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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 Amateur Service Rules.	))))	**WT Docket 98-143**

REPLY COMMENTS OF: **DATE:** January 8, 1999

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I herewith file these reply comments on January 8, 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 on pages 2 through 5** and **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.

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INTRODUCTION

Who I am

I am 64 years old and have been a licensed Radio Amateur for fifty years. I obtained Class B privileges, with its 13 wpm code test, at age 14 in 1948. At the same age in 1949, I obtained Class A privileges, which ultimately became Advanced Class privileges. I later passed the Amateur Extra exam with its 20 wpm code test. Becoming a ham and the process of studying the theory in order to do so was the primary factor in influencing me to attend Clarkson College of Technology and obtain a B.E.E. degree majoring in Electronics. This led to a career as a guided missile flight test analyst with the Martin Company, then as a Senior Radar Systems Engineer for GE's military contracts operation in Syracuse, NY, and later as a Sonar Systems Engineer at the same location. I served in the USAR for eight years, in Signal, Infantry, Heavy Artillery & Intelligence Units, retiring as a Captain.

I have always viewed the Amateur Service as just that, a service. To back that up, I have handled radiogram traffic for decades with the ARRL's National Traffic System, and have participated in tactical exercises as a member of the ARRL's Amateur Radio Emergency Service, combined, where I live, with the government's RACES operations. I have served as Net Manager of the NYS CW Net, one of the premier CW traffic nets in the nation - and have served as Western NY Section Traffic Manager. I currently use digital, SSB, FM and CW modes four nights every week of the year handling message traffic. My primary mode is CW, which works far better than other modes at night and on weekends and serves as a precision mode well-suited for network operations at the Section (state), Region (call area) and Area (in my case the eastern states) levels.

In real emergencies, my most recent experience with Morse Code traffic handling was in last winter's Northern New York ice storm. In the days and weeks following the storm, power was out, and I handled many Welfare messages using Morse Code, and VHF packet in our immediate area primarily for purposes of coordinating our efforts on behalf of the concerned public.

I am thoroughly familiar with and regularly use all modes except Clover. I used the original "Oscar" satellites. I studied the effects of the aurora on VHF defense radars in my work, and bounced my CW signals off the aurora on VHF as a ham operator, talking across the United States on the 2 Meter band. I have talked, during lunch hours, with astronauts -- from my car in the GE parking lot.

In summary, I continue to use the traditional methods of communicating, with a very heavy emphasis on Morse Code, since it has proven vital to maintaining traffic nets which can deal with interference and adverse conditions when SSB cannot. I upgrade not my license, which is at its upper limit, but my operating modes to the limits of my personal budget and available time. I work DX - viewed by some as just casual operating, but by me as a way of honing my skills in operating under adverse conditions. I work contests, which test one's operating mettle to the limit - thus keeping my skills honed for use in case they are needed for public service purposes. Of course I also operate my station simply to converse with others of like mind and skill. 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-Billinglsey 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, and 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).

Specifics of how I differ with certain other comment filers appear on the pages which follow.

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REPLY COMMENTS ON ARRL FILING

I object to the ARRL proposal to "refarm" 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 gentlemans' 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 HF-related tests 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 hams gaining and some hams losing some privileges. Our plan has a viable answer for this dilemma.

In most other respects, the ARRL filing differs little from the Wormser - Adsit - Dinelli - Billingsley plan.

REPLY COMMENTS ON WAYNE GREEN W2NSD/1 FILING

Mr. Green, sometime-associate with 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 "millions of high-tech career oriented younsters" which Wayne Green envisions. On the contrary, more than half of all hams 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 Technicial 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 same.

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 sole 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 which 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 hams being reflected in the downtrend in ARRL membership. 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.

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REPLY COMMENTS ON KENWOOD FILING

Kenwood has been losing money on its ham 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 "ham 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 "Burdensome examination requirements on topics not relevant to a person's interest in ham 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. I am personally here to state that Kenwood does not know what it is talking about. I take it as an affront to my sensibilities, since I have personal experience in this, per what I said at the top of Page 2 of these reply comments. 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: "Should 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 >5wpm) 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 which 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 ham 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 >20wpm Morse is still attained by those who <u>want</u> to do it, and if one doubts how many <u>can</u> do it, listen to the high-speed CW on a CW contest weekend....

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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 "Organization Requesting Alternative to Code-Less Examinations, Inc. The ORACLE member - co-manager making the comments was ZL2CA, Robert Verdall. This is where the whining about the code test "hazing 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. I kept track of that Usenet group for years, and Mr. Maia is using the words & phrases right out of the messages posted on that newsgroup. 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 (a monicker which refers to the cw "fist" of telegraph operators), which is the main chapter of The International Morse Preservation Society. I was one of the authors of the "FISTS Declaration of Purpose and Policy", which advocated integrity in licensing, and advocated retention of CW tests, since the theory exams could be literally rote-memorized. ...no personal sacrifice ...no appreciation for the license.

I do not consider myself a Morse Code expert or speed demon, since I am neither. However, I have lived through fifty years of this Service, and have found the code a most useful mode, just as I have found all the other modes useful. FISTS has grown by leaps and bounds, now being nearly half the size of the QCWA. 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. I know. I do it four days a week handling traffic. There is no viable reason - no logic - to support our dropping it from our test requirements. If anything, the FCC and the Goverment 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. Of course, most will opt for SSB.

A FINAL FEW WORDS ON MORSE CODE

- CW is viewed by some as antiquated. Interesting. So is AM, FM and SSB.
- CW is still heavily used for traffic handling and as a backup for SSB in that public service role.
- 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..
- 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.
- CW is inarguably the best mode for weak-signal experimentation, a favorite aspect of the service for some hams. It also excels in meteor-scatter and aurora-reflection communications.
- CW is an essential mode of communication for many who have problems with hearing, speech, or bodily movement.

SUMMARY

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

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

SUBMITTED BY: Frederick V. Adsit

Frederick V. Adsit, NY2V, 117 Ferris Ave, Syracuse, NY 13224-1516 -- Jan. 8, 1999