

URGENT

From: Nathan Zelif (zlaw@taxsos.com)

To: patrick.webre@fcc.gov; laura.smith@fcc.gov; zlaw@taxsos.com

Date: Tuesday, August 11, 2026 at 09:56 AM PDT

Dear Mr. Webre ad Ms. Smith:

Neither of you have answered the question as to which rule we are to follow with respect to the Shingletown Emergency Radio Plan. Do we follow Ms. Smith's Rules or the FCC Rules?

Ms. Smith was asked a simple question which she refuses to answer:

The Hypothetical is again stated:

Can a non-ham use a ham frequency in order to save human life in an emergency. For illustration, assume a Ham and his wife are driving and have an auto accident. The Ham operator (husband) dies on impact. The wife is going to bleed to death without immediate medical attention, but she is not a licensed Ham operator. The Ham radio is working and she can reach it. The cell phone has no reception. Issue: Can the wife use the Ham radio to call for help?

The answer is either: Yes, or No.

Again, the above is real simple, it is either "yes" or "no".

Ms. Smith has paralyzed an existing operating Emergency Radio Plan for Shingletown. This plan has actually dealt with wildfires, house fires, evacuation, etc...).

Ms. Smith has threatened Zelif with "potential enforcement action due to your continued and willful violation of our rules". This is even though her unlawful dictates were immediately complied with. All operators were told that non hams can't use the repeaters even for an emergency. They were advised that I was working with the FCC on this matter.

However, no one at the FCC (Smith or Webre) is making any attempt at good faith resolution while we face high risk of being burned out by wildfire with people dying.

Ms. Smith has now stated 3 different rule versions:

1. "Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue

EXHIBIT F Page 1 OF 23

AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience."

NOT
Actual
FCC
Rule!

Ms. Smith used the above "rule" to claim Zeliff violation of FCC rules concerning the Village Fire, with threats of enforcement action against Zeliff.

2. "97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide **essential communication** needs in connection with the immediate safety of human life and immediate protection of property **when normal communication systems are not available.**"; and

3. "there is no situation where the amateur rules would authorize unlicensed use." "...an unlicensed individual may not operate an amateur radio under any circumstances. If they do so, they are in violation of the Communications Act and the Commission's rules and subject to a possible enforcement action."

SMITH
MADE
THIS
UP,
NOT
FCC
Rule

In conclusion:

1. Specifically, which of the above rules do we follow: and
2. Please answer the simple question in the hypothetical above.

SMITH
Refused
to
answer

These matters are of an urgent nature as we face continuing threat of wild fire, people being trapped, roads blocked by fire, and death.

"The national preparedness scale runs from 1 to 5. Level 5 — the highest — is declared when fire activity has consumed national resources to a degree that additional fires cannot be staffed without pulling personnel from existing incidents or requesting international assistance. At this level, resources are prioritized based on values at risk, with the most threatening fires to human life and communities receiving first call on scarce assets.

(see <https://nwfirewatch.com/article/nation-at-preparedness-level-5-over-30000-firefighters-deployed-to-94-large-fires-nationwide>).

Awaiting your urgent reply.

Thank you.

Nathan Zeliff,
Attorney at Law

F PAGE 2

Re: [EXTERNAL]: Emergency Communications

From: Nathan Zelif (zlaw@taxsos.com)

To: laura.smith@fcc.gov

Date: Tuesday, August 11, 2026 at 08:11 AM PDT

I asked you a specific question and the answer is either "yes" or "no".

Real simple.

Nathan Zelif
Attorney at Law

On Tuesday, August 11, 2026 at 07:57:01 AM PDT, Laura Smith <laura.smith@fcc.gov> wrote:

We have been over this many times and the answer is not going to change.

Section 301 of the Communications Act of 1934 states: No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio (a) from one place in any State, Territory, or possession of the United States or in the District of Columbia to another place in the same State, Territory, possession, or District; or (b) from any State, Territory, or possession of the United States, or from the District of Columbia to any other State, Territory, or possession of the United States; or (c) from any place in any State, Territory, or possession of the United States, or in the District of Columbia, to any place in any foreign country or to any vessel; or (d) within any State when the effects of such use extend beyond the borders of said State, or when interference is caused by such use or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders, or from any place beyond its borders to any place within said State, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the borders of said State; or (e) upon any vessel or aircraft of the United States (except as provided in section 303(t) of this title); or (f) upon any other mobile stations within the jurisdiction of the United States, except under and in accordance with this chapter and with a license in that behalf granted under the provisions of this chapter.

Here is a link to the Enforcement Bureau's web site with further information: [Unlicensed Operation or Operation at Variance with License: Wireless Radio Services, Submarine Cables, and Satellite Services | Federal Communications Commission.](#)

We are now done with this conversation and your many attempts to try to get a different answer is not going to be successful. Again, you are welcome to file a Petition for Declaratory Ruling seeking further clarification. But there will be no different answer via a staff email so that you can justify a violation of either the Act or the Commission's rules.

We are now done with this conversation Mr. Zelif. Feel free to put any further questions/comments/suggestion in writing and file them with the Office of the Secretary.

Laura Smith

F Page 3

From: Nathan Zelif <zlaw@taxsos.com>

Sent: Tuesday, August 11, 2026 10:48 AM

To: Patrick Webre <Patrick.Webre@fcc.gov>; Laura Smith <Laura.Smith@fcc.gov>; Nathan Zelif <zlaw@taxsos.com>

Subject: [EXTERNAL]: Emergency Communications

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Ms. Smith, you have not answered the question as to which rule we are to following with respect to the Shingletown Emergency Radio Plan we are to actually follow. That is, your Rules or the FCC Rules.

So, real simply, here is a question which should clear this up:

Can a non-ham use a ham frequency in order to save human life in an emergency. For illustration, assume a Ham and his wife are driving and have an auto accident. The Ham operator (husband) dies on impact. The wife is going to bleed to death without immediate medical attention, but she is not a licensed Ham operator. The Ham radio is working and she can reach it. The cell phone has no reception. Issue: Can the wife use the Ham radio to call for help?

The answer is either: Yes, or No.

Thank you.

Nathan Zelif,
Attorney at Law

F page 4

RE: [EXTERNAL]: Emergency Communications

From: Laura Smith (laura.smith@fcc.gov)
To: zlaw@taxsos.com; patrick.webre@fcc.gov
Cc: michael.rhodes@fcc.gov; lark.hadley@fcc.gov
Date: Tuesday, August 11, 2026 at 07:57 AM PDT

We have been over this many times and the answer is not going to change.

Section 301 of the Communications Act of 1934 states: No person shall use or operate any apparatus for the transmission of energy or communications or signals by radio (a) from one place in any State, Territory, or possession of the United States or in the District of Columbia to another place in the same State, Territory, possession, or District; or (b) from any State, Territory, or possession of the United States, or from the District of Columbia to any other State, Territory, or possession of the United States; or (c) from any place in any State, Territory, or possession of the United States, or in the District of Columbia, to any place in any foreign country or to any vessel; or (d) within any State when the effects of such use extend beyond the borders of said State, or when interference is caused by such use or operation with the transmission of such energy, communications, or signals from within said State to any place beyond its borders, or from any place beyond its borders to any place within said State, or with the transmission or reception of such energy, communications, or signals from and/or to places beyond the borders of said State; or (e) upon any vessel or aircraft of the United States (except as provided in section 303(t) of this title); or (f) upon any other mobile stations within the jurisdiction of the United States, except under and in accordance with this chapter and with a license in that behalf granted under the provisions of this chapter.

Here is a link to the Enforcement Bureau's web site with further information: [Unlicensed Operation or Operation at Variance with License: Wireless Radio Services, Submarine Cables, and Satellite Services | Federal Communications Commission](#).

We are now done with this conversation and your many attempts to try to get a different answer is not going to be successful. Again, you are welcome to file a Petition for Declaratory Ruling seeking further clarification. But there will be no different answer via a staff email so that you can justify a violation of either the Act or the Commission's rules.

We are now done with this conversation Mr. Zelif. Feel free to put any further questions/comments/suggestion in writing and file them with the Office of the Secretary.

Laura Smith

From: Nathan Zelif <zlaw@taxsos.com>
Sent: Tuesday, August 11, 2026 10:48 AM
To: Patrick Webre <Patrick.Webre@fcc.gov>; Laura Smith <Laura.Smith@fcc.gov>; Nathan Zelif <zlaw@taxsos.com>
Subject: [EXTERNAL]: Emergency Communications

F Page 5

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Ms. Smith, you have not answered the question as to which rule we are to following with respect to the Shingletown Emergency Radio Plan we are to actually follow. That is, your Rules or the FCC Rules.

So, real simply, here is a question which should clear this up:

Can a non-ham use a ham frequency in order to save human life in an emergency. For illustration, assume a Ham and his wife are driving and have an auto accident. The Ham operator (husband) dies on impact. The wife is going to bleed to death without immediate medical attention, but she is not a licensed Ham operator. The Ham radio is working and she can reach it. The cell phone has no reception. Issue: Can the wife use the Ham radio to call for help? The answer is either: Yes, or No.

Thank you.

Nathan Zelif,
Attorney at Law

F Page 6

RE: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

From: Laura Smith (laura.smith@fcc.gov)
To: zlaw@taxsos.com; patrick.webre@fcc.gov
Cc: michael.rhodes@fcc.gov; lark.hadley@fcc.gov
Date: Tuesday, August 11, 2026 at 04:14 AM PDT

Mr. Zeliff: The question was answered and has been answered for you by both me and the Wireless Telecommunications Bureau - repeatedly.

The rule is clear on its face. If a licensed amateur needs to use a frequency other than that for which he/she is licensed (for example a Part 90 frequency): it must be an immediate safety of life or property issue and no other form of communications are available.

There is no circumstance under which an unlicensed individual may use an amateur radio frequency (or any other frequency). Section 301 of the Communications Act is clear on this issue. An individual must have a license to operate.

We are not going to continue this back and forth via email. As I told you before, if you feel that this rule has been incorrectly interpreted by myself and the staff of the Wireless Telecommunications Bureau, you may file a Petition for Declaratory Ruling with the Office of the Secretary. That petition will be sent to the Wireless Bureau and they will provide you with a written explanation regarding the interpretation of the rule.

Laura Smith

From: Nathan Zeliff <zlaw@taxsos.com>
Sent: Monday, August 10, 2026 6:35 PM
To: Laura Smith <Laura.Smith@fcc.gov>; Patrick Webre <Patrick.Webre@fcc.gov>
Subject: Re: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

Dear Mr. Webre and Ms. Smith:

Ms. Smith's e-mail is not responsive to the issue asked.

WHICH IS THE RULES SET FORTH BELOW IS TO BE FOLLOWED?

Specifically, The LAURA SMITH RULE IS STATED AS:

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue

F page 7

AND **no other form of communications is available.** Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement.

Rule 97.403 states:

97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide **essential communication needs** in connection with the immediate safety of human life and immediate protection of property **when normal communication systems are not available.**

The question is again asked. Which of the above is the rule ?

Thank you.

Nathan Zelif

Attorney at Law

On Monday, August 10, 2026 at 12:51:01 PM PDT, Laura Smith <laura.smith@fcc.gov> wrote:

Mr. Zelif:

Here is the full text of my email to you:

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience.

97.403 Safety of life and protection of property.

2nd PART IS
NOT the FCC Rule.
SMITH MADE
IT UP.

F PAGE 8

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.

I also note that the Wireless Bureau issued an advisory on this very issue. Here is a link for your convenience: <https://www.fcc.gov/wildfire-communications-advisory>.

Additionally, I understand that the Wireless Bureau has spoken to you regarding this issue several times. Their position is – and remains - that 97.403 and 405 do not trump the statutory licensing requirement under the Act. In other words there is no situation where the amateur rules would authorize unlicensed use. Sections 97.403 and 97.405, which are in subpart E of the Amateur rules, appear to have been added to eliminate the content and technical restrictions placed on the service during emergencies to allow amateur operators some flexibility without undermining the nature of the service. The rule also refers to an “amateur station” which under the Act is defined as follows: The term “amateur station” means a radio station *operated by a duly authorized person* interested in radio technique solely with a personal aim and without pecuniary interest.

This means that an unlicensed individual may not operate an amateur radio under any circumstances. If they do so, they are in violation of the Communications Act and the Commission's rules and subject to a possible enforcement action.

I trust this answers your question.

Laura Smith

yes, had communications during 2020 & 2021 when FCC lied about actual FCC rules get a congressman involved! SEE Exh H & I J, K, L, M.

From: Nathan Zelif <zlaw@taxsos.com>

Sent: Monday, August 10, 2026 3:21 PM

To: Patrick Webre <Patrick.Webre@fcc.gov>

Cc: Laura Smith <Laura.Smith@fcc.gov>; Nathan Zelif <zlaw@taxsos.com>

Subject: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Dear Mr. Webre:

Please refer to my letter of August 10, 2026, which is attached.

Thank you.

Nathan Zelif
Attorney at law
Founder Shingletown Emergency Radio / Fire Alert Safety Team

F Page 9

Re: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

From: Nathan Zelif (zlaw@taxsos.com)
To: laura.smith@fcc.gov; patrick.webre@fcc.gov
Date: Monday, August 10, 2026 at 03:34 PM PDT

Dear Mr. Webre and Ms. Smith:

Ms. Smith's e-mail is not responsive to the issue asked.

WHICH IS THE RULES SET FORTH BELOW IS TO BE FOLLOWED?

Specifically, The LAURA SMITH RULE IS STATED AS:

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue

AND **no other form of communications is available.** Both parts must be satisfied and your email explanation did not satisfy the

second part of the rule requirement.

Rule 97.403 states:

97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of

radiocommunication at its disposal to provide **essential**

communication needs in connection with the immediate safety of human

life and immediate protection of property **when normal**

communication systems are not available.

The question is again asked. Which of the above is the rule ?

Thank you.

Nathan Zelif
Attorney at Law

On Monday, August 10, 2026 at 12:51:01 PM PDT, Laura Smith <laura.smith@fcc.gov> wrote:

Mr. Zelif:

Here is the full text of my email to you:

F page 10

ZELIFF
Response
X SMITH
EMAIL
8-10-2026
12:51 PM
PDT

Which is
the Rule?

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience.

97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.

I also note that the Wireless Bureau issued an advisory on this very issue. Here is a link for your convenience: <https://www.fcc.gov/wildfire-communications-advisory>.

Additionally, I understand that the Wireless Bureau has spoken to you regarding this issue several times. Their position is – and remains - that 97.403 and 405 do not trump the statutory licensing requirement under the Act. In other words there is no situation where the amateur rules would authorize unlicensed use. Sections 97.403 and 97.405, which are in subpart E of the Amateur rules, appear to have been added to eliminate the content and technical restrictions placed on the service during emergencies to allow amateur operators some flexibility without undermining the nature of the service. The rule also refers to an "amateur station" which under the Act is defined as follows: The term "amateur station" means a radio station *operated by a duly authorized person* interested in radio technique solely with a personal aim and without pecuniary interest.

This means that an unlicensed individual may not operate an amateur radio under any circumstances. If they do so, they are in violation of the Communications Act and the Commission's rules and subject to a possible enforcement action.

I trust this answers your question.

Laura Smith

From: Nathan Zelif <zlaw@taxsos.com>

Sent: Monday, August 10, 2026 3:21 PM

To: Patrick Webre <Patrick.Webre@fcc.gov>

Cc: Laura Smith <Laura.Smith@fcc.gov>; Nathan Zelif <zlaw@taxsos.com>

Subject: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Dear Mr. Webre:

Please refer to my letter of August 10, 2026, which is attached.

F Page 11

Thank you.

Nathan Zelif
Attorney at law
Founder Shingletown Emergency Radio / Fire Alert Safety Team



It Webre FCC Enforcement Bureau Chief 2026 08 10 (003).pdf
1.4 MB

F Page 12

RE: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

From: Laura Smith (laura.smith@fcc.gov)
To: zlaw@taxsos.com; patrick.webre@fcc.gov
Cc: michael.rhodes@fcc.gov; lark.hadley@fcc.gov
Date: Monday, August 10, 2026 at 12:51 PM PDT

ANZ
Writing on copied
SMITH Response
8-10-2026
12:51 PM
PDT

Mr. Zeliff:

Here is the full text of my email to you:

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience.

NOT ACTUAL
FCC Rule
SMITH
Changed
HA Rule

97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.

Actual
Rule

I also note that the Wireless Bureau issued an advisory on this very issue. Here is a link for your convenience: <https://www.fcc.gov/wildfire-communications-advisory>.

Printed
out

Additionally, I understand that the Wireless Bureau has spoken to you regarding this issue several times. Their position is – and remains - that 97.403 and 405 do not trump the statutory licensing requirement under the Act. In other words there is no situation where the amateur rules would authorize unlicensed use. Sections 97.403 and 97.405, which are in subpart E of the Amateur rules, appear to have been added to eliminate the content and technical restrictions placed on the service during emergencies to allow amateur operators some flexibility without undermining the nature of the service. The rule also refers to an "amateur station" which under the Act is defined as follows: The term "amateur station" means a radio station operated by a duly authorized person interested in radio technique solely with a personal aim and without pecuniary interest.

This means that an unlicensed individual may not operate an amateur radio under any circumstances. If they do so, they are in violation of the Communications Act and the Commission's rules and subject to a possible enforcement action.

NOT
AN
FCC
Rule

I trust this answers your question.

Laura Smith

F Page 13

From: Nathan Zelif <zlaw@taxsos.com>

Sent: Monday, August 10, 2026 3:21 PM

To: Patrick Webre <Patrick.Webre@fcc.gov>

Cc: Laura Smith <Laura.Smith@fcc.gov>; Nathan Zelif <zlaw@taxsos.com>

Subject: [EXTERNAL]: Regulation 97.403 and Emergency Communications Plan

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Dear Mr. Webre:

Please refer to my letter of August 10, 2026, which is attached.

Thank you.

Nathan Zelif

Attorney at law

Founder Shingletown Emergency Radio / Fire Alert Safety Team



It Webre FCC Enforcement Bureau Chief 2026 08 10 (003).pdf
1.4 MB

EXHIBIT
F, pages 16, 17, 18

F PAGE 14

Regulation 97.403 and Emergency Communications Plan

From: Nathan Zelif (zlaw@taxsos.com)

To: patrick.webre@fcc.gov

Cc: laura.smith@fcc.gov; zlaw@taxsos.com

Date: Monday, August 10, 2026 at 12:21 PM PDT

Dear Mr. Webre:

Please refer to my letter of August 10, 2026, which is attached.

Thank you.

Nathan Zelif
Attorney at law
Founder Shingletown Emergency Radio / Fire Alert Safety Team



It Webre FCC Enforcement Bureau Chief 2026 08 10.pdf
1.4 MB

F PAGE 15

**LAW OFFICE OF
A. NATHAN ZELIFF**
P.O. Box 729
Shingletown, CA 96088

TEL: (530) 474-3267 [land line] [call before faxing]
zlaw@taxsos.com

August 10, 2026

URGENT – IMMEDIATE ATTENTION REQUESTED

Via e-mail: Patrick.webre@fcc.gov (attempted to FAX but our Area Land Lines not working)

Patrick Webre
FCC Enforcement Bureau Chief

cc: Laura Smith. E-mail: laura.smith@fcc.gov

RE: Wildfires and Shingletown Emergency Radio Plan / Fire Alert Safety Team

Dear Sir:

With respect to Regulation Section 97.403 please advise as to which version of the rule we are to follow. This concerns a House Fire in Shingletown (total destruction) and Emergency Radio Communications for an established and operating Emergency Radio Communications Plan for the Shingletown Area.

Laura Smith has stated her version to be as follows:

“Section 97.403 of the Commission’s rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an “immediate” safety of life or protection of property issue AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience.” (underline emphasis added).

The Actual Section 97.403:

“No provision of these rules prevents the use by an amateur station of any means of radio communication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.” (underline emphasis added).

Which version of Section 97.403 are we to follow? Please advise.

F Page 16

The above issue presented itself during a House Fire in the Village. As stated in my prior communications to ARRL and Laura Smith:

BEGINNING OF QUOTATIONS ABOUT HOUSE FIRE – PRIOR COMMUNICATIONS:

"I am providing this to you in case a local Ham (which offered no help) complains.

"7/25/2026 Residential Structure Fire (2 story) in Village (on Bambi). Fully involved structure / total loss. Power off at location (which also appeared to include the Village Water Company nearby.) I assume the backup generator for the Water Company operated since water pressure not reduced. (in the past, the backup generator didn't work and resulted in loss of water which would include the fire hydrants). Multiple Fire engines at scene / Water Tender, etc...
Explosions heard at incident location. Additionally, apparent fireworks also shooting out of a section of the structure (silver streaks). Flames from fire torching high into the air - estimated at least 50 feet from ground level and surrounded by pine trees (estimated over 80 feet tall / 100 feet tall). Other structures threatened. ...

Used Ham repeaters with non ham to transmit situation. PDS mobile to area of incident. 3 channels under radio plan used. Also, another report of Fire Trucks going down Shingletown Ridge Road (just across Highway 44 from above incident). Another non Ham drove the road and determined UTL. Repeater needed for comms due to very rugged area and out of other radio Ch range.

Above brief summary.

Other Information:

Neighborhood (location of house fire) has approx 400 homes.

All streets merge into one street which is the only way out of the Village onto highway 44 in the event of evacuation. The one street leaving the village is a two way street and I had previously (years ago) addressed the issue of evacuations and using both lanes to evacuate onto 44. Was advised to leave road a 2 WAY so emergency vehicles could enter / exit (thus, such advice to be followed unless otherwise directed by law enforcement at the time). Such will compound any evacuation with 400 homes all merging at one intersection to leave neighborhood.

Elderly in Village, and persons with medical conditions.

My position: use of Ham repeaters appropriate ... immediate safety of life and property..."

Follow up information was also provided to the FCC and ARRL as follows.

"Also, the Cal Fire Radio that I monitor, did NOT tone out for the incident. I don't know why. A Radio relay into the Plan, is what got the Net running. People were monitoring pursuant to the 24/7 plan."

Further, the FCC and ARRL were also advised:

"Again, this was an actual emergency with a fully involved house fire (totally destroyed) in an area with 400 homes and only one small road for exit. Other homes were at risk. The fire started to spread to vegetation and pieces of burned housing material (approx 6 to 8 inches in length) were found about 3 houses away from the house fire. Please read the facts. You are ignoring the FCC regulations and facts. You are placing lives at risk and you are intentionally violating FCC regulations."

END OF QUOTATIONS CONCERNING HOUSE FIRE –PRIOR COMMUNICATIONS.

F PAGE 17

Laura Smith has advised that non hams are prohibited from using the Dedicated Ham Emergency Communication Repeaters with no exception for emergencies (immediate safety of human life and immediate protection of property).

These Closed and Coordinated Ham repeaters are dedicated to Emergency Communications for Shingletown, and are essential to coordinating overall areas of Shingletown. Neighborhood MURS Channels (allocated to each Neighborhood) are unable to reach all area / stations. Further, we only have a few Hams that are participating. Only SELECT radio operators (Ham or Non Ham) are provided codes to access repeaters. To be qualified they are to monitor 24/7, and follow Shingletown Emergency Radio Plan procedures and FCC rules. Everyone can listen to reports.

We are at high fire danger and over the last few days have had multiple PG&E Power failures (with Land Lines immediately having no dial tone).

Please advise as to which of the "Rules" we are to follow, Laura Smith's or FCC Regulation Section 97.403 as appearing in the Code of Federal Regulations.

Attempted to FAX this letter; however, Frontier Land Line not working when attempted fax as of 8/10/2026.

I look forward to hearing from you. My cell is 530-941-9414.

Thank you.

Very truly yours,

A. Nathan Zelif
Attorney at Law

ANZ:eea 2026 08 010 jitiu

F PAGE 18 OF 23

Emergency Communications

From: Nathan Zelif (zlaw@taxsos.com)

To: patrick.webre@fcc.gov; laura.smith@fcc.gov; zlaw@taxsos.com

Date: Tuesday, August 11, 2026 at 07:47 AM PDT

Ms. Smith, you have not answered the question as to which rule we are to following with respect to the Shingletown Emergency Radio Plan we are to actually follow. That is, your Rules or the FCC Rules.

So, real simply, here is a question which should clear this up:

Can a non-ham use a ham frequency in order to save human life in an emergency. For illustration, assume a Ham and his wife are driving and have an auto accident. The Ham operator (husband) dies on impact. The wife is going to bleed to death without immediate medical attention, but she is not a licensed Ham operator. The Ham radio is working and she can reach it. The cell phone has no reception. Issue: Can the wife use the Ham radio to call for help?

The answer is either: Yes, or No.

Thank you.

Nathan Zelif,
Attorney at Law

F 19 723

8/11/2026, 7:54 AM

Re: [EXTERNAL]: Re: Information

From: Nathan Zelif (zlaw@taxsos.com)

To: laura.smith@fcc.gov; monika.konrad1@mail.house.gov

Date: Thursday, July 30, 2026 at 11:37 AM PDT

Since I received your e-mail this morning, NONE of the repeaters have even been used. But you now claim "You are now subject to a potential enforcement action due to your continued and willful violation of our rules.:" So, this contradicts your e-mail of this morning. You now claim I am willfully violating the rules but the fact is that I haven't even used a repeater or any radio this morning. Your threat is nonsensical, and further shows your arbitrary and capricious actions. You will recall that when I previously asked for your assistance as to someone Keying the Repeater at all hours of the night, you didn't provide any help. You advised me that you only deal with "guns and hoses" and didn't have the time to deal with some remote repeater. But now, you have the time to place the lives of Shingletown residents at risk.

Also, I can't call 400 homes in the Village, as I don't have their phone numbers. Also, there was a power outage in the area due to the fire and I don't even know what phones were working etc....

Nathan Zelif
Attorney at Law

On Thursday, July 30, 2026 at 11:20:01 AM PDT, Laura Smith <laura.smith@fcc.gov> wrote:

Section 97.403 of the Commission's rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an "immediate" safety of life or protection of property issue AND no other form of communications is available. Both parts must be satisfied and your email explanation did not satisfy the second part of the rule requirement. The rule is cited below for your convenience.

this is not the actual FCC Rule

97.403 Safety of life and protection of property.

No provision of these rules prevents the use by an amateur station of any means of radiocommunication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.

You have been warned Mr. Zelif – in writing – by the agency that your continued allowing of non-licensed individuals to use your repeater system is in violation of our rules. You are now subject to a potential enforcement action due to your continued and willful violation of our rules.

Laura Smith

From: Nathan Zelif <zlaw@taxsos.com>

Sent: Thursday, July 30, 2026 2:11 PM

To: Laura Smith <Laura.Smith@fcc.gov>

Cc: rilepatholling@comcast.net; Lark Hadley <Lark.Hadley@fcc.gov>; Joshua Smith <Joshua.Smith@fcc.gov>; monika.konrad@mail.house.gov

Subject: Re: [EXTERNAL]: Re: Information

*These you have
been no use.
Harilegal Decree was
followed.*

Fpg 20

RE NON HAM USE OF HAM REPEATER TO SAVE LIVES AS AUTHORIZED UNDER REGULATION
SECTION 97.403 (and others)

Ms. Smith:

In your e-mail of July 30, 2026 you stated:

"Mr. Zeliff: I am advising you, in writing, to stop allowing non-licensed individuals to use your amateur radio repeater system. Should the FCC receive a complaint regarding this behavior after your receipt of this email, we will investigate and you may be subject to an enforcement action. Laura Smith"

You have further told me that I couldn't dedicate a repeater to emergency communications (e.g., forest fires ...). You have no authority for your claim.

Further your threat against me under the facts and circumstances relevant hereto are arbitrary, capricious and in violation of the FCC rules.

Again, this was an actual emergency with a fully involved house fire (totally destroyed) in an area with 400 homes and only one small road for exit. Other homes were at risk. The fire started to spread to vegetation and pieces of burned housing material (approx 6 to 8 inches in length) were found about 3 houses away from the house fire. Please read the facts. You are ignoring the FCC regulations and facts. You are placing lives at risk and you are intentionally violating FCC regulations.

Again the Facts included the following: (begin quoting my prior e-mail):

7/25/2026 Residential Structure Fire (2 story) in Village (on Bambi). Fully involved structure / total loss. Power off at location (which also appeared to include the Village Water Company nearby.) I assume the backup generator for the Water Company operated since water pressure not reduced. (in the past, the backup generator didn't work and resulted in loss of water ... which would include the fire hydrants). Multiple Fire engines at scene / Water Tender, etc... Explosions heard at incident location. Additionally, apparent fireworks also shooting out of a section of the structure (silver streaks). Flames from fire torching high into the air - estimated at least 50 feet from ground level and surrounded by pine trees (estimated over 80 feet tall / 100 feet tall). Other structures threatened. ...

Used Ham repeaters with non ham to transmit situation. PDS mobile to area of incident. 3 channels under radio plan used. Also, another report of Fire Trucks going down Shingletown Ridge Road (just across Highway 44 from above incident). Another non Ham drove the road and determined UTL. Repeater needed for comms due to very rugged area and out of other radio Ch range.

Above brief summary.

Other Information:

Neighborhood (location of house fire) has approx 400 homes.

All streets merge into one street which is the only way out of the Village onto highway 44 in the event of evacuation. The one street leaving the village is a two way street and I had previously (years ago) addressed the issue of evacuations and using both lanes to evacuate onto 44. Was advised to leave road a 2 WAY so emergency vehicles could enter / exit (thus, such advice to be followed unless otherwise directed by law enforcement at the time). Such will compound any evacuation with 400 homes all merging at one intersection to leave neighborhood.

Elderly in Village, and persons with medical conditions.

My position: use of Ham repeaters appropriate ... immediate safety of life and property... "

END QUOTING PRIOR E-MAIL.

Your threat to me is itself a threat to public safety. We are in FIRE SEASON. You obviously don't give a damn about people being trapped in a wild fire and dying. You provide no legal authority for your assertions which have the immediate impact of placing lives in danger. The federal government, State of California, and news at this very time are filled with news of disasters around the United States and world (fire, floods etc....) and the

Page 21

need to prepare and have communication plans. In Shingletown, we have been subject to: Power failures, landline telephone failure; cell phone failures, and internet failures

We don't have another 7 months for the FCC to stop playing games. We are at risk now.

Nathan Zeliff
Attorney at Law

I am also forwarding this to the other people you cc on your e-mail. In this regard others at the FCC previously falsely denied the existence of the very regulations involved in this case and I had to get a Congressman involved and it took about 7 months for the FCC to acknowledge (through its Acting Chief Counsel) its own regulations and allow a non ham use to save life.

On Thursday, July 30, 2026 at 04:03:00 AM PDT, Laura Smith <laura.smith@fcc.gov> wrote:

Mr. Zeliff: I am advising you, in writing, to stop allowing non-licensed individuals to use your amateur radio repeater system. Should the FCC receive a complaint regarding this behavior after your receipt of this email, we will investigate and you may be subject to an enforcement action.

Laura Smith

From: RILEY HOLLINGSWORTH <rilepatholling@comcast.net>
Sent: Wednesday, July 29, 2026 5:16 PM
To: Nathan Zeliff <zlaw@taxsos.com>
Cc: Laura Smith <Laura.Smith@fcc.gov>
Subject: [EXTERNAL]: Re: Information

CAUTION: This email originated from outside of the Federal Communications Commission. Do not click on links or open attachments unless you recognize the sender and trust the content to be safe. If you suspect this is a phishing attempt, please use the 'Report Message' feature in Microsoft Outlook or forward the email to the NSOC.

Once again, read Laura Smith's response. As much as you may want to be, you are not in the fire service and to my knowledge they have not requested your assistance. It's quite simple, really.

On 07/29/2026 12:13 PM EDT Nathan Zeliff <zlaw@taxsos.com> wrote:

I am going to assume that you are in agreement that under the above circumstances (fire), the use of the Ham repeaters by non hams was proper unless I hear otherwise.

If you wish to discuss any further, please advise.

Thank you.

Nathan K6PDS
530-474-3267

On Sunday, July 26, 2026 at 06:07:07 PM PDT, Nathan Zeliff <zlaw@taxsos.com> wrote:

Fig 22

7/30/2026, 5:34 PM

Also, the Cal Fire Radio that I monitor, did NOT tone out for the incident. I don't know why. A Radio relay into the Plan, is what got the Net running. People were monitoring pursuant to the 24/7 plan.

Nathan

On Sunday, July 26, 2026 at 06:02:15 PM PDT, Nathan Zeliff <zlaw@taxsos.com> wrote:

to Hollingsworth

I am providing this to you in case a local Ham (which offered no help) complains.

7/25/2026 Residential Structure Fire (2 story) in Village (on Bambi). Fully involved structure / total loss. Power off at location (which also appeared to include the Village Water Company nearby.) I assume the backup generator for the Water Company operated since water pressure not reduced. (in the past, the backup; generator didn't work and resulted in loss of water which would include the fire hydrants). Multiple Fire engines at scene / Water Tender, etc... Explosions heard at incident location. Additionally, apparent fireworks also shooting out of a section of the structure (silver streaks). Flames from fire torching high into the air - estimated at least 50 feet from ground level and surrounded by pine trees (estimated over 80 feet tall / 100 feet tall). Other structures threatened. ...

Used Ham repeaters with non ham to transmit situation. PDS mobile to area of incident. 3 channels under radio plan used. Also, another report of Fire Trucks going down Shingletown Ridge Road (just across Highway 44 from above incident). Another non Ham drove the road and determined UTL. Repeater needed for comms due to very rugged area and out of other radio Ch range.

Above brief summary.

Other Information:

Neighborhood (location of house fire) has approx 400 homes.

All streets merge into one street which is the only way out of the Village onto highway 44 in the event of evacuation. The one street leaving the village is a two way street and I had previously (years ago) addressed the issue of evacuations and using both lanes to evacuate onto 44. Was advised to leave road a 2 WAY so emergency vehicles could enter / exit (thus, such advice to be followed unless otherwise directed by law enforcement at the time). Such will compound any evacuation with 400 homes all merging at one intersection to leave neighborhood.

Elderly in Village, and persons with medical conditions.

My position: use of Ham repeaters appropriate ... immediate safety of life and property...

Just wanted to provide this to you.

Nathan K6PDS

Fpg 23 923