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

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MAIL BRANCH

In the Matter of

Amendment of the Amateur Radio Service Rules to Provide a Special Temporary Licensing Procedure for Visiting Foreign Amateur Operators	))))	PR Docket 92-167

To: The Commission

COMMENTS OF RAY ADAMS N4BAQ

The Commission proposes to create a mechanism by which an individual licensed by any foreign country in the world can conveniently and efficiently become authorized to operate an amateur radio station for a brief period of time from any point regulated by the Commission with privileges as authorized by the license issued by the unnamed foreign country, not to exceed the authorization of our most privileged license.

At present, such operation can be authorized by a reciprocal operating permit if there is a reciprocal operating agreement with the country that has licensed the visiting alien. Absent such an agreement, the only provision in present regulations is through the normal examination process entailing a wait of a few weeks as an absolute minimum for physical possession of the license, which is required for operation.

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List A B C D E

The commission proposes to permit such operation if the alien visitor holds a Certificate of Successful Completion of Examination, which can be issued by any properly accredited team of Amateur Extra Class Volunteer Examiners, attesting to the applicant's having successfully passed an Element 5 test consisting of 20 questions, all of which would pertain to the commissions rules governing the amateur service. Of these 20 questions, the applicant must correctly answer 18 to be considered to have passed the examination.

This proposed mechanism depends in its entirety on a satisfactory expansion of the existing Coordinated Volunteer Examiner system that has been in place since 1984. This individual has served as the contact person of a large and very active team of Volunteer Examiners in Knoxville, Tennessee since the inception of the program. I am a coordinating officer of Western Carolina Amateur Radio Society/VEC, Inc., one of the eighteen VECs of the nation that serves as a buffer between the Volunteer Examiners in the examination room and the Commission's licensing facility, and I am WCARS/VEC's prime FCC contact person for that objective. Additionally, I am the only remaining member of the original Question Pool Committee, elected by the National Conference of Volunteer Examiner Coordinators during its 1986 session, the only such session ever held in the Commission's offices in Washington, DC. I have served as chairman of the Committee since the Spring of 1990.

It should also be pointed out in passing that I have no interest, financial or otherwise, direct or implied, in amateur radio in general and this proceeding in particular other than the desire to see it handled in the manner that is of the greatest possible public interest.

I believe this should provide me with probably the most comprehensive and unbiased overview in the nation of the Coordinated Volunteer Examiner program at all levels as it is in fact operating, which gives me an unparalleled qualification to comment on this proceeding.

My first thoughts upon reading the proposal was that there were too many inherent problems for the endeavor to ever be administered in a practical, and therefore satisfactory, manner. Having given the matter serious thought and discussed it with other VECs, I am now of the opinion that, while it would be most difficult to administer in a practical manner as it is proposed, there are ways in which the objective could be accomplished without losing practicality as an instrument of international goodwill or imposing undue burden on the VECs of the nation when considering either the program's implementation or its long term administration.

May I comment separately on each of the five requirements needed to accomplish the objective as set out in the proposal?

1. confirm that the person currently holds an amateur service license from the country of citizenship

Here I see little defense to misrepresentation in many forms. It is proposed that the VEs make a definitive determination. I do not even know if the country of citizenship is the only legal source of a passport in all countries of the world. Even if the answer is yes, am I to be held legally responsible for failure to detect an irregularity should I be presented with a Portugese passport and a Brazilian amateur license, both of which I assume would be written in Portugese, a language I cannot recognize in either written or spoken form? In order for the VEs to make a valid determination [1] they will need to have been furnished the necessary information in advance of the session. How are they to determine that the document presented is in fact an amateur license, let alone that it is from the correct country, if they can't read the language in which either the passport or the license was prepared? They may well not be able to interpret the presented documentation even to the degree of determining the identity of the correct country.

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1 In most of the test sessions today, an applicant is permitted to walk in totally unannounced and will be administered the elements of his choice

Virtually any official looking document which contains an amateur call sign of a foreign country would most likely be believed to be an amateur license by a prudent VE team, unless, of course, they had at least one examiner that could in fact read the presented documents. To accomplish performance in the face of such a requirement would entail furnishing this information, including timely dissemination of the changes thereto, to every VE team in the program, and including information pertinent to all of the foreign nations of the world, even to specimen samples of the licenses they could expect to have presented as having been issued by each country. The wording of this proposal as it is written includes the unstated requirement of a VE being capable of reading all of the languages presently used in official documents by the various and sundry countries of the entire world, if it is in fact furnished for such use. It is a matter of opinion as to whether I can correctly speak, read and write english. A similar performance using any other language is totally beyond me, and I doubt any living person, qualified VE or otherwise, meets the above described qualification when all the languages of the world are considered. It thus appears that this requirement is so totally impracticable in its presently worded form that here is one VE who will not volunteer to administer such an examination unless I am specifically limited in my expected responsibility to the action of a prudent person. I

patently refuse to accept responsibility that I know in advance I cannot discharge in a reasonably acceptable manner, particularly if it is to be performed in an eleemosynary atmosphere without the expectation of compensation of any kind. I expect many other VEs feel likewise.

2. determine the extent of the operating privileges granted by the license

The same conditions as 1. above apply to this requirement. Both of these requirements are physically beyond the capability of the VEC program as it is presently structured. There is simply no practical way that I can envision of obtaining this information in a useful and timely manner in the amateur radio license test rooms of America.

3. make certain that the person is qualified to perform the duties of an amateur operator in the United States and that such authorization is in the public interest

I would think that to be judged as a matter of law, a function for which virtually all VEs are far from being qualified. Could the purported license issued by the foreign government, coupled with America's recognition of that government, be acceptable evidence without further investigation by the VEs? We could keep a list of such recognized countries in the possession of each VE team. Or could it be handled as an derivative use for the "banned countries" list, with which American amateurs are prohibited to communicate, and which is now totally blank, thereby recognizing all foreign countries? If it cannot be handled in this manner, and if the FCC would furnish the VECs with a list of recognized or prohibited countries, similar to the manner in which they presently issue public announcements identifying the VECs, we could, in turn, furnish this list to our VE teams in a manageable and timely manner.

4. provide the foreign amateur operator with a document attesting to the fact of qualification,

We are already accustomed to furnishing the successful applicant with a document attesting to a successful completion of an examination. Providing a document attesting to his having successfully completed an examination consisting of an Element 5 we can handle walking away. It would be but a simple matter to modify the present configuration of the

Certificates of Successful Completion of Examinations (CSCE) which we are already issuing to include the successful completion of an Element 5 adding instructions to the applicant in that case as to the operations Element 5 credit authorized for his use. Wording to the affect that he is authorized to operate within the limits of his present license not to exceed the privileges of an amateur extra class license could be added without a significant problem. The document already provides space for name, address, and call sign, date and location of the testing session, all of which should be usable for this use as well. We would need to add space on the form for insertion of the 60 day period of time during which operations are authorized, if the period of 365 days from the date of the examination is not acceptable. That would entail less record keeping, fewer mistakes, and fewer misunderstandings of the privileges conveyed. Another option might be to leave the time window during which operations are authorized unspecified on the form itself, beginning with his first transmission in an area regulated by the FCC.

"attesting to the fact of qualification" is, in my judgement, quite another matter and totally beyond our capability.

5. record pertinent data so that we can contact the person, if necessary

That should be a routine task, not unrelated to the records we are presently keeping and should be manageable with an unnoticeable minimum of changes. About the only item that we would need to add to the records presently being kept is the 60 day window of operations authorized, however, I see no detriment to public interest to permit operations for a period of 365 days from the date of the certificate.

The further down the list we come, the easier the requirements are to meet. In the first place, I see no reason to require a higher score on an element 5 examination than has been required on the Commission's other examinations through the years. Before the 1989 rewrite of Part 97, written elements needed a passing grade of 74%. The present version of Part 97 sets out the number of correct answers necessary for a passing grade for each element, but in reality retains the same standards as had been in use for years. I see no reason the time honored score of 74%, rounded to 15 correct answers in the case of a 20 question test should not be used.

I initially had thought no study guide publisher would be interested in publishing study material for what I perceived to be a minute market, [1] not capable of producing a profit for the publisher. The one publisher I contacted, which I considered the most independent of other considerations in their decision to publish such a item, told me they would indeed publish a study guide specifically designed for the visiting alien operator if this proposal should be realized. Although he didn't say so, I'm sure this philosophy would be subject to review if the volume as materialized was drastically below the break-even point.

It would appear to me that a reasonable resolution to the problems I perceive might be to stipulate that the VEs examine the original document that is provided as the license issued by the foreign government in question. The applicant himself should be charged with operating within the limits of that license (not to exceed the privileges of our Amateur Extra class license) and the VEs be held responsible only for exercise of reasonable care. If the applicant does in fact hold the purported license from his country of citizenship, certainly he knows the limits of operating privileges it conveys. I see no reason the regulations could not require the applicant to furnish

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[1] I am told no basis for an intelligent estimate of the volume of tests to be expected under this proposal exists. Therefore, to make the program viable in terms of both the availability of study guides for the applicant's use and universal qualification of the VE teams of America, we need to modify the system as it is presently in use dealing in the most absolute minimums that can possibly accomplish the objective.

a photocopy [3] of the foreign license for inclusion in the examiner's files to be forwarded to the coordinating VEC. There can be no excuse for his not knowing the privileges afforded by his own license. I therefore see no valid reason the examiners need to know those privileges, particularly when viewed in light of the practical difficulties of keeping the VEs of the nation properly informed as to the current provisions of those privileges. The total extent of the VEs needed knowledge is that the applicant presented what they prudently believe to be the original of an amateur license of his country of citizenship (of which they have retained a photocopy) and that the applicant did in fact pass the examination they administered. There is no perfect system, and we simply must accept reality as it presents itself. The VEs cannot, in readily conceived scenarios, make the determinations required by 1., 2., or 3.

As to the availability of question pools, while it is quite true that we have question pools in public domain, published by several commercial interests, that contain more than an adequate number of questions pertaining to the rules governing amateur radio, using combinations out of existing pools carry problems not conspicuous to the casual observer.

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3 The examination process in use by the domestic licensing process today requires the inclusion of either a photocopy or the original of any license the applicant already holds. In the environment herein contemplated the applicant would, of necessity, need to retain the original of the license to support the legality of his intended operations. Requiring him to furnish a photocopy of that license for the files of the VEC appears to me to be a reasonable requirement. This could be an invaluable document should it later be necessary to make a more positive determination as to the validity of the instrument than could be accomplished in the examination room or should the need arise to establish contact with the licensee.

We are presently using a rotating four year life on all question pools, with Elements 2 (Novice) and Element 3A (Technician) pools being changed simultaneously because of the propensity in the market place for the study guide publishers to publish a single book containing the study guide aimed at preparing an applicant for the most-popular codeless Technician class license and containing the two mentioned elements. All other pools are changed one each year. We therefore have an annual changing of one or two entire pools, including their rules subelement, each July 1.

Thus we have questions contained in the rules subelements that are coming into the examination room each July 1, and other questions contained in other rules subelements that are disappearing from the examination room each June 30. As explained more fully in the attached article, these rules questions are not necessarily valid on the day the test is actually administered. Forcing particularly an alien visitor to learn a set of rules that have already been changed in order that he may pass the examination we are administering is in fact adverse to the public interest of the United States of America.

As chairman of the Question Pool Committee, elected by the annual National Conference of Volunteer Examiner Coordinators, may I take this opportunity to state that the rules subelements of the question pools now in public domain give us more problems than all the other eight subelements combined due to the frequency and diversification of the rules changes enacted.

In the summer of 1990, I drafted an article (copy attached) which I entitled "IS IT WORTH IT?" in which I raise the possibility of a single annual effective date for all changes to Part 97 of the Commission's rules. If properly orchestrated with a reasonable lead time, that would enable my committee and me to cause current rules to be included in all examinations for amateur licenses of any class. To my knowledge, that condition has never before even been noted as desirable, let alone attempted.

I would personally like to use a basic pool, the contents of which would furnish a specified portion of the rules subelement of all examinations and containing such rules as identification, third party communication, space operations and other items common to all classes of licenses. A smaller, supplemental pool would be additionally applicable to and identified with each particular element and contain the rules relating to qualifications for and the privileges to be enjoyed by the class of license, etc. for which the element would qualify the

applicant. Questions drawn from both the basic and the appropriate supplemental pool would meet the regulatory requirement as to the number of rules questions to be included in the examination.

The basic pool as described could quite easily be Element 5. I believe it would be fair to assume that we have just found the demand for said Element 5 that will cause all study guide publishers to faithfully publish a new rules study guide on an annual basis with no further thought involved. That guide should contain not only Element 5 but supplemental pools that will combine with element 5 to supply the questions for the rules subelements of all five of the classes of amateur licenses presently issued by the FCC. The other 8 subelements of the five question pools should be published in a separate volume for each element, except that Elements 2 and 3A will probably be combined into a single volume. One such "element study guide" will change each year along with the "rules study guide" as described above.

The publishers may possibly wish to include the basic Element 5 pool and the five supplemental pools in a single book with the entirety of Part 97 itself, with or without explanatory material, questions and answers of general interest, etc. It is my guess that the entirety of the rules question pools as herein contemplated could be contained in less than 100 pages. That would not appear to be a prohibitively large so far as inclusion in any publisher's rule book is concerned. If a new rules book were to be published on an annual basis, including the questions

and answers as they would be used by the VEs in the examination room would certainly add to its popularity in significant numbers.

One way of accomplishing this objective, and it may be the most desirable imaginable, would be to simply have one comprehensive change to Part 97 per year. That would could not help but improve efficiency on the part of the involved Commission's staff time as well. I understand that to be the manner in which the Communications Act itself is changed.

The publishers could simply explain the answer to a rules question by giving the applicable subparagraph number from Part 97. That move would permit publication of the rules study guides by simply printing Part 97 as revised by the commission and the rules question pools as described without the delay necessitated by the drafting of explanatory text. The QPC's working copies of the rules subelements as are being circulated between the QPC members carry that notation now. It would easier to leave them associated with each rules question in the formal release itself than it would be to remove them before release. This one factor alone could substantially shorten the time needed between the release of question pools into public domain and implementation of those questions in the examination room, as much of the time now needed is used by the authors and publishers in the process of adding the explanatory text.

"IS IT WORTH IT? was distributed to the VECs, the amateur media, more than one of which chose to publish it, FCC employees, and anyone else I thought would take the time to read it, asking for replies from any interested parties. Of the half dozen or so responses I have received, all have been favorable.

In this proposal, I see an opportunity to not only accomplish the Commission's objective with virtually no effort on the part of the VEC community, but to actually improve dramatically on that program's already efficient operation that it has proven itself to be by adopting the proposal with but three changes.

1. Stipulate that presentation of the original of what is reasonably believed to be an amateur license issued by the purported foreign country constitutes adequate evidence of the applicant holding such a license, and that the presented license establishes the applicant's qualifications to perform the duties of an amateur operator in the United States in the public interest

2. Charge the licensee with operating within the limits of the license as issued by his country of citizenship, not to exceed the privileges of an amateur extra class without the examiners needing to know the extent of the privileges

3. Establish the firm condition, by regulation or otherwise, that all future changes to Part 97 will be contained in a single annual action by the Commission, to be announced no later than July 1 and effective September 1, and accumulate this matter in the front of the file for consideration at the first such annual action.

In the absence of any one of the three modifications requested, I really don't believe the VE program, as smoothly as it is now operating, is capable of handling the proposed change in a manner that would in fact be in the public interest.

Respectfully submitted

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IS IT WORTH IT?

by Ray Adams N4BAQ
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One of the more frustrating factors I have encountered in Amateur Radio in the few years during which I have been trying to keep up with an item or two is the physical impossibility of keeping a CURRENT set of rules - Part 97 just plain keeps changing much more rapidly that the publishers can follow. Probably the most noteworthy accomplishment of Dick Bash's publishing career was to make available a subscription version of Part 97 in loose leaf form with replacement pages furnished periodically to revise the booklet to something closely resembling the current rules.

I have tried to interest more than one of the several publishers already active in the field of Amateur Radio in rejuvenating this publishing endeavor totally without any hint of success to date. Possibly their judgement is right and the market is not of adequate size to be profitable. That being the case, what should an Amateur Radio operator who really wants to perform within the Commission's Rules to use as a guideline as to the contents of said rules?

And what about that poor fellow trying to upgrade his license? Depending on the individual pool involved, up to one third of the questions come straight from Part 97, but as of what date? Generally it is as of the date the question pool is released into public domain. It then must get printed into study guides and be used by the candidate in preparing for the upgrade attempt sometimes even for years before an opportunity for revision or updating presents itself.

In the case of our little VEC, (2 1/2% or so of the national total test load), we stock printouts of completed test designs with virtually all our teams so that ANY change to a question pool requires replacing the entire element in the various and sundry locations. Now folks, that is a whole lot easier said than done. This is compounded even further when it is realized we seldom furnish a team fewer than four printed designs of each element. Changes of any portion of a test pool would cause similar problems for any VEC of any size, I would think. We are 6th in size [1] in a field of 18 when measured by number of elements administered, and I doubt if the others differ from us to any great degree.

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1 Source - FCC statistics distributed at sixth annual Conference of Volunteer Examiner Coordinators in Gettysburg, PA June 15, 1990

Further, it quickly becomes apparent to any alert observer that the FCC rules are by far the most rapidly changing part of the material from which the written tests for Amateur Radio licensing are extracted. Electronic technology does not change. New technology develops that antiquates existing technology, but it does not change the existing technology. When I was a student in the Navy's Electronic Technician school at Great Lakes Navy Base in the winter of 1954-1955, they told us there was such a thing as a transistor, but the military couldn't afford them! The vacuum tube's cathode still emits faithfully through any grids and to the plate even today though it is usually replaced by the transistor we couldn't afford way back then. The use of a transistor, of course, negates the need for a filament winding and greatly reduces not only the amount of heat that must be either dissipated or endured but much of the bulk and weight of an electronic item of the same capability. Thus we see that developing technology has antiquated the vacuum tube, but the poor fellow still works fully as efficiently as it ever did. They taught us to figure eddy currents in a transformer exactly like they it's done today. True, hypersil transformers have improved the efficiency of energy transfer, but the eddy current is still there - and E still = I X R. Thus I would submit that developing technology is simply an ADDITION to our knowledge of the conduct of Mr. Electron as he darts about his affairs, rather than a change in anything already known.

The Question Pool Committee, (QPC) National Conference of Volunteer Examiner Coordinators, has just completed writing supplements to the question pools from which all American Amateur Radio license tests are extracted that will (hopefully) bring the questions in those pools into agreement with the rewritten Part 97 of the Commission's Rules effective September 1, 1989.

Following the Fifth annual conference of Volunteer Examiner Coordinators [1] in Gettysburg, Pennsylvania in the summer of 1989, the QPC issued a news release in which they announced their intention of writing such supplements and the expected dates by which they would place the material in public domain as well as implementation dates of the revised material or the date on which the Administering VE's should begin using the supplement in the examination room. We managed our part of the scenario in advance of the published schedule and as of the date of this draft, (7-30-90) we have the supplements in use in the test room for Elements 2 (Novice) and 3A (Technician) and the balance of the supplements in public domain to be implemented in the test room November 1, 1990. Changing those tests required our VEC to change all tests stocked with all teams in a period of months, an accomplishment we really were not prepared to perform and hope we don't find necessary to repeat. It imposed depreciation in its literal definition on certain computer printers I could mention!

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1 An informal annual meeting of the organizations who hold letters of agreement to act as the "buffer" between the FCC and the applicant for Amateur licensing, appointing examiners, screening paperwork for accuracy, etc.

I feel the QPC is performing at close to the maximum efficiency of which we are capable under the circumstances in which we find ourselves.

The newly rewritten version of Part 97 has already been changed more than once - expansion of the Repeater sub-band on six meters, [3] changes in frequencies where beacons are authorized to operate on more than one band, [4] relocating the Novice and Technician sub-band on 80 meters [5] etc. - and we have not gotten all the supplements in use yet - and then of course there is NOCODE looking at us from right around the corner! Anticipated Rules changes on that item alone are expected to be of such proportions that I recommended, and the National Conference of VEC's accepted the proposal that no question pool be ROUTINELY changed during the year in progress thereby leaving the QPC's talents available for timely response to any actions required by the Report and Order - if and when we get it! It now appears that the provisions for licensing the handicapped has claimed an apparently higher priority than NOCODE itself! Thus the QPC finds itself in an environment in which we can never catch up with reality unless positive action is taken in harmony with several elements all acting in unison with that exact thought in mind.

I guess the whole point I am trying to make is that if we could keep the Rules questions in parallel with the effective version of Part 97, the remainder of the Question Pools would present very little in the way of stagnation problems.

There was a time when I advocated an annual supplement to ALL question pools containing Sub Element A (Rules) of all pools, and that these Sub Element A questions and answers not be included in the study guide prepared for each separate element. As a matter of fact, at least some study guide publishers simply refer to published rule books rather than present study material on Sub Element A questions in recognition of the fact that the rules are changing much more rapidly than the balance of the material. This principle might easily give rise to the existence of a SIXTH question pool dealing only with Part 97, maybe even subject to a routine annual revision.

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3 See PR Docket No. 88-527

4 See PR Docket No. 89-65

5 See PR Docket No. 90-100

Possibly this pool could contain a minimum of 330 questions, a minimum of 100 questions designed for the Novice test, a minimum of 50 questions designed for the Technician test, a minimum of 40 questions designed for the General test, a minimum of 60 questions designed for the Advanced test (if it survives), and a minimum of 80 questions deigned for the Extra Class test, exactly 10 times the number of questions dealing with rules that a current version of Part 97 requires to be on any test. We could even get cute and pick the Technician test questions from the Novice OR Technician pools, pick the General test from the Novice, Technician, OR General pools, pick the Advanced test questions from the Novice, Technician, General, OR Advanced class pools, and pick the Extra Class test questions from the entire pool of questions designed for all classes of licenses. Some reasonable exceptions to the above mix of question selection should be observed - questions dealing with sub-bands available to a particular class of license should be limited to the test gaining access to that class of license maybe, but I'm sure you see the point.

Or possibly we could write a smaller pool than that specified above and still, in one of several manners, have it applicable to all classes of licenses.

That would "teach" the applicant a much more comprehensive portion of the Rules than is now the case, but wait, the rules he is learning from a study guide for purposes of passing a test is not necessarily the rules he is going to be expected to observe once he gains the desired license, thereby negating the benefits gained by broadening of the base of rules the applicant is expected to learn in order to pass the test. As a matter of fact, I would interpret that NOT to be in the best interests of Amateur Radio, in that the applicant has no real incentive to learn the rules actually in existence.

The bottom line is that I have reached the conclusion that the efficiency of the VE program as it exists today, as proud as I am of having helped it become the model program into which it has developed, is actually imposing a DISSERVICE on those entering or advancing their license standings within the fraternity. These are the very people for whom we should go the extra mile! I know that is strong language. I'm not at all proud of it, but I do believe it to be fact. On a take it or leave basis, I feel sure we would all take it, but let's see if we can't improve even the excellent atmosphere we have managed to create.

I know the VE's are authorized to supply answers and distractors to the questions which must be taken from the pool adopted by the VEC who coordinated the session - and the VEC's are, in compliance with §97.523, all using the question pools developed by the QPC. I also know the VE's choose not to alter the answers and distractors furnished by the QPC. As a matter of fact, I do not know of a single VE team that deviates from the answers and distractors "suggested" by the QPC and published by all study guide publishers. Many VE's feel, and I share that feeling, that avoidable controversies would be more likely to happen if the VE's alter the material as published. I fully agree that the VE's conduct in all respects should be designed to remain as free from controversy as is practical, and, if I am a VE, I don't want my judgement openly involved in the wording of answers and distractors.

The end result is that the answers remain in use with the questions until formal action of the QPC changes them. I'm not all that sure that is a good situation, but I am quite sure that is the way it is happening when realism introduces itself as being of stronger influence than the idealism in which the idea of today's question pool scenario was conceived.

We are in fact using two sets of rules in this scenario. One set is expected to be learned by the applicant from the published study guides for purposes of passing the test for which he is preparing and the other is expected to be used in guiding the operator when he actually gets on the air.

i don't like that

There is no paralleling incentive for the applicant, or indeed the entirety of the amateur population to learn Part 97 in its truly current condition. The end result is an amateur population in full possession of a surprising amount of mis-information, often quoting rules "requirements" out of their own judgement as to what it "ought to be" or else insisting on compliance with language that disappeared years ago. If you think I'm wrong, go in on a busy frequency with the question "May I legally communicate with an unidentified station?" You will usually have touched off a lively discussion of surprising duration!

WHAT CAN WE DO ABOUT IT?

I once asked the FCC if it was practical to have all changes to the Amateur Rules become effective on one common annual date, thinking that if all Rules changes could be made effective on only one annual date, we could immediately draft the new Rules sub-element to the question pools, making them effective, say, seven months after the FCC quit changing the rules for each year. In other words, if all actions by the FCC from March 1 to February 28 were made effective September 1 of the FOLLOWING YEAR, we (the QPC) could, during the month of March, finalize new sub elements A to all question pools, putting them in public domain for implementation September 1, the same day the Rules themselves became effective! I feel sure the FCC would prefer a September 1 effective date if this became a reality in order to include it in the annual revision of the Code of Federal Regulations. Remember their reasons for the effective date of the Part 97 rewrite? With that environment, we could literally be forcing the applicant to learn the Rules actually in effect on the date of the test, and even up to the first year following the upgrade in question! Now I'm just naive enough to believe that would be of benefit to Amateur Radio in general, and would continue to benefit the fraternity for the duration of the applicant's amateur career.

The described scenario would allow the publishers to print one rule book per year and have every reason to believe the book would remain current for a full year. Wouldn't that be nice? The publishers (and the QPC) could be drafting their material as the changes were enacted so that very little work would remain after the cut-off for the year. It could conceivably run quite smoothly.

The FCC's reply was that in most cases the amateurs involved with requesting a rules change wanted it effective yesterday and, patience not being one of the virtues of Amateur Radio, they had always accommodated them as best they reasonably could. I can relate to that.

I know changing the tests as often as they should be changed was a problem even while the FCC was testing. As a matter of fact, I have every reason to believe the Volunteer Examining community is accomplishing even that portion of the VE program more efficiently than the FCC did it themselves, but I believe it could be done even better than we are now managing to accomplish, particularly so far as the rules questions are concerned.

WHY DON'T WE DO A BETTER JOB?

Two things stop us. First, there is now no apparent pattern to the schedule by which changes to Part 97 is accomplished, and two, no one, to my knowledge at least, has ever even tried to have all rules questions in use in the exam room reflect the current rules of the exam day.

This sounds like the greatest thing for ham radio since the transistor, but, like almost everything in life, there is the flip side as well. Do we really want to wait possibly more than a year for the famous re-write of Part 97, Novice Enhancement, NOCODE, or even the special provisions for handicapped licensing, to become effective? Possibly we do in fact really NEED to move those beacon stations NOW. On the other hand, many of the changes to Part 97 are not so urgent that delaying an effective date to one common annual effective date wouldn't matter that much.

Should we have "minor" and "major" rules changes, with the "minor" changes biding their time to be effective and the "major" changes going into effect NOW?

I'm not about to tell you I have all the answers, nor am I sure I am aware of all the factors that should be taken into consideration in the process of making a decision on this matter alone. I am sure that I don't like forcing an applicant to learn an obsolete set of rules just to pass the exam! These are the very people that should be learning ONE set of rules by which to operate and let the examination be only one of the several benefits they gain from the experience.

I don't KNOW we can get the cooperation of the FCC 6 in this matter should it become apparent that we wanted to do something like this.

WE CAN THINK ABOUT IT

And I also know we now have the avenues of communication through which to ask for this kind of cooperation if the answer should be that we want to do it.

if you have an alternative idea

SOUND OFF!!

Please let me know what you think. Should we formally ask for such an environment, or is the benefits to be gained such that our efforts would be more productively used if they were directed at some other objective?

replies may be addressed to WCARS/VEC
as listed in any study guide

Callbook Address
MCI 390-4185

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6 The staff in Washington does not particularly like the idea judging by their reaction the one time I raised it during a telephone conversation, however THEY have since mentioned it as a desirable condition on more than one occasion. That leads me to believe it became more logical to them the more they thought about it.