J. ALEXANDER B. AMBROSENO

J. M. BEUKERS

J. F. CULBERTSON W. N. DEAN

L. D. HIGGINBOTHAM

J. D. ILLGEN V. L. JOHNSON J. P. VAN ETTEN

V. I. WEIHE



WILD GOOSE ASSOCIATION

10 August 1983

MINUTES OF THE 61st MEETING OF THE BOARD OF DIRECTORS

The 61st meeting of the Board was held as scheduled Wednesday, 10 August 1983, in Conference Room 8442, NASSIF Building, 400 Seventh St., SW, Washington, DC.

The following attended:

Directors

C. S. Andren

L. F. Fehlner

D. A. Carter

V. L. Johnson

Members

H. T. Sherman

D. Scull

The number of Directors present did not meet the quorum requirement. A majority of the Executive Committee members were present. The agenda is presented as Exhibit 1.

Item 1 - Call to Order

The meeting was called to order by President Carl Andren at 0945, 10 August 1983.

Andren recognized David Scull for a report on his trip to a meeting of the Experimental Aviation Association (EAA) held in Oshkosh, Wisconsin. Scull reported much interest in loran among EAA members and had to take the brunt of criticism on behalf of the FAA for not moving faster to exploit loran for airborne use.

Item 2 - Secretary's Report

The minutes of the 60th Meeting of the Board was approved as corrected. The following corrections were made:

Item 4.C. Convention - On the third line, change "300" to "200"; on the third and fourth lines, change "other than" to "in addition to".

Fehlner reported on the status of the membership list. The WGA Individual Membership Data Base contains 667 records as of 1 August 83. See Exhibit 2.

Fehlner requested assistance in finding the records of Organization Members and in finding the documentation of our Federal tax status.

Fehlner presented Exhibit 3 for the record in case the WGA entertains involvement in the setting of standards.

Item 3 - Treasurer's Report

Carter presented the Treasurer's Report showing a balance of \$4924.35 as of 10 August 1983. See Exhibit 4. The report was accepted as presented. Carter noted that the New England and Eglin Chapters of the WGA are now inactive and the bank accounts of these chapters should be closed out. All present agreed. Carter agreed to take appropriate action. Johnson also noted that the Chapter Charters should be returned if there is no longer any effective organization. All present agreed. Johnson should negotiate the return of the charters.

Item 4 - Standing Committee Reports

(a) Awards -

No report. Award approvals will have to be by mail or telephone poll of the Directors.

(b) Constitution -

As requested by the Board at its 59th meeting, Johnson presented a draft of a resolution on Board and Executive Committee meetings. See Exhibit 5. This resolution will be presented at the next Board meeting for action. All Director's please note and prepare their position on the matter.

Johnson also presented a proposed By-Laws change designed to clarify the status of members in arrears in dues payments. Johnson moved that the change be adopted. Carter seconded. Members present concurred in approval, but due to lack of a quorum, a mail poll was required. See Exhibit 6.

(c) Convention -

1982 - Carter indicated the expenditure of funds for the 82 convention is essentially complete.

1983 - Carter reported the 83 convention is on schedule. A Banquet speaker is still being sought. The Board meeting is scheduled for 0930 12 October 83.

Sherman indicated a full technical program. Time will not permit presentation of two papers submitted.

(d) Historical - no report

(e) Journal -

The theme for the 83 Journal is Airborne Loran. Andren reported Ambroseno is receiving requests for ad space.

(f) Membership - ·

Fehlner reported that a WGA individual membership data base has been developed and a mailing to all members has been made to request dues and corrections to the records. The mailing was to 589 persons in the U.S. and 70 in foreign countries. See Exhibit 2. Plans were made to call a meeting of the Executive Committee and the Membership Chairman to develop procedures for routing incoming mail and for ensuring high confidence in the accurate keeping of all aspects of membership records. The data base for Organization Membership records has not yet been completed due to difficulty in finding past records.

- (q) Newsletter no report
- (h) Nomination and Elections no report

Item 5 - Special Committee Reports

Carter suggested Government Liaison Committee form a working group to support Mid-Continent Loran-C chain.

Item 6 - New Business

Andren announced on opening still exists for a person to join the ION group which is going to visit Peking, China October 4 to 24. Those interested should call Mr. Tull at 803/681-4549.

Andren plans to attend the RTCA meetings on Loran-C MOPS 15-16 August. See Exhibit 7

Item 7 - Next meeting

The next meeting of the Board will be on Wednesday, 12 October at 0930 at the Convention.

<u>Item 8</u> - Adjournment

The meeting adjourned at 1210 on a motion by Johnson.

Leo F. Fehlner Secretary

LFF:jp

Distribution

Directors Chairmen

C. S. ANDREN President
E. L. McGANN . . . Vice President
L. F. FEHLNER Secretary
D. CARTER Treasurer
J. ALEXANDER

B. AMBROSENO J. M. BEUKERS
J. F. CULBERTSON
W. N. DEAN
L. D. HIGGINBOTHAM

J. D. ILLGEN V. L. JOHNSON J. P. VAN ETTEN

V. I. WEIHE

Exhibit 1



WILD GOOSE ASSOCIATION

August 8, 1983

TO:

WGA Directors and Committee Chairmen

FROM:

WGA President

SUBJECT:

61th Meeting of the Board of Directors

The next Board of Directors meeting will be held Wednesday, August 10, 1983 at 9:30 AM in Conference Room 8442, NASSIF Building, 400 Seventh Street, S.W., Washington, D.C.

AGENDA

- Call to order 1.
- Secretary's Report 2.
- Treasurer's Report 3.
- Standing Committee Reports 4.

a.	Awards	Frank
Ъ.	Constitution	Johnson
c.	Convention	
	1. 1982 Proceeding	Carter
	2. 1983	Carter
d.	Historical	Dean
e.	Journal 1983	Ambroseno
f.	Membership	Fehlner
g.	Newsletter	Illgen
h.	Nominating and Election	Dean

- 5. Special Committee Reports
- 6. New Business
- Establish next meeting date. 7.

Exhibit 2

1 August 1983

Report on the Membership List

Individual Members

U. S. Residents, with address	589	
o. J. Nesidents, with address	J03	
Non-U. S. Residents	70	
Canada 29 Japan 8 Saudi Arabia 6 England 5 France 4 Norway 4 Netherlands 2 West Germany 2 Denmark 2 Israel 1 Hong Kong 1 Belgium 1 Iceland 1 Italy 1 Yugoslavia 1 French Polynesia 1 Austria 1		
Former officials, awardees and honorary members; incomplete data or deceased		
Total Listing	667	

Organization Members (Incomplete records)

Leo F. Fehlner

Le Fehlmer

Standards

Antitrust ruling chills standards setting

A U.S. Supreme Court ruling has clouded standards setting with the threat of antitrust liability

The Supreme Court recently ruled that the American Society of Mechanical Engineers was responsible for the actions of its members who used the ASME standards-interpretation operation to violate antitrust law. The Court approved the assessment of treble damages—more than \$7 million—against the ASME, which, it determined, had granted the members involved "apparent authority" to act on its behalf. The members issued an interpretation of a standard, and their interpretation was used by one company to frustrate the sale of a competing device.

This decision, issued May 17, rocked standards-setting organizations in the United States, including the IEEE, which rely on volunteer experts in various fields to develop and interpret standards. After initial surprise, the various organizations have begun to consider their own operations in terms of easing the legal threat. Fears orginally expressed in a friend-ofthe-court brief filed by the IEEE-one of many such briefs submitted by professional societies-that strict liability would discourage professional societies from working to develop voluntary standards, and perhaps curtail other voluntary activities, are being discussed. Some organizations discount the impact of the ruling, while others are scrambling to tighten their procedures to reduce—but not, they fear, eliminate—the chances of it happening again.

The ASME action that led to the High Court ruling appears insignificant at first glance. The organization had received an inquiry about the interpretation of part of a standard—one of 30 000 such inquiries that it responds to each year. The inquiry, made in writing on April 12, 1971, referred to a 43-word paragraph in the ASME's 18 000-page Boiler and Pressure Vessel Code. This is one of some 400 standards maintained by the group, which itself is one of the nearly 400 U.S. standards-

Tekla S. Perry Associate Editor

setting organizations. (The IEEE also maintains approximately 400 standards.)

It is perhaps surprising that the United States judicial system would spend more than seven years addressing something so small, yet, as the Supreme Court said in its opinion on May 12, 1982, "These codes, while only advisory, have a powerful influence: Federal regulations have incorporated many of them by reference, as have the laws of most states, the ordinances of major cities, and the laws of all the provinces of Canada."

I. The scheme

The paragraph of the code referred to states: "Each automatically fired steam or vapor system boiler shall have an automatic low-water fuel cutoff, so located as to automatically cut off the fuel supply when the surface of the water falls to the lowest visible part of the water-gauge glass." The rule is intended to prevent "dry fires" and boiler explosions.

In April 1971, McDonnell & Miller Inc., Chicago, Ill., which has dominated the market for low-water fuel cutoffs for decades, wrote to the secretary of ASME's Boiler and Pressure Vessel Committee, W. Bradford Hoyt, asking: "Is it permissible to incorporate a time-delay feature in the cutoff so that it will operate after the boiler water level reaches some point below the visible range of the gauge glass?" A competing firm, Hydrolevel Corp., in Farmingdale, N.Y., had entered the market in the mid-1960s with a cutoff that included a time delay, and early in 1971 the Brooklyn Union Gas Co., an important customer, switched from McDonnell & Miller's cutoff to the one made by

The letter was signed by McDonnell & Miller vice president, Eugene Mitchell, and it was written with the help of John W. James, another vice president of the company who also was vice chairman of the ASME subcommittee that would answer the inquiry. The subcommittee chairman, T.R. Hardin, executive vice

president of the Hartford Steam Boiler Insurance Co., also helped draft the letter. The ASME later testified that staff and committee members routinely helped draft inquiries to place them in the language of the code.

The ASME's response to Mr. Mitchell of McDonnell & Miller was dated April 29, 1971. It advised that a low-water cutoff was a safety device and as such should operate immediately when the water level fell to the lowest visible part of the water gauge. With a time-delay feature, the response said, there would be no positive assurance that the water would not fall dangerously low during the delay.

The response was prepared by Mr. Hardin, who, as subcommittee chairman, was empowered to do so without referring his action to the entire subcommittee for approval, provided the response was treated as an "unofficial communication." Secretary Hoyt signed the response and sent it out on ASME stationery. McDonnell & Miller then used the interpretation to discourage customers from using Hydrolevel's product.

Hydrolevel requested and received a copy of the interpretation in February 1972 with, as is the ASME's policy, the name of the inquirer deleted. Hydrolevel's president asked for a correction of the interpretation. The full subcommittee, under the chairmanship of Mr. Hardin, voted to support the intent of Mr. Hardin's interpretation but sent a letter dated June 6, 1972, to Hydrolevel advising that cutoffs with time delays were not expressly prohibited but that they must be positioned to cut off before the water falls out of sight.

On July 9, 1974, the Wall Street Journal published an article describing Hydrolevel's difficulty in trying to sell a fuel cutoff that many in the industry thought to be in violation of the ASME's code. The article suggested "close ties between a dominant company in an industry and the professional society that serves as its watchdog." The ASME's Professional

Practice Committee investigated and held that all ASME officials had acted properly, passing a resolution in praise of Mr. James' conduct.

The Senate Subcommittee on Antitrust and Monopoly addressed the issue in March 1975 in hearings on voluntary standards and certification, and Hydrolevel subsequently sued ITT (which by then owned McDonnell & Miller) and the Hartford Steam Boiler Inspection and Insurance Co., alleging Sherman Antitrust Act violations. ITT and Hartford settled for a total of \$800 000.

II. The trial

The ASME remained the sole defendant in the case, and a jury trial began on Jan. 22, 1979, in the U.S. District Court, Eastern District of New York, before Judge Jack Weinstein. Before the trial began, Hydrolevel went out of business, selling all its assets except its interest in the case.

Witnesses from Hydrolevel testified that the company had been hurt by the standards interpretation. Hydrolevel's counsel, Donald J. Williamson, introduced an expert witness from another company to show that not only did Hydrolevel's product meet the standards, but that it was better than McDonnell & Miller's cutoff.

"How do you keep a product which is not attractive on the marketplace?" Mr. Williamson argued before the court, referring to the McDonnell & Miller cutoff. "You can only do it by stiff arms, by blocks."

He charged that McDonnell & Miller had positioned Mr. James, its vice president, on the ASME subcommittee and that this "was the only reason for this product—this basically piece of junk—remaining on the market."

Hydrolevel also attempted to show that the ASME's own rules governing requests for interpretations—either handled by the staff secretary if a precedent existed or referred to the full subcommittee and then to the main committee if there was no precedent—were not followed in this case.

The ASME's lawyer, Louis Stanton, called on witnesses from the ASME and other organizations to show the possible danger of a device that incorporates a time delay, as well as to prove that the ASME's procedures had been properly followed. The ASME's response to McDonnell & Miller, Mr. Stanton argued, was "a sensible reading of the code."

William B. Parker, chairman of the Uniform Boiler and Pressure Vessel Law Society, a nonprofit group formed to promote adoption of the ASME code, testified on the violent boiler explosions early in the century and the effectiveness of the ASME code in reducing such failures.

Melvin Green, ASME managing director of codes and standards, told the Court that the group's purpose was to protect the public health, safety, and welfare and that it answered inquiries as a public service.

On Jan. 30, 1979, the jury decided that ASME was liable. A second trial covering damages then began on Feb. 2, 1979.

"The original jury's view," said Richard Parsons, a lawyer with Patterson, Belknap, Webb & Tyler of New York who handled the ASME's appeals in the case, "was that ASME wrapped itself around the miscreants. It didn't take appropriate action before or after [the suit was filed] to divorce itself from them."

In the trial on damages to Hydrolevel, the jury awarded \$3.3 million, which, tripled as provided for in the Sherman Antitrust Act, would have amounted to \$9.9 million. However, Judge Weinstein ruled that the \$800 000 in settlements paid by the two other defendants should be deducted prior to trebling, resulting in \$7.5 million in damages. In addition, the judge refused to award Hydrolevel's attorneys their fees, as provided for under antitrust law.

III. The appeals

The ASME quickly took its case to the Second Circuit Court of Appeals, arguing that the evidence was insufficient to uphold liability. Hydrolevel crossappealed on the issue of damages, asking that the \$800 000 already paid be deducted after the damages had been trebled, not before, and that the ASME pay Hydrolevel's legal fees. The court found in favor of Hydrolevel on these points but ruled that the damages award itself was excessive and should be reconsidered in a new trial.

The Appeals Court did something else that neither side expected. It did not decide whether the evidence was sufficient to demonstrate that the ASME had ratified its agents' actions or that the agents had acted to advance the ASME's interests. Instead, it concluded that the organization could be held liable merely if its agents had acted within the scope of their apparent authority.

"The Court of Appeals determined that under the 'apparent authority' argument there was no need to show benefit to ASME," said Hydrolevel's attorney, Stephen Murphy of Metzger, Shadyac & Schwarz, in Washington, D.C. This was, he said, "what Hydrolevel had wanted all

along, but this was not the issue that either party had briefed or argued" before the Appeals Court.

The ASME then took its case to the Supreme Court. Hydrolevel also petitioned for review, asking that the original damages be sustained, but was turned down.

In its 6-to-3 decision on May 17, 1982, the Supreme Court held ASME liable for the acts of its agents if the acts were conducted under the "apparent authority" of ASME. Justice Harry A. Blackmun, who wrote the majority opinion with Justices William J. Brennan Jr., Thurgood Marshall, John Paul Stevens, and Sandra Day O'Connor, said: "When ASME's agents act in its name, they are able to affect the lives of large numbers of people and the competitive fortunes of businesses throughout the country. By holding ASME liable under the antitrust laws for the antitrust violations of its agents com-, mitted with apparent authority, we recognize the important role of ASME and its agents in the economy, and we help to insure that standards-setting organizations will act with care when they permit their agents to speak for them."

The Court majority said that even if the two volunteer members had acted without the knowledge of the ASME or the intent to benefit the organization, the acts of those members, being within their apparent authority, were sufficient to render the ASME liable to Hydrolevel.

Justice Blackmun wrote: "When it cloaks its subcommittee officials with the authority of its reputation, ASME permits those agents to affect the destinies of businesses and thus gives them the power to frustrate competition in the market-place. Only ASME can take systematic steps to make improper conduct on the part of all its agents unlikely, and the possibility of civil liability will inevitably be a powerful incentive for ASME to take those steps."

Chief Justice Warren E. Burger concurred in the majority's conclusion but not in its reasoning. He emphasized that "at no time did petitioner disavow the challenged conduct of its members who misused their positions in the society." He said that the Court should affirm the jury's finding that the ASME had "ratified or adopted" the actions of the volunteers but should not draw a general rule based on apparent authority.

Justice Lewis F. Powell Jr., with Justices Byron R. White and William H. Rehnquist, disagreed with applying strict liability to nonprofit organizations. They objected particularly to the antitrust judg-

ment, with its "crippling burden of treble damages," and called the majority opinion "unprecedented." They said that the judgment had "no relevance to the furtherance of the purposes of the antitrust laws" because "the ASME is not a competitor."

Based on the rationale of the majority, the dissenters concluded, "there is no way in which an association can adequately protect itself from this sort of liability," because there is no chain of delegated authority from stockholders through directors and officers in the typical voluntary association."

Encouraged by the forcefulness of the dissent, the ASME petitioned the Supreme Court for a rehearing. That petition was denied.

IV. The effects

Most standards-setting organizations are rallying against the "apparent authority" conclusion of the Court, though it may take another test case to determine how far the precedent will go.

Donald Turner of the law firm Wilmer, Cutler & Pickering in Washington, D.C., a former Harvard Law School professor and specialist in antitrust law, said: "As is often the case with an opinion that sounds far-reaching, it is difficult to tell where it will go. Historically, when the Court has taken a position that sounds extreme and a case comes up in which it doesn't make sense to go that far, the Court can work its way round its decision, indicating that it wasn't meant so broadly. But until then, of course, associations have to worry that it would be applied broadly."

Most standards-setting organizations do not appear terribly upset by the ruling. No standards-setting operations have been halted, and no volunteers are quitting. However, the groups have been quietly—and quickly—trying to tighten their procedures to ensure that, even if the next case shows that the ruling is no real problem, the test case won't involve them:

"An association can't lose if it takes steps to protect itself," Mr. Turner said. "If the Court opinion means that associations are liable no matter what they do to protect themselves against abuse, then the Court has gone too far. But associations should take steps to minimize the chances of abuse occurring and to strengthen their position in any future case."

Most standards organizations did not wait for the Supreme Court opinion before taking corrective steps. Action has already been taken, for example, by the American National Standards Institute (ANSI), which oversees, according to its

counsel William Rockwell, 95 percent of the voluntary, private-sector standards developed in the U.S. and represents the U.S. to major, nontreaty-based, international standards-making bodies.

Mr. Rockwell said ANSI was considering publishing a list of interpretations, as well as its current list of standards. On another question, that of who is authorized to speak for a society, he suggests that organizations list those who are authorized to make official interpretations.

The ASME has begun publishing interpretations of standards, as well as the standards themselves. According to Mr. Green, the organization is considering eliminating the responses to telephone inquiries now given when there is a precedent for an interpretation, but it is hesitant to do so because of people's need for timely technical information.

V. Beyond ASME

The IEEE's staff director for standards, Sava Sherr, said that the IEEE had changed its interpretation procedures in the early days of the suit against the ASME. "We never ran into any problem," he explained, "but after the ASME case began, we realized our procedures of referring callers inquiring about a standard to the chairman of the appropriate committee was putting him on the spot, and recognized that it would be possible for the chairman to misuse the process. We now ask for a written interpretation developed by a representative group of committee members. This guarantees that it's not done in a dark closet."

The National Fire Protection Association, which maintains approximately 250 standards, including the National Electrical Code, has both formal interpretations, handled at the subcommittee level and voted on, and informal interpretations issued by the chairman of a committee or staff member.

"About a year ago, when we saw how this ASME case was going," said Richard E. Stevens, the organization's vice president and chief engineer, "we required that each informal opinion include a statement that it is not the opinion of NFPA or its committees."

The American Nuclear Society, according to James Mallay, chairman of its standards steering committee, has done a number of things to try to protect against abuse of its standards operation, which has over 1300 volunteers who develop standards dealing with every aspect of nuclear power plant systems. "Regardless of how the ASME case was going to turn out," he said, "it was obvious that we'd

want to review our operations. Procedures for handling interpretations which employ a consensus process were reaffirmed in 1980,"

The society has also improved its management procedures, Mr. Mallay said, instituting a logging system to keep track of who handles various actions.

The American Society of Civil Engineers is being even more cautious than most standards-setting organizations. It is not making any official standards moves until it is insured against liability. The society started its standards activity in 1875 and dropped out in the early 1900s, but began a small-scale standards program in 1980.

"We will have liability insurance—for the members of committees, as well as of the society—shortly," said Edwin Jones, staff managing director for technical activities in the ASCE. "Our first standard is finished, but we are withholding publication until we're covered."

VI. Beyond standards

The various professional associations, including the IEEE, are hesitant to speculate about the broader applications of the "apparent authority" rule—applications that extend well beyond standards setting—for fear of giving would-be plaintiffs ideas. Justice Powell stated the danger in his dissenting opinion:

"How far the Court's holding extends is unclear. The Court emphasizes that ASME is a standards-setting organization. Yet it [the Court] does not limit its rationale to these particular organizations. One must be concerned whether the new doctrine and the sweep of the Court's language will be read as exposing the array of nonprofit associations—professional, charitable, educational, and even religious—to a new theory of strict liability in treble damages."

He suggested one possible extreme application of the precedent: holding a non-profit organization liable if a building employee pilfered official stationery and supplied it to a company that then used the stationery to imply that the society endorsed the company's actions.

In a friend-of-the-court brief, the IEEE stated that the Court of Appeals rule threatened the curtailment of technical, publication, and educational programs that societies undertake in the public interest, as well as standards setting.

All the standards-writing organizations agree, however, that while tighter procedures can help prevent problems, it is impossible to protect themselves against intentional fraud if a deceiver is clever enough.

C. S. ANDREN President E. L. McGANN . . . Vice President L. F. FEHLNER Secretary D. CARTER Treasurer
J. ALEXANDER

B. AMBROSENO

J. M. BEUKERS J. F. CULBERTSON

W. N. DEAN L. D. HIGGINBOTHAM

J. D. ILLGEN
V. L. JOHNSON
J. P. VAN ETTEN
V. I. WEIHE

Exhibit 4



WILD GOOSE ASSOCIATION

TREASURER'S REPORT AUGUST 10, 1983

Previous Balance

\$4328.63

TRANSACTIONS

Receipts

Dues

Journal Ads

\$133.00

500.00 633.00

4961.63

Expenditures

Mailing Labels

\$ 37.28

4924.35

Balance as of August 10, 1983:

\$4924.35

Submitted:

Approved:

Board of Directors

David A. Carter

Treasurer

Leo F. Fehlner

Secretary

Resolution by the Board of Directors

- 1. The Board requests that the Executive Committee give increased attention to the administration of the affairs of the Association in accordance with Article VII, Section 4 of the Constitution.
- 2. Following from (1) above, the Board requests that the President schedule a minimum of three board meetings each year in accordance with the following guidelines:
 - a. Board Approvals Required According to the By-Laws, Article IV, Sections 4 and 5, the Board must review and approve the nominations presented by the Nominations and Election Committee in the period of 1 April to 31 May, and early enough to allow mailing of the ballots by 31 May. Also according to the By-Laws, Article XI, Section 1, and Article IX, Section 3, the Board must approve the President's Award and Honorary Memberships prior to award at the Convention.
 - b. Board meeting concurrent with the Convention a consensus has been established for a meeting at this time.
 - c. Fixed meeting date scheduled well in advance at least one month notice is required.
 - d. Planned Agenda to allow the Directors to prepare their positions or instruct their delegates.
 - e. Meeting Dates following from (a) the months of April and

 July are indicated. The second Monday of the month should be

 selected unless circumstances dictate otherwise. Following

 from (b) the month of September or October is required.

C. S. ANDREN President E. L. McGANN Vice President L. F. FEHLNER Secretary D. CARTER Treasurer

J. ALEXANDER B. AMBROSENO J. M. BEUKERS J. F. CULBERTSON W. N. DEAN L. D. HIGGINBOTHAM J. D. ILLGEN

V. L. JOHNSON J. P. VAN ETTEN

V. I. WEIHE

Exhibit 6



WILD GOOSE ASSOCIATION

Secretary 118 Quaint Acres Drive Silver Spring, MD 20904

TO:

WGA Directors

FROM:

WGA Secretary

SUBJECT:

Vote on By-Laws Change

REFERENCE:

(a) 61st Board Meeting, 10 Aug 1983

Members present at the Board meeting, Reference (a) agreed on a By-Laws change to clarify the status of a member's membership as affected by the currency of her/his dues payments. It was proposed that the following sentence be added to Article VII, Section 2 of the By-Laws:

> If dues are not paid by 1 September, the member shall be suspended for a period of 16 months during which time payment of two (2) years dues will restore membership for the 16-month period.

Since the number of Board members present did not constitute a quorum, a motion to adopt this proposal must be acted on by mail. Therefore please mark 'yes' for, or 'no' against such a motion to adopt.

Yes

No

Please return your vote to the Secretary as soon as possible.

Leo F. Fehlner

LFF:jp

This copy for the record only. Do not use to vote.



TRADIO TERMINORE COMMERCIAL FOR RESOLVENIES

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Exhibit 7

RTCA Paper No. 217-83/SC137-135 July 15, 1983

FOURTEENTH MEETING

Special Committee 137

AIRBORNE AREA NAVIGATION SYSTEMS (2D and 3D)

DATE: August 17-19, 1983

TIME: 9:30 a.m.

PLACE: RTCA Conference Room, 1425 K Street, N.W., Suite 500, One McPherson

Square, Washington, D.C. 20005

AGENDA

- 1. Chairman's Remarks.
- 2. Approval of Thirteenth Meeting's Minutes, RTCA Paper No. 187-83/SC137-121 (previously distributed).
- 3. Review Status of EUROCAE WG-13's 8th Draft of the Minimum Operational Performance Requirements for Airborne Area Navigation Systems, Based on Two DME's as Sensors.
- 4. Working Group Chairman Reports on the Status of the:

b. Omega/VLF RNAV MOPS.

- 5. Review the Fifth Draft of the Multi-Sensor RNAV MOPS, RTCA Paper No. 188-83/SC137-132 (previously distributed).
- Task Assignments.
- 7. Other Business.
- 8. Date and Place of Next Meeting.

NOTES: The Omega/VLF Working Group will meet August 16, 1983 at NBAA, One Farragut Square South, Washington, D.C., starting at 9:30 a.m.

The LORAN-C Working Group will meet August 15-16, 1983 at FAA Headquarters, 800 Independence Ave., Room 6C, Washington, D.C., Starting at 9:30-a.m.