

Radio. Thus, the "Good Guy Report" is intended to further enhance the positive image of the Amateur Auxiliary/Official Observer program within the Amateur Radio community and to properly recognize excellence in on-the-air activities.

It is not intended that the "Good Guy Report" replace the A-1 Operator Club. Since we all know that operating and technical excellence far outnumber the "bad apples," it is not possible to recognize all of the thousands of "good guys" (and that includes "gals," of course). It is imperative to the success of the Auxiliary that it be perceived as a "helping" program. Sending out that *occasional* "Good Guy" report, where maybe many more were warranted, projects the right image we all want for the Auxiliary. FCC's FOB has used this technique with success in the broadcast field, and we'd like to adopt it for use in the Amateur Service where we have a wealth of "good guys."

4.6 Correspondence

Occasionally an OO will become embroiled in a "pen pal" exchange as a result of a notification card. It is nice to be helpful, but observers need not feel that they are obliged to solve all the recipient's problems. Of course, one doesn't just "brush off" an amateur who, upon being notified he has a problem with his signal, asks for assistance on how to correct it, and some observers go to considerable trouble to render such assistance. This is fine, but again it is not required. There are practical limitations to the extent an OO can become involved in the problems of an amateur to whom an Advisory Notice is sent. Follow-up correspondence may refer to the services of the ARRL Section-level Technical Coordinator to assist in suggesting corrective technical action. Contact your Section Manager for details.

4.7 Difficult Cases. What to do?

The Amateur Auxiliary deals primarily with two monitoring activities: (1) Maintenance monitoring and (2) Amateur-to-Amateur interference. The Official Observer usually is involved with maintenance monitoring, ie scanning the bands to assist in *maintaining* the high reputation of self-regulation that the Amateur Service has earned. Occasionally, the OO will encounter the somewhat more controversial or unprofessional side of amateur operations, such as obscenity, indecency, profanity, false signals, or willful or malicious interference. A great deal of tact must be used in sending notices for these discrepancies. In fact, the wisdom of sending notices for *isolated* instances is open to question. The preferred alternative may be to simply document the incident and if there is no recurrence over a reasonable period, then forget it. Consider it a momentary aberration. But it might be helpful for the RMS, the OO Coordinator or Section Manager to receive information about how often these occur, and the nature of the operations.

Should such a case develop into a full-fledged prolonged case of Amateur-to-Amateur interference or other substantive violation, then it can become a case beyond the scope of the individual OO. If this is an HF case, as with interference caused to or by nets, then the Official Observer would almost certainly refer such difficult cases to a higher level, a second tier if you will, of response by the Amateur Auxiliary. Consultation with the section OO Coordinator is then in order and, at the discretion of the Coordinator, the Amateur Auxiliary Regional Monitoring Station may be brought into play. Amateur problems are for Amateurs to solve. That is the thrust of P.L. 97-259. Under no circumstances should the

OO initiate contact with the FCC monitoring station directly. Decision for such referral is made at a higher level. Only the most extreme cases will be brought to the attention of the Field Operations Bureau, and then only under the professional guidance of the FCC personnel at the appropriate monitoring station or office and then only in strict accordance with the established referral policy of the Auxiliary (see par. 4.10). Petty cases of interference should be solved by amateurs and not referred to the FCC. Those cases brought to the FCC's attention should be with the full intention that the FCC will rectify the difficulty. Historically, FCC prosecution of just a few such hard-core cases has had a marked positive effect on the behavior of those who would otherwise deliberately abuse our privileges. Short of that, the RMS has the discretion of advising the offender with a "heavy-duty" format advisory notice, FSD-214, to be utilized by the RMS before any FCC referral is made. For the Amateur Auxiliary program to succeed, it is important to demonstrate to the FCC that amateurs have "in-house" procedures to combat problems. This concept of having an organized procedure to "filter" complaints prior to bringing in the FCC has been crucial to the success of the Amateur Auxiliary. This procedure is detailed in paragraph 4.10. Please be sure you understand it.

Definitions Of Interference

The malicious interference problem can be viewed from the standpoint of the frequency involved. The high-frequency bands from ten meters on down are, in general, long-haul communication frequencies where interference being experienced will likely be originating from many miles away. This is the problem affecting ECARS, MIDCARS and WESTCARS, international emergency traffic handling, interference to other nets, and other types of activities associated with hf. Here, long-range detection systems and their associated uses must be employed. Indeed, ECARS has established an excellent system of HF radio direction-finding capabilities that has already proven to be of unusual value to themselves and to the Amateur Auxiliary.

Interference on the VHF bands, six meters and up, is in general related to repeater operation. Since repeaters operate on fixed frequencies, the ease with which they may be disrupted has presented a temptation to the type of person who would commit malicious interference. For reasons perhaps best understood by psychiatrists, these persons appear to gain a sense of uplift and power by deliberately disrupting a repeater operation and by annoying other operators by taunts, threats, profanity, etc.

The interference problem can be discussed from the viewpoint of the severity and type of interference involved. While we, as well as others, have freely used the term "malicious interference," it is only one of the different types of amateur-to-amateur interference which can occur. There are four in all.

Inadvertent Interference

The first is one we have probably all been guilty of at one time or another. It is the inadvertent or unintentional case. Because of inattention, heedlessness, negligence, or some other reason, the offender is unaware that he is creating interference. He may not be able to hear the station that he is interfering with, or as happens with repeaters, a station may key up more repeaters than the one it is operating through. This latter case is a very common occurrence in large metropolitan areas. Also, there is the situation where the

inadvertent or unintentional offender may be a new Amateur who has not yet been indoctrinated in good amateur operating procedures.

In any case, inadvertent or unintentional interference does not represent a major problem to the Amateur Radio Service. Education seems to be the best solution.

Careless Interference

The second type of amateur-to-amateur interference is careless interference. By this we mean "care-less" but not premeditated or recurring. While this type of interference falls into the category of deliberate, it is usually short-lived, and caused by temporary eruptions of temper. A person might become a bit hot under the collar during the heat of operation, and tell someone off or refuse to relinquish a frequency when it seems the proper thing to do. When the individual cools off and thinks about his actions, he is likely to be a bit ashamed of himself. The type of person committing this interference does not intend to repeat it, and although the occurrence is unfortunate, and the perpetrator might be prone to serious FCC enforcement actions, the Amateur Radio Service in general will not experience repeated interference from this individual.

Harassment

The third type of interference is classified as harassment. Here we begin to deal with the more serious aspects of interference. Here, also, the Auxiliary begins to show more interest. The harassment offender does just that — harass. He is likely to do anything short of the destruction of life and property to make life miserable for his victims. While the *inadvertent and careless types of interference mentioned above* are likely to be of short duration and one-time occurrences, harassment is usually a virtually never-ending program. It ranges all the way from the kerchunker on a repeater to the jammer who uses foul language or any other means he can think of to disrupt operations on the air.

Malicious Interference

Although we have spoken freely of malicious interference, only the fourth and last category of interference is the truly malicious type. The malicious interference offender intends to damage people or things. Malicious interference includes harassment, and more so. Some of these offenders are mentally ill and require psychiatric counseling.

Summary

Although the term "malicious interference" is the one we often hear, malicious interference represents only a small amount of amateur-to-amateur interference. Nevertheless, it is a term that is well accepted by the amateur community, and we will continue to use it. Keep in mind, though, that there are four types of interference: *inadvertent*, where the offender is unaware that he is creating interference; *careless*, where the offender merely wishes to create a temporary annoyance; *harassing*, where the offender enjoys annoying people and has a continuous program for doing so; and *malicious*, where the offender carries on a program of harassment with the intention or desire to injure someone or something.

4.8 Local Interference Committees

Interference problems generated on VHF or UHF repeaters are primarily local problems requiring local resolu-

tion. This kind of problem varies from nonexistent in some parts of the country to extremely serious in others, even to the point of a threat of bodily harm. The Amateur Auxiliary mechanism for dealing with any local amateur-to-amateur interference (primarily on VHF) is the Local Interference Committee. The philosophy of the Committee approach to solving this type of problem was provided by the ARRL Interference Task Force in 1980.

The Amateur Auxiliary incorporates this program of Local Interference Committees into its comprehensive program of dealing with all types of amateur variations with the regulations. Since the ARRL Field Organization is the focus of Amateur Auxiliary involvement as recognized by agreement with FCC, the Local Interference Committee now comes within the purview of the Section Manager's overall Amateur Auxiliary program. The Local Interference Committee gains official standing through the Section Manager. It is, in effect, a "group appointment" of the Section Manager, for specific authorization to deal with local problems of amateur-to-amateur interference. Thus, the Local Interference Committee plays a crucially important role in the make-up of the Amateur Auxiliary.

The prospective Committee makes a brief written proposal to the Section Manager outlining the nature of the Committee structure. See Fig 4-1 for a sample proposal. It is suggested that such a proposal include the following key elements:

1. Statement of purpose and reference to participation in the Amateur Auxiliary.
2. Area of jurisdiction or specific task, including a statement of impartiality.
3. Any appropriate operating instructions.
4. Time frame for the Committee's existence.
5. Name of the Members of the Committee, with a designated Chairman.
6. Space for the Committee Chairman's signature.
7. Space for Section Manager's signature of authorization.
8. Space for FCC field facility supervisor's signature (OPTIONAL).

The FCC sign-off (an option) constitutes a "local FCC-ARRL agreement." In the presence of such an agreement, Local Interference Committees may interface directly with the appropriate FCC field facility in accordance with the terms of that agreement. However, the initial contact on a particular problem must first be conducted with the knowledge and consent of the OO Coordinator. FCC has indicated a strong desire to initiate agreements with such Local Interference Committees as an effective means of dealing primarily with VHF repeater discrepancies. Further, where appropriate, the Local Interference Committee may call upon the assistance of the Regional Monitoring Station through the OO Coordinator.

As a new important and integral participant in the overall Amateur Auxiliary response, the Chairman of such a Committee should be cognizant of the policies set forth herein. Thus, the Chairman is subject to the same certification/examination procedure as an OO by demonstrating familiarity with the contents of this Training Guide (see Section 1.5 on appointment procedures). The Chairman is in turn responsible for insuring that each member of the Committee has the appropriate level of knowledge and understanding consistent with Amateur Auxiliary objectives.

An OO may be called upon to participate as a member

FIG. 4-1

SAMPLE LOCAL INTERFERENCE COMMITTEE PROPOSAL TO SECTION MANAGER

TO: _____, ARRL Section Manager, _____ Section
FROM: Metropolitan Amateur Radio Club
RE: Local Interference Committee

1. The purpose of this memorandum is for the Metropolitan ARC to establish an ARRL Local Interference Committee to address problems of amateur-to-amateur interference in accordance with the Amateur Auxiliary to the Federal Communications Commission (FCC) Field Operations Bureau (FOB).
2. The Local Interference Committee will serve the area covered by the Metropolitan ARC, particularly the Metropolitan ARC's 2-meter VHF repeaters (16/76, 28/88, 34/94) [or name geographical areas like counties]. The functions of the Local Interference Committee will include: response to complaints/allegations emphasizing cooperative "no fault" solutions; signal identification/source location; FOB enforcement support (only upon specific approval of the appropriate FCC official). The Committee will function at all times in an impartial manner. See pp. 46-47 of the Amateur Auxiliary Training Guide.
3. The Local Interference Committee will operate at all times in accordance with the procedures stated in the Amateur Auxiliary Training Guide, the Handbook for Local Interference Committees, and/or other guidelines developed by ARRL.
4. This memorandum is in effect until _____ and can be extended (or terminated) by the Section Manager.
5. The Chairman of the Local Interference Committee is: (name, call, address, telephone)

_____, _____

of the Committee, but does not necessarily have any special standing with the Committee. OOs should be especially attentive to definitions, recognize the different types of interference, and most importantly know when it has become a problem beyond the scope which can be handled alone. Part of being a good OO is knowing when you have to call on other volunteer amateurs for help. Thus, the Amateur Auxiliary concept is a team effort.

The idea of forming locally based committees to deal with problems facing the Amateur Radio Service is not new. It is based upon experience with TVI Committees which were formed in the early days of commercial television broadcasting 25 to 30 years ago, when television interference was new to amateur radio and a far more serious problem than it is today. The TVI Committees were composed of representatives of amateur radio operators, television servicemen, and, when available, FCC field engineers. Complaints of serious interference to television reception were referred by the FCC field office to the TVI committee for investigation. In most instances, the interference was eliminated or reduced to an acceptable level by such measures as improving the filtering and shielding of the offending transmitter, improving the antenna and lead-in installation of the receiver, and/or installing a high-pass filter in the antenna input to the receiver. The educational work of the committees in explaining the causes of and cures for interference was invaluable. And so it is fitting that similar committees be set up to combat the scourge of malicious interference.

The Make-Up Of The Committee

Members of local interference committees should be Amateur Radio operators with experience in the installation and operation of complex and sophisticated amateur repeater systems, and amateurs having vhf and/or uhf direction-finding equipment and experience. Members of the committee should preferably be selected by an area council of radio clubs, if such an organization exists, or by the clubs particularly interested in vhf, uhf, and repeater operations if there is no council. The organization of the committee would be determined by the council, clubs, or committee members. The prime criterion for membership is that the members of the committee be respected and accepted by the general amateur community in the area. If some other method of selection works for you, fine.

Whenever possible, at least one attorney, preferably an Amateur Radio operator, experienced with criminal trial practice and rules of evidence, should be a member of or available to the committee. The chairman, an OO, is the contact with the local or area FCC field office. All liaison with the FCC should be through this person, or should be performed in accordance with locally signed Auxiliary/FCC agreements.

Some General Procedures

Complaints of deliberate interference would be received and investigated by the committee. The investigation might include, where appropriate, preparation of audio tape recordings of the interfering or objectionable transmissions, oscilloscope photos and other recordings showing the switching characteristics of the carrier, and results of direction-finding investigations. Insofar as possible, all material should be sufficiently detailed and complete so as to be usable in further investigations by the FCC field engineers, in formal

hearings held by the FCC, or in any court action conducted by law enforcement agencies and offices.

We mentioned audio tape recordings in the previous paragraph. Some FCC field offices find such recordings helpful; some do not use them at all. Clearly, you should direct your activities toward what is most useful to your local or area FCC field office.

If such committees are to be effective, their investigations, as well as those of the FCC, must be held *confidential*. The committees must be willing and able to *resist demands* for action emanating from amateurs not familiar with what is being done.

Some Specific Procedures

Documentation

Simply put, an objective of the local interference committee is to provide total documentation of a case of interference. This documentation may include tape recordings of the interference (if appropriate), direction-finding bearings, times, frequencies, dates, and other pertinent data. One useful method of providing this information is to use a portable tape-recorder, not only to record the interference, but to superimpose the above information on the tape in your own voice as progress is made toward finding the source of the interference. This information may have to be transcribed into written form if your local or area FCC office prefers written documentation.

Direction-Finding

Direction-finding technique is something very difficult to describe. Every person or group has their own technique that works for them. More information on direction-finding may be found in the articles at the end of this booklet, and in the bibliography. But, once you find a technique that works for you, perfection of that technique requires lots of practice. In short, you must get to know your equipment. We can only recommend that you fashion your equipment after other successful direction-finders and then use it as often as possible. DF your friends, people holding normal QSOs, and such. Don't be afraid to try something new or to develop a new idea.

One group that has exhibited very useful RDF skills and has joined forces with the Amateur Auxiliary is the East Coast Amateur Radio Service. ECARS has a very successful history of RDF service, is not timid about developing innovative ideas, equipment and skills, and as a group is of unique value to the Amateur Auxiliary.

Communications

When more than one station is DFing a source of interference, there must be a method of communication between the DFing stations. For interference occurring on two meters, the following table lists different forms of communication, listed in order of decreasing security:

- 1) Telephone.
- 2) Non 2-meter simplex.
- 3) Non 2-meter repeater.
- 4) 2-meter simplex.
- 5) 2-meter repeater.
- 6) The channel being interfered with.

The persons doing the DFing should use 2-meter frequencies for communications only if no other band is available. The jammed channel is to be used only as the very

last resort, and if it *is* used, communications should be kept to a minimum and coded information should be used. This table may be adjusted accordingly for interference on other bands.

Confrontation

Let's assume that you successfully DF the source of the interference. What next? It is difficult to make a specific recommendation, because what works in one instance may not work in another. Also, there is the question of liability. We cannot recommend that you, in all cases, confront the perpetrator, because we cannot be responsible for potential damages caused by physical violence. In some cases, confrontation will solve the problem. Once the person causing the interference loses his anonymity, he will often cease his jamming. However, if you are going after a person who is known to be violent, it would not be wise to knock on his door to discuss the problem with him.

A milder form of confrontation is to write the perpetrator a letter. This avoids the possibility of physical violence, at least the type of physical violence that might occur during a personal confrontation. The letter should deal strictly with the facts, stating dates, times, content of the interfering transmission, and other pertinent data. It should leave no mistake that the interference is known to be caused by the perpetrator, but it should not be accusatory in tone. If an attorney-member of the committee can write this letter, so much the better.

All cases are different and unique. A person locating a source of interference must, in all cases, use good judgment. Sometimes, confrontation is not the answer. There is no other recourse but to turn to the FCC.

The FCC

Suppose you have located the offender, confronted him, either in person or by letter (or determined that confrontation is undesirable), explained the problem to him, and have been unsuccessful in terminating the interference. Obviously, then, your next recourse is to go to the local or regional FCC field office for assistance (Note: Again, this contact must only be made in the presence of a signed agreement between FCC and the LIC, as sanctioned by the Section Manager.)

Here is where it is of vital importance to have constructed an objective, detailed, and as airtight a case against the offender as possible. Only the chairman or designated spokesman of the interference committee should contact the FCC, and any and all evidence accumulated by the committee should be turned over to the Commission. This evidence, whether in the form of tapes or written notes, should be neat and orderly. The FCC engineer handling the case is apt to give it more complete attention if the information at his disposal is easy to read and utilize.

Follow-Up

Now that you have DFed the source of interference, informed the perpetrator that you are aware of his identity, accurately documented the case, and turned the information over to the FCC, what do you do next?

Even if the FCC launches an immediate investigation of the case, results will be slow in coming. In the meantime, you should not wait around for the FCC to solve the problem. You should continue to document the case! Repeated occurrences of the interference will go a long way toward proving maliciousness and intent. Intent is very hard to

establish, but one way of doing so is to document repeated interference of a malicious nature by one individual. This documentation should, in turn, be handed over to the FCC. Contacts with the FCC during this phase should not be of a "nagging" nature, but should be designed to assist the FCC in its on-going investigation. In fact, the FCC is far more likely to aggressively pursue the case if it is aware that the interference is still going on.

Summary

If you already have established a local interference committee that is working effectively, then we encourage you to continue in the fashion to which you have become accustomed. If this section has given you some hints that might improve your operation, we are glad. But the real purpose of this section has been to spur the creation of a local interference committee where none now exists. We hope it has served that purpose.

ARRL Headquarters can provide advice and assistance, but it should be no secret that the bulk of the work, as was the case with the TVI Committees of the early fifties, must be done locally by hard-working volunteer members of the local interference committees. As your committee is established and begins to function, you will find techniques that work for you in your own situation, techniques that we are not aware of. Please share your findings with us, and we will in turn share the information with others. Let's help each other.

4.9 More on the Regional Monitoring Station

Section 1.6 introduced the functions of the Regional Monitoring Station. This is detailed in outline form in section 4.10. These highly qualified amateur volunteers require very little if any guidance in executing their important high level duties. They serve as a valuable extension to the activities of the OO especially in dealing with discrepancies demanding greater attention. To be effective, the RMS must establish a special individual rapport with the professional FCC staff, both at the FOB monitoring stations and district offices. The RMS is the sole decision maker (with notification to the Division Director) in making a referral to FCC. The RMS is eminently qualified in exhausting every other conceivable avenue of resolution and makes every last ditch effort to mediate and resolve. It is only when such efforts are unavailing that he initiates dialogue with FCC. He does this with the full realization that the matter will require extensive collection of evidence, a procedure in which he is well versed. He does this under the direction of the professional FCC staff who respect his abilities and are committed to pursue to prosecution if necessary.

Although it is expected that the vast majority of problems will be dealt with at the regional level, in those cases of overwhelming complexity, ARRL HQ, and the FOB Enforcement Division in Washington may be brought into the picture. Thus, the reporting function of the RMS is to ARRL HQ as required.

On the whole, the Amateur Auxiliary must not only project the friendly advisory role in day-to-day maintenance monitoring, but it must also have the mechanism for bringing about effective FCC enforcement when the need is justified. With such a complete package of response to self-regulation, amateurs continue to earn the reputation for effective self discipline of the Amateur Radio Service.

4.10 Functions and Referral Procedure

The Amateur Auxiliary functions as a multi-tiered system in addressing technical and operating discrepancies detected in on-the-air monitoring. The object is resolution at the lowest (most local) level possible.

The vast majority of incidents are resolved quickly and easily such as by sending an OO Advisory Notice. This is usually the end of it. But some situations require greater attention to resolve. Thus, the next tier of the Amateur Auxiliary may need to be called upon. This is the role of the OO Coordinator and/or the Regional Monitoring Station. The OO Coordinator is an administrative position in the section meeting the same operational qualifications as the Official Observer. He is, however, in a position to see the overall activity within the section. Since he is aware of other OO or Local Interference Committee activity on a common problem, he can serve an important advisory role. The ultimate amateur expert in volunteer monitoring is the Regional Monitoring Station. Note, however, that he is still part and parcel of the amateur community, a part of the family if you will. It is this family of volunteer amateurs who are responsible for addressing the great majority of on-the-air discrepancies, not the FCC.

It is in only the most serious of cases that the FCC should be called upon. As explained earlier in this Guide, the thrust of the Amateur Auxiliary is for amateurs to resolve amateur problems. The FCC should be called upon only in those hard core cases that will not respond to voluntary compliance. Thus, referral to FCC must be tightly controlled so that not only have all of our internal procedures been first exhausted but that such FCC referral will be backed up by guided evidence gathering. We must eliminate from the airwaves the "I'll call the FCC monitoring station" syndrome. Referrals to the FCC must be by a well-defined procedure and with safeguard checks to prevent frivolous referrals. Those of us in the program will face a monumental task of re-educating the amateur community to this "we can solve our own problems" procedure.

The guiding principles that accompany bringing a matter to the FCC's attention are: (1) All other avenues of Amateur Auxiliary response have been exhausted; (2) the matter is being referred to the FCC's attention with the full expectation that the matter is so serious that the FCC will take action; (3) the Amateur Auxiliary will continue to provide the FCC with documentation and cooperate with the FCC until resolution (ie, we can't wash our hands of the matter and dump it in the FCC's lap); (4) the referral procedure calls for "in house" checks — prior to calling in the FCC — to confirm that the referral is indeed warranted.

To that end, therefore, here is a word-and-graphic breakdown (Figs 4.2-4.5) of the functions of each tier of the Amateur Auxiliary and the necessary safeguard hurdles that must be negotiated prior to referral to the next highest rung on the ladder.

Official Observer:

1. Identifies technical and operating discrepancies.
2. Sends OO advisory notices.
3. May function as a member of a Local Interference Committee (with no special standing).
4. Reports to the OO Coordinator.
5. Refers problem cases to the OO Coordinator.
6. Collects evidence under the supervision of the OO

Coordinator and/or Regional Monitoring Station (if such has been assigned to the problem).

Local Interference Committee:

1. Identifies technical and operating discrepancies, especially on VHF/UHF (eg, repeaters).
2. Utilizes "in person" mediation/resolution efforts.
3. Reports to the OO Coordinator.
4. Requests RMS assistance via the OO Coordinator.
5. *In the presence of a local signed agreement* with the local FCC Engineer-in-charge or FCC monitoring station (approved by the Section Manager), may initiate contact with the appropriate FCC official upon advice from the OO Coordinator and notification of the affected ARRL Director.
6. Does field work and evidence collection as directed by FCC in accordance with the terms of the local agreement.

OO Coordinator:

1. Reports to the Section Manager.
2. Receives reports from the OOs and Local Interference Committees.
3. Forwards records/reports (FSD-23) to Headquarters.
4. Appoints OOs (when so delegated by the SM).
5. Makes referrals to the Regional Monitoring Station.
6. Assists Local Interference Committees in evidence gathering (where appropriate).
7. Assists OOs in evidence gathering under the supervision of the RMS.
8. Insures that any FCC referrals by the Local Interference Committees are done only with his consent and notification of the affected ARRL Director.
9. Contacts ARRL Hq. for advice or assistance in technical or administrative matters.

Regional Monitoring Station:

1. Assists the OO as referred by the OO Coordinator (initiates FSD-214, Advisory Notice of Radio Station Conditions, as appropriate).
2. Assists the Local Interference Committee as referred by the OO Coordinator.
3. Supervises OO Coordinators and assists Local Interference Committees in monitoring/evidence-collection procedures.
4. Is the decision-maker on making referrals to FCC after appropriate notification of the affected Division Director, primarily for HF discrepancies.
5. Acts as a facilitator between Headquarters and the local FCC office in making Headquarters referrals to the Field Operations Bureau in Washington.
6. Supplies activity reports to Headquarters on a timely basis.

Section Manager:

1. Oversees the activities of the OO Coordinator.
2. Is the contact point for FCC-initiated inquiries.
3. Insures that the affected Division Director is kept informed of FCC-referred cases.
4. Appoints OO Coordinator and OOs (may be delegated to Coordinator) upon notification by Headquarters of certification.
5. Authorizes (in writing) Local Interference Committees.

Division Director:

1. Is kept informed of hard-core cases under FCC review.
2. Offers mediation advice to the Amateur Auxiliary where appropriate.

Headquarters:

1. Provides all support materials (forms, newsletters, postage, etc) for conducting the Amateur Auxiliary.
2. Upon recommendation for appointment of an OO by the Section Manager (or delegated OO Coordinator) provides training materials and certifies to the SM successful completion of training.
3. Maintains a data base of records in accordance with provisions of this Guide.

4. Conducts critical review of the program in concert with the Field Operations Bureau in Washington and implements appropriate enhancement in accordance with Board policy.

5. Refers difficult cases from the RMS to the Field Operations Bureau in Washington where appropriate.

6. Advises the ARRL President of difficult cases being referred to the Field Operations Bureau, Washington.

ARRL President:

1. Appoints Regional Monitoring Stations.
2. Is advised by Headquarters of hard core cases brought to the attention of the Field Operations Bureau in Washington.

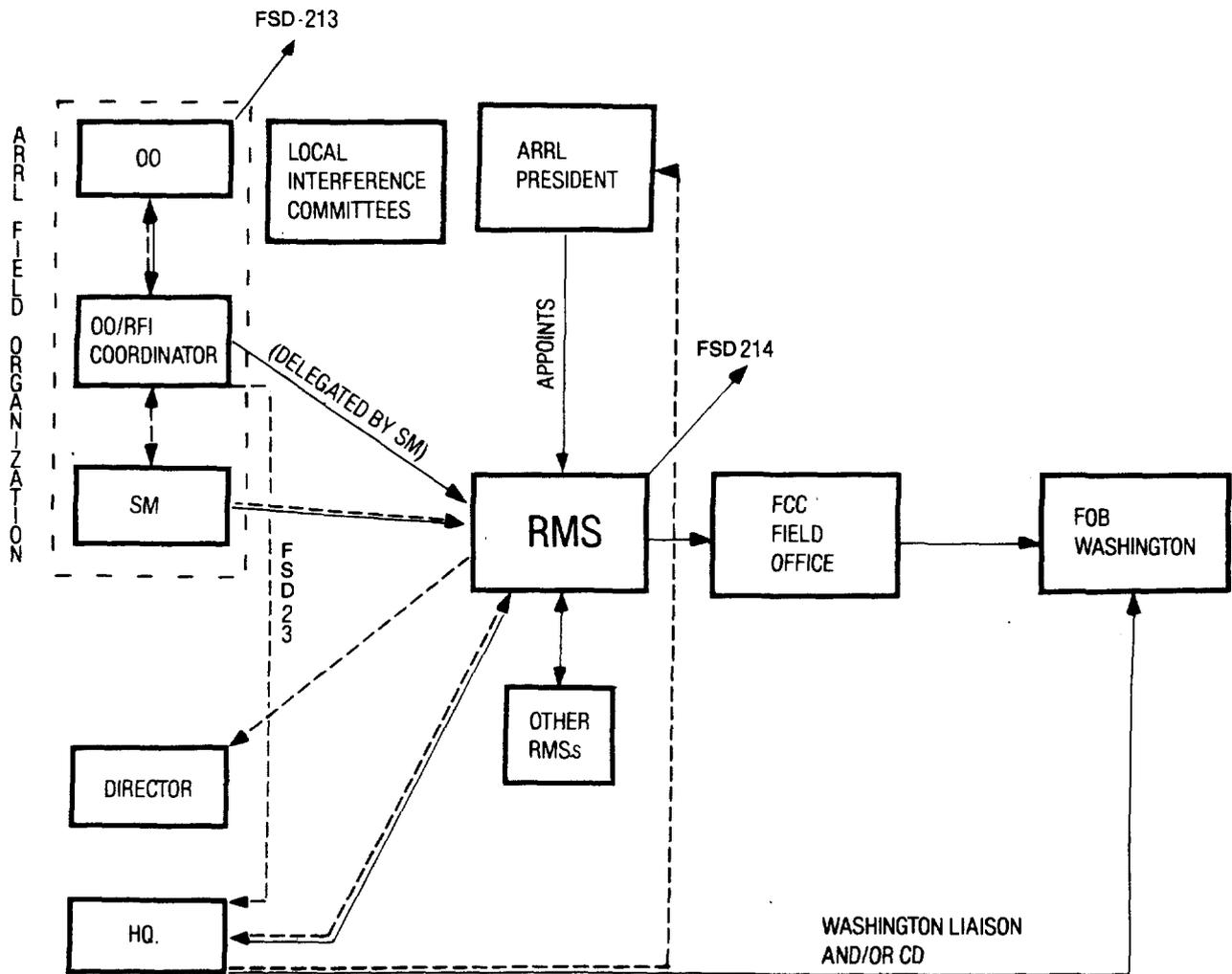


FIG. 4.2 AMATEUR AUXILIARY ORGANIZATIONAL CHART: REFERRAL OF HF DISCREPANCIES

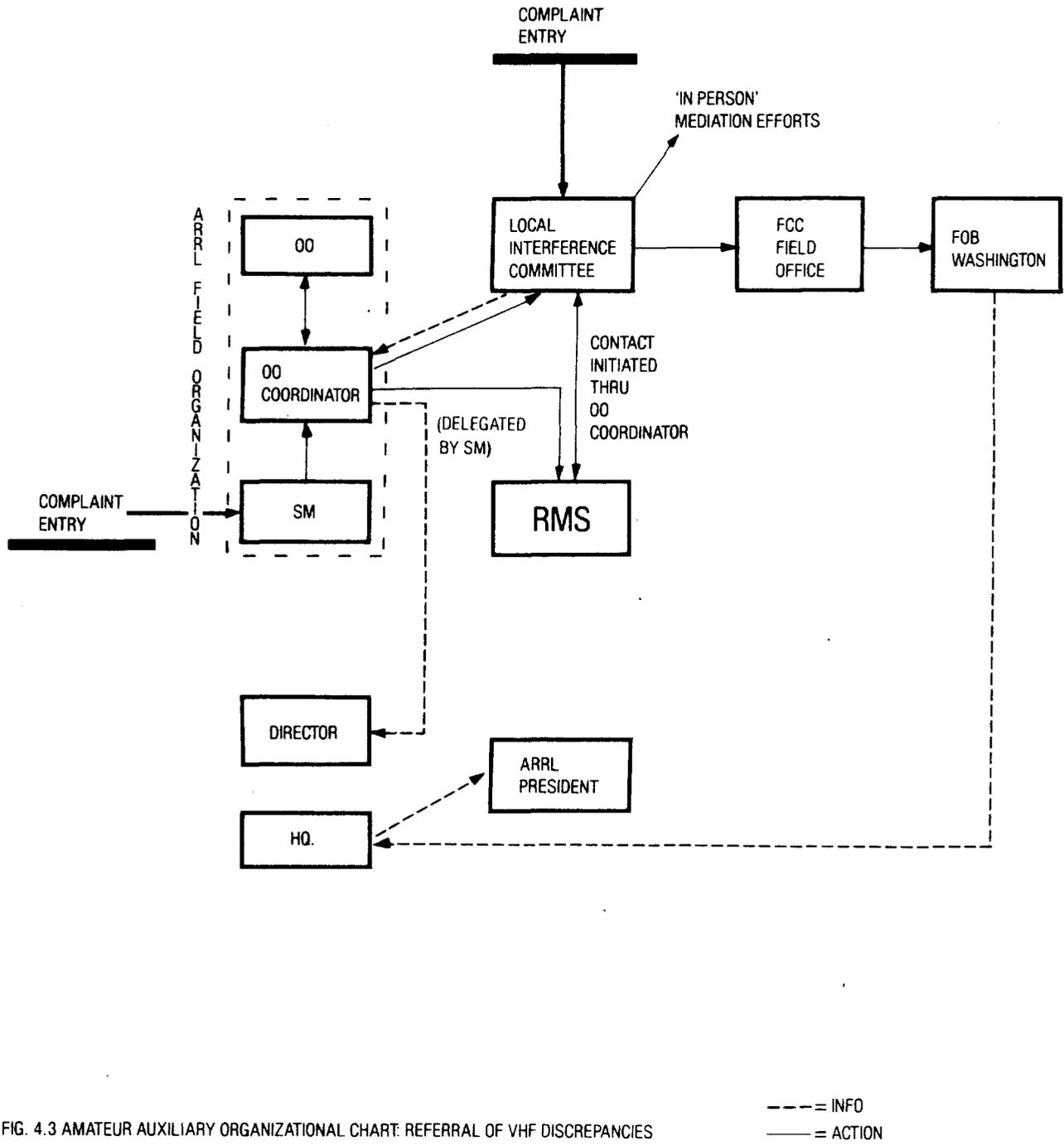


FIG. 4.3 AMATEUR AUXILIARY ORGANIZATIONAL CHART: REFERRAL OF VHF DISCREPANCIES

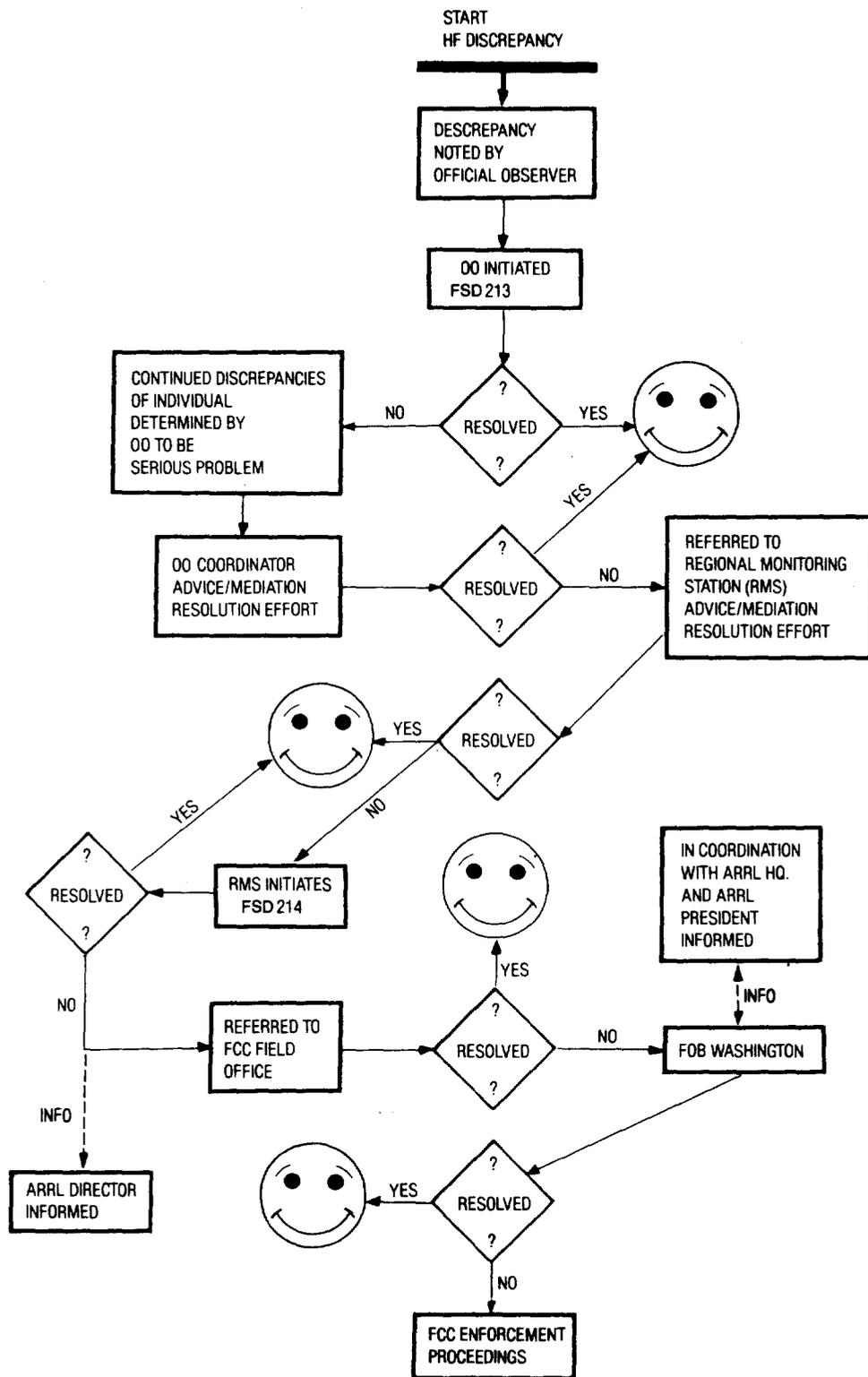


FIG. 4.4 TYPICAL HF COMPLAINT FLOWCHART

NOTE: COMPLAINT ENTRY COULD BE DIRECTLY TO THE ARRL SECTION MANAGER LISTED IN QST. HE WOULD REFER TO THE LOCAL INTERFERENCE COMMITTEE VIA THE OO COORDINATOR.

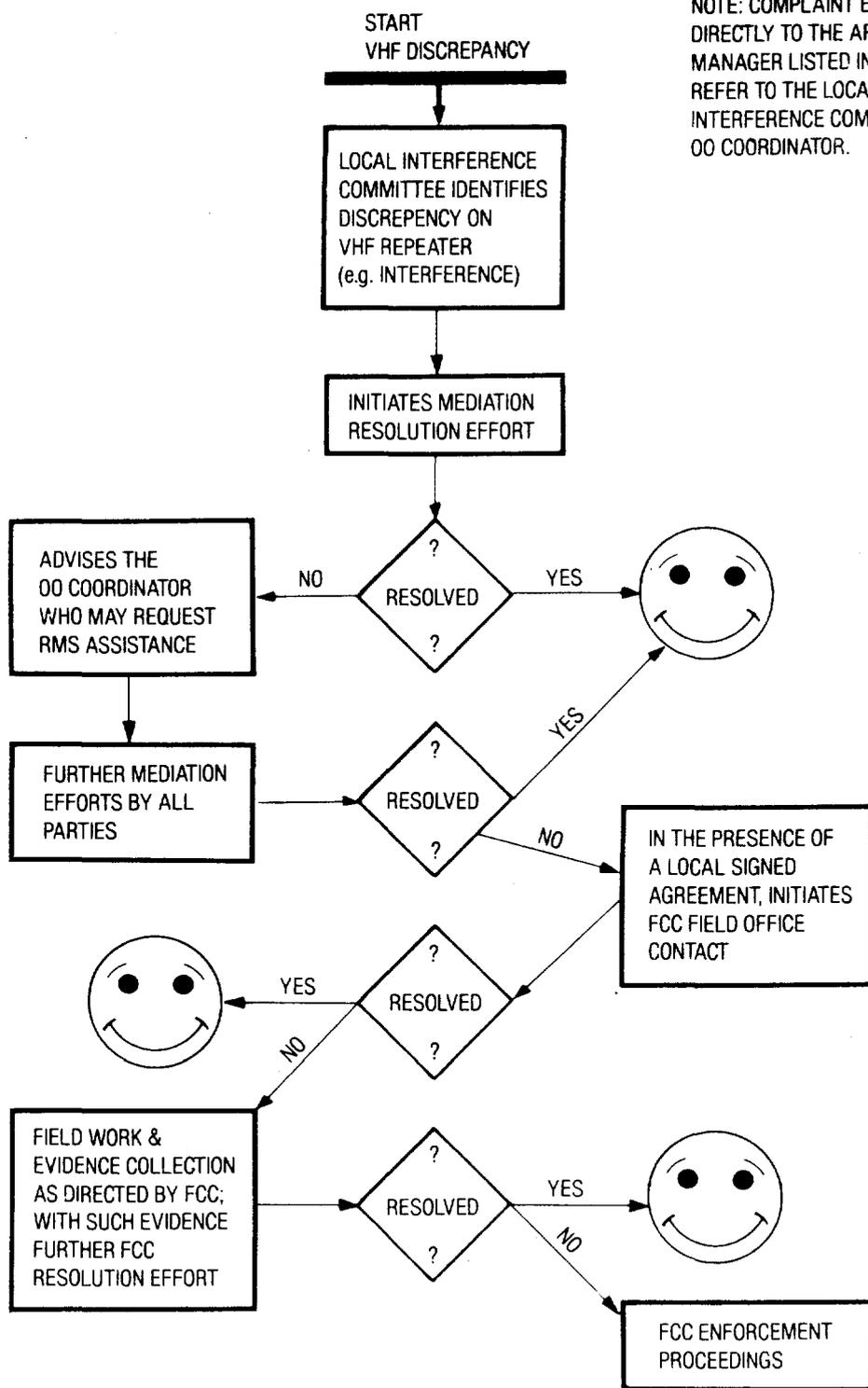


FIG. 4.5 TYPICAL VHF REPEATER COMPLAINT FLOWCHART

4.11 Evidence Gathering

The friendly advisory nature of the Amateur Auxiliary cannot be stressed enough. It's for that reason that reference is made to it several times in this Guide. It has been the very backbone of the OO program which has made it so successful for some fifty years. Avoidance of both threat and the cloak of enforcement will continue to be the strength of our volunteer monitoring efforts in the future. Confrontation will not lead to purification of the airwaves. But, as we progress up the ladder of resolution within the Amateur Auxiliary, it must ultimately be faced that the possibility of enforcement by FCC may be necessary in a small percentage of cases. That being the case, it is prudent for all in the Amateur Auxiliary to be familiar with the nature of gathering evidence, even if it may never be necessary to exercise this knowledge, and also to be cognizant of the need to maintain strictest confidence in conducting volunteer monitoring activities.

With the hope that this information may never be needed by you, the volunteer monitor, but with the realization that you have a "need to know," ARRL's Counsel has addressed these two points as follows and in paragraph 4.12 on maintaining confidentiality.

In performing the duties of an Official Observer or a Regional Monitoring Station, and particularly the latter, it is necessary to conduct monitoring activities and to assemble information in such a way that it is (1) useful evidence in cases of repeated or intentional rule violations, in which the information gleaned from volunteer monitoring may be used later in license suspension or revocation hearings, and (2) available should the observer or Regional Monitoring Station have to protect himself or herself against a defamation (libel or slander) action. Although both of these situations will be rare, it is difficult to predict, in any given situation, what the outcome of an OO report will be. It is necessary, therefore, to prepare each OO report as though the monitor or the RMS will be called on to testify at an FCC hearing as to the OO's actions which gave rise to the enforcement proceedings.

Prior to the enactment of the Communications Amendments Act of 1982, amateurs were unable to provide voluntary monitoring services to the government, or to disclose to third parties what was heard on the air. Now, those limitations have been removed, and the evidence gathered by volunteers can be relied on by the FCC and used directly in enforcement proceedings. It is no longer necessary for FCC staff to duplicate the monitoring and DF'ing done by volunteers.

How, then, may a volunteer monitor insure that the evidence is useful, and at the same time protect himself or herself against a lawsuit based on an accusation that the monitor made defamatory remarks about another amateur?

First of all, it is necessary to restrict all monitoring activities to squarely fit within the statutory authority granted to the FCC by the Communications Amendments Act of 1982. These are as follows:

(I) The detection of improper Amateur Radio transmissions;

(II) The conveyance to Commission personnel of information which is essential to the enforcement of the Communications Act or regulations prescribed by the FCC, relating to the Amateur Radio Service; and

(III) The issuance of advisory notices to persons who apparently have violated any provision of the Act or regulations prescribed by the FCC relating to the Amateur Radio Service.

Competence

Any activities of a volunteer monitoring station not aimed specifically at one of these purposes exceeds the statutory authority of the monitor and may result in having evidence gathered under such circumstances ruled inadmissible as having been provided by an "incompetent" witness. That is to say, the volunteer monitor is able to testify only to those things which he or she personally witnessed in connection with detecting improper amateur transmissions, conveying information essential to enforcement or in preparing and issuing advisory notices to amateurs.

Thus, the first two rules to consider are one's own competence to testify as to what was heard, keeping in mind one's proper role and the limitations of the statutory authority, and the requirement that one may not testify to a matter unless it can be shown that the monitor has personal knowledge of the facts to which he or she will testify.

Relevance

Once it is clear that a monitor is the proper person to testify to a particular matter, it is necessary to decide whether what is heard is relevant. This is a broad analysis, based on the matter to be proven. Generally speaking, evidence is "relevant" if it makes a fact to be proven more probable or less probable than it would be without the evidence. In doing on-the-air monitoring, and making notes as to what is heard at a particular time, on a particular date and frequency, if a rule violation is suspected, one must ask himself or herself whether a particular statement heard tends to verify or disprove that a rule violation is taking place. For example, if one is monitoring an amateur frequency and hears music transmitted, obviously this is relevant to a determination that there is a violation of Section 97.115 of the Rules, which prohibits transmission of music by an amateur station. It is not relevant, however, that the monitor may know how many persons in the local club have that same taste in music. That fact is highly speculative and does not tend to prove that music has been transmitted, or where or when it was done, or by whom.

Thus, when making monitoring notes, only the relevant facts will be useful to the RMS and FCC enforcement personnel. It is important to you, as well, to confine reporting to "just the facts" which are relevant to the monitoring situation at hand and the rule violation suspected. No one could ever accuse a monitor of libel or slander if all that is reported is what the monitor heard and the circumstances under which it was heard.

There are specific rules of evidence dealing with the relevancy issue. For example, generally, one cannot introduce evidence of a person's character or a particular character trait in order to prove that such person acted in conformity with that trait. Thus, a monitor could not testify that he believed it was WX0AAA who was heard on 20 meters transmitting obscene or indecent language because it is generally known that WX0AAA is an immoral person. While there are limited exceptions to this rule, they are generally not applicable in FCC rule enforcement matters.

Evidence of a person's habit, or routine practice, on the other hand, is generally admissible. Suppose you are monitoring and hear a station transmitting for long periods of time without identifying. You have noted the date, time, frequency, beam heading, and other relevant characteristics of the signal. You also note that the voice which is transmitting without

identifying has the particular trait of stuttering only when using one particular word. You know WX0XXX, who has that same trait. While one cannot conclude from this that is was WX0XXX who made the unidentified transmission, it would be proper to testify that the voice monitored on the air had the habitual unique stuttering sound. It would also be proper to answer, if asked, that you know of an amateur who habitually makes that sound, and who that is. Do not, however, draw the inference that WX0XXX was responsible for the unidentified transmission.

Opinion & Inference

Probably the most important evidentiary rule to remember when monitoring, which follows from the relevancy issue above, is that one's opinions and inferences are generally not admissible. It should be remembered that what one is trying to do when making notes about a monitoring session is to re-create a factual occurrence. It is for the Administrative Law Judge to determine whether the evidence, taken together, shows that a rule has been violated and that the accused person did it. This ultimate task is not for the witness to perform. It is often difficult, however, for any witness to speak without stating an opinion or, in expressing himself or herself in language which is not a conclusion. Just keep in mind that the witness is required to have first-hand knowledge of every statement made, and that statements made should all be directly related to individual perceptions.

Take, for example, a monitoring situation in which you are working with other monitors using directional antennas to pinpoint the source of a station making unidentified transmissions. You may reasonably testify as to (and should keep detailed notes of) the procedures used and discuss what conclusions may normally be drawn from such procedures, to the extent that you are familiar with them. You may further testify that, in this case, the transmissions were determined to have come from a certain area, but you may not conclude from that information alone that a particular station made the transmissions, even if you are personally certain in your own mind that it was that station.

The general prohibition of lay witnesses making statements which are opinions or inferences points up the grey line between admissible and inadmissible evidence, but a monitor must always stay on the side of purely factual reporting. In the DFing example above, it is certainly an inference or opinion that an unidentified signal came from a certain area, but that is an inference based on pure perception and scientific fact. As such, it is admissible. It logically flows from the perceptions of the monitoring station. It is a jump in logic, however, to conclude from a three-fixed-station triangulation DFing exercise, without more, that it was a particular station which made the transmission. It is this type of opinion or inference which does not logically flow from one's perceptions, and which is not therefore permitted.

Hearsay

Even if one is reporting only what is seen and heard, there are limitations. One of the most difficult rules of evidence is the so-called "hearsay" rule. Simply stated, you cannot normally testify as to what someone else said in order to prove the truth of the matter asserted. If, for example, after monitoring a case of unidentified transmissions heard on 146.52 MHz on November 23, 1987, you later hear WX0XXX, a fellow observer, state that he knows it was WY0YYY who made the transmissions, you cannot testify

as to WX0XXX's statement. It is the essence of hearsay. In this connection, the monitor's proper role does not include noting hearsay anyway. Only personal perceptions are admissible!

While there are a large number of exceptions to the hearsay rule, they do not concern us here. Suffice it to say that when your monitoring is done, confine your reporting to what was heard through your receiver and the details of what was heard.

Notes and Records

One's recollection normally dims with time. It is for this reason that detailed written notes are critical to the volunteer monitor. They should be well organized and clear, in narrative form. If they are to be transcribed, that should be done immediately after the monitoring is completed. The transcribed notes should be signed and dated by the monitor to establish authenticity. These notes are your best insurance against accusations of inaccuracy. In this respect the volunteer monitor is akin to the doctor who must update his or her hospital records on a patient prior to discharge, to make sure that the record is not subject to doubt. The notes can be used at a hearing to refresh your recollection about a particular event. The more detailed your factual account of your actions and what was heard, the easier it will be to establish a pattern of behavior sufficient to permit the FCC to determine the identity of an offender.

A volunteer monitor's notes and recollection of factual events are his or her contribution in the unusual event that an enforcement proceeding must go to hearing. As mentioned elsewhere in this Guide, the volunteer monitor is subject to cross-examination on the subjects to which he or she testifies. It is the duty of the person who conducts the cross-examination, often an attorney, to attempt to show that either the monitor or the evidence gathered is not credible for some reason. Following the above rules will go a long way toward insuring that your evidence is useful.

4.12 Maintaining Confidentiality

The monitor's own actions, however, may be cross-examined in an effort to show that the monitor may be biased, or may have prejudiced others against an individual amateur. Suppose, for example, a monitor has records which make it appear that a particular station made unidentified transmissions. Suppose further that after information has been conveyed, via the RMS to the FCC Field Office, the monitor mentions at the local radio club that he has the "scoop" on WX0XXX and discusses the monitoring results in detail. The revelation of the monitor's disclosure at a hearing, on cross-examination, makes it appear as though the monitor "had it in" for WX0XXX, and makes the evidence provided by the monitor less credible. Suppose further that WX0XXX is later not found to be the cause of the rule violation after all. WX0XXX then sues the monitor for slander, for what was said at the radio club meeting. This points up the need for absolute confidentiality in dealing with information gathered while monitoring.

This is not to say that a monitor cannot work with other monitors, or that information cannot be traded between monitors. The Communications Amendments Act of 1982 assured the ability of volunteer monitors to work together in monitoring tasks. Keep in mind, however, that it is necessary to protect the evidence and oneself by not disclosing the results of your monitoring indiscriminately. Again, as stated above,

in this connection it is critical that a monitor not make unwarranted conclusions or inferences about whether a particular station was the source of a rule violation or not. To insure against accusations of bias, or of prejudicing the investigation, it should be the general rule to disclose monitoring information only in OO Reports or to other monitors, or to the RMS and, even then, only on a "need-to-know" basis.

Finally, as alluded to above in the discussion of relevance, when doing monitoring and a rule violation is suspected, make sure that you are familiar enough with the rule to determine when it is actually being violated. This sounds basic, but in all such cases, the initial analysis should include a determination of what elements must be present in order to constitute a violation of the rule. Your notes should be sufficient to establish all elements of the rule violation, if indeed one exists. For example, suppose you hear a station which seems to be conducting business communications in violation of Section 97.110 of the Rules. You must insure that your monitoring notes include references to establish that (1) the station is an amateur station; (2) the transmissions facilitate the regular business or commercial affairs of some person; (3) the transmissions are intended to facilitate the regular business or commercial affairs of some person; (4) they are not emergency communications directly relating to the immediate safety of life of individuals or the immediate protection of property; and (5) they are not mainly aimed at providing a service to the public, and only incidentally facilitating business affairs of the sponsor or a public service event.

The above are not all specific elements of the rule section. Yet, they are all elements of the prohibition of business communications as the FCC has interpreted them. It is thus necessary to be familiar enough with the rule and its background (the League's *FCC Rule Book* is key to this analysis) to know when your monitoring has sufficiently established that a particular rule has been violated, and that

all the evidence is in your notes, and the context in which the transmissions were made is fairly and accurately reflected.

4.13 Reimbursement and Insurance Coverage

Funds to reimburse certain OO administrative expenses are budgeted for in each ARRL section as authorized by the Section Manager. FSD-183 should be submitted to reimburse for postage and other miscellaneous expenses incurred. Appropriate cash slips and receipts should be submitted along with FSD-183 to the Section Manager for approval. To save on bookkeeping, reimbursements of less than \$5 or \$10 should be saved up until they exceed that amount. Any questions on reimbursement should be directed to the Section Manager. RMS expenses are reimbursed directly from HQ, and thus do not come out of the section budget. Expenses that are not reimbursed can be deducted from your federal tax return. Information on the proper use of unreimbursed expenses on behalf of the League as a federal tax deduction can be obtained from ARRL HQ.

Also, the ARRL's liability-insurance carrier has stated that upon appointment all members of the Amateur Auxiliary are protected by the League's Association Professional Liability Insurance Policy.

4.14 More Training

From time to time, ARRL and/or FCC's Field Operations Bureau itself will conduct training seminars. These could take a variety of forms including tours of FOB on-site facilities, use of ARS licensee data base, frequency and modulation measurements, and certain applications of the spectrum analyzer. Notice will be given to members of the Amateur Auxiliary as these activities are planned. Members of the Amateur Auxiliary will be encouraged to attend any such seminars. As the Amateur Auxiliary program evolves, update information will be provided to members by special "Observation Post" newsletters and *QST* as appropriate.

OFFICIAL OBSERVER ADVISORY NOTICE

Radio: _____, your call was heard calling _____ at _____ UTC.
working _____

Date: _____ 198__ Frequency _____ kHz. Mode _____. Your RST _____.

The following is noted in the interest of maintaining Amateur Radio's reputation for good operating/technical practices: 1 FREQUENCY INSTABILITY 2 CHIRP 3 SPURIOUS 4 HARMONIC 5 HUM
6 KEY CLICKS 7 BROAD SIGNAL 8 DISTORTED AUDIO 9 OVER DEVIATION 10 OUT OF BAND
11 IMPROPER ID 12 LANGUAGE 13 CAUSING INTERFERENCE 15 CARRIER 20 OTHER

Remarks: _____

Please refer to FCC Regulation _____. Please take a few minutes to determine what equipment factors or operating practices might have contributed to this apparent departure from the rule or the good amateur practice standard. The intent of this notice is to alert you to the above noted operating condition. **NO REPLY IS NECESSARY.** The undersigned ARRL Official Observer has fulfilled this helping role by simply alerting you, and is not *required* to reply to any correspondence. Thank you for your attention and any cooperative efforts to enhance the high standards of the Amateur Radio Service which we all share with pride.

FSD-213(685) Signature _____ Call _____

From (print) _____

To: _____

The Official Observer program is sponsored by the American Radio Relay League, 225 Main Street, Newington, Connecticut, U.S.A., to help amateurs help each other. For over 50 years, this volunteer program has helped thousands of amateurs to maintain their transmitting equipment and operating procedures in compliance with the regulations. The Observer program is a function of the Amateur Service of the FCC's Field Operations Bureau in accordance with Public Law 97-259. High standards of operation benefit the entire amateur community. Your continued cooperation is appreciated.

GOOD GUY REPORT

Radio: _____, your call was heard ^{calling} _{working} _____ at _____ UTC.
Date: _____ 198 ____ Frequency _____ kHz. Mode _____. Your RST _____.

We thought you would like to know . . .

That this Official Observer has noted your EXCELLENT radio signal quality/operating procedure as a fine example for all radio amateurs.

Remarks: _____

This observation by the undersigned ARRL Official Observer is a function of the Amateur Auxiliary to the FCC's Field Operations Bureau. This Observer thanks you for your excellent example of good amateur practice for others in the Amateur Radio Service. Keep up the good work.

FSD-15(5/85) Signature _____ Call _____

From (print) _____

To: _____

The Official Observer program is sponsored by the American Radio Relay League, 225 Main Street, Newington, CT 06111, U.S.A., to help amateurs help each other. For over 50 years, this volunteer program has aided thousands of amateurs to maintain their transmitting equipment and operating procedures in compliance with the regulations. The OO program is a function of the Amateur Auxiliary of the FCC's Field Operations Bureau in accordance with Public Law 97-259. High standards of operation benefit the entire amateur community. Your continued cooperation is appreciated.

AMATEUR AUXILIARY RECORD/REPORT the month of _____ 19____. Auxiliary Member: _____

No information on this form in any way constitutes conclusions or inferences regarding the source of rules violations.

DIRECTIONS: Send the top two copies of this form to your Auxiliary Coordinator or SM the first of each month. He will forward one to Hq. Keep the bottom copy for your records, or a card file equivalent.

Call sign Heard	Time	Date	Freq.	Mode	Observation Category	Category Code	Remarks	Date Sent
						1 = Frequency Instability		
						2 = Chirp		
						3 = Spurious		
						4 = Harmonic		
						5 = Hum		
						6 = Key Clicks		
						7 = Broad Signal		
						8 = Distorted Audio		
						9 = Over-Deviation		
						10 = Out of Band		
						11 = Improper ID		
						12 = Obscenity, Indecency, or Profanity		
						13 = Cause Interference		
						14 = Good Guy Report		
						15 = Carrier		
						20 = Misc. (explain)		

← **TOTAL NUMBER**

Approx. number of hours spent monitoring = _____

Hey Headquarters, I need more supplies to continue my work! Please send the quantity of forms indicated to:

Name _____ please print Call _____
 Address _____
 _____ Zip/PC _____

QUANTITY
 FSD-213 Advisory Cards _____
 FSD-23 Monthly Report/Record _____
 FSD-15 Good-Guy Cards _____

TI
Fi
24
im
CD



**AMATEUR AUXILIARY
REGIONAL MONITORING STATION**

**ADVISORY NOTICE OF
RADIO STATION CONDITIONS**

FREQUENCY		CALL SIGN	
EMISSION	DATE OBSERVED	TIME OBSERVED	
LOCATION OF STATION		OTHER STATIONS BEING CALLED/WORKED	

**NO REPLY
IS NECESSARY**

- Please refer to Federal Communications Commission Regulation(s) _____. As detailed below, violations of FCC rules have been noted during monitoring by this Regional Monitoring Station. You should take corrective action promptly.
- Please refer to Federal Communications Commission Regulation(s) _____. As detailed below, unsatisfactory or marginal conditions have been noted during monitoring by this Regional Monitoring Station. We suggest you take corrective action to avoid violations or operating problems.

PARTICULARS:

Regional Monitoring Station Address

Date Filed

Issued By

This monitoring activity is conducted in accordance with Public Law 97-259 as a function of the Amateur Auxiliary of the FCC's Field Operations Bureau. The Amateur Auxiliary is sponsored by the American Radio Relay League (administrative headquarters 225 Main Street, Newington, CT 06111 USA). This Regional Monitoring Station thanks you for your courtesy and cooperation in improving the Amateur Radio Service.



ARRL FIELD ORGANIZATION APPLICATION FOR STATION APPOINTMENT



I, _____, licensee of Amateur Radio station _____, hereby submit application to the Section Manager (or designated Section-level official) of the _____ Section, for appointment as:

- Official Relay Station _____
- Official Emergency Station _____
- Official Observer _____ (Must hold minimum Technician Class license for 4 or more years).
- Official Bulletin Station _____
- Assistant Technical Coordinator _____
- Public Information Assistant _____

My qualifications are:

(describe appropriate experience and/or interest)

Address: _____
street city state zip

Phone number: _____
work home

ARRL membership number: _____ (from QST label)

I have read the description of the duties and responsibilities of the appointment, and agree to maintain current League membership, and report my station activity to designated section officials on a monthly basis.

Signed: _____ Date: _____

ARRL ADMINISTRATIVE EXPENSE FORM

The following administrative expenses were incurred by the undersigned between the periods of _____ and _____, 19__.

Postage	_____
Envelopes	_____
Paper	_____
Other (what?)	_____
Total	_____

SM Initial _____ Signed _____

Approved _____ Title _____

Charge to _____ Address _____

FSD-183 (685)

Printed in U.S.A

CHAPTER 5: THE PSYCHOLOGY OF ACHIEVING VOLUNTARY COMPLIANCE

5.1 Introduction

The backbone of the Amateur Auxiliary is the Official Observer (OO). Vital to an effective Official Observer program is acceptance by the amateur community of volunteer monitoring efforts. The manner in which each individual OO conducts these OO activities is important to that overall acceptance. Therefore, it is imperative that you portray your OO activities as being of help and assistance to those with whom you come in contact. This helping role has been a tradition in the OO program since its founding over 50 years ago.

5.2 Advice not Enforcement

The OO must avoid any hint of enforcement. In fact, Public Law 97-259, under which the Amateur Auxiliary is authorized, specifically excludes amateurs from enforcement activities. To be viable and effective, the Amateur Auxiliary must avoid the appearance of enforcement. Before amateurs can be receptive to your help, you must have a clear understanding of your role as one who offers technical and operational advice. You are not one who engages in any form of enforcement. You can go a long way to fostering the kind of rapport necessary to bring about behavioral change (a) if you understand your proper role; and (b) if your entire demeanor and manner of conducting OO business is beyond reproach, totally objective, and delivered in the spirit of assistance. Remember: You are not an enforcer; you are an advisor-helper. OK? For further information on problem solving, see Appendix B — “The Mechanics of Solving Disputes.”

5.3 Projecting the Friendly Spirit on FSD-213

Your principal avenue of communication with the amateurs you monitor is the OO Advisory Notice, FSD-213. This is the form on which you advise amateurs of violations of the rules and of signal discrepancies of a technical nature. How you fill out this advisory notice will make or break the program. Your objective is to bring about compliance with the regulations by friendly persuasion. The printed portion of the form (FSD-213) is intended to appeal to the spirit of cooperation in a friendly manner. For the OO notice to be successfully received and bring about the desired response, the OO must project a caring attitude about the person receiving it. This can be done with a handwritten message in the remarks section to detail the infraction in an objective, friendly manner. And also most importantly, to add a personal note to “soften the blow” of the OO advisory. Words like: “I hope this report will be of help to you. 73” can go a long way to bring about good results. Please follow this procedure in making OO reports. Obviously, a sentence like that could have been printed on the form, but handwriting the message personalizes it and projects the caring concept (as long as it is legible). Make sure that all comments made on advisory reports are either objective factual comments regarding the infraction, or friendly ones as above. Under no circumstances should an OO ever make preaching comments like: “You should know better!” . . . “Follow the rules, you turkey” . . . and the like. These kind of comments are not in

keeping with meeting the objectives of the program.

5.4 Reactions and How to Deal With Them

If you take your OO job too seriously, you may find yourself in an occasional emotional turmoil because of some of the reactions you get in response to your advisory notices. Here are some typical reactions with some discussion of each.

(1) Gratitude for providing the advisory in a friendly tone. This is by far the most common reaction. Such reactions are rewarding, for it's the nice letter from some individual you have helped that can really spark you on to further OO activity.

(2) “It wasn't me, I wasn't on, someone must be bootlegging my call.” Of the few negative comments likely to be received, this is fairly typical, and it *may* mean that you are not using enough care in identification. While it is unlikely that the call was being “bootlegged,” you have no way of knowing whether or not the amateur involved really was on the air then. Since the notice is a friendly advisory, it doesn't matter; it will have done its job anyway. Please note also that the OO report indicates “your call heard.” This is to avoid placing blame, and stress objective reporting of what is heard.

(3) “I paid a thousand dollars for this equipment; it's the best made and you must be wrong.” This is a head-in-the-sand attitude. The amount paid for the equipment is not necessarily a criterion of its technical excellence, and any equipment can be maladjusted or mal-operated. A one-time malfunction is also a very real possibility.

(4) “I don't belong to ARRL and want nothing to do with any of its programs. Who appointed you guardian of the amateur bands?” Fortunately, reactions such as this are rare, but when received the temptation to reply in kind should be resisted. There are amateurs who, having disapproved of something the League is doing or has done, illogically oppose *anything* the League does. It's an “even if it's good, I don't like it” attitude. Don't get embroiled into a “holier than thou” dialogue.

There is something to the old adage “you can lead a horse to water, but you can't make him drink.” Some people can be shown that what they are doing is wrong and causing others a problem. They shrug and go on doing it. The point to remember is that you can't force them to comply. They have to make that decision for themselves. If they persist, in the end, given enough rope, they will usually “hang” themselves. Get satisfaction from those who respond positively to your work!

If you receive more than your share of such defensive comments (or worse yet abusive ones), be sure that you are not to blame. Understand that the natural tendency is for the advisory recipient to be defensive. You must do everything possible to let the recipient know that you are (1) simply reporting a condition relating to radio signals; and that (2) you are not attacking the individual personally. If you are sure that you are following this advice, then you ought not to be troubled by the occasional negative response you may receive.

If you are getting a continual stream of adverse reactions,

you may want to begin to analyze the reactions you are getting, to learn what might be triggering the reactions and how to better deal with certain situations. Advice from your OO Coordinator or Section Manager in this regard would be helpful.

5.5 You, The OO

Not everyone is suited for this kind of activity. You must search within yourself to see if you have the qualities that it takes. Your duties involve service to your fellow amateurs.

While others are busy working the rare DX station, the OO may be off monitoring Novice second harmonics. You have to love to help your fellow amateurs. And the accolades that come your way will be either few or nonexistent. Your reward will come from knowing you are helping. Your efforts will go largely unheralded. If your motivational interest is based on wearing the policeman's badge of authority, then save yourself and the hobby the embarrassment of your participation. But if the OO program is right for you, and you are willing to qualify, GO FOR IT.

Appendix A

Agreement Between
The Federal Communications Commission
Field Operations Bureau
and
The American Radio Relay League, Inc
with respect to amateur volunteers

1. The Field Operations Bureau (FOB) of the Federal Communications Commission (FCC) and the American Radio Relay League, Inc (ARRL) agree to cooperate in a joint effort to improve rules compliance in the Amateur Radio Service, as provided for in Public Law 97.259 (The Communications Amendments Act of 1982).

The objectives of this program are to foster a wider knowledge of and better compliance with laws, rules and regulations governing the Amateur Radio Service, to extend the concepts of self-regulation and self-administration of the Service, while enabling the Field Operations Bureau to efficiently and effectively use its manpower and services.

The FOB has entered into this agreement with the ARRL to avail itself of the services of the League's Field Organization. FOB may elect to enter into other agreements.

Regional Monitoring Stations, or other members of the ARRL Field Organization, as directed by ARRL procedures in each case, are the focal points for liaison and the primary communications channel between organized amateurs and the FOB field facilities. This program, the foundation of which will be the ARRL Official Observers, will be known as the Amateur Auxiliary to the Field Operations Bureau. FOB's Regional Directors are responsible for the overview and the direction of the Amateur Auxiliary program in their regions, in conjunction with designated ARRL field officials, and will jointly review local policies, practices and procedures, and work together, looking to achieve solutions to problems and regional consistency in accordance with FOB's manual for the Amateur Auxiliary which contains basic overall guidance.

2. Under this specific Amateur Auxiliary agreement, FCC personnel and amateur volunteers may interact to perform the following functions:

- a. maintenance monitoring of the Amateur Radio Service frequencies
- b. fostering wider knowledge of the rules
- c. responding to complaints/allegations and developing procedures which emphasize cooperative "no fault"

solutions, and if and when impasses occur, aid and encourage development of solutions through independent mediation

d. signal identification/source location in support of FOB field facilities

e. courtesy Amateur Radio station evaluation (this function can only be activated upon specific approval of an FOB Regional Director)

f. FOB enforcement support (this function can only be activated upon specific approval of an FOB Regional Director)

g. other specific projects as appropriate (information collection, support during emergency operations and so forth).

3. In order for the provisions of paragraph two (2) of this Agreement to be applied in a location where the need is identified by the parties, the FCC field facility supervisor and the designated ARRL Field Organization official may agree to implement any of the functions of the Amateur Auxiliary as outlined above, provided approval for national implementation of that function has been granted and appropriate training material has been prepared, and the appropriate ARRL official has authorized such action as to the specific case under consideration.

4. All prospective members of the Amateur Auxiliary will be required to undergo a training and certification procedure administered by ARRL, and successful completion of such training/certification will be required for enrollment.

5. The above outlined cooperative program is hereby agreed to by the signatories and is in force as of the date indicated below. This agreement may be amended by mutual agreement of both parties and will remain in effect until terminated. FCC/FOB and ARRL will periodically review this agreement and coordinate such revisions as may be necessary. Upon 90 days written notice, this agreement may be terminated by either party.

_____ Date

_____ for FCC

_____ for ARRL

EXHIBIT D

Note—Prior to repeal the sections were added by Stats 1901 ch 274, Stats 1905 ch 287, Stats 1913 ch 570, Stats 1917 ch 780. and amended by Stats 1905 ch 287.

§ 632. [Eavesdropping on confidential communication; Punishment]

(a) Every person who, intentionally and without the consent of all parties to a confidential communication, by means of any electronic amplifying or recording device, eavesdrops upon or records such confidential communication, whether such communication is carried on among such parties in the presence of one another or by means of a telegraph, telephone or other device, except a radio, shall be punishable by fine not exceeding two thousand five hundred dollars (\$2,500), or by imprisonment in the county jail not exceeding one year, or by imprisonment in the state prison, or by both such fine and imprisonment in the county jail or in the state prison. If such person has previously been convicted of a violation of this section or Section 631 or 636, he is punishable by fine not exceeding ten thousand dollars (\$10,000), or by imprisonment in the county jail not exceeding one year, or by imprisonment in the state prison, or by both such fine and imprisonment in the county jail or in the state prison.

(b) The term "person" includes an individual, business association, partnership, corporation, or other legal entity, and an individual acting or purporting to act for or on behalf of any government or subdivision thereof, whether federal, state, or local, but excludes an individual known by all parties to a confidential communication to be overhearing or recording such communication.

(c) The term "confidential communication" includes any communication carried on in such circumstances as may reasonably indicate that any party to such communication desires it to be confined to such parties, but excludes a communication made in a public gathering or in any legislative, judicial, executive or administrative proceeding open to the public, or in any other circumstance in which the parties to the communication may reasonably expect that the communication may be overheard or recorded.

(d) Except as proof in an action or prosecution for violation of this section, no evidence obtained as a result of eavesdropping upon or recording a confidential communication in violation of this section shall be admissible in any judicial, administrative, legislative or other proceeding.

(e) This section shall not apply (1) to any public utility engaged in the business of providing communications services and facilities, or to the officers, employees or agents thereof, where the acts otherwise prohibited herein are for the purpose of construction, maintenance, conduct or operation of the services and facilities of such public utility, or (2) to the use of any instrument, equipment, facility, or service furnished and used pursuant to the tariffs of such a public utility, or (3) to any

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