

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

**In the Matter of** )  
 )  
**Amendment of Part 97 of the Commission's** )  
**Rules Governing the Amateur Radio Service to** ) **RM-10869**  
**Implement Changes to Article 25 of the** )  
**International Radio Regulation Adopted at the** )  
**2003 World Radiocommunication Conference** )

**Via the ECFS**

**Reply to Comments Made by Gordon West on 8 April 2004 in Regards to RM-10869**  
**by Leonard H. Anderson**

I wish to thank the Commission for providing a forum for commentary by all citizens. Please allow me to state that I am a retired electronics design engineer with no vested interest in any professional or amateur radio activity or educational institution nor with any of those who have commented on this petition or Rule Making. All of the following comments are those of a private citizen fortunate to experience a half century in the radio-electronics industry and military of the United States, that including radio communications..

Gordon West (GW) filed identical Comments on all four Petitions for Rule Making. Rather than file identical Replies in return, I shall address Mr. West's Comments per individual Petition. It should be noted that Mr. West, in operating an instructional business about Amateur Radio, must be considered as somewhat prejudiced on certain matters of each Petition, particularly in regards to the need for instructions on theory and regulations and operating skills. Many licensing requirements correspond to more classes for instructional businesses along with increased profit potential. Amateur Radio is defined in §97.1 (a) as a *noncommercial* activity.

**A. Some Fallacies That Should Be Explained, But Are Not Done**

1. The concept of *entry level license class* was originally applied to the Novice class. *Novice* in general refers to a *beginner*, one who knows little. The *entry level* label was applied to the no-code-test Technician class at a much later time, approximately at the time of the first *restructuring* and Order 99-412 of December 1999 by the ARRL in their publications. The reason for that is rather obvious in the on-going increase in license class numbers for that singular class now amounting to 38.9 percent of all United States Amateur Radio licensees. As of 6 April 2004, the number of no-code-test Technician class licensees was 282,948.<sup>1</sup> The number of Novice class licensees on that data is only 38,814. Novice class license numbers

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<sup>1</sup> From [www.hamdata.com](http://www.hamdata.com) taken from Commission database information at 1218 UTC, 6 April 2004.

have been dropping constantly since before the creation of the no-code-test Technician class in 1991.

2. The concept that all persons entering Amateur Radio for the first time are all beginners is false. The Commission's regulations do not require any tiered progression or beginning with a so-called *entry-level license*. Any citizen can enter Amateur Radio at any license class provided they pass the required test elements for that class. Amateur radios operate by the same laws of physics as do radios of all other radio services. Communicating by radio has been done in nearly all United States civil and government radio services.<sup>2</sup> Radio communications have been done by many entities in the United States since the creation of the Commission in 1934, 70 years ago. Citizens are aware that radio exists, is part of broadcasting, a regular tool of public safety agencies and services, and so forth.

3. Radiotelegraphy proficiency testing has been required for all United States Amateur Radio license examinations between 1912 and 1991, for all license classes except the no-code-test Technician after 1991 until today.<sup>3</sup> While that is *traditional*, it is used only in Amateur Radio and Maritime Radio today for communications purposes. **All other radio services, government and military included, have either never considered telegraphy modes or have dropped its use for communications.** Maritime Radio now uses VHF voice communications along coastal and inland waterways, harbors, plus using SSB voice and data communications on the open oceans. There is **no national need** for any *pool of trained radiotelegraphers* other than in Amateur Radio.

4. The Commission has already stated in proceedings 90-53 and 98-143, plus Order 99-412 that it does not consider radiotelegraphy skills to be pertinent for its judgement about Amateur Radio license applicants on granting an Amateur Radio license, but was required to administer telegraphy tests by the ITU-R Radio Regulations then in effect. Since the 2003 changes in Radio Regulations now allow each administration to determine telegraphy proficiency testing on their own option, there is no longer any reason for the Commission to continue the telegraphy test. Already-tested and licensed Individuals' reasons for keeping a telegraphy test seem to be one of two: It is traditional and *has always been done*, therefore it must continue; They had to test for telegraphy proficiency, therefore all others who follow must also do that. Neither of those reasons are logical, only subjective.<sup>4</sup>

5. Radio operator licenses, in all radio services, are regulatory tools of the Commission and are grants to individuals for legal permission to operate transmitters according to pertinent regulations. They are not academic certificates of achievement nor *diplomas* of any kind. The Commission is not chartered to be an academic institution. It is to instructional businesses' advantage to keep the pretense that Amateur Radio licenses are the equivalent of *graduation certificates*.

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<sup>2</sup> The Standard Time and Frequency broadcasts of the National Institute for Science and Technology use radio for such data dissemination but it is a moot point if it could be called *communicating*. Radionavigation and Position Location, such as by the GPS satellite transmission, is not exactly *communications*.

<sup>3</sup> There were predecessor radio regulating agencies in the period 1912 to 1934, the first one having a singular Amateur license. Source: Thomas H. White's definitive Early History of Radio on the Internet, beginning at <http://earlyradiohistory.us/index.html>.

<sup>4</sup> Those subjective reasons have become *Articles of Faith* spawning a great number of rationalizations on the alleged efficacy of radiotelegraphy in Amateur Radio.

**B. Retention Of Manual Telegraphy Skills In The Form Of An Agreement?**

6. Mr. West states, “*Mr. Lowrance [Ronald D. Lowrance, petitioner of RM-10869] agrees with me that 5 wpm for General class and 13 wpm for Extra class is appropriate.*” A magnanimous gesture considering Mr. West is not one of the 18 Petitioners to file in 2003 to 2004. Retention of a telegraphy test will, of course, require continuing telegraphy classes which, in turn, mean continuing profit for instruction businesses.

**C. Tabulation Of Example License Class Numbers And Percentages Per 6 April 2004, 1218 UTC<sup>5</sup>**

Technician class	282,948	(38.9%)
Technician Plus class	67,359	( 9.3%)
Novice class	38,814	( 5.3%)
General class	146,174	(20.1%)
Advanced class	84,507	(11.6%)
Amateur Extra class	107,343	(14.8%)
Total (less Clubs)	727,145	(100.0%)

**Summary**

Mr. West’s Comments are considered generally flawed, reflecting one of very long tenure in an avocational, voluntary radio activity, most conservative, and in view of Mr. West’s instructional radio business for a quarter century, of suspicious bias. I will urge the Commission to disregard Mr. West’s Comments on the RAF Petition. I would also urge the Commission to give due consideration to the Petition for Rule Making in RM-10870 as I would consider the *Volunteer Examiners*, unpaid as they are, to be far more objective on the future of United States Amateur Radio.

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<sup>5</sup> Obtained from [www.hamdata.com](http://www.hamdata.com) as indicated in footnote 1.

I thank the Commission for allowing an independent citizen's viewpoint to be heard and with the ability to share a half century's accumulation of experience and knowledge in radio and electronics at work and in hobby electronics activities plus informal observation of radio amateur activities since 1947.

Respectfully submitted this 10th day of April, 2004,

Leonard H. Anderson

Life Member, Institute of Electrical and Electronic Engineers  
Veteran, U.S. Army Signal Corps, 1952 to 1960.  
First Class Radiotelephone (Commercial) License granted 1956.  
Former Associate Editor, Ham Radio Magazine  
Retired electronics engineer, but retired only from regular hours of work.

Leonard H. Anderson  
10048 Lanark Street  
Sun Valley, California  
91352-4236

Internet: LenOf21@aol.com