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Before the
Federal Communications Commission
Washington, DC 20554

In the matter of _____

	WT Docket 98-143
1998 Biennial Review	RM-9148
---Amendment of Part 97	RM-9150
of the Commission's	RM-9196
Amateur Radio Service rules	...etc.

To: Federal Communications Commission

I, Michael J. Sparling of 16820 Vincent Avenue, Monument CO 80132, file this **reply to initial comments** on January 11, 1999 in the FCC's Notice of Proposed Rulemaking, WT Docket No. 98-143.

My Background:

I have been a licensed Amateur Radio operator for about 40 years. I currently hold an Extra Class Amateur Radio license W6LVW. I was originally licensed as a novice with the call KN3DOV. I also hold a commercial general radiotelephone license - originally issued as 1st class. I am a NARTI certified engineer - Class 1 with both (all) RF and non-RF master endorsements. I have a college degree (ASEE), am an electronics engineer and consultant and have worked in the electronics/computer industry for over 25 years. I am the Chief Engineer and CEO of the Total Control Radio Corporation. The Amateur Radio Service has been a continual technical inspiration to me over the years and has played a significant role in launching and advancing my early career.

Summary:

1. **I am opposed to any weakening of CW (International Morse code) requirements** for obtaining and upgrading an Amateur Radio license. Contrary to its detractors, CQ Magazine, etc., CW has real and lasting value to the Amateur Radio Service (Reference my initial comments '1998128527501). Though I am opposed to any "no-code" license, I do support the ARRL idea to provide access to some portion of the high frequency CW bands by an entry level "no-code" licensee without first proving CW ability. This is an interesting idea that will probably attract and stimulate interest in CW skills and encourage license upgrade. On-the-air use of CW modems (reader/decoder) should be discouraged in favor of copy-by-ear and send-by-hand, but not prohibited. CW modems should never be used to pass a CW test and qualify for an upgrade.

2. **I am opposed to any weakening of the technical requirements** for obtaining and upgrading an Amateur Radio license, especially for the intent of providing an increase of the Amateur Radio operator population. The licensing structure should attract people who primarily **"love" radio and electronics** and are willing to undergo technical licensing requirements for that purpose.

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Since the publishing of the complete question pool, an Amateur Radio license has never been easier to obtain. If a person is determined, it is now possible to pass the licenses tests without fully understanding the questions or the answers. There is solid evidence of this. DON'T DETRACT FROM THE SERVICE BY MAKING TESTS EASIER FOR THE SAKE OF ATTRACTING GREATER NUMBERS OF NEW LICENSEES.

3. **I support additional exam questions regarding the Basis and Purpose of the Amateur Radio Service.** The Amateur Radio Service should not be viewed or exploited as a hobby as has been suggested by some in the initial comments. That the Amateur Radio Service is perceived as recreation and, even, psychotherapy by some operators does not reflect its true nature as originally intended and mandated by the U.S. Congress, i.e., FCC Regulations; part 97.1 [please refer to Addendum]

4. **I support additional exam questions regarding proper Amateur Radio "Operating Practices and Procedures."** The Amateur Radio Service is not CB and many new Amateur Radio operators who have come from CB have a confrontational attitude and an unhealthy disregard for the law, FCC rules and regulations and proper Amateur Radio Operating Practices and Procedures. Additional exam questions on this subject will help correct the problem.

Supporting Arguments:

CQ Magazine, etc., want a significant weakening of the requirements for obtaining and upgrading an Amateur Radio license. They view the Amateur Radio Service as ***"just a hobby,"*** thus demeaning all serious Amateur Radio operators as well as the federally licensed and regulated communications ***service*** that it was intended to be, according to FCC Regulations; part 97.1 [please refer to Addendum]. They suggest that any citizen should have easy access to the Amateur Radio operating frequencies and that the Amateur Radio Service should ultimately be ***"deregulated"*** in much the same way CB has been deregulated. Obviously, their underlying **motivation for this is to increase the Amateur Radio Service population so as to increase their magazines' subscription lists**. Any weakening of the requirements and any form of deregulation are NOT in the interest of the Amateur Radio Service.

The goal of CQ Magazine, etc., are greater numbers rather than higher quality of the Amateur Radio operators. Worthy Amateur Radio operators have an understanding and appreciation of the Basis and Purpose of the Amateur Radio Service as described in **FCC Regulations; part 97.1 [please refer to Addendum]**.

Nowhere are *"hobby"* and *"recreation"* mentioned or implied.

An Amateur Radio license has never been easier to obtain. Since the publishing of the complete question pool, if a person is determined, it is now possible to pass the licenses tests without having a real understanding of the subject matter. It happens all too frequently; yet the real enemies of Amateur Radio whimper that the test is

still too hard. They would prefer to see no technical requirements at all. Any further easing of license requirements would be adverse to Amateur Radio's mandated purpose and intent.

The licensing structure should attract individuals who primarily "love" radio and electronics; and the key is the technical portion of the written exam. The fact that the Amateur Radio Service can provide local and worldwide idle chitchat for some should only be seen as part of, but not the primary attraction. Again, the Amateur Radio Service should not be exploited by those who desire to turn the Amateur Radio Service into a hobby for their own commercial, profit driven motives.

Regarding the communication aspects of the Amateur Radio Service, a worthy Amateur Radio operator should surely have knowledge and respect for all the FCC rules and regulations, abide by them and not deliberately or maliciously cause interference to the communications of any other Amateur or commercial radio services. The worthy Amateur Radio operator should mentor the next generation of Amateur Radio operators, so it's important that proper Amateur Radio operating practices and procedures be understood and perpetuated.

The Amateur Radio Service is not a "Citizen's Band." One of the unfortunate realities of Amateur Radio Service today is that for many new amateurs, the Citizens Band is their first two-way radio experience. If CB is pursued further, CB (by default) becomes the training ground for radio operating practices and procedures for many potential Radio Amateurs. For the Amateur Radio Service, the problem with CB operations is their confrontational attitude, poor operating practices, and pervasive use of foul and obscene language. **The indictment of CB radio is that it represents a dramatic example of the deleterious effects of "deregulation" and the subsequent absence of vigorous regulation enforcement by the FCC**.

Too many CB operators have a belligerent, confrontational attitude and a generally unhealthy disrespect for the law; e.g., operating on unauthorized frequencies and with illegal high power; "jamming", interfering with ordinary communications; "proselytizing" political or religious points of view.

Confrontation comes into play when the CB operator tries to communicate with others who are outside the line-of-sight range, i.e. beyond the range originally intended by the FCC. This is most prevalent when sporadic E layer propagation occurs and during the peak years of the sunspot cycle. (Not that the concept of a CB radio service in and of itself is flawed, but I often wonder about the poor logic, without regard to propagation, of the FCC of placing CB at 27MHz.) "Opening the squelch" of any CB radio during peak propagation conditions, on any channel, reveals a multitude of people trying to use the same frequency at the same time. So, for the sake of making the more distant contacts, defiant CB operators use gain antenna and increase their R.F. power to illegal levels, bullying others on the same and adjacent frequencies. The result? ...Chaos! Operations with 5 watts of R.F. and simple ground-wave type antennas are virtually impossible.

It is obvious that an Amateur Radio licensee or a "bootlegger" had his introduction to two-way radio communications via CB when he shows an utter lack of courtesy, consideration and adherence to good and legal operating practices. Rather than using call signs (deregulation eliminated callsigns) CBers prefer sometimes vulgar "handles" for convenient identification purposes. CBers prefer non-identification and anonymity because of a certain paranoia related to possible FCC enforcement action. "Broadcasting" and "preaching" are frequent evidences of CB background.

At what age should parents allow their children to listen to typical CB and some "Ham" transmissions...and become a party to them?

The Amateur Radio Service is not getting any better. Further weakening of license requirements will only make it worse. Continued lack of enforcement by the FCC will surely put it in its grave. The "quality" curve is in a steep decline, having peaked out during the 1950's/1960's.

Part of the solution to these problems lies in the strengthening, not the weakening of license requirements, including demonstrations of good operating practices and technical knowledge. We need active enforcement of the laws by the FCC, not by any outside agency such as the A.R.R.L. which may have ulterior, commercial motives; and FCC must resume its responsibility for examinations, eliminating the Volunteer Examination program, a corrupt system.

Conclusions:

1. To protect the value, quality and technical integrity of the Amateur Radio Service, **there should be no weakening of the technical and CW requirements for obtaining and upgrading an Amateur Radio license**. The license structure should attract people who primarily "love" radio and electronics. The key is an enhanced technical examination as well as a continuing familiarity with CW, which has real and lasting value for the Amateur Radio Service; it should remain a requirement.

2. The fact that the Amateur Radio Service can provide local and worldwide recreational communication can be construed as but one minor aspect but certainly not a major one. To emphasize this **we need additional exam questions regarding the Basis and Purpose of the Amateur Radio Service [please refer to Addendum].**

3. To prepare new Amateur Radio operators for proper on-the-air communications, **additional examination questions regarding proper Amateur Radio Operating Practices and Procedures are essential.**

4. **The Amateur Radio Service needs enforcement of its rules directly by the FCC**, including monitoring facilities and a 50-cent FCC 900-complaint number to report violations (If a complaint is legitimate and serious the complainant will spend the 50 cents to make it). (The ARRL VOLMON program is ineffective.)

5. **<u>Eliminate the VEC</u> (Volunteer Examination Coordinators) program**; it has turned into a profit driven enterprise.

Respectively submitted by:

Michael J. Sparling - W6LVW

Addendum:

Part 97.1 of the FCC regulations.

This is what the Amateur Radio Service is supposed to be, according to the Congress of the United States.

Subpart A - General Provisions

97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communications service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur service through rules which provide for advancing skills in both the communications and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronic experts.

(e) Continuation and extension of the amateur's unique ability to enhance international goodwill.