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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)
)
Amendment of Part 97 of the)
Commission's Rules to Relax)
Restrictions on the Scope of)
Permissible Communications)
in the Amateur Service)

PR Docket No. 92-136

To: The Commission

COMMENTS OF MICHAEL R. REYNOLDS

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MAIL BRANCH

Respectfully submitted

Michael R. Reynolds
3826 S. 92nd East Place
Tulsa, Oklahoma 74145-3446

Dated: September 1, 1992

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COMMENTS OF MICHAEL R. REYNOLDS

I. INTRODUCTION

These comments are respectfully submitted in response to the Notice of Proposed Rule Making in the above-captioned proceeding.

I have a substantial interest in this proceeding as I filed the first of three Requests For Rulemaking, RM-7849, which led to this proceeding.

I am an amateur radio licensee, in good standing with the Commission. I have held an amateur license for thirty three years. During that time I advanced from an Amateur Radio Novice class to an Amateur Radio Advanced Class license. My FCC call sign is WOKIE. I was a Navy morse code operator at the Naval Communication Station on Guam. My rank was Communications Technician, Radio Branch, 2nd Class.

I have served as founding President of the Oral Roberts

University Amateur Radio Club and past President of the Tulsa Repeater Organization, Oklahoma's largest amateur radio organization. I am active in various amateur radio modes including CW, Voice, Digital and Fast Scan Television.

II. BACKGROUND

In my petition, RM-7849, I discussed the wide spread interest among Tulsa area amateurs in receiving NASA space shuttle transmissions via amateur radio retransmission. The Tulsa Repeater Organization sponsors these retransmissions on FM voice as well as amateur fast scan television. A large number of amateurs in Tulsa Repeater Organization have asked the club to additionally retransmit space related communications concerning space probes and space station Freedom. NASA supplies these communications along with space shuttle communications on the NASA Select audio and video feed from Houston. All of the NASA Select material is not available to amateurs via commercial radio, cable or television in our area. Current Commission rules prohibit NASA retransmission of communications concerning space probes and space station Freedom by amateurs to amateurs.

In RM-7849 I also addressed the problem of the Commission's prohibition of NASA shuttle wake up music. During each mission day NASA briefly includes wake up music as an integral part of the space shuttle transmissions.

Since NASA furnishes no exact schedule as to when the music is transmitted it becomes extremely difficult to comply with the current Commission music prohibition.

III. DISCUSSION

In the proposal before you it is clear from amateur radio petitions and proposals that much of the amateur community strongly supports relaxing a number of the existing restrictions on the scope of amateur services communications. Further, it appears that the amateur community appreciates both the benefits and the burdens of relaxing the existing restrictions.

This is an ideal time for the Commission to review the Basis and Purpose for all Amateur Radio allocations. Part 97.1 of the Rules Governing the Amateur Radio Service states that the purpose of Amateur Radio has been (a) 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. (b) Continuation and extension of the amateur's proven ability to contribute to the **advancement of the radio art**. (c) Encouragement and improvement of the amateur service through **rules which provide for advancing skills in both the communication and technical phases of the art**. (d) Expansion of the existing reservoir within the

amateur radio service of **trained operators, technicians, and electronics experts.** (e) Continuation and extension of the amateur's unique ability to **enhance international goodwill.**

Based on my observations over many years, the Commissions' amateur "incentive licensing" scheme, supported by the American Radio Relay League, as well as the Commissions refusal to issue new school club licenses has done more to harm amateur radio than any other Commission action.

I believe the way to get the interest of the young future trained operators, technicians, and electronics experts is to **encourage** radio experimentation at a very young age. During my youth the radio fun came from an attempt to broadcast, using a modified 5 tube superhet to a friend across town and by a Novice amateur radio license.

It is my view that the Commission can help make amateur radio fun for youth like it was for me by considering the following proposals:

1. Reduce the licensing structure to only three classes by changing part 97.9 (Operator license):
Novice (Third Class)

Current privileges + UHF and above. FCC test: Code aware, simple electronics theory and basic FCC regulations theory.

Technician (Second Class)

Current Novice and Technician+ privileges.
FCC test: Novice requirements, basic electronics theory and advanced FCC regulations.

General Class (First Class)

All amateur privileges. FCC test: Technician requirements, 5 wpm code (I can hear the Extra Class "Keep the lids off Ham radio" crowd now), and general electronics theory.

2. Resume Commission licensing of new school amateur radio clubs by changing part 97.5 (Station license required).
3. Permit amateur one way transmissions in the amateur bands **above** 10 meters, on a secondary, non interference basis by modifying part 97.113 (b) (Station Operation Standards).
4. Permit music, that is incidental to amateur radio communications, **above** 10 meters by modifying part 97.113 (a) (3). Many repeater controllers are already pretty musical and music will add to the fun of amateur radio.
5. Permit amateur radio licensees to hold one additional station license by modifying part 97.5 (Station license required). The additional station

could be used for amateur communications, under the amateur licensee's supervision by the licensee's spouse, family member or prospective amateur.

6. Delete the proposed words in 97.113 (a) (2) "on a regular basis" and 97.113 (e) "but only occasionally" as (1) this prohibition is not justified (2) the meaning is not precise and (3) the 97.113 (e) proposal **increases** rather than relaxes restrictions on currently permissible NASA retransmissions.
7. Expand the proposed words in 97.113 (e) to permit amateurs to retransmit exclusively to amateurs, with written source permission, **any** communications emanating from a United States Government station which is intended to be received by the general public.

IV. CONCLUSION

These comments, admittedly may cause concern to those with a strong resistance to change. In brief:

Licensing:

It's time to completely overhaul the classes and privileges of amateur licenses. The Commission, due to no-code licensing has only seen the first wave of many new potential licensees. If the Commission should adopt a

simplified licensing structure with reasonable testing the growth of amateur radio may really take off.

This became important to me when a totally blind college friend of mine did not renew his general class amateur radio license because he felt disenfranchised by the ARRL and FCC's incentive licensing scheme. His loss of a way to communicate made his life all the more difficult.

Permitted Communication:

The first amendment to the U.S. Constitution adopted in 1791 restricted Congress from making **any** law abridging freedom of speech. The Commission, acting under Congressional authority, abridged this basic guaranteed freedom of speech when it adopted much of Part 97.113. This proposal, as presently written, unfortunately attempts to continue that abridgment into the future. There is absolutely no justification for the Commission to declare that music is not a permitted form of free speech. The use of the terms "regular basis" or "but only occasionally" are a further abridgment of this basic freedom.

Business vs Commercial Activities:

ALL business and commercial communications by amateurs for which the amateur is paid (no matter how deserving the sponsor is) should be banned. All non paid communications "of, by and for" individual amateurs and amateur clubs should

be allowed.

Retransmissions:

Amateurs should be allowed to retransmit, exclusively to amateurs, with written source permission, any communications emanating from a United States Government station which is intended to be received by the general public.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael R. Reynolds". The signature is written in black ink and is positioned to the right of the typed name.

Michael R. Reynolds
3826 S. 92 East Place
Tulsa, Oklahoma 74145-3446

Dated: September 1, 1992