Before the

**FEDERAL COMMUNICATIONS COMMISSION**

Washington, DC 20554

In the matter of

Proposed amendment of Part 97 )

To degrade licensing qualifications ) RM-11828

In the Amateur Service )

To: Chief, Wireless Telecommunications Bureau

**COMMENT IN OPPOSITION**

Petitioner’s document fails to establish a valid connection between the incentive to obtain an entry-level license and the privileges now afforded to upper-class licensees. There is nothing in this Petition to provide a basis to warrant degrading present-day licensing qualifications to improve recruitment and retention of newcomers.

Please reject RM-11828 as unfounded and at odds with longstanding agency policy and licensee sentiments.

**Discussion**

Petitioner, the leisure-time association historically called the ARRL, is primarily a publishing and membership organization. Less than 25 percent of U.S. licensees subscribe to the ARRL, a number that has remained stagnant for more than 20 years. The group’s paid staff numbers less than 100. Although the group should continue to be allowed to file requests for Rule Making, their instant Petition is the latest to have made no effort to obtain a consensus among the broader community of licensees who would suffer the consequences of such a proposal.

(more)

OPPOSITION Comment against RM-11828 Pg.2

**Discussion** (con’t)

The ARRL’s now-former Counsel who drafted this Petition, Mr. Chris Imlay, had often tried to deflect well-reasoned opposition filed with the FCC against previous proposals by saying Commenters lacked insight, or misunderstood the group’s intentions. Here, it is noteworthy that the thrust of RM-11828 relies on an internal agenda, to the exclusion of knowing the sentiments of most active and concerned licensees. Mr. Imlay could be forgiven for not grasping the importance of building support for such fundamental changes in Part 97 that this Petition lacks. He departed on short notice from the group in December, 2018.

Expressed simply, this Petition tries to take a regulatory approach to a marketing problem. There has been no clamor or complaint about current Rules to motivate the broad revisions proposed.

Petitioner submitted no data, such as opinion polling or *marketing research* analysis, of prospective candidates for an Amateur Radio license. The group asked only its own, already-licensed subscribers for input. Thus, we have an absence of what, specifically, would provide adequate incentive to join the hobby and maintain long term interest in available activities.

Most importantly, no outsiders were asked whether a weaker testing challenge would encourage them to pursue Petitioner’s vision of an entry-level license. **This Petition is therefore unfounded in trying to use changes in the Rules to address what the ARRL believes is a problem drawing outsiders to the hobby.**

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OPPOSITION Comment against RM-11828 Pg.3

**Discussion** (con’t)

The ARRL, in a separate proceeding, **RM-11759**, seeks partial adjudication of a controversial, automated messaging function popularly known as “Winlink” that has appeared in the Amateur Service, but which has not been formally deemed appropriate for a hobbyist, non-commercial, communications venue. Comes now RM-11828, taken in light of the group’s interest in promoting automated digital activity, and we can see a tactic to encourage the expansion of licensing for those who would find this free, high-seas internet system attractive. Such users may have limited interest beyond free messaging, and may also have minimal interest in meeting the challenge of present-day license testing.

“Winlink” has struggled to establish itself in a gray area between commercial services and hobbyist activities without pecuniary interest. Its store-and-forward data messaging deliberately ignores any prior users of a frequency, and such interference leads to a conclusion the system is not a good steward of allocated spectrum nor cooperative with other licensees.

The FCC, which has traditionally allowed novel communications that otherwise are not prohibited in the Rules, should ascertain whether Winlink users comply with the intent and practice of regulations.

**Other Matters**

The ARRL, through Counsel, uses an approach in its regulatory activity that closely resembles big telecom legal proceedings. The ponderous verbiage, the obscure references to internal “study groups” and other quasi-formal research, do not hide the fact the Amateur Service is a hobby, populated by individuals who pursue technical exploration and enjoy the aspects of communications.

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OPPOSITION Comment against RM-11828 Pg.4

RM-11828, and its related proceedings, have developed without external input to address what the hobbyist association ARRL believes are valid goals. As such, the FCC should consider Petitioner at the same weight it may consider alternatives and opposition Comments put forth by other hobbyists.

**Conclusion**

Petitioner has not documented any significant interest in “worldwide communications” as an adjunct motivator for an *outsider* to obtain an Amateur license of any class, including its vision of a revised entry-level license. Activity levels cited among licensees measure only those who’ve passed today’s testing standards, with their success a validation of existing testing. We see no findings that additional outsiders would be drawn to weaker testing, except perhaps high seas sailboaters exploring free messaging.

While the ARRL is correct in noting the need for “relevant, attractive privileges for new licensees and additional privileges for those holding higher license classes as an incentive to continue the process of self-training and continuous learning,” (RM-11828, Pg. 3) the group does not examine shortcomings in *recruitment marketing* and salesmanship that the ARRL is in the best position to provide, at its own expense.

The greater community of Amateur licensees, all of whom have met the longstanding, accepted challenge embedded in license testing, should not now have their achievements undercut by giving away privileges that upper-class licenses represent.

The people behind this petition need to keep in mind that the sense of satisfaction from a license test accomplishment is not inhibited by license class; no one must initially join the hobby at the lowest level.

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The group could market the hobby’s existing activities in ways that support existing Rules and testing standards, and preserve the value of having achieved a given class of license in the Amateur Service.

Successful license candidates would likely offer their support of the ARRL in its membership drives, and the group would also avoid alienating longtime subscribers who could feel sold-out to newcomers with less interest in an achievement.

The Amateur radio hobby is similar to recreational aviation. Each requires licensing by a government agency, yet neither is so essential that anyone who feels excluded could claim they’re a victim. Among media outlets covering the hobby, there have been no significant “news” accounts or other postings to suggest today’s licensing challenge is not worth the benefits of succeeding.

ARRL, as a group representing a minority, should not be given undue weight to its proposal that would harm the majority community of licensees.

RM-11828 should be rejected, with prejudice, as unfounded for the stated purpose.

Submitted for the public record. 18 March 2019

/s/

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