

Before the

Federal Communications Commission

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

November 27, 1998  
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**Comments for the record in the WT Docket No. 98-143**

INTRODUCTION

I am a licensed Amateur Radio Extra Class operator, callsign W8EH. I have been an active amateur radio operator since 1972. I started as a Novice operator, upgraded to Advanced class in 1973, then Extra in 1978. I also hold a General Radio Operators License and work in the two way radio maintenance field.

I am an ARRL Official Observer, amateur auxiliary. I am also an active volunteer examiner with our local radio club certified by W5YI-VEC and ARRL-VEC. I have served as President and in other offices of the local Dial Radio Club.

I commend your Wireless Telecommunications Bureau staff on their 1998 Biennial Review process and wish to add my comments and recommendations. The time is probably right to make changes similar to those you propose, so as to give the Amateur Radio Service a shot in the arm. Amateur radio needs to be changed to remove some of the barrier to the HF bands.

**Number of License Classes.** In reference to your docket items 11, 12 and 13, the amateur license structure, I feel strongly that something should be done to straighten out the license classes. They should be reduced from the six to four and those eliminated should be automatically upgraded to the next higher license. My main concern is that no present licensee should lose privileges, and present licensing standards should be maintained as much as possible. I don't have a problem with lowering the CW (Morse code) speeds for meaningful access to the HF bands.

As the numbers show, amateurs are not upgrading from the technician class to general and higher. Most of this is because the 13 word per minute code speed barrier to get meaningful HF band access. Most general class licenses are interested in voice or data communications on the HF bands. By lowering the general class code speed to 5 words per minute, the barrier to these persons will be minimized. This should also reduce handicap wavers.

Your proposals to stop licensing –NEW- Novice and Technician Plus operators, but still keep the sub-bands for them, doesn't really cut back the number of license classes. You will still have to maintain your database showing these operators. You propose to keep them on the books and keep their operating privileges and sub-bands. This doesn't really qualify as reducing the number of license classes and really doesn't solve anything. It also continues to tie up some prime HF sub-band space that can be partially re-farmed for voice and data communications. Go ahead and eliminate these licenses and automatically upgrade them to the next higher class, General, without additional testing.

One of the major problems that needs corrected, is with the Technician class. The prospective Technician licensee now must study and master material for the element 2 that has nothing to do with VHF (50 MHz and above) operations. Element 2 includes a significant number of questions on HF (30 MHz and below) operation and Morse code operation. This is unnecessary for them if they can't use these bands. Eliminate element 2 and increase the number of questions in element 3A.

The Novice license seems to be unnecessary now. We have tested very few candidates for Novice at our club's license test sessions. I have observed that the novice CW bands are not being used much at all for CW right now. This 'space' can and should be partially reclaimed for expansion of the phone portions of the amateur bands.

So, what changes should you make? My suggestion is:

You should keep the Technician class license as it is, but have a newly expanded question pool (3A) that will address more of the VHF operations and rules.

The General license code speed should be dropped to 5 words per minute. (Opinion polls support this).

The Novice license should be completely eliminated and all present licensees should be upgraded to General, without additional testing.

The Technician Plus (those who have passed Morse code) should be completely eliminated and all present licensees should be upgraded to General, without additional testing.

The Advanced license should be kept as is, except the code speed should be 12 words per minute, putting it in line with most other countries.

The Extra class license should be kept as is with NO change in the 20 words per minute code speed.

The table below shows how I think the license structure should be transformed:

<i>Present License</i>	<i>Proposed License</i>	<i>Written Elements</i>	<i>Morse Speed</i>	<i>Notes</i>
Technician	Technician	Revised 3A	No exam	Basic VHF license
Novice	Move to General	-	-	Upgraded
Technician Plus	Move to General	-	-	Upgraded
General	General	3A and 3B	5 wpm	Basic HF license
Advanced	Advanced	3A, 3B & 4A	12 wpm	Same as now
Amateur Extra	Amateur Extra	3A, 3B, 4A & 4B	20 wpm	Same as now

You can see this leaves 4 license classes as you propose in the text of your docket. My proposal doesn't hurt any license class or take away any privileges. This will greatly simplify the testing process, make studying for the tests easier and lower the code speed for the basic HF license as most amateurs feel should be done. It will also reduce your record-keeping burden as well as reduce the amount of upgrade paperwork you and the VEC need to handle.

Some people may complain that the Technician Plus and Novice are getting something that they shouldn't, but most amateurs that I've talked to don't see a problem with upgrading them to General class. Holders of both these classes have already taken element 2, which contains the basic fundamentals of HF band operations. So they do have the basic qualifications for HF operations. These are now the basic HF entry licenses, they should be upgraded to what will be the HF entry license after restructuring.

The General license should keep all the same privileges as now, phone and Morse code on all amateur bands. The lowering of the General class Morse code speed to 5 words per minute should eliminate many of the 'handicap wavers' that we have now. The General class will serve as the basic HF license. Advanced licenses should continue to get slightly more phone sub-band space than General class. Amateur Extra licenses should continue to get slightly more phone sub-band space and get prime Morse code sub-bands.

I am in favor of keeping the 20 words per minute speed for Amateur Extra class. I feel this way because, one of the main additional privileges the Amateur Extra gets is the 25 KHz morse code sub-bands at the bottom of the 80, 40, 20 and 15 meter bands. This is the prime area where many foreign contacts are made and almost all operators in this area run high speed, 20 words per minute or faster. We need to keep some incentive for amateurs to improve their skills and upgrade.

Since I propose to eliminate the Novice and Technician Plus licenses, portions of the CW sub-bands now available to them on 80, 40 and 15 meters, should be 're-farmed' into voice band expansion. This will allow for the additional space needed to accommodate these new 'General' operators. I don't think we should re-farm all the Novice-Technician Plus sub-bands into voice though, the lower parts of these bands are used quite heavily for digital type operations. This

needs to be done due to overcrowding on the existing voice sub-bands. Below is how I propose that the bands be realigned:

On 80 meters, the Amateur Extra phone band should be moved down to start at 3.700 MHz, Advanced at 3.725 MHz, and General at 3.800 MHz.

On 40 meters, the Amateur Extra and Advanced phone band should be moved down to start at 7.125 MHz, and General at 7.200 MHz.

On 15 meters, the Amateur Extra phone band should be moved down to start at 21.150 MHz, Advanced at 21.175 MHz, and General at 21.250 MHz.

If totally eliminating the Novice and Technician Plus licenses and upgrading them to General class is too big to swallow, you could continue to renew existing licenses. You could then move their sub-bands so that they overlay existing general class CW bands on 80, 40, 15 and 10 meters and give them full voice privileges on 10 meters. Their path for upgrading would be to pass element 3A and 3B to become a General Class.

One additional note about 'restructuring', please keep the class names as they are.

**Telegraphy requirements (Morse Code or CW).** I have a few comments on this matter.

I feel the Morse code testing requirements should stay basically the same but lowered for the General Class license. The 5 words per minute level should be the entry point for meaningful all-band HF access. As a practical matter, the meaningful access to the HF bands should require less Morse Code training time.

The present three Morse code levels remain relevant to amateur radio. We should continue to have three levels but change license testing levels slightly. We should not go to a single 5 words per minute test just because of handicap waver abuse.

I do operate Morse code at speeds around 30 to 35 words per minute. I do enjoy the Morse code operation very much. I see others who will never use Morse code, they just desire to operate voice on the bands below 30 MHz. I've seen a lot of people through our classes and exams who will not be able to pass an exam beyond 5 words per minute, because of various factors. These persons do need to be accommodated in some way, so they can pursue voice operation below 30 MHz. There has been much discussion on this matter between hams for years. There are those who wish to eliminate the Morse code exams completely and those who wish to keep them as is. It's time we find that middle ground to try to make the most people happy. Since the ITU regulations (Article S25) requires each country to ensure amateur operators have 'some' Morse code ability for operation below 30 MHz, we still have to give some type of exam. Five words per minute, is not difficult for most people. It is a speed where there is a basic recognition of the Morse code. It requires minimum effort to learn 5 words per minute Morse code. I do feel the

exam level for meaningful HF access (below 30 MHz) should be changed to 5 words per minute. This means that the General license Morse code exam should be set to 5 words per minute.

I feel we should still keep the three levels of Morse code telegraphy exams. The speeds should be as follows:

‘Slow’ 5 words per minute speed as discussed above, should be for the General class license.

‘Intermediate’ speed of 13 words per minute should be changed to 12 words per minute to get us in line with most of the rest of the world. The intermediate speed should be required for the Advanced class license.

‘Fast’ speed should still be kept at 20 words per minute for the Extra class license. As I mentioned in the text in the beginning of my comments, one of the main additional privileges the Amateur Extra gets is the 25 KHz Morse code (CW) sub-bands at the bottom of the 80, 40, 20 and 15 meter bands. I’ve observed that there are almost no stations operating below 20 words per minute in these Extra class, Morse code sub-bands. So an Extra class operator should be able to send and receive 20+ words per minute to operate here.

I don’t feel that the written testing requirements should be changed, as I don’t propose to eliminate the Morse code. Unless you should decide to change the code speed for Extra class to the intermediate speed, then the number of written questions in element 4B should be increased with more technical questions.

I do feel that the current Morse code testing procedure is good for both examiners and examinees. Our club’s exam team has been coordinating with W5YI and using their pre made Morse code tests. We play a prepared 5 minute long Morse tape, followed by a 10 question multiple choice test. This places the emphasis on copying the whole message and getting the vital facts from it. Switching back to the ‘one minute solid copy’ would place an unnecessary burden on examinees, and I don’t think it would be as good a test of their ability. The solid copy requirement may cause more ‘handicap wavers’ to be sought, because someone may not be able to write perfect enough to have a clean one minute copy. Please leave the Morse code testing methods in the hands of the examiners or VECs.

In reference to the ARRL request for the examiners to get access to medical information of those seeking handicap wavers, we don’t want that here. I believe that this proposal will raise serious privacy and confidentiality concerns. Our exam team has no business looking over someone’s medical records. If it is still felt that someone should look at the records, it should be done at the VEC or FCC level. I do feel that those requesting a waiver on the higher speed Morse code exam should be required to attempt the exam with proper accommodation of their disability, before being given a waiver. The waiver system should be tightened up to eliminate people from getting them who don’t have qualifying disabilities. I’ve seen persons who get them because they have back problems, heart trouble or walk with a limp.

**Written exams.** You request comments on the present written exam system. I feel it does work well as outlined in the rules. I don't feel that the individual VECs or the question pool committee should be given more flexibility in determining the makeup of the exams, keep it in the rules. The present system gives us some uniformity to the exams, and examinees know what to expect. I do see one MAJOR problem with the present system that may be stifling amateur radio's growth with teenagers and pre-teens. That is the level of vocabulary in the tests being too advanced for them. From what I have observed from having two children (ages 10 and 14 at the time) pass their tests, the vocabulary used in many of the questions is so far advanced that they have never heard some of these words. I suggest they you, by rule, require that the question pools for elements for Technician and General be limited to what is acknowledged as a junior high school reading level. I believe that some persons who submit questions to the VEC question pool committee are not taking into account the vocabulary of some of these questions. I observe this to be THE major obstacle to young people becoming amateur radio operators.

**Privatization of Certain Enforcement Procedures.** As an ARRL 'Official Observer', I have seen the lack of proper FCC enforcement on the bands below 30 MHz. This is a major problem and is giving amateur radio and the FCC a black eye. The type problems we see on 14.300 MHz, 14.313 MHz, 3.950 MHz CANNOT be taken care of by 'self policing'. The FCC enforcement branch must take action to suspend and revoke licenses from some of these individuals. These individuals have not and will not change due to peer pressure or 'self policing'. You need to do something different about enforcing the rules. The present operation is not working and is not a deterrent to the lawbreakers taking over the bands. While we may be able to use 'self policing' and 'peer pressure' on local stations breaking the rules on the bands above 50 MHz, stations in the bands below 30 MHz don't succumb to this same influence.

The Official Observers-Amateur Auxiliary should be allowed greater influence with the FCC enforcement process. From the few cases I have observed, malicious interference cases may take 2 years before an individual is ordered to 'show cause' for their actions. We need the authority to 'fast track' these cases. The evidence that the Official Observer-Amateur Auxiliary collects needs to carry more weight to bring action at the FCC. I am not sure what it will take in the rules to do this but it must be done to save amateur radio. As it stands right now, the rule breakers know that they can get away with malicious interference, harassment, unlicensed operation and foul language for years before the FCC orders them to 'show cause'. Then it can be another year before a fine is possibly collected. Give the ARRL Official Observers-Amateur Auxiliary the authority to collect and submit evidence for FASTER action against lawbreakers. PLEASE DO SOMETHING, IT'S ALMOST TOO LATE.

**Greater Volunteer Examiner Opportunities.** I agree with the ARRL and your motion to allow greater flexibility with examiners. The Advanced class should be allowed to administer General exams and the General should be able to administer Technician exams.

**RACES Station Licenses.** I agree with your motion. You should phase out RACES station licenses.