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Before the  
Federal Communications Commission  
Washington, DC 20554

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In the Manner of  
1998 Biennial Regulatory Review:  
Amendment of Part 97 of the Commission's  
Amateur Service Rules

FCC WT Docket 98-143

RM-9148  
RM-9150  
RM-9196

**Comments submitted to the Notice of Proposed Rule Making**

Ladies and Gentlemen of the Commission:

The following are comments of a personal nature, solicited by the publication and notification of FCC Docket 98-143. An original and 6 copies are herewith respectfully submitted to the Commission for their perusal.

1) Background.

I am currently an Advanced class licensee, with the assigned Amateur Service Callsign of KK6RV. I have been licensed under this callsign, and others, since 1989. I am also the trustee for club station K6VOH, licensed to High Adventure Ministries in Simi Valley, California. I am also a holder of a Commercial Radiotelephone Operator's License, (#PG-GB-03704) as well as a Ship Radio Service license (WCF6161), and will soon have a pending application before the Commission for a General Mobile Radio Service license.

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With this many different licenses granted to me by the Commission, I feel it is very important to me to comment on dockets that effect my livelihood as a broadcast engineer and my (seemingly) endless hobby of radio in general. Docket 98-143 is a prime example of this, and I will attempt to impart some sound reasoning behind which I believe is a very solid proposal on the Commission's part.

2) Number of License Classes.

The current system of 5 tiers of incentive licensing works, but to a point. The Commission has valid reasoning behind eliminating the Novice and Technician Plus license classes because of the lackluster amount of new licenses being submitted at this present time. I agree with this proposal. An elimination of the Novice and Technician plus license classes, as well as the re-naming of license classes to Class "D" through "A" (for the Technician, General, Advanced, and Amateur Extra license classes, respectively) will streamline the license studying process, and provide a single, obvious path for advancement in the Amateur Service.

With the elimination of any new Novice and Technician plus license classes, I also believe that the Commission should also eliminate the Novice sub-bands in the CW portions of the 80, 40, and 15 meter bands, as well as eliminating the requirement that General and higher class licensees be restricted to 200 watts of power in these sub-bands. The restriction should remain, however, for grandfathered Novice and Technician Plus licensees, until they upgrade.

3) Greater Volunteer Examiner Opportunities.

I have questioned the ARRL several times in the past decade that I have been a Volunteer Examiner in both the ARRL and W5YI volunteer examining programs about why, as an Advanced class licensee, I cannot test applicants for General class licenses. I like the

ARRL's suggestion that Advanced class licensees be able to test General class applicants, but I would like it to go a step further. I believe that the VE process, and qualifications to test certain subelements, should mirror those of similar professional organizations, such as certification with the Society of Broadcast Engineers, and the program for privately testing applicants for General Radiotelephone Operator's licenses.

I propose that, within the VE program, VE's be certified and able to test for all elements in which they are currently licensed. For example, General class VE's be able to test for test subelements 1(A, B, C), 2, and 3 (A & B). Identical standards should apply for Advanced and Extra class VE's, as well. There is no tangible reason proffered by anyone at this point as to why GROL licensed individuals can test GROL applicants, and Advanced class licensees cannot test prospective Advanced class applicants. The self-regulating rule should still apply though, that no VE, regardless of license class, will administer a subelement in which he or she does not feel they have current and complete understanding of the information being tested.

4) Privatization of Certain Enforcement Procedures.

Any privatization of enforcement of the Commission's Rules is, in itself, a sticky wicket of possibilities. Each of these possibilities is fraught with the danger of abuse by over-zealous volunteers and vigilantes driven to eliminate a certain fringe element of the Amateur radio society. I do not support any action, by the ARRL or otherwise, that will include placing the Amateur Auxiliary within the pipeline reserved for justice. I do believe in the Amateur Auxiliary, and I do believe that they do provide a much needed service in a time when the Commission's resources are overly taxed and under funded. However, the Amateur Auxiliary should and must remain outside the judicial system. I would wholeheartedly support the Auxiliary's role as *amicus curiae* in an enforcement proceeding, but that should be where their involvement stops. A draft order of show cause to initiate a revocation or cease and desist hearing should be part of the aforementioned brief.

5) Telegraphy Examination Requirements.

This portion of the docket will probably invite more comments than any other, and I am no exception. While I am not a user of Morse Code on a daily basis, I still have seen the practical uses of telegraphy in a situation where the amateur HF bands are getting more and more crowded. I have personally attended conversations between two amateurs thousand of miles apart where, for a few minutes, single sideband voice communication was sufficient, but when the elbow room gets smaller and smaller, and propagation changed to the point that voice communication was no longer possible, telegraphy has filled in perfectly to convey the ideas and conversations that would have otherwise been lost to other nearby amateur interference and propagation.

I do accept the fact that telegraphy is a dying art. And I don't necessarily believe that telegraphy is a required talent for competent Amateur radio practice. But I do believe that there should always be a minimum 5 word per minute knowledge of telegraphy for HF radio privileges, regardless of an international requirement for telegraphy in the Amateur service. I have seen instances where an applicant can go from no knowledge of the Morse Code to fluency at the 5 to 7 word per minute level within a couple of weeks of diligent study, and in many cases, within a weekend.

I propose a two level modification to the Commission's restructuring of telegraphy requirements. The first, after elimination of the Novice and Technician Plus license classes, should be a lowering of the telegraphy speed requirement for the General class license from 13 words per minute to 5 words per minute, and the lowering of the Extra class license requirement of 20 words per minute to 10 words per minute.

The second level of restructuring comes into play in the eventuality that the ITU removes completely the requirement for telegraphic knowledge for the Amateur service. At that point, I believe the Commission should lower the telegraphic speed requirement for Extra

class licensees to 5 words per minute. This in no way should hinder the encouragement that the Commission should foster in increasing an applicant's ability to advance in the knowledge and use of Morse Code, even though a higher speed is no longer required.

In RM-9196, the ARRL is proposing that applicants should attempt a telegraphy test before submitting medical proof that they are sufficiently challenged to the point that taking the test and passing would be impossible. I don't agree with the ARRL in this manner at all. Instead, couldn't certifiable proof be placed in a sealed envelope and forwarded, unopened by the VEC, to the FCC for placement in the applicant's file? This envelope need not be opened for any reason, unless the Commission suspects coercion or malfeasance on the certifying doctor's or applicant's part? If foul play is suspected with a particular application, and the subsequent opening of the previously sealed envelope reveals blank paper or other correspondence irrelevant to the applicant's disability, would that not show *prima facie* intent to defraud the Commission? I believe that this way, privacy issues are acknowledged, and the applicant's right to accommodation is honored.

6) Written Examinations.

I still believe that the number of questions, and the question pool itself, be regulated by rule. And the current system in my belief is sufficient enough for the introduction of new questions that reflect the introduction of new technologies into the Amateur service. However, the Commission's idea of the introduction of an essay question into the test is a novel and workable idea. Such essay questions could consist of the type similar to the old-style questions about schematics and such, but should include everyday practices in amateur radio. Some examples of questions might be:

“Explain, in essay fashion, how you would properly erect a dipole antenna in the backyard, or in an emergency situation, given the considerations of antenna performance vs. height and minimization of exposure of excess RF radiation to passers-by.”

and

“Explain, in essay fashion, how you would properly assemble an amateur station, which equipment would you use and in what configuration, to assure compliance with FCC rules.”

Giving an applicant his or her choice of essay questions to answer would give the VE's, VEC's and the Commission a wonderful idea, on an ongoing basis, of what each prospective applicant is really interested in when applying for an Amateur license.

7) Conclusion.

In the proceeding pages, I have tried to impart my opinions in clear and concise basis. The point is, in a world where the Commission is constantly being forced to find new and more innovative ways of funding itself, and in some cases, the General Fund too, we as an Amateur service must find more innovative ways of streamlining ourselves and placing less of a burden on the Commission's resources. The Amateur service does not pay for their basic applications (with the possible exception of Vanity call signs) where other services have mandatory fees, and even auction requirements to utilize the spectrum they desire. It is to this end that I hope my comments are helpful in streamlining Part 97, making the Commission more efficient, and bringing the Amateur service into the 21<sup>st</sup> century.

Respectfully submitted,



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