

1. The following comments apply to the stated paragraphs in WT docket No. 98-143.

2. Paragraphs 11 & 12, concerning the deletion of the Novice License. I agree with your proposal as written, subject to my thoughts contained in 9. below.

3. Paragraph 12, concerning the section reading "would it be appropriate to delete the frequency limitations on Novices and the power limitations on other classes of operators using the Novice frequencies so that Novices would continue to be limited to 200 watts output power but could operate using the Morse code anywhere within the 80, 40, 15 and 10 meter bands?" I agree with the proposal as written with the following exception, viz., 5 wpm-capable operators, regardless of license-class, should continue to have designated bands where they can operate. I expand on this idea in my paragraph 9 below. Also, what bands would Novice license holders have voice privileges?

4. Paragraph 13, concerning the phasing out of the Technician Plus license. I agree with the proposal as written. However, your explanation is not clear as to what grade of license that current holders of the Technician Plus license will have during the phase-out period. Additionally, your explanation does not explain what happens at renewal time for the Technician Plus class, although the proposed wording of section 97.21 (a) (3) does.

5. Paragraph 14, concerning the two VE proposals in paragraph 14. I agree with them as written.

6. Paragraph 16, concerning the deletion of the RACES licenses while retaining the RACES communications rules. I agree with the proposal as written.

7. Paragraph 18, dealing with enforcement procedures. I believe that requiring someone with a complaint to complete a draft order is inappropriate. The Government should not require amateur radio operators to be amateur lawyers as well. The system should permit a party to complain to the Government (FCC) and have the FCC enforce the laws.

8. With respect to your questions in paragraph 24, I offer the following:

(a) (Q) Do the three levels of 5, 13, and 20 wpm remain relevant to today's communications practices? (A) As principal means of communications, no. As emergency communications, yes. To further understand the present requirements for Morse proficiency and shed some light on its continuing relevance, identify the various military job descriptions that require a knowledge of Morse. I understand that the US Marine Corps still requires certain career fields to have Morse proficiency.

(b) (Q) Should we continue to have three different levels, or should these be reduced to one or two -- and, if so, what should be the required speeds? (A) I recommend three levels: 5, 13, & 20 wpm. I discuss this further in my paragraph 9 below.

(c) (Q) Were we to reduce the required Morse code elements,

should we add elements to the written examination to ensure a working knowledge of the newer digital technologies which, in part, are replacing the Morse code? (A) Yes.

(d) (Q) Or, should we consider specifying the method of examining for Morse code proficiency, such as requiring fill-in-the-blank or copying one out of five minutes sent, instead of allowing VEs to determine how to test for code speed? (A) The FCC should specify how to test code speed. Use a strict test. You should either be serious about the code requirement or give it up entirely.

9. With respect to paragraph 25, I agree with the FCC=92s tentative conclusions about examinees with disabilities. As an attempt to resolve this issue, I forward the following idea for your consideration. I believe that it would provide a basis for fair and objective licensing for examinees with and without disabilities. It would provide privileges based upon radio knowledge and physical ability. It also would accommodate amateurs holding present and planned licenses. It would reduce the FCC=92s cause for concern about privacy.

(a) Re-structure the licensing classes as follows.

(1) Establish four classes of voice-only licenses: Technician, General, Advanced, and Extra.

(2) New licensees would be granted these classes of license based on their ability to pass tests as defined in the Docket.

(3) Amateurs holding these licenses would be granted all privileges above 50 MHz and voice privileges in segregated segments of the HF band, depending upon the class of license held.

(4) Establish a three-tier (5, 13, & 20 wpm) Code Endorsement for each of the four classes of license. A holder of any class of license would be able to earn any of the three Code Endorsements.

(b) Provide parts of spectrum dedicated to code use, segregated by level of Code Endorsement, regardless of class. Power restrictions could apply as necessary.

(c) Current license holders in a class would either (1) retain their existing licenses until they upgrade, etc., or (2) be granted new licenses, with Code Endorsements (CE) based on the highest code test passed. The FCC would determine the most appropriate method. In the case of (2), for example, current Technician Plus licensees would convert to a Technician, Code Endorsement (CE) 5 license. By passing a higher wpm test, the license would be upgraded to Technician, CE 13 or CE 20; General licensees would become General, CE 13 licensees; Advanced would become Advanced, CE 13; Extra would become Extra, CE 20.

(d) This proposal provides levels of licensing based on objective testing of radio and code knowledge. It would provide examinees with and without disabilities to earn a license based on their own individual ability. It recognizes the achievements of current licensees and provides incentives to improve one=92s abilities. The form of the test taken by examinees with disabilities would be adapted to the examinee=92s particular disability, viz., visually impaired persons would have the

test read to them, etc. Protected portions of spectrum would be provided for each class of license and each level of code proficiency.

10. If you have any questions about my responses, please contact me.

11. Thank you for your consideration.

Herbert F. Smith Jr.

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