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November 27, 1998

Magalie Roman Salas
Office of the Secretary
Federal Communications Commission
1919 M Street, N.W., Rm. 222
Washington, D.C. 20554

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Re: Docket 98-143
Regulatory Review - Amendment of Part 97 of Amateur Service Rules

Ladies and Gentlemen:

I take this opportunity to respond to the notice of August 10, 1998 of rulemaking and solicitation of views by members of the amateur community.

I have been licensed as an amateur for approximately 38 years. I am currently an Amateur Extra licensee issued the call sign K3SFP. Although I am not nearly as active in the hobby as I was when I was younger, I do maintain a continued interest in the hobby, participate in some HF communications on a regular basis, and have an interest in some of the matters raised in FCC 98-183, which I discuss below.

At the onset, I agree with the regulatory changes as outlined in the Commission's proposed rulemaking. My comments are limited to the inquiries set forth in that rulemaking notice. I do not support, but do not comment upon, other regulatory initiatives developed by ARRL, which would have the effect of a considerable restructuring of the Amateur Service. My belief is that the Service is properly structured now and that the restructuring proposed by the ARRL will neither improve the existing Service nor significantly attract new participants into the Service.

1. Enforcement Procedures

Enforcement procedures definitely need to be improved. The quality of communications on all HF bands, as well as various VHF bands, has deteriorated markedly in the past 25 years. I am particularly concerned about widespread use of profanity, sexist, and racist language on the air, as well as malicious interference.

I think that the Commission is asking too much by requesting non-attorney amateurs to draft notices to show cause with respect to potential revocation proceedings. That

No. of Copies rec'd 014
List ABCDE

Magalie Roman Salas, FCC
November 27, 1998
Page 2

is a law enforcement or regulatory function best left to the Commission and its attorney staff. I think it would be more effective for licensed amateurs to have a toll free complaint line that will permit anonymous registration of complaints with the information necessary to identify offenders by call sign or other means that would permit FCC monitoring stations to obtain the proof necessary to issue show cause notices.

There was a time when the ARRL maintained, with the apparently tacit approval of FCC, an "Official Observer" program. Amateurs engaged in improper operating practices or producing signals that were either technically inadequate or outside the band, would receive postcards from "Official Observers" which consisted of directly stated but politely worded explanations of infractions heard by those engaged in monitoring. Those notices may have had some limited effect, but not nearly the effect of a statement by the Commission that an amateur was not in compliance with the regulations and providing the amateur a limited period of time to explain the improper operating practice with a suggested correction.

In short, I believe that the amateur community is not well equipped for self-policing. Certainly the amateur community can engage in a reporting function, but the actual enforcement of rules and regulations governing the Amateur Service must be the province of FCC. I encourage the Commission to consider expansion of its enforcement and monitoring staff or, at the least, make it possible for amateurs properly to report violations to Commission enforcement personnel in a manner that preserves their confidentiality and produces to the Commission information that can be relied upon in enforcement proceedings.

2. Telegraphy Examination Requirements

The debate over the use and knowledge of Morse Code has been with us as long as I can recall. Most amateurs that telegraphy requirements are not difficult to master. Some amateurs continue to use the skills they have developed to pass FCC examinations in telegraphy; some amateurs never use telegraphy. The skill required to send and receive Morse Code is unique to ham radio and I think the continuation of that requirement has value for the hobby, although it will likely continue to discourage some people who would otherwise be able to secure a no-code license.

3. Overall Views of Amateur Radio as a Continuing Hobby

Development of the Internet, substantial proliferation of advanced means of distribution for television programming, among other technological developments since the 1950s, renders amateur radio a hobby that is probably less attractive to teenagers

Magalie Roman Salas, FCC
November 27, 1998
Page 3

and young adults, meaning that the number of people involved in the hobby will likely flatten out or slightly decrease in the next decade or two. Availability of high quality commercial equipment at reasonable prices will ensure, however, that those entering and continuing in the hobby will be able to participate in the many facets of amateur radio with more of their available time concentrated on operating as opposed to constructing or maintaining equipment. The level of activity within the hobby should remain good for the foreseeable future as a result.

Although commercial users of the radio spectrum would surely have an interest in obtaining portions of what is now made available for amateur radio, the same surely can be said for the spectrum utilized by the Family Radio Service, the VHF allocation for marine radio, and the citizen's band frequencies. Congress and the Commission have always favored spectrum allocation for noncommercial use, and I have no reason to believe that philosophy will change radically in the foreseeable future. I do not view lowering of licensing requirements as a ready inducement to an increase in the numbers of amateur radio operators or the quality of their operations. Nor do I view lower licensing requirements as essential to the maintenance of industrial production of commercial radio equipment for amateur operators.

I am opposed to radical changes in licensing structure and entrance requirements for the hobby. I am very much in favor of Commission efforts to improve the quality of operations engaged in by amateurs who are already licensed. Quality of operation, rather than ease of entry into the hobby, will, in my estimation, over the long term ensure continuation of interest in amateur radio.

I thank you for the opportunity to present these comments and I hope they have been of some assistance to you.

Yours very truly,

A handwritten signature in black ink, appearing to read 'P. Broida', with a horizontal line extending to the right.

Peter B. Broida
K3SFP

PBB/jg