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

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In the Matter of)	WT Docket No. 97-12
)	
Amendment of the Amateur Service)	
Rules to Provide For)	RM-8737
Greater Use of Spread)	
Spectrum Communication)	
Technologies)	

COMMENTS OF THE MANAGER
OF THE NATIONAL COMMUNICATIONS SYSTEM

The Secretary of Defense, Executive Agent of the National Communications System (NCS)¹, through duly authorized counsel, pursuant to Section 201 of the Federal Property and Administrative Services Act of 1949, 40 U.S.C. 481, and the Memorandum of Understanding between the General Services Administration and the Department of Defense dated November 27, 1950, hereby files these comments in response to the Notice of Proposed Rulemaking (NPRM) in the above captioned matter released by the Commission on March 3, 1997.

¹Executive Order No. 12472, "Assignment of National Security and Emergency Preparedness Telecommunications functions," April 3, 1984 (49 Fed. Reg. 13471, 1984), established the National Communications System, which consists of an administrative structure involving the Executive Agent, Committee of Principals, Manager, and the telecommunications assets of the federal organizations which are represented on the Committee of Principals. Section 1(e) of EO 12472 designates the Secretary of Defense as Executive Agent for the NCS. By direction of the Executive Office of the President (EOP), the NCS member organizations (which are represented on the Committee of Principals) are: Department of Agriculture, Central Intelligence Agency, Department of Commerce, Department of Defense, Department of Energy, Federal Emergency Management Agency, General Services Administration, Department of Justice, National Aeronautics and Space Administration, the Joint Staff, Department of State, Department of Transportation, Department of the Treasury, U.S. Information Agency, the Department of Veterans Affairs, Department of Health and Human Services, Department of the Interior, National Security Agency, the National Telecommunications and Information Administration and the Nuclear Regulatory Commission. The Federal Communications Commission, the United States Postal Service and Federal Reserve Board also participate in the activities of the NCS. The vast majority of the telecommunications assets of these 23 organizations are leased from commercial communications carriers and serve the NS/EP needs of the Federal government as well as State and local governments.

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The Secretary of Defense, for the Department of Defense and in his capacity as Executive Agent of the NCS, has historically filed comments in Commission proceedings in support of the activities of amateur radio licensees.² The NCS continues to rely on amateur radio operators as a resource to be utilized by it in carrying out its National Security and Emergency Preparedness (NS/EP) responsibilities. The NCS and the Amateur Radio Relay League (ARRL) continue the cooperative spirit set forth in the June 2, 1983 Memorandum of Understanding between the NCS and the ARRL which established a close working relationship with amateur operators for national emergency communications functions.

In the NPRM, the Commission proposes to amend its rules to allow amateur stations greater flexibility in transmitting spread spectrum communications by eliminating rules that have restricted amateur stations to transmitting only frequency hopping and direct sequencing spreading techniques. The Manager fully supports the proposed rule changes.

There are several additional changes that the Manager believes appropriate.

Section 97.311(e) should be eliminated. There appears little reason to impose the specific record keeping obligations set forth in that Section on only spread spectrum transmissions when similar requirements are not imposed on other types of transmissions. Should the Commission feel it necessary to gather the information called for in Section 97.311(e) in specific cases, it has the authority to do so under Section 97.103(c) of the rules.

Section 97.311(f) should be eliminated. The Commission has ample authority to require a station to cease or restrict transmissions and to maintain records without it being addressed in

²See, for example, Manager's Comments in Docket 87-14 and in RM-7747.

Section 97.311(f). Restating that authority in rules relating solely to spread spectrum could suggest the Commission does not believe it has that general authority over its other licensees.

Section 97.119(b)(5) should be eliminated. The section contains the CW identification requirement for spread spectrum communications. To the best of the Manager's knowledge, no currently available Commercial Off the Shelf (COTS) spread-spectrum equipment complies with this rule. Deletion of the requirement could lead to increasingly available COTS equipment for amateur use of spread spectrum technology and concurrent increased usage.

CONCLUSION

The Manager fully supports the changes proposed by the Commission and in addition urges Commission consideration of the further changes suggested herein.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing "Comments of the Manager of the National Communications System" were sent, postage prepaid, this 5th day of May, 1997 to:

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