

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

<b>In the Matter of</b>	)	
	)	<b>WT 16-239</b>
<b>Amendment of Part 97 of the</b>	)	<b>RM-11708</b>
<b>Commission's Amateur Radio Service</b>	)	<b>RM-11759</b>
<b>Rules to Facilitate High-Frequency</b>	)	<b>17-344</b>
<b>Data Communications</b>	)	

**To: The Chief, Wireless Telecommunications Bureau**  
**Via: Office of the Secretary**

**12/14/18 REPLY COMMENTS TO SSCA 12/12/2018**

I, Janis Carson, AB2RA, wish to reply to the SSCA comments FCC ID: 121353186912  
<https://ecfsapi.fcc.gov/file/121353186912/SSCA's%20Letter%20to%20FCC.pdf>

1. Ed Kelly, President of the Seven Seas Cruising Association states: "The Seven Seas Cruising Association is the oldest and largest association of full-time recreational boating cruisers in the world with thousands of members. Many of our amateur radio members.. rely heavily on the use of high frequency amateur radio for their weather information, e-mail data, and other information that pertains to the safety and well being of the cruising amateur radio operator." The SSCA comment is an important development in 16-239, and I am very glad that the issue has now been raised.

2. The origins of HF email systems for maritime users is reported in the New York Times. The SSCA and its members are the creators of these systems. They are its primary users and owners.  
<http://www.nytimes.com/2001/11/22/technology/radio-e-mail-connects-ships-to-shore.html>

Since then, although a desire to get away from it all is a big part of what motivates sailors like the Corenmans, the convenience of being able to send and receive e-mail at little or no cost from anywhere in the world -- even the middle of an ocean -- has proved irresistible.

"It works well, too, for vital spare parts we need along the way."

Several enterprising companies have tried to exploit this market, but so far efforts to commercialize service for recreational mariners have been unsuccessful.

Still, the most popular SSB e-mail network for recreational mariners is a nonprofit cooperative called SailMail, which charges a flat \$200 annual subscription fee to cover costs. SailMail was formed in 1997 by Mr. Corenman and Stan Honey.....startup of an SSB e-mail cooperative planned by Mr. Waterman and the Seven Seas Cruising Association, a nonprofit organization with a membership of some 11,000 cruising sailors.

Since then, SailMail's membership has grown steadily. PinOak, meanwhile, has stagnated.

Satellite phone companies are another natural competitor for the radio e-mail networks. But they have failed thus far to fulfill their promise of affordable global wireless communications..."it would take the satellite companies two years to make bandwidth a cheap commodity," Mr. Corenman said.

The largest such network, Winlink, offers service at no charge

“So far efforts to commercialize service for recreational mariners have been unsuccessful.”

How could they succeed when the competition gives it away free?

Stan Honey, an SSCA officer, holds the FCC licenses of record for Sailmail, which only costs \$200 a year. There are approximately 132 channels in the commercial spectrum between 2 and 19 MHz.

The other commercial providers, PinOak Digital, SeaWave and Globe Wireless, were put out of business by Sailmail, a non profit with much lower charges and free HF email service via amateur radio. This is a “small business impact.”

Use of amateur spectrum for “97.115 (5) **Communications, on a regular basis, which could reasonably be furnished alternatively through other radio services**” such as Sailmail is prohibited because it stifles businesses which would otherwise succeed. “The largest such network, Winlink, offers service at no charge.”

In Steve Waterman's 17-344 comments, page 4, we read: “For example, how much high-speed data at 2.4 KHz (Pactor 3) can be sent and received on the 40 Meter Part 97 spectrum totaling an allowable 5 KHz total? But what about about two, three *or a hundred such stations all operating simultaneously?*” **If 16-239 grants him those 100 channels, they do not need the 132 paid commercial channels assigned to Sailmail any more, since it is now free.**

<https://ecfsapi.fcc.gov/file/10123298305905/%2017-344.pdf>

“A desire to get away from it all” is an (expensive) life style choice of 12,000 blue water sailors (1.6%) which the 750,000 other amateur operators are not obligated to subsidize by donating over 1/3 of their spectrum. The FCC should donate more frequencies to use in the commercial spectrum for Sailmail, or conduct an enterprise auction of microwave spectrum to stimulate a satellite startup to provide the service Mr. Corenman anticipated in 2001. **For those businesses to succeed, the commercial misuse of the amateur radio service must cease immediately.**

**3.** SSCA says: “If (email) digital use were to be interrupted, or even come to temporary halt, it would have a *devastating* effect of the safety and well-being of US cruisers around the world, many who are amateur radio operators that rely on Pactor... for weather, and other vital safety information.”

Nonsense. SSCA members and maritime users can employ Sailmail and pay only \$200 a year. Or they can use satellite which IS cost effective and more reliable according to this source:

<http://www.globalmarinenet.com/hf-radio-and-pactor-modems-vs-satellite-phones-for-email-at-sea/>

Someone who can afford a yacht and travel all over the world can well afford to pay for email the way the rest of us do. Since when is free internet access an entitlement for the well off?

With unlimited band width or even 2.8 KHz emissions allowed *anywhere* in the HF DATA segments, 16-239 is the most radical and *devastating* rule change the amateur service has ever seen.

**4.** An example of commercial misuse of amateur radio is in the SSCA forums:

<https://ecfsapi.fcc.gov/file/7521315143.pdf>

“To: FCC – RM-11708 The sailing forms are all engouraging us to file comments in support of RM-11708. This is my first filing and if I mess this up, please see SailNet Forum at:

<http://www.sailnet.com/forums/general-discussion-sailing-related/111746-us-citizens-urged-support-fcc-rm-11708-a.html>

I have experienced very dependable service from the amateur radio Internet Winlink system. Its a great service because all of the other available Internet services cost money. Even when I am topside crusing the system runs automatically below deck publishing my position reports and downloading my email. I use the system for sending position reports, ordering supplies, repairs, chatting with friends and posting to facebook. My only complaint is that it needs to be much faster. I am not a amateur radio operator yet but a friend lets me use his call with a SIDD on the end. I hope to get my own ham call soon. From what I read on the sailing forums, RM-11708 will allow Winlink eMail to

run twice as fast. That is great and I am for that. Some of the technical folks are saying that if RM-11708 is published with no bandwidth we can get even faster Internet and might be able to stream movies on the Winlink Internet. I'm for passing RM-11708 into law with no bandwidth limits." - Randal Evans

A licensed amateur operator advocated free email via Winlink and even loaned his call sign and Winlink account. If you visit the sailing forum in the Evans comment, you will find "A sample statement of support", provided by Phil Sherrod W4PHS Winlink officer, promoting Winlink and Pactor 4 use on amateur frequencies, advocating for passage of RM-11708. KO4MI, Dave Skolnick, SSCA Board of Directors, includes instructions on how to file in RM-11708.

Part 97.113 (5) Prohibits "Communications, on a regular basis, which could reasonably be furnished alternatively through other radio services."

Part 97.115(b)(1) "The control operator is present at the control point and is continuously monitoring and supervising the third party's participation." Winlink does not "authenticate" or provide immediate disconnection of shore based unlicensed internet users who may not know FCC rules about content. Part 97.219(d)(1).

Winlink permanently occupies a channel for email connections in violation of: 97.101(b): "No frequency will be assigned for the exclusive use of any station."

Ordering boat parts, posting to a blog, or Facebook has absolutely nothing to do with emergency communications, nor does free email advance the state of the radio art or qualify as legitimate non commercial non pecuniary activity enumerated by Part 97.1. To assert that it does is patently disingenuous. That it has been tolerated by the ARRL and FCC or practiced widely by even unlicensed persons who are not properly authenticated by the gateways to the Winlink system does not justify its continuation. Widespread violation of law does not logically support abolishment of law; rather it demands vigorous enforcement.

5. SSCA says: "With the exception of the United States, Pactor 4 is allowed, worldwide." It is prohibited in Japan and a lot of IARU Region 3 (Asia). Where allowed, it is restricted to narrow sub band segments, as it should be in the USA.

6. SSCA says: "Through the Winlink system, and with the assistance of the US Coast Guard and other such services of other governments, lives and boats are saved from disasters on a continual basis." and references the sinking of the Bounty Replica, which is an example of how NOT to operate a vessel. <http://www.arrl.org/news/robin-walbridge-kd4ohz-missing-at-sea-after-sinking-of-tall-ship-em-bounty-em-ship-s-electrician-dou>

The coast guard says NOT to use email to contact it, but to use a phone number (loaded in your sat phone memory) or HF SSB voice or Global Maritime Distress and Safety System (GMDSS) . <https://www.dco.uscg.mil/Our-Organization/Assistant-Commandant-for-Response-Policy-CG-5R/Office-of-Incident-Management-Preparedness-CG-5RI/US-Coast-Guard-Office-of-Search-and-Rescue-CG-SAR/Contact-USCG-SAR/>

The Bounty's tragic outcome is sure to be repeated by this widespread misinformation. Amateur radio stands ready to render assistance by the net on 14.300 and other methods, but critical safety equipment should be based on reliable commercial methods like an EPIRB. Ed Kelly knows better than this. The Bounty organization used Winlink for routine organization administrative business traffic, a commercial use, in violation of FCC rules.

Sincerely and respectfully,

/S/

Janis Carson, AB2RA, licensed since 1959, ARRL member 40 years