

In the Matter of

1998 Biennial Regulatory)	
Revises - Amendment of Part))	WT Docket No. 98-143
97 of the Commission's)	RM-9148
Amateur Service Rules)	RM-9150
	RM-9196

COMMENTS OF

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I file these comments on November 8, 1998 in the FCC's WT Docket No. 98-143 concerning the 1998 Biennial Regulatory Review - Amendment of the Part 97 of the Commission's Amateur Service Rules.

SUMMARY:

The Amateur Radio Service has fallen technically behind in the development and use of new, spectrum efficient and newly emerging technologies. Also, the number of applicants taking amateur radio exams and receiving amateur radio licenses has fallen precipitously in the past three years. Only the "No-Code Technician" class license still shows major positive numbers in growth. It is obvious that there are too many license classes in the American licensing system, causing unnecessary work for Volunteer Examiners and the FCC, to process license applications for classes which could easily be eliminated.

Continued use of high-speed International Morse Code testing has become an albatross around the neck of amateur radio, keeping out many otherwise technically qualified people, who see no point in spending many months learning to be a human modem for Pulse Width Modulation, (PWM) On-OFF Keyed CW signals. With the decline in use of Morse in Amateur and all other radio services, continued high-speed CW testing in the Amateur Service constitutes nothing

but an unnecessary, and probably illegal, hazing ritual for the rite of passage to use HF frequencies. Only the International ITU Regulation S25.5 remains as a requirement for CW testing. However, S25.5 does not specify at what speed testing needs to be conducted. Also, S25.5's international legality in view of CW testing's discriminatory nature is suspect.

Indeed, the code barrier has produced a major division among amateurs: (1) Those older amateurs who know code and use HF frequencies extensively, and (2) Younger amateurs who do not know code, do not want to learn code, and operate exclusively on the VHF/UHF spectrum. Worse, this barrier has produced an elitist attitude among many older amateurs who view the No-Code Technician newcomers as less than full "hams". The current age of General Class licensees is now 63 and rising. One can easily see the direction that this traditional "journeyman" class license is taking. Clearly, few amateurs feel that the additional HF privileges are worth the time and effort to learn an outdated mode of communications at such a high rate of speed. The benefit just does not justify the investment in time and effort.

An analogy of this situation is requiring all driver's license applicants to take their driving test on a three-speed column manual shift vehicle, in order to receive a driver's license to use any vehicle on the road, stick shift or not. To my

knowledge, such an unacceptable practice is not conducted in any state. Neither should demonstrating an archaic mode that is merely an option at the whim of the operator, be a requirement for HF access. Indeed, if you look at the current HF licenses,

2

the General, Advanced, and Extra, increasingly higher code test speeds are required for voice (phone) mode band privileges. Even if continued high-speed code testing could be justified for those who need to know it, it cannot be justified for those who don't, and choose to use other digital or voice modes of operation instead.

The Commission has proposed to eliminate the Novice and Technician Plus license classes as a remedy. However, with no other changes, this would leave the 13 wpm code-tested General class license for entry level HF privileges. Clearly, this resolves nothing and is not acceptable.

The American Radio Relay League (ARRL) has proposed eliminating the Novice and Technician Plus license classes, and reducing the Morse testing requirement to 5 wpm for the General Class license. Current Novices and Tech +'s would be grandfathered to the current General Class license, and No-Code Technicians would be allowed access to the current CW HF band portions. This also is an unnecessarily complicated, and incomplete solution to the problem.

I submit that this plan, while helpful and a good first effort, does not go far enough. It has two major flaws: (1) It still requires high-speed Morse testing for two license classes, and (2) Requires high-speed code for additional "phone" band privileges. I do not believe that either of these flaws is acceptable.

As an alternative, I submit that ALL code tests for HF access should be at no more than 5 wpm, as per No-Code-International's

proposals, and indeed, should be whatever the minimum recognition rate is to meet the S25.5 requirement, perhaps 1 wpm, rounded to the nearest whole integer. Then, having flattened the code requirement, there is no reason for distinction between the Advanced and Extra classes. The questions in the Extra pool are primarily oriented toward those who want to become VE's. And yet, many Advanced Class operators are already VE's before they take the Extra exam. I believe that the Advanced and Extra Classes should be combined into a single class, combining the test elements and questions into a single pool.

I would propose allowing the current Novice operators until the end of their current license term to upgrade to another grade, and continue to operate on all HF CW bands and 10 meter "Phone". Current Tech Plus operators would continue to renew and operate ALL HF CW bands, plus the "Phone" portion of 10 meters.

Further, I submit that when the S25.5 requirement is either

suppressed, or removed, that the code test requirement be automatically "sunsetting" out. At this point, the Commission may want to reassess the license structure again, and possibly keep only two classes: (1) A beginner/entry class with some limited HF/VHF band, modes, and power output, and (2) A full operator class of license with all bands/modes privileges, and 1500 watt output, where applicable.

I agree with the ARRL that dividing up the current Novice/Tech Plus CW portions of the HF spectrum evenly between "Phone" operation and digital modes is appropriate.

DISCUSSION:

I have been a licensed amateur since 1961 at age 14, and an "Extra" class since 1966. As with many others of that era, my first amateur license launched me on a high-tech career which resulted in my earning a degree in engineering, and obtaining a professional engineering license. I have spent 26 years in public safety communications engineering, management, and consulting, and maintained my interest in ham radio through life. I am also a Volunteer Examiner (VE), Volunteer Consulting Engineer (VCE), and Official Observer (OO) for the ARRL, and am currently the Committee Chairman to Boy Scout Explorer Post 599 (ham radio) in Phoenix, Arizona. I am active in ARRL and AMSAT,

so I feel I have my pulse on where amateur radio is today, and where it is heading.

Indeed, both of my sons are licensed amateurs also. One joined scout Explorer Post 599 in 1990 when he got licensed, and launched him on a high-tech career in computers. In 1990, there was no general "Internet" access, so youth were much more willing to spend the time necessary to develop Morse CW operating skills to get access to some HF spectrum in order to talk around the world. In 1990, the Explorer Post had over 100 members. It has declined steadily since that time, as the solar sunspot cycle sagged and bottomed out, and the Internet became a household, consumer access item. Today, for only \$15-\$20/month, a youth can get access to the worldwide internet, 24 hours/day, and by using an internet telephone program, communicate with anyone on the earth with a similar connection, for no additional charge. In the past two years, only two youths have bothered to learn

Morse CW at the 5 wpm entry level, and only one at 13 wpm. Learning Morse CW by ear is a very difficult "sell" to the youth of today. Clearly, amateur radio must offer something "extra" for young people to become involved. The "Magic" of HF voice propagation is some of that magic. Ham radio cannot cling to historical nostalgia as its reason for existence, and learning high-speed Morse CW falls into the category of historical nostalgia. What ham radio should offer is the opportunity to

experiment with new spread spectrum modes, and other high-speed digital modes, including digital TV. This will probably require breaking down some of the traditional mandatory band-plans in order to allow for future technology. Also, since voice modes are currently clearly the most popular, their available spectrum should be expanded somewhat. Therefore, it would be appropriate to take at least half of the current Novice HF CW sub-bands, and convert them to allow for "SSB-Phone" operation.

To maintain an entry level interest to amateur radio among our youth, the entry license should not be made any more difficult than the current Technician class, though the material needs to change more toward VHF/UHF operation, and ignore HF propagation. The General and Extra class license examinations could be beefed up somewhat to reflect the expanded mode privileges and output power.

Keeping the number of types of exams to be administered to three will help the Volunteer Examiners greatly in simplifying the process, and preventing mistakes. A flat 5 wpm code test for General and Extra will eliminate the issue of medical waivers entirely. It is well understood that VE's are currently on very

shakey ground in doing any kind of review whatsoever of medical waivers. This leads me to believe that Morse code testing might be entirely illegal under the ADA (Americans with Disabilities Act), and may even violate the UN Charter on Human Rights. A

flat code rate of 5 wpm or less, perhaps even written code letter recognition, would probably resolve these issues for now.

Since it is understood by all parties that S25.5 of the ITU treaty will be removed within the next few years, it would seem appropriate to have an automatic "Sunset" provision in the revised amateur regulations to completely eliminate ALL CW Morse testing, the instant S25.5 is either removed entirely by a direct vote of the ITU, or "Suppressed" by mutual agreement of all signatory parties to the agreement. This will save a lot of unnecessary paperwork and another comment review period to again revisit this issue.