:

http://fjallfoss.fcc.gov/General_Menu_Reports/license_search.cfm?accessible=NO&wild_select=on)

2. I have not found the number of Nevadans who live in Home Owners Associations but according to the Community Associations Institute, for the entire United States in 2012 there are 323,600 Home Owners Associations with 63.4 million residents. (<http://www.caionline.org/info/research/Pages/default.aspx>)

According to the U.S. Census Bureau, as of yesterday the population of the United States was 314,844,628. (From <http://www.census.gov/main/www/popclock.html>)

Therefore, on average, about 20% of the U.S. population are members of a Home Owners Association.

According to the U.S. Census Bureau the population of Nevada in 2011 was 2,723,322.

(<http://quickfacts.census.gov/qfd/states/32000.html>)

Therefore, if Nevada has the average percentage of Home Owners Associations, there are about 544,664 Nevadans who live in Home Owners Associations.

The numbers work out as:

Radio Amateurs in Nevada = 6,795

Nevadans who are members of Home Owners Associations = 544,664 (estimated)

B. ARRL and PRB-1 (1985) - Having failed to get FCC to sign on to their agenda they will be lobbying Congress directly with a professional lobbying company.

1. ARRL is a 501(c)(3) non-profit association that represents radio amateurs with a membership of approximately 158,000 members (<http://www.arrl.org/about-arrl>) out of approximately 700,000 licensed radio amateurs in the U.S. (October 2011 figures from <http://www.arrl.org/news/us-amateurs-now-700-000-strong>).

2. FCC Rule PRB-1 (1985) is codified in the Code of Federal Regulations in **47 CFR § 97.15** as follows:

§ 97.15 Station antenna structures.

(a) Owners of certain antenna structures more than 60.96 meters (200 feet) above ground level at the site or located near or at a public use airport must notify the Federal Aviation Administration and register with the Commission as required by part 17 of this chapter.

(b) Except as otherwise provided herein, a station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur service communications. (State and local regulation of a station antenna structure must not preclude amateur service communications. Rather, it must reasonably accommodate such communications and must constitute the minimum practicable regulation to accomplish the state or local authority's legitimate purpose. See PRB-1, 101 FCC 2d 952 (1985) for details.)

The complete text of PRB-1 is available at:

<http://wireless.fcc.gov/services/index.htm?job=prb-1&id=amateur&page=1>

and will not be reproduced here.

PRB-1 (1985) does not apply to Home Owners Associations because, as the FCC observed (in PRB-1):

We reiterate that our ruling herein does not reach restrictive covenants in private contractual agreements. Such agreements are voluntarily entered into by the buyer or tenant when the agreement is executed and do not usually concern this Commission.

3. ARRL has made several unsuccessful attempts to have PRB-1 extended to Home Owners Associations.

The latest one was in *Public Law 112-96* (Section 6414 of the **Middle Class Tax Relief and Job Creation Act of 2012**) that came from the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate.

Section 6414 required the FCC to:

- (1) complete a study on the uses and capabilities of amateur radio service communications in emergencies and disaster relief; and
- (2) submit to the Committee on Energy and Commerce of the House of Representatives and the Committee on Commerce, Science, and Transportation of the Senate a report on the findings of such study.
- .
- .
- .

So far, so good. But then it adds:

(2)(A) an identification of impediments to enhanced amateur radio service communications, such as the effects of unreasonable or unnecessary private land use restrictions on residential antenna installations; and

(B) recommendations regarding the removal of such impediments.

(c) EXPERTISE.—In conducting the study required by subsection (a), the Commission shall use the expertise of stakeholder entities and organizations, including the amateur radio, emergency response, and disaster communications communities.

This has ARRL's fingerprints all over it. ARRL is using the role of Amateur Radio in providing emergency communications as a Trojan Horse to accomplish its longtime goal of extending PRB-1 (1985) to Home Owners Associations.

4. The FCC did not buy what ARRL was selling.

In the FCC's Report to Congress dated August 20, 2012 they said (page 13, paragraphs 39 and 40):

3. Recommendations

39. Private land use restrictions. Some commenters recommend that CC&Rs be preempted if they prohibit antennas that are within certain limits.[FN84] Others suggest that private land use restrictions on amateur antennas should be permitted only for safety considerations, and not for aesthetic reasons.[FN85] As noted above, however, other commenters believe that it is not necessary to preempt private land use restrictions in order to promote amateur emergency communications, given the ways that even amateurs subject to CC&Rs can communicate effectively and the nature of amateur emergency communications. Moreover, while commenters suggest that private land use restrictions have become more common,[FN86] 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.

40. Other impediments. As noted above, the Commission has already preempted state and local regulations that do not reasonably accommodate amateur radio communications and do not represent the minimum practicable regulations to accomplish the local authority's legitimate purpose. The Commission has also addressed regulations regarding possession and operation of amateur radio equipment while driving.[FN87] 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.[FN88] Consequently, we do not believe that Congressional action is necessary to address any of these issues.

5. I am enclosing the editorial from the August 2012 issue of QST (ARRL's monthly magazine for radio amateurs). *See Exhibit 1 at 14.* The editorial is a vicious attack on Home Owners Associations in general. For example, in paragraph 5 (after discussing the value of PRB-1 starting in 1985):

Unfortunately, since then CC&Rs have spread like invasive species. For five years beginning in 1996 the ARRL went to the FCC with the argument that the effect of applying PRB-1 to government but not to private land use regulation was to deprive the residents of areas blighted by CC&Rs of adequate emergency communications facilities. Ultimately we were told that the FCC would take corrective action only if instructed to by Congress.

Note that the ARRL editorial fails to even distinguish condominiums, detached townhouses, and single-family homes. According to the ARRL editorial Home Owners Associations (and their attendant CC&Rs) are a blight on the landscape and are spreading like weeds.

6. I am enclosing the MINUTES OF ARRL EXECUTIVE COMMITTEE, Number 497, Denver, Colorado – September 29, 2012. *See Exhibit 2 at 16.* The relevant parts are Section 4.1.2 and Section 13.

4.1.2. The committee discussed the FCC report to Congress entitled *Uses and Capabilities of Amateur Radio Service Communications in Emergency and Disaster Relief* (GN Docket No. 12-91). It was agreed that the next step is to prepare a summary of the extensive document that the ARRL submitted in response to the FCC's request for input, for use in taking our case to Congress after the November elections.

-
-
-

13. In other business, the committee discussed possible approaches to legislative representation for the 113th Congress and tasked Mr. Sumner with negotiating a one-year agreement with Chwat & Company. Options for legislative representation, including how increased activity might be funded, will be explored in 2013. Budgeting of division expenses was also discussed briefly.

Who is Chwat & Company?

From their Web site at <http://www.chwatco.com/services.html> :

Legislative "Trouble Shooting" and Short-Term Consulting

Chwat & Company professionals have over four decades of experience advising clients on moving legislation through the parliamentary "maze," negotiating and influencing the process.

Experience Makes the Difference

- US Government Regulatory Process
- Millions of dollars secured for clients;
- When everyone says "it's impossible," Chwat & Co. does it!;
- Passing legislation despite overwhelming odds; and
- Know who, when and how to affect congressional power

Chwat & Company Offers

- Short-term consulting on exclusive projects;
- Analyzing client's government relations programs;
- Create new and innovative, pro-active government relations programs in "non-traditional" areas; and
- Custom training seminars on strategy and tactics.

Case studies and list of clients available upon request

They are professional lobbyists.

7. I am enclosing the *Happenings* column (written by S. Khrystyne Kean) from the November issue of QST. See *Exhibit 3 at 24*. The column quotes ARRL Regulatory Information Manager Dan Henderson in several places. (Ms. Kean does not say how she got the quotes. I did not find a public statement by Mr. Henderson. Perhaps he made the statements in a personal interview with Ms. Kean.)

First Mr. Henderson sucks up to the FCC.

"There are many positive things included in the FCC report to Congress," said ARRL Regulatory Information Manager Dan Henderson, NIND. "We are pleased that the Commission highlighted the existing Amateur Radio infrastructure to provide disaster and time-critical communications. It 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...'"

The article ends with Ms. Keane quoting Ms. Henderson again:

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 amateurs 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 the ARRL's efforts on Capitol Hill and continuing to seek a Congressional directive to the Commission to extend those limited preemptions to include prohibitions of effective Amateur Radio antennas and support structures 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."

ARRL's next step is to have Chwat & Company lobby Congress for them.

BTW, I find Mr. Henderson's characterization of PRB-1 as extending "limited preemptions to include prohibitions of effective Amateur Radio antennas and support structures" to be intellectually dishonest and offensive. The next section shows how PRB-1 (1985) works in the real world. It is far from limited.

C. How PRB-1 (1985) works in the real world

1. The complete text of PRB-1 is available at <http://wireless.fcc.gov/services/index.htm?job=prb-1&id=amateur&page=1> and will not be reproduced here.

It was codified in the Code of Federal Regulations in **47 CFR § 97.15** as follows:

§ 97.15 Station antenna structures.

(a) Owners of certain antenna structures more than 60.96 meters (200 feet) above ground level at the site or located near or at a public use airport must notify the Federal Aviation Administration and register with the Commission as required by part 17 of this chapter.

(b) Except as otherwise provided herein, a station antenna structure may be erected at heights and dimensions sufficient to accommodate amateur service communications. (State and local regulation of a station antenna structure must not preclude amateur service communications. Rather, it must reasonably accommodate such communications and must constitute the minimum practicable regulation to accomplish the state or local authority's legitimate purpose. See PRB-1, 101 FCC 2d 952 (1985) for details.)

[64 FR 53242, Oct. 1, 1999]

{Emphasis added}

See <http://www.law.cornell.edu/cfr/text/47/97.15>

The question in reasonably accommodating amateur service communications is, "What is reasonable?"

The answer is that "reasonable" is a question that is ultimately determined by litigation in a U.S. District Court. The outcome of such litigation is often determined by who has more money (and is willing to spend it).

The following is an example of that.

2. I live in the Virginia City Highlands, Nevada, a mountain community about 22 SE of Reno and five miles down the road from Virginia City. If you remember the old TV show Bonanza you have heard of Virginia City. It's where Ben Cartwright and his boys usually went when they had business to do.

My community consists of the Virginia City Highlands (1200 one-acre parcels) and the Highland Ranches (506 ten-acre parcels).

The Virginia City Highlands has a Home Owners Association, the Virginia City Highlands Property Association (VCHPOA): <http://www.vchpoa.org/>

Highlands Ranches has its own Home Owners Association, the Highland Ranches Property Owners Association (HRPOA): <http://www.hrpoa.org/>

Although both Associations have CC&Rs neither one has restrictions regarding amateur radio towers and antennas. The reason is that our County (Storey County, Nevada) has an ordinance restricting towers to 45 feet in height.

3. Here is how that worked out.

a. In 1997 a radio amateur moved here to a ten-acre parcel. His name is Thomas S. Taormina, call sign K5RC.

He started putting up towers. His property is at the entrance to the community where everyone sees them. His towers also directly spoil his neighbors' view of our beautiful mountain scenery.

At the time, Storey County did not have an ordinance regulating ham towers. As a result of complaints against Taormina the County passed ordinance 17.12.044:

<http://www.storeycounty.org/CountyCode/detail.asp?id=17.12.044>

Chapter 17.12 GENERAL PROVISIONS
Section No(17.12.044)

Height of buildings.

In the R-1, R-2, E, A, PUD, and F zones, no building, manufactured building or manufactured home shall exceed a height of three stories or thirty-five feet, whichever is higher, except as may be allowed by special use permit. The requirements of this section shall not apply to church spires, belfries, cupolas, domes, chimneys or flagpoles. Radio, television and other communication masts may extend not more than forty-five feet above grade level, provided that the same may be safely erected and maintained at such height in view of surrounding conditions and circumstances.

(Ord. 159 §. 2(part), 1999)

This ordinance was passed in 1999. However, Taormina continued to put up more (and higher towers) and to extend the height of his existing towers.

Taormina's neighbors continued to complain to the County but their complaints were ignored.

By 2008 Taormina had six towers, the two highest of which were 110 feet and 140 feet (both erected in 2007). He did this without getting (or even applying for) a Special Use Permit which would have allowed him to put them up legally. He did not even bother to get building permits for the structures.

That wasn't enough, so in April 2008 Taormina prepared to put up a 120 ft tower and a 195 ft tower.

He started putting up the 120 ft tower by pouring a concrete pad for a guy wire **on his neighbor's property**.

His neighbor (and his other neighbors) started a petition against Taormina's towers and got 106 signatures:
www.jmargolin.com/towers/comments/2008_july_petition.pdf

That forced the County to finally act and they issued a Stop Work Order.

Taormina finally filed documents with the County to justify his towers. He supplied documents showing the value of Amateur Radio in emergencies. He also filed a highly technical document written by an expert (who is also one of Taormina's friends) purporting to show that the towers were needed in order to provide reliable communications with Europe and Asia. People were supposed to tie them together to believe that the need for the towers had something to do with emergency communications. That is the same tactic being used by ARRL. That is why I refer to it as a Trojan Horse. No one needs Amateur Radio for the purpose of having reliable communications with Europe and Asia in the event of an emergency.

The real reason Taormina wants the towers is for Contesting. In Contesting the goal is to contact as many other stations in as many other places as possible within a specified time period. There are generally different categories, such as single operator stations and multi-operator stations. There may be other rules such as that the other stations must be within a specified geographic area and/or that the transmitter power may be limited to a specified level. (Presumably, this is to level the playing field since not all amateur radio stations are capable of transmitting at the maximum power level allowed to amateur radio stations.)

Contesting is a legitimate Amateur Radio activity. And Taormina is a world class Contester. However, it does not have anything to do with the use of Amateur Radio in emergencies.

b. Taormina filed suit in U.S. District Court for the District of Nevada, Case 3:09-cv-00021-LRH-VPC. In his Complaint he said that he didn't need a Special Use Permit to put up towers greater than 45 feet because local regulations are pre-empted by FCC PRB-1 and Federal Law 47 CFR § 97.15(b). He asked the Court to (among other things) issue a declaratory judgment against the County:

1. That this Court issue a declaratory judgment:

That the zoning ordinance is, on its face and as applied to plaintiff, inconsistent with, and preempted by, federal and state law, and is therefore void, without force or effect; and/or,

Taormina lost when the Court decided:

IV. Conclusion

The court is sympathetic to Plaintiff's frustration with the county's inconsistent interpretation of its zoning ordinances. Nonetheless, because the ordinances do not ban or impose strict height limitations on amateur radio antennas, the regulations are facially consistent with PRB-1. Further, because Plaintiff has failed to utilize the existing procedures for obtaining an exception to the antenna height limits, the court cannot determine whether the county has applied the ordinances in a manner that violates PRB-1. Under these circumstances, the court must deny the motion for summary judgment.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Summary Judgment (#14) is DENIED.

c. When Taormina applied for a Special Use Permit he agreed that it should stand or fall on County Ordinance 17.62.010 which states, “certain uses may be permitted by the board of county commissioners in zones in which they are not permitted by this ordinance when such uses are deemed essential or desirable for the public convenience or welfare.”

However, in the process that followed he never made any attempt to show how his towers (old or proposed) were essential or desirable for the public convenience or welfare.

d. When the Board of Commissioners denied Taormina’s application for a Special Use Permit (and rejected the Planning Commission’s recommendation of a compromise) and required that Taormina obey the ordinance limiting ham towers to a height of no greater than 45 feet he sued the County again. {U.S. District Court for the District of Nevada Case 3:11-cv-00645-RCJ –VPC }

In his Complaint he threatened the County and County Commissioners personally:

- .
- .
- (4) For its complete failure to reasonably accommodate the communications needs of the Taorminas, despite requirements of law well known to them, this Court should strip the individual Commissioners of their municipal immunity, and grant a motion to allow for damages to be brought against the individual commissioners, as well as the County, jointly and severally for attorneys' fees and costs incurred in the prosecution of these actions.
- (5) For its complete failure to reasonably accommodate the Taorminas' communications needs, despite requirements of law well known to them, this Court should allow reasonable attorneys' fees.
- .
- .
- (8) Such injunctive relief as necessary to mandate the Storey County Commission follow this court's orders and prohibit the Story County Commission from further acts inconsistent with this court's orders prohibiting such acts.

For the complete Complaint *see Exhibit 4 at 26.*

e. At a January 30, 2012 hearing, after discussing some of the dates in the Joint Case Management Report, Magistrate Judge Cooke noted that “this is a political as well as a legal issue.”

She also said that she would like the issue to be resolved by negotiation.

And that is what happened, in a closed-door meeting on March 16, 2012, presided over by Magistrate Judge Cooke.

f. There was no trial.

The case was not decided on its merits by the Court.

The County’s insurance company rolled over for Taormina because the County’s insurance coverage for lawsuits involving County ordinances is \$50,000. The County did not want to take the risk that if Taormina had won they would have had a huge judgment to pay, bankrupting the County.

Although Taormina did not get new 120 ft and 195 ft towers, he lowered some existing towers and got a 170 ft tower.

His total number of towers went to eight from six.

h. Taormina had two attorneys on his lawsuits: local attorney Brian McMahon and outside attorney Fred Hopengarten. Hopengarten is described as **ARRL Volunteer Attorney**. In 2011 he asked the ARRL for money to support the Taormina case. *See Exhibit 5 at 51* from http://www.arrl.org/files/file/About%2520ARRL/Committee%2520Reports/2010/July/Doc_19.doc

I could find no record of whether the request was approved, so on March 14, 2011 I sent an email to ARRL President Kay Craigie, N3KN, and asked her (among other things) whether the ARRL was giving financial support to Tom in his case, either directly or indirectly.

When I didn't hear from her by March 23 I asked her if she was planning to respond to my email. *See Exhibit 6 at 54.*

She said, "I have acknowledged receipt of your e-mail, and that is all the response I intend to make. 73 - Kay N3KN." *See Exhibit 7 at 59.*

Therefore, there is reason to believe that ARRL, either directly or indirectly, has given financial support to Taormina.

If a County cannot stand up to the ARRL juggernaut what chance would a Home Owners Association have?

D. Fallout from the Taormina lawsuit

1. Cell phone coverage in the Highlands ranges from poor to non-existent. Mostly, it's non-existent. It's a longstanding issue of public safety, especially in emergencies. This Summer (2012) a company was granted a Special Use Permit to install and operate an 85' Stealth "Monopine" Commercial Wireless Communications Tower capable of accommodating up to four wireless carriers. (It was approved by the Storey County Board of Commissioners at their June 19, 2012 meeting based on the recommendation of the Planning Commission made at their April 5 meeting.)

The Special Use Permit contains the restriction (paragraph 14):

14. Antenna Limitations. The monopine and facility shall be used exclusively for commercial wireless communications. The towers shall not be used to support amateur or other non-commercial radio antennae, or lights, flags, banners, pennants, etc. Storey County emergency repeaters and antenna shall be exempt from this requirement.

{Emphasis added}

2. The County has been working on improving its communications systems.

The company that operates an existing communications tower used by the County was granted a Special Use Permit to erect an additional 60' tower. (It was approved by the Storey County Board of Commissioners at their

September 18, 2012 meeting based on the recommendation of the Planning Commission made at their August 16 meeting.)

The Special Use Permit contains the restriction (paragraph 13):

13. Antenna limitations. The antenna support structure may be used to support commercial and governmental wireless communications equipment including commercial radio, television, cellular, internet, broadband, microwave, or other similar communications and repeater equipment. The tower may not be used to support amateur radio antennas or equipment. The tower may not be used to support lights, flags, banners, pennants, or other items not supporting the permitted communications devices.

{Emphasis added}

It is difficult to escape the conclusion that Storey County does not want anything to do with Amateur Radio, not even in its emergency plans.

Tom Taormina did that.

And Tom Taormina is ARRL's Poster Child for Amateur Radio.

E. Amateur Radio is becoming increasingly irrelevant when it comes to providing Emergency Communications.

According to an article posted on the Huffington Post Web site on 11/15/2012 titled "**Drones, Balloons May Help In Next Hurricane, Beaming Wi-Fi From The Sky**" the Federal Communications Commission is exploring using unmanned systems and balloons to beam 3G and Wi-Fi signals during emergencies like Hurricane Sandy. The Federal Emergency Management Agency recently flew manned planes with broadband antennas to ensure communications through Texas wildfires, the Virginia earthquake and Kentucky ice storms, though commercial wireless providers have never used the technology in an emergency.

The article quotes FCC Chairman Julius Genachowski saying, "We know this technology can work,"

The article is at: http://www.huffingtonpost.com/2012/11/13/drones-balloons-hurricane-wi-fi_n_2124709.html?utm_hp_ref=technology and is reproduced as *Exhibit 8 at 61*.

F. Disclosure

In the interests of full disclosure:

1. I have been a licensed radio amateur for more than 50 years. (My callsign is WA2VEW.)
2. I have held an Amateur Extra license for over 30 years. (The Amateur Extra license is the highest class license in Amateur Radio.)
3. I am a member of the ARRL. The ARRL has never asked me if I approve of what they are doing. (I obviously don't.)
4. I have an FCC Commercial General Radiotelephone license with Ship Radar Endorsement.

5. Early in my career I worked as a professional radio engineer for WUOM, the large public radio station operated by The University of Michigan. (We were one of the founding members of National Public Radio.)
6. I have a BSE(EE) from The University of Michigan (1972).
7. I am a member of several professional engineering organizations, such as AIAA (American Institute of Aeronautics and Astronautics), AUVERSI (Association of Unmanned Vehicle Systems International), DEPS (Directed Energy Professional Society), and IEEE (Institute of Electrical and Electronics Engineers).
8. I am the named inventor or co-inventor on 16 U.S. patents in several fields.
9. When Taormina first published his technical and legal documents I was offended by his intellectual dishonesty. Since then his actions have continued to be intellectually dishonest and I am still offended by them.
10. I have been blogging this issue on my Web site since February, 2011:

www.jmargolin.com/towers/tom_index.htm

It is a very long blog.

11. I am a member of the Virginia City Highlands Property Association (VCHPOA). I am not speaking for the VCHPOA. I have a personal interest in the Taormina issue because I live here, I have to see his many ugly towers and antennas when I enter or leave my community (and even when I only pick up my mail in the mail shed at the entrance to the community), and Taormina has made the rest of us hams look bad.

I hope the information I have provided has been informative and you do not allow ARRL to have the Senate extend PRB-1 to Home Owners Associations.

I also suggest that you have ARRL investigated. ARRL is a 501(c)(3) Organization.

1. Has ARRL given money to a political organization such as a candidate committee, political party committee or political action committee (PAC) either directly or through its lobbyists or other third parties?
2. Has ARRL funded (directly or indirectly, wholly or in part) PRB-1 lawsuits against state and local authorities?

Sincerely yours,

/Jed Margolin/

Jed Margolin
Virginia City Highlands, Nevada