Comments opposed to RM-11831 with additional comments in support of the Amateur Radio Safety Foundation, Inc, Motion to Dismiss RM-11831

The undersigned, Ron Morgan, AD9I, ARRL Illinois Section Manager, Fritz Bock, WD9FMB, Illinois ARES® Section Emergency Manager and Robert Littler, PE, W9DSR, Illinois ARES® Assistant Section Emergency manager have received comments and direction from our members and have joined to comment on RM-11831.

We do not support RM-11831 in any way and completely support the Board of Directors of the Amateur Radio Safety Foundation, Inc.’s motion to dismiss RM-11831 in its entirety. The following is the consensus of our members.

1. Concerning “Winlink Email” specifically - Amateur Radio Message Viewer is immediate and available to all Winlink Amateur Radio accounts. The acquisition of a Winlink account has no associated cost and should not be an issue to any amateur interested in digital technologies. The amateur might need to know Morse code or have a reliable timepiece to review a specific message in question – nothing particularly onerous. Arguments about ‘scrubbing’ or filtering messages before they can be viewed are specious and totally unfounded as the reporting is near instantaneous and could easily be cross-checked. Further, the viewed message can be viewed exactly as it was composed ensuring complete transparency.
2. The persistent *argumentum in terrorem* fallacy running through this and similar proceedings needs to be quashed with prejudice. This appeal to fear that “someone” might do “something terribly wrong” with Amateur Radio digital technology is baseless in every practical aspect. Those that truly believe our government can’t decode and monitor radiated communications haven’t been paying attention to current events over the past several decades. Our Federal Agencies may not admit to this capability but absence of evidence is not evidence of absence. Real Policing, and consequent Enforcement belongs in the hands of professionals and we believe that this is and has been occurring and should continue.
3. The widening, bordering on intractable, concept of “self-policing” by some respondents has become troubling to us. Part 97 describes the purpose of the Service and empowers Amateur Radio operators and enthusiasts thus:
4. Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.
5. Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.
6. Encouragement and improvement of the amateur service through rules which provide for advancing skills in both the communication and technical phases of the art.
7. Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.
8. Continuation and extension of the amateur's unique ability to enhance international goodwill.

The rules focus on: Public Service, Emergency Communications (including Digital Techniques), Advancing the Radio Art (definitely including Digital Techniques), Expansion of Technical Resources, and Enhancement of International Good Will. During the past decade in particular, Amateurs have proved invaluable in providing needed communications in response to our country’s regional and national disasters with digital communication playing a vital part. This is Amateur Radio as defined by the rules.

Nowhere is there a codified policing requirement. There has always been an ‘agreement among equals’ in the Amateur Radio Service to keep watch, correct, and perhaps report activities considered outside the bounds of good Amateur practice – not to ‘eavesdrop’ or parse every word, phrase, or possible intent. Amateur Radio Operators are not Policemen, nor should they ever want to be. As stated above, for concerns related to Winlink messaging, the provided message viewer is more than adequate. It should also be mentioned that Winlink RMS operators have **always** been able to monitor the traffic through their gateways.

1. Lastly, the discussion of interference in the Amateur Radio Service allocated spectrum is as old as the Service itself. Learning to share and finding responsible ways to do so will ensure the future of the Amateur Radio Service. The FCC determined the way forward years ago with the rules currently in place and entertained advanced digital bandwidth schemes which should be adopted.

We strongly encourage the Commission to dismiss RM-11831 without delay.

Respectfully submitted,

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