September 8, 2003

Dear FCC,

Ref: RM-10781, RM-10782, RM-10783, RM-10784, RM-10785, RM-10786, RM-10787

The short answer, if you wish to read no further, is to eliminate all Element 1 requirements from Part 97 of the FCC Rules and Regulations. This is consistent with all but RM-10781 and RM-10784, and would be the most desirable outcome for the Amateur Radio Service.

The longer answer is mired in the details, perhaps best illustrated in the Appendix's of RM-10786 and RM-10787, and the policies and procedures that your agency must follow to effectively enact change. If the Morse code requirement is eliminated, which is now permitted under the ITU rules, the remainders of the proposals are generally livable and acceptable. Again my preferences are in the details and do not align perfectly with any of the proposals. Should the details in any of these proposals be cause to delay the removal of the code requirement, I urge you to follow the requests found in RM-10785 and RM-10786, to expedite this area of the proposed rulemaking and deal with the other issues, in a prudent manner, at a later date.

Additional Comments:

- I was first licensed as a Novice (KN9IVB) in 1957 when I was a sophomore in High School and Amateur Radio had a substantial influence on my decision to pursue a career in product design and development as an Electronics Engineer and Manager. The electronic technologies of that era are generally obsolete today, but still are used. CW, AM and vacuum tubes, as examples, have been replaced with digital modes and VLSI circuits, however there are still those who choose to use or cherish the old technology – after all how would anyone effectively get a 500+ Watt amplifier going today without a tube? Technology equates to continuous change and continuous education and this is hard to deal with for many individuals.

- No one is suggesting the elimination of CW as a mode of operation, even if it is an obsolete technology, only the elimination of the testing requirement which is based in law and politics. No other operating mode ever required proficiency testing, technical competence yes – proficiency testing no. The emotional pleas to keep the status quo do not have much bearing in reality today or even in the future. It is not favorable to the Amateur community to see that the majority of those opposing change are in my age bracket or beyond; they should be the ones promoting the changes that will attract new Amateurs, not protecting the gored ox or affronted egos of yesterday's technology.

- With regard to grandfathering and upgrading, I think the system used in the past provides sufficient documentation trail to keep all the lawyers and control people satisfied and should be retained. That is to say, if a change in Rules will permit a

license holder to upgrade to a higher class, that individual should apply for a modified license through a VEC. If the application requires an additional element, only that element should be required. There should also be a consideration that if a particular class of license were eliminated due to progressive changes in the future that those individuals choosing not to process the paperwork to upgrade might lose privileges if the class were to be eliminated.

- I think the three-tier class structure is adequate, although I have a preference for the Novice nomenclature (see Webster) over Technician, but I have to accept the progression of change. I think it would simplify the reading of the Rules and the Rules themselves if the superfluous classes were removed, that is if we can get through the assailed egos and oxen. Again the "devil is in the details", but a simple approach might conclude that Extra would have everything, General somewhat less and Technician with limitations on power and band edges below 30MHz. The band edge limitation should be simple like 5 or 10Khz inside either end for every band so it is easy to remember and not overtly punitive. A power limit under 200 Watt would effectively cover every commercial unit available today and only exclude high powered linears (could apply to General too, but I do not wish to go there today, I do not wish to deal with the subject of appliance operators today either.).

- The Novice and Tech+ CW only bands should be eliminated and it may not make sense to differentiate any CW band segments as there would not be any differential in requirements. There is a need to address other issues in this area, but that is another docket subject.

Respectfully submitted.

Richard Faust K9IVB
9512 Burns Dr
Sun City, AZ 85351

k9ivb@arrl.net