

To: Federal Communications Commission  
Public comment

From: James A. Pierce, W8CAP  
*Attorney and Counsellor at Law*

Date: 1 December 1998

Re: WT Docket No. 98-143  
Proposed changes to Amateur Radio Service

Gentlemen:

After review of the both the initial and current (revised) ARRL proposals and the NPRM proposal/notice of the FCC, please accept this public comment on the NPRM.

First, I support the revised proposal of the ARRL in its entirety. My primary consideration for this support is the hallmark principle that no currently licensed amateur would receive less operating privileges under any new rules adopted, than enjoyed under their current privileges under the current rules. This is important to all Amateur operators who have invested time, effort, and funds to develop their licenses and enjoy their associated privileges, and have invested significant personal funds in acquiring their equipment and developing their stations. The modification of licensing and upgrading as proposed by the ARRL accomplishes this without any loss of privileges due to rule changes.

Second, if a code requirement is to be maintained, I support the current ARRL proposal for code examination at 10 wpm. Although I remain unconvinced a code requirement is necessary or appropriate, a ten wpm code exam would be more appropriate than the present 13 wpm for general class licenses, particularly (1) since internationally no code speed is specified for any other country, thus our Amateur operators are placed under requirements not all other world Amateurs face; and (2) since reducing the number of license classes results in reducing the number of steps permitted to reach the top class license, the requirements should be balanced more evenly in graduation to offset the size of the steps. I believe a 10 wpm examination requirement, if a code requirement is to be maintained, is an appropriate step to address both issues.

Third, I am concerned regarding the FCC proposal by the consideration of elimination of multiple choice or fill-in style examinations for the code exams. There has been no demonstrated evidence that multiple choice (or any other current method) for testing code proficiency in any way degrades or lessens the value of the amateur code examinations. There has been no demonstrated evidence that allowing Volunteer Examiners to select the testing method in any way degrades or lessens the value of the amateur code examinations. Why then take the flexibility and discretion from the Volunteer Examiners? The two VE testing sessions I have attended in two different cities were appropriately formal and very professionally administered. Volunteer Examiners displayed a pride in their professional conduct and the respect given to the examination process. Without some substantial evidence that removing the discretion of the Volunteer

Examiners to select the testing method is necessary to maintain the quality or professionalism of the examinations, the Commission should be hesitant to more tightly regulate the Volunteer Examiner process.

Further, the FCC=s proposal appears to have applied the principle of conforming to present successful practice inasmuch as the FCC=s proposal suggests elimination of the Novice license because applicants (for the most part) simply do not use it as an entry. This principle is grounded in common sense. Why then should the Commission adopt rules which conflict with present successful practice by eliminating multiple choice style examinations or by removing the discretion from the Volunteer Examiner? Again, without supporting evidence, the elimination of multiple choice examinations and the elimination of Volunteer Examiner discretion appears arbitrary and unproductive.

Thank you for the opportunity to comment on the current proposal. Your actions affect a large number of Amateur operators who consider their hobby very important and very special, as do I. You are not only our licensor, you are our vanguard of the privileges and resources we enjoy. Thank you for your help.