

Magalie Roman Salas  
Office of the Secretary  
Federal Communications Commission  
1919 M Street NW, Room 222  
Washington, DC 20554

**IN THE MATTER OF**

1998 Biennial Regulatory Review - )  
Amendment of Part 97 of the Commission ' s ) **WT Docket 98-143**  
Amateur Service Rules. )  
)

**REPLY COMMENTS OF:** **DATE:** January 11, 1999

Tim E. Billingsley, KD5CKP  
7330 Old Highway 78  
Olive Branch, MS 38654-8594

**I herewith file these reply comments** on January 11, 1999, regarding the FCC=s proposed amendment of Part 97 of the Commission ' s Amateur Service Rules, **WT Docket 98-143**. My reply comments **are summarized below:**

**I support** changes which help increase technical proficiency, operating skills, and upgrading of license class.

**I support** increased emphasis on use of digital modes as opposed to voice modes.

**I support** increased testing of privilege-relevant technical knowledge.

**I support** reforming testing procedures and reversing the trend for over a decade of dumbing down the tests.

**I oppose** comments made by those who advocate less stringent licensing standards. Those who have made comments along these lines include the American Radio Relay League, Fred Maia W5YI [who speaks not for himself but rather for No-Code International, effectively for CQ Communications when I view the words its spokesman used, and the National Conference of VECs (absent ARRL VEC)], the Courage Handi-Hams System, Wayne Green W2NSD / 73 Magazine, Kenwood Communications, and ORACLE, based in New Zealand.

**I object** to the apparent filing of bogus and duplicative somewhat illiterate comments, such as those which appear to have been filed by one person under different identities (Motak and Monopolus (sic)).

**I object** to multiple filings by effectively the same individual, Fred Maia. He has never filed on behalf of himself as a Radio Amateur (W5YI). He has repeated himself when speaking in his W5YI Report, in what clearly he wrote as the NC/VEC comments, what he wrote on behalf of NCI, what he wrote in CQ Magazine in his regular column, and what he sent and encouraged others to send to the FCC in the form of an e-mail blitz. I object to the virtual existence ( the nocode.org web page on the Internet) of NCI, on the basis that it exists only in that form, that it has a single spokesman (Fred Maia) who uses the site along with his other previously cited written media to promote identical positions and to use all of these as a bully pulpit to promote his personal opinions.

**I object** to all proposals to dumb down the Morse Code requirements. Morse Code is the most pervasive issue at stake in the rewriting of Part 97, is tearing the Amateur Radio Service apart in the United States, and is at issue in most foreign countries. Morse Code has great value due to its simplicity and as a clearly valuable substitute for radiotelephony under adverse operating conditions and especially under emergency conditions when power sources and antennas are often substandard. The fact that it has fallen into disuse in commercial and government roles has no bearing on its usefulness in Radio Amateurs= providing the public service for which they are renowned. Millions have learned it and it is heavily used in the Amateur Radio Service.

## **INTRODUCTION**

### **Who I am**

I am 33 years old. I am a husband and a father to twin 5-year-old boys. I have been licensed since October 16, 1997 and upgraded to Tech Plus on March 24, 1998. I am currently working toward my General Class license. I find the theory and Morse Code both challenging and educational. I have involved my boys, Jacob and Matthew, in the process of learning the code. I am now practicing code on a regular basis and will consider it quite an achievement for myself when I do pass the 13-WPM test. If through restructuring I would be "handed" a General Class license without any further testing, I would feel undeserving and even cheated. Being at this point in my life does not afford me a great amount of time for family, work, and Amateur Radio so I have tried to integrate pieces as I can. No I don't expect my children to be Extras by the time they are nine, but I can always wish. It is my opinion that if I involve my children in something as valuable and technical as Amateur Radio service then we will have a strong bond in something that will provide us with hours of entertainment, communication, education, and community service. As well as providing them an outlet later in life that may keep them involved in something beneficial and out of some of the things teens tend to become involved in. My career is pretty much laid out for me, but Amateur Radio has provided me a means to broaden my horizons without the added stress of a school schedule. School for me, can be a hard thing to keep track of since I cannot drive at night due to poor vision. It would be my desire that keeping the technical traits of the Amateur Radio Service alive, my children may benefit from their experience and find their own enjoyable profession through their experiences of being a well trained Amateur Radio Operator. I do not, however, consider holding my license as a right. It is an earned privilege. It is justified because we are the Amateur Radio Service.

### **Who WE are**

It seems very appropriate to point out that one of the only comments on Docket 98-143 supporting increased emphasis on digital operations was that proposed by Alan Wormser, Fred Adsit, Mike Dinelli, and Tim Billingsley, referred to hereafter as the Wormser-Adsit-Dinelli-Billingsley Plan. It is even more appropriate to point out that these four persons literally span the limits of age and license class. This should be of great interest, at a time when the rallying cry is to do away with Morse Code, or simplify the tests and upgrading incentives, or substituting tougher theory/regulatory tests for code tests (once tests become easier to grade and pass, the trend will Not get reversed and we all should recognize that). We have put as much effort into our comments as have many large organizations. Our proposal differs in significant ways so as to send the Amateur Radio Service into the next millenium on the cutting edge of radio communications technology (within the limits imposed by our not being paid researchers, engineers, or scientists).

**REPLY COMMENTS ON ARRL FILING**

I object to the ARRL proposal to Arefarm@ the Novice sub-bands for use by SSB telephony. The Wormser-Adsit-Dinelli-Billingsley plan sets these bands aside for digital/cw mode usage. This is appropriate in encouraging use of modern communications technology on the HF bands. It also would resolve any need for gentlemen= agreements on where digital communications should stake out its territory in each band, which had a Novice sub-band.

I object to the ARRL proposal to allow those who have not taken a code examination to operate CW in portions of certain amateur bands. The objective should be to promote the use of manual code transmission devices (code keys or keyers with paddles) and the use of the human brain to decode received signals. Commercial devices exist for digital operation, which ALSO provide keyboarded transmission and screen-printed computer-decoded reception of Morse Code. Using the latter would violate current international regulations regarding familiarity with the code, i.e. >receiving by ear=, to name one aspect of it.

I object to grandfathering those who have not taken the test elements applicable to the higher license involved. Grandfathering should not equate with "Give Away for No Effort". The specific ARRL proposal of concern is grandfathering Technicians who did not have to pass the HF-related tests that were given prior to March of 1987. In the comments submitted by Wormser-Adsit-Dinelli-Billingsley, appropriate exam elements would have to be taken to warrant grandfathering, with generous grace periods provided for study and exam-taking. When we cut from six licenses to four, we cannot avoid some Amateur Radio operators gaining and some Amateur Radio operators losing some privileges. Our plan has a viable answer for this dilemma.

**REPLY COMMENTS ON WAYNE GREEN W2NSD/1 FILING**

Mr. Green, editor and publisher of 73 Magazine, proposes a single license with, at best, a 5-WPM code test. All past moves by the FCC to simplify and streamline Amateur Radio licensing and privileges have failed to boost the pool of Amillions of high-tech career oriented younsters@ which Wayne Green envisions. On the contrary, more than half of all Amateur Radio operators today hold licenses below the General Class, and there are more Technicians without code privileges than Tech Plus 's with limited code privileges. The trend is continuing downward. As an aside, when the deceased amateurs and the non-renewing Technical licensees get accounted for (this will take time due to the 10-year license term), I sincerely believe we will find roughly half as many active radio amateurs as the FCC data indicates we have. It is NOT the goal to increase our numbers for numbers sake. We should be looking for quality, not quantity. We should not allow pressure from those with a pecuniary interest to dictate the types of licenses we have or what we must do to obtain it.

**A FEW WORDS ON TO WHOM THE FCC SHOULD LISTEN**

Fred Maia, NC/VEC (Fred Maia again), CQ Communications (heavily influenced by Fred Maia), NCI (a virtual organization whose primary spokesman is Fred Maia), Gordon West (despite the help his firm provides), and Kenwood (the most vocal of the manufacturers of Amateur Radio equipment) should not be given more weight than individual filers. These groups, all motivated in some way by pecuniary interests, have a right to comment. However, to restructure the Amateur Radio Service in a misguided effort to reverse their sinking fortunes clearly should not be a concern of the FCC. The ARRL is the sole organization, which can lay claim to representing more radio amateurs than any other firm. The ARRL is a not-for-profit organization that is, as I write this, adjusting its organization, trimming certain services, and thinning its QST Magazine in an effort to survive. They do more than any other organization to represent Amateur Radio in Washington, DC and around the world. It is testimony to the lack of wisdom in dumbing down Amateur Radio testing (multiple-choice tests with exact Q&A available to all) and licensing (Technician Class). Both have resulted in two prominent negative trends: (1) fewer active amateurs and (2) the actual number of interested, active Amateur Radio operators being reflected in the downtrend in ARRL member- ship. Do we need more proof that we have been on the wrong track for at least a decade?

It should be carefully noted that the ARRL VEC disagreed so much with the NC/VEC that it refused to file comments in concert with the NC/VEC, an organization which, it pains me to repeat, is heavily influenced by W5YI, Fred Maia.

**REPLY COMMENTS ON KENWOOD FILING**

Kenwood has been losing money on its Amateur Radio operator radio equipment sales for some time. This should not be an FCC concern. Other companies are rising as some fall, and are capitalizing on what active amateurs are currently interested in, such as low power (QRP) equipment kits, novel antennas for modern small home lots and for portable use, software for the Aham shack@, and even complete transceivers consisting of a computer plug-in card.

There truly is a shortage of qualified RF experts and technical professionals outside the computing arena, and Kenwood emphasizes this. Kenwood feels the code test is one of the major items in what they refer to as ABurdensome examination requirements on topics not relevant to a person=s interest in Amateur Radio or their ability to operate an Amateur Radio station.@ Kenwood erroneously asserts that CW / telegraphy is not used often in emergency communications or disaster relief. Kenwood - if the truth be known - needs to make money selling high-priced HF transceivers. Unfortunately, we have created a monster with fewer and fewer amateurs upgrading to a license providing worthwhile HF operating space or privileges. The system of licensing has been dumbed down, just as American education has been dumbed down, and the result is decay, not expansion, of the Amateur Radio Service. It is time the Wormser-Adsit-Dinelli-Billingsley plan was adopted. It promotes digital communications, it promotes allowing Intermediate Class licensees to use the CW and digital HF privileges enjoyed by Advanced Class amateurs, and allows these operators to get on SSB traffic nets (and other activities) in the top section of the 75-meter band. Kenwood and others will sell a lot transceivers to accommodate the influx of operators just in the 75M-80M band alone. Getting back to handling traffic using SSB, the carrot will be there to get on CW where the tough get going when the going gets tough. We need a trend reversal, and our plan provides that opportunity.

**REPLY COMMENTS ON CQ COMMUNICATIONS FILING**

The comments made by CQ Communications revolve primarily around the lack of value of Morse Code, and in general sound like they were written by the famous columnist and publisher and web site owner, Fred Maia. Enough said. CQ has a financial axe to grind, a topic covered previously in these reply comments.

**REPLY COMMENTS ON NO CODE INTERNATIONAL (NCI) FILING**

See the previous comments re CQ Communications.

**REPLY COMMENTS ON COURAGE HANDI-HAMS SYSTEM FILING**

CHHS manager Patrick Tice, WA0TDA, shocks me by ignoring the experience of his organization in training disabled persons in how to communicate, often by Morse Code using puff-pipes and the like. He ignores the successes of this in the history of his own organization and states: AShould a person with a disability challenge the requirement as irrelevant and arbitrary, in light of the movement of all other HF services away from code, it would be impossible to defend fast (he means >5-WPM) code testing and the requirement would be vacated.@ His concern about disability waivers seems to have blinded him to one of the shining examples of graduates of Handi-Hams training -- the use of Morse Code as possibly the only viable means to communicate, even if the code is then computer-translated into plain text on a screen. I simply do not fathom his filing. The priorities seem to have gotten reversed on a technicality.

### REPLY COMMENTS ON QCWA FILING

The QCWA has a grandfathering plan that gives away too much, per comments made previously in this document. Also, the QCWA wants to eliminate the 20-WPM code test. Code proficiency is gained primarily by using it on the air once exam-certified as capable of getting on the air using CW at all. Using it on the air is the fastest and best way to gain code speed. Any serious Amateur Radio operator can reach 20-WPM in a year or less of casual on-air use of the mode. Operating in CW traffic training nets moves one along even more quickly and with more discipline. The numbers show an increase in Tech licensees and a noticeable increase in Amateur Extras. Deaths and dropouts tend to level the numbers, and the fact is that >20-WPM Morse is still attained by those who want to do it, and if one doubts how many can do it, listen to the high-speed CW on a CW contest weekend....

### REPLY COMMENTS ON ORACLE FILING

This is truly where the anti-Morse Code movement began in earnest, by a tiny group of New Zealand radio amateurs using the name AOrganization Requesting Alternatives by Code-Less Examinations, Inc. The ORACLE member - co-manager making the comments was ZL2CA, Robert Vernall. This is where the whining about the code test Ahazing rituals@ began. This is where Mr. Maia began reading the Usenet Amateur Radio Policy messages and became inspired to take up the cause of ridding Amateur Radio of Morse Code exams, and, as one can see from what he says, the use of Morse Code entirely. NCI found its roots there. It found little else until Mr. Maia set up a web site, and until Mr. Maia, among the half-dozen self-appointed Board of the NCI, began speaking out. Without him, NCI had no voice. It is truly amazing how this one person, and this one subject, have grown to such overwhelming significance and concern. Finally those who aspire to be radio amateurs can point to one subject and whine that it is irrelevant in the modern era and that it is too hard to learn.

I belong to an organization called FISTS, which is the main chapter of The International Morse Preservation Society. I do not consider myself a Morse Code expert or speed demon, since I am neither. I am a Tech Plus struggling to meet the challenge of 13-WPM Morse Code to upgrade to General Class. I gladly anticipate the opportunity to rise to the challenge of a VE secession when I can show that I have mastered what so many have termed as being too hard or archaic. It is interesting to note that while the ARRL membership erodes, the FISTS CW

Club has experienced a 300% increase in membership since 1996. <http://www.fists.org>

The goals of the FISTS CW club are simple:

1. To further the use of CW on the amateur bands.
2. To encourage newcomers to the CW mode.
3. To engender friendship within the membership.

There is a place in Amateur Radio for the Morse Code, and enthusiasm for it by those who dare try it is contagious. Certain elite military organizations teach the code to their troops. The Amateur Radio Service, nevertheless, is now the next-to-last bastion of the CW mode. It works when SSB fails, and it is ideal for network operations. There is no viable reason - no logic - to support our dropping it from our test requirements. The fact that commercial services have eliminated telegraphy is even more cause for the amateur ranks to be able when called upon. If anything, the FCC and the Government in general should, I believe, do everything in their power to keep the mode in use. I can say with confidence that it will be kept in use anyway, whether the government approves or not.

**EMERGENCY APPLICATION OF CW**

During Hurricane Georges, an amateur operator in Leander, Texas (WA0REE) was using CW on the Novice portion of 40 meters, when he received a request for assistance from a Cuban amateur. The Cuban was operating just a few watts and was very difficult to understand through the static and broadcast interference.

Because both stations were skilled in CW, the Texas amateur was able to notify the Cuban Red Cross, and needed medicine was delivered in time.

The ability to copy International Morse code under these conditions was necessary when all the Cuban station had was a 10-watt CW transceiver and a poor antenna system. The ability to copy even slow telegraphy under these conditions is very difficult. A trained amateur radio operator who is able to copy high-speed code (20-WPM and higher) is better able to copy by ear under adverse conditions than someone only proficient at 5-WPM, even at slower speeds.

**A FINAL FEW WORDS ON MORSE CODE**

- C. CW is viewed by some as antiquated. Interesting. So is AM, FM and SSB.
- C. CW is still heavily used for traffic handling and as a backup for SSB in that public service role.
- C. CW operators and equipment-building amateurs are the largest group of RF pioneers in the Amateur Radio Service. They are, interestingly, usually the same persons. The two interests go hand in hand, particularly if QRP operation is involved.
- C. CW is useful in emergencies. Gradually losing it would be tragic. Some POW's communicated between prison cells tapping Morse Code to each other. An exam on it should be a prerequisite for its use on the air.
- C. CW is inarguably the best mode for weak-signal experimentation, a favorite aspect of the service for some Amateur Radio operators. It also excels in meteor-scatter and aurora-reflection communications.
- C. CW is an essential mode of communication for many that have problems with hearing, speech, or bodily movement.

**SUMMARY**

- C. I would simply repeat the points made in my original comments per the summary list at the top of Page 1 herein.
- C. I urge careful examination of the points made in Comments and Reply Comments by Alan Wormser, Frederick V. Adsit, Michael Dinelli, and myself. Let us not throw out our past, but design Amateur Radio for the future.

Thank you for providing us all the opportunity to make observations on the comments of others.

**SUBMITTED BY:** \_\_\_\_\_

Tim E. Billingsley, KD5CKP, 7330 Old Highway 78, Olive Branch, MS 38654-8594 -- Jan. 11, 1999