

58. *Decision.* NCVEC supports eliminating the mandated ten-day filing time rule, noting that VECs file applications electronically.²⁴⁸ ARRL opposes this proposal, arguing that we should retain mandated submission times because it "still requires its VE teams to send hard copy documents to the ARRL-VEC before the examination session will be coordinated" and that the present rule allows the ARRL-VEC to "impress on the VE teams that they are in violation of FCC rules by taking more than ten days to remit the documents to the VEC."²⁴⁹ We have considered the comments regarding this proposal and conclude that there is no need for the ten-day filing time rule in Part 97. We clarify, however, that VECs may require VE teams to submit applications to them within a specified time period as a condition of coordinating an examination session.²⁵⁰ Regarding the argument that we should retain the rule so that VEs and VECs could not delay the process of submitting applications,²⁵¹ we note that if this were to occur on a regular basis, a VEC could decertify the dilatory VE on the basis that the person is not competent to perform the VE function, pursuant to Section 97.525(a)(3).²⁵² Accordingly, we will revise Sections 97.509(m) and 97.519(b) as proposed.

59. With regard to the Commission's inquiry as to whether there are other unnecessary rules in the examination system that should be eliminated or conformed with actual practices in the examination system,²⁵³ NCVEC requests that we amend our Rules to require that Morse code tests use "most, rather than all," of the letters in the alphabet as well as numbers and other characters, arguing that it is somewhat difficult to prepare a code test using all of the letters in the alphabet, numbers and other characters.²⁵⁴ We reject this suggestion. The term "most" is vague. Without further elaboration, we believe that the prudent course of action regarding this issue is to maintain the status quo. This belief is confirmed by the fact that VECs have been successfully preparing these examinations for over twenty years without unreasonable difficulty.

60. We also conclude that it is not necessary to amend our rules to allow use of documents other than licenses to grant examination credit, as suggested by NCVEC,²⁵⁵ because there is no rule that prohibits VEs from doing so. In this regard, we note that the Commission's rules require only that credit must be given if an examinee presents a license document; the rules do not prohibit VEs from accepting other documents that they believe credibly show that an examinee has held a particular class of operator license in the past. Further, we note that NCVEC states that all VECs currently accept *Callbook Magazine*²⁵⁶ and old databases to verify former licensure,²⁵⁷ thereby convincing us that such a rule amendment is not necessary at this time.

61. Additionally, we are updating additional rule sections to reflect a change in Commission organization.²⁵⁸ Specifically, we are revising Sections 97.103(c), 97.203(f), and 97.309(b) of the

²⁴⁸ NCVEC Comments at 6.

²⁴⁹ ARRL Comments at 24.

²⁵⁰ See Bruce Moyer Comments at 1.

²⁵¹ See Timothy J. Peters Comments at 1; Puerto Rico Amateur Radio League Comments at 3.

²⁵² 47 C.F.R. § 97.525(a)(3).

²⁵³ See Timothy J. Peters Comments at 1; Puerto Rico Amateur Radio League Comments at 3.

²⁵⁴ See NCVEC Comments at 6.

²⁵⁵ See *id.* at 7.

²⁵⁶ *Callbook Magazine* is a directory listing each amateur radio operator's call sign, name, address, and class of operator license.

²⁵⁷ See *id.*

²⁵⁸ See *NPRM*, 19 FCC Red at 7335 ¶ 96.

Commission's Rules²⁵⁹ to replace the term "Engineer-In-Charge" (EIC) with "District Director" because the EIC function in the Enforcement Bureau (EB) is now performed by a District Director.

62. In summary, we believe that the public interest will be served by revising the amateur service rules as indicated above. We believe that these rule changes will allow amateur service licensees to better fulfill the purpose of the amateur service and will enhance the usefulness of the amateur service to its licensees and the public.

V. PROCEDURAL MATTERS

A. Final Regulatory Flexibility Certification.

63. The Regulatory Flexibility Act of 1980, as amended (RFA),²⁶⁰ requires a regulatory flexibility analysis to be prepared for notice and comment rulemaking proceedings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities."²⁶¹ The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction."²⁶² In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act.²⁶³ A "small business concern" is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the Small Business Administration (SBA).²⁶⁴

64. In this *Report and Order*, we amend the rules that specify how an individual who has qualified for an amateur service operator license can use an amateur radio station consistent with the basis and furthering the purpose of the amateur service.²⁶⁵ The amended rules apply exclusively to individuals who are licensees in the amateur radio service. Given the definition of a "small entity,"²⁶⁶ none of these individuals are small entities as the term is used in the RFA.

65. In addition, the amended rules reflected in this *Report and Order* potentially could affect manufactures of amateur radio equipment. Based on requests that the Commission has received for certification of amplifiers under Part 97 of the Rules,²⁶⁷ we estimate that there are between five and ten manufactures of amateur radio amplifiers and that by the relevant SBA standard²⁶⁸ none of these manufactures are small entities.²⁶⁹ We also note that the rule changes will apply to amateur radio

²⁵⁹ 47 C.F.R. §§ 97.103(c), 97.203(f), 97.309(b).

²⁶⁰ See 5 U.S.C. § 603. The RFA, see 5 U.S.C. § 601–612, has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. No. 104-121, Title II, 110 Stat. 857 (1996).

²⁶¹ See 5 U.S.C. § 605(b).

²⁶² See 5 U.S.C. § 601(6).

²⁶³ See 5 U.S.C. § 601(3) (incorporating by reference the definition of "small business concern" in the Small Business Act, 15 U.S.C. § 632). Pursuant to 5 U.S.C. § 601(3), the statutory definition of a small business applies "unless an agency, after consultation with the Office of Advocacy of the Small Business Administration and after opportunity for public comment, establishes one or more definitions of such term which are appropriate to the activities of the agency and publishes such definition(s) in the Federal Register."

²⁶⁴ See 15 U.S.C. § 632.

²⁶⁵ See 47 C.F.R. § 97.1

²⁶⁶ See para. 63 *supra*.

²⁶⁷ See Office of Engineering and Technology Equipment Authorization database.

²⁶⁸ See 13 C.F.R. § 121.201.

²⁶⁹ See NAICS code 334310.

licensees and control operators of amateur radio stations and will not have a necessary impact on manufactures of amplifiers that may be used at amateur radio stations. Therefore, we certify that the rules reflected in this *Report and Order* will not have a significant economic impact on a substantial number of small entities. The Commission will send a copy of the *Report and Order*, including a copy of this Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the SBA.²⁷⁰ This certification will also be published in the Federal Register.²⁷¹

B. Paperwork Reduction Act of 1995 Analysis

66. This *Report and Order* has been analyzed with respect to the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13, and found to contain no information collection. In addition, it does not contain any new or modified "information collection burden for small business concerns with fewer than 25 employees," pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, *see* 44 U.S.C. § 3506(c)(4).

C. Congressional Review Act

67. The Commission will send a copy of this *Report and Order* in a report to be sent to Congress and the General Accounting Office pursuant to the Congressional Review Act, *see* 5 U.S.C. § 801(a)(1)(A).

D. Alternative Formats

68. To request materials in alternative formats for people with disabilities (Braille, large print, electronic files, audio format), send an e-mail to <FCC504@fcc.gov> or call the Consumer and Government Affairs Bureau at (202) 418-0530 (voice), (202) 418-0432 (TTY). This *Report and Order* also may be downloaded from the Commission's web site at <<http://www.fcc.gov/>>.

69. For further information, contact William T. Cross, Mobility Division, Wireless Telecommunications Bureau, (202) 418-0620, or TTY (202) 418-7233.

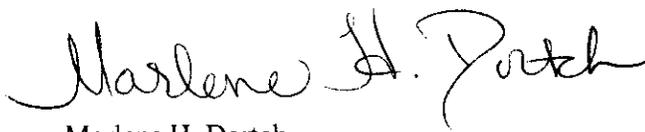
VI. ORDERING CLAUSES

70. IT IS ORDERED that, pursuant to Sections 4(i), 303(f), 303(r), and 332 of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154 (i), 303(f), 303(r) and 332, this *Report and Order* IS ADOPTED.

71. IT IS FURTHER ORDERED that Part 1, Part 2 and Part 97 of the Commission's Rules ARE AMENDED as specified in the Appendix, effective [30 days after publication in the Federal Register].

72. IT IS FURTHER ORDERED that the Commission's Consumer and Governmental Affairs Bureau, Reference Information Center, SHALL SEND a copy of this REPORT AND ORDER, including the Final Regulatory Flexibility Certification, to the Chief Counsel for Advocacy of the Small Business Administration.

FEDERAL COMMUNICATIONS COMMISSION



Marlene H. Dortch
Secretary

²⁷⁰ *See* 5 U.S.C. § 605(b).

²⁷¹ *See id.*

APPENDIX**RULE CHANGES**

Chapter 1 of Title 47 of the Code of Federal Regulations is amended as follows:

PART 1 – Application Requirements and Procedures

The authority citation for part 1 continues to read as follows:

AUTHORITY: 47 U.S.C. 151, 154(i), 154(j), 155, 225, 303(r), 309 and 325(e).

1. Section 1.934 is amended by adding a new paragraph (d)(5) to read as follows:

§ 1.934 Defective applications and dismissal.

* * * * *

(d) * * *

(5) It requests a vanity call sign and the applicant has pending another vanity call sign application with the same receipt date.

* * * * *

PART 2 – Frequency Allocations and Radio Treaty Matters; General Rules And Regulations

The authority citation for part 2 continues to read as follows:

AUTHORITY: 47 U.S.C. 154, 302a, 303, and 336, unless otherwise noted.

1. Section 2.106 is amended by revising United States footnotes US212 and US267 to read as follows:

§ 2.106 Table of Frequency Allocation.

* * * * *

US212 In, or within 92.6 km (50 nautical miles) of, the State of Alaska, the carrier frequency 5167.5 kHz (assigned frequency 5168.9 kHz) is designated for emergency communications. This frequency may also be used in the Alaska-Private Fixed Service for calling and listening, but only for establishing communications before switching to another frequency. The maximum power is limited to 150 watts peak envelope power (PEP).

* * * * *

US267 In the band 902-928 MHz, amateur radio stations shall transmit only on the frequency segments 902.0-902.4, 902.6-904.3, 904.7-925.3, 925.7-927.3, and 927.7-928.0 MHz within the States of Colorado and Wyoming, bounded by the area of latitude 39°N. to 42°N. and longitude 103°W. to 108°W.

* * * * *

2. Section 2.815 is amended by removing paragraphs (c), (d), and (e) and the notes to paragraphs (b) and (c), and revising paragraph (b) to read as follows:

§ 2.815 External radio frequency power amplifiers.

* * * * *

(b) No person shall manufacture, sell or lease, offer for sale or lease (including advertising for sale or lease) or import, ship or distribute for the purpose of selling or leasing or offering for sale or lease, any external radio frequency power amplifier capable of operation on any frequency or frequencies below 144 MHz unless the amplifier has received a grant of certification in accordance with subpart J of this part and other relevant parts of this chapter. These amplifiers shall comply with the following:

(1) The external radio frequency power amplifier shall not be capable of amplification in the frequency band 26-28 MHz.

(2) The amplifier shall not be capable of easy modification to permit its use as an amplifier in the frequency band 26-28 MHz.

(3) No more than 10 external radio frequency power amplifiers may be constructed for evaluation purposes in preparation for the submission of an application for a grant of certification.

(4) If the external radio frequency power amplifier is intended for operation in the Amateur Radio Service under Part 97 of this Part, the requirements of Sections 97.315 and 97.317 of this chapter shall be met.

3. Section 2.1060 is amended by removing paragraph (c), redesignating paragraph (d) as paragraph (c) and revising paragraph (c) to read as follows:

§ 2.1060 Equipment for use in the amateur radio service.

* * * * *

(c) Certification of external radio frequency power amplifiers may be denied when denial would prevent the use of these amplifiers in services other than the Amateur Radio Service.

PART 97 – Amateur Radio Service

The authority citation for part 97 continues to read as follows:

AUTHORITY: 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. 151-155, 301-609, unless otherwise noted.

1. Section 97.3 is amended by removing and reserving paragraph (a)(19) and revising paragraph (c)(2) to read as follows:

§ 97.3 Definitions.

* * * * *

(c) ***

(2) Data. Telemetry, telecommand and computer communications emissions having designators with A, C, D, F, G, H, J or R as the first symbol; 1 as the second symbol; D as the third symbol, and emissions A1C, F1C, F2C, J2C, J3C, and J2D having an occupied bandwidth of 500 Hz or less when transmitted on

an amateur service frequency below 30 MHz. Only a digital code of a type specifically authorized in this part may be transmitted.

* * * * *

2. Section 97.19 is amended by revising paragraphs (c)(3) and (d)(1) to read as follows:

§ 97.19 Application for a vanity call sign.

* * * * *

(c) * * *

(3) Except for an applicant who is the spouse, child, grandchild, stepchild, parent, grandparent, step-parent, brother, sister, stepbrother, stepsister, aunt, uncle, niece, nephew, or in-law, and except for an applicant who is a club station license trustee acting with a written statement of consent signed by either the licensee *ante mortem* but who is now deceased or by at least one relative, as listed above, of the person now deceased, the call sign shown on the license of the person now deceased is not available to the vanity call sign system for 2 years following the person's death, or for 2 years following the expiration of the license grant, whichever is sooner.

(d) * * *

(1) The applicant must request that the call sign shown on the license grant be vacated and provide a list of up to 25 call signs in order of preference. In the event that the Commission receives more than one application requesting a vanity call sign from an applicant on the same receipt day, the Commission will process only the first such application entered into the Universal Licensing System. Subsequent vanity call sign applications from that applicant with the same receipt date will not be accepted.

* * * * *

3. Section 97.103 is amended by revising paragraph (c) to read as follows:

§ 97.103 Station licensee responsibilities.

(c) The station licensee must make the station and the station records available for inspection upon request by an FCC representative. When deemed necessary by a District Director to assure compliance with the FCC Rules, the station licensee must maintain a record of station operations containing such items of information as the District Director may require in accord with §0.314(x) of the FCC Rules.

4. Section 97.111 is amended by redesignating paragraphs (a)(2) through (a)(4) as (a)(3) through (a)(5), respectively, and adding a new paragraph (a)(2) to read as follows:

§ 97.111 Authorized transmissions.

(a) * * *

(2) Transmissions necessary to meet essential communication needs and to facilitate relief actions.

* * * * *

5. Section 97.113 is amended by revising paragraph (e) to read as follows:

§ 97.113 Prohibited transmissions.

* * * * *

(c) No station shall retransmit programs or signals emanating from any type of radio station other than an amateur station, except propagation and weather forecast information intended for use by the general public and originated from United States Government stations, and communications, including incidental music, originating on United States Government frequencies between a manned spacecraft and its associated Earth stations. Prior approval for manned spacecraft communications retransmissions must be obtained from the National Aeronautics and Space Administration. Such retransmissions must be for the exclusive use of amateur radio operators. Propagation, weather forecasts, and manned spacecraft communications retransmissions may not be conducted on a regular basis, but only occasionally, as an incident of normal amateur radio communications.

* * * * *

6. Section 97.115 is amended by revising paragraph (b)(2), redesignating paragraph (c) as paragraph (d), and adding a new paragraph (c), to read as follows:

§ 97.115 Third party communications.

* * * * *

(b) * * *

(2) The third party is not a prior amateur service licensee whose license was revoked or not renewed after hearing and re-licensing has not taken place; suspended for less than the balance of the license term and the suspension is still in effect; suspended for the balance of the license term and re-licensing has not taken place; or surrendered for cancellation following notice of revocation, suspension or monetary forfeiture proceedings. The third party may not be the subject of a cease and desist order which relates to amateur service operation and which is still in effect.

(c) No station may transmit third party communications while being automatically controlled except a station transmitting a RTTY or data emission.

* * * * *

7. Section 97.201 is amended by revising paragraph (b) to read as follows:

§ 97.201 Auxiliary station.

* * * * *

(b) An auxiliary station may transmit only on the 2 m and shorter wavelength bands, except the 144.0-144.5 MHz, 145.8-146.0 MHz, 219-220 MHz, 222.00-222.15 MHz, 431-433 MHz, and 435-438 MHz segments.

* * * * *

8. Section 97.203 is amended by revising paragraph (f) to read as follows:

§ 97.203 Beacon station.

(f) A beacon must cease transmissions upon notification by a District Director that the station is operating improperly or causing undue interference to other operations. The beacon may not resume transmitting without prior approval of the District Director.

9. Section 97.207 is amended by revising paragraph (g) and removing paragraphs (h) and (i) to read as follows:

§ 97.207 Space station.

* * * * *

(g) The license grantee of each space station must make the following written notifications to the International Bureau, FCC, Washington, DC 20554.

(1) A pre-space notification within 30 days after the date of launch vehicle determination, but no later than 90 days before integration of the space station into the launch vehicle. The notification must be in accordance with the provisions of Articles 9 and 11 of the International Telecommunication Union (ITU) Radio Regulations and must specify the information required by Appendix 4 and Resolution No. 642 of the ITU Radio Regulations. The notification must also include a description of the design and operational strategies that the space station will use to mitigate orbital debris, including the following information:

(i) A statement that the space station licensee has assessed and limited the amount of debris released in a planned manner during normal operations, and has assessed and limited the probability of the space station becoming a source of debris by collisions with small debris or meteoroids that could cause loss of control and prevent post-mission disposal;

(ii) A statement that the space station licensee has assessed and limited the probability of accidental explosions during and after completion of mission operations. This statement must include a demonstration that debris generation will not result from the conversion of energy sources on board the spacecraft into energy that fragments the spacecraft. Energy sources include chemical, pressure, and kinetic energy. This demonstration should address whether stored energy will be removed at the spacecraft's end of life, by depleting residual fuel and leaving all fuel line valves open, venting any pressurized system, leaving all batteries in a permanent discharge state, and removing any remaining source of stored energy, or through other equivalent procedures specifically disclosed in the application;

(iii) A statement that the space station licensee has assessed and limited the probability of the space station becoming a source of debris by collisions with large debris or other operational space stations. Where a space station will be launched into a low-Earth orbit that is identical, or very similar, to an orbit used by other space stations, the statement must include an analysis of the potential risk of collision and a description of what measures the space station operator plans to take to avoid in-orbit collisions. If the space station licensee is relying on coordination with another system, the statement must indicate what steps have been taken to contact, and ascertain the likelihood of successful coordination of physical operations with, the other system. The statement must disclose the accuracy – if any – with which orbital parameters of non-geostationary satellite orbit space stations will be maintained, including apogee, perigee, inclination, and the right ascension of the ascending node(s). In the event that a system is not able to maintain orbital tolerances, *i.e.*, it lacks a propulsion system for orbital maintenance, that fact should be included in the debris mitigation disclosure. Such systems must also indicate the anticipated evolution over time of the orbit of the proposed satellite or satellites. Where a space station requests the assignment of a geostationary-Earth orbit location, it must assess whether there are any known satellites located at, or reasonably expected to be located at, the requested orbital location, or

assigned in the vicinity of that location, such that the station keeping volumes of the respective satellites might overlap. If so, the statement must include a statement as to the identities of those parties and the measures that will be taken to prevent collisions;

(iv) A statement detailing the post-mission disposal plans for the space station at end of life, including the quantity of fuel – if any – that will be reserved for post-mission disposal maneuvers. For geostationary-Earth orbit space stations, the statement must disclose the altitude selected for a post-mission disposal orbit and the calculations that are used in deriving the disposal altitude. The statement must also include a casualty risk assessment if planned post-mission disposal involves atmospheric re-entry of the space station. In general, an assessment should include an estimate as to whether portions of the spacecraft will survive re-entry and reach the surface of the Earth, as well as an estimate of the resulting probability of human casualty.

(v) If any material item described in this notification changes before launch, a replacement pre-space notification shall be filed with the International Bureau no later than 90 days before integration of the space station into the launch vehicle.

(2) An in-space station notification is required no later than 7 days following initiation of space station transmissions. This notification must update the information contained in the pre-space notification.

(3) A post-space station notification is required no later than 3 months after termination of the space station transmissions. When termination of transmissions is ordered by the FCC, the notification is required no later than 24 hours after termination of transmissions.

10. Section 97.301 is amended by:

- a. Revising the second and third entries to the table following paragraph (b),
- b. Revising the second, third, ninth, and tenth entries to the table following paragraph (c),
- c. Revising the second, third, fourth, fifth, tenth, and eleventh entries to the table following paragraph (d), and by
- d. Revising the first, second, third, and fourth entries to the table following paragraph (e).

The revisions read as follows:

§ 97.301 Authorized frequency bands.

* * * * *

(b) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements
				See § 97.303, (Paragraph)
* * * * *				
<u>HF</u>	<u>MHz</u>	<u>MHz</u>	<u>MHz</u>	
80 m	3.50-3.60	3.50-3.60	3.50-3.60	(a)
75 m	3.60-3.80	3.60-4.00	3.60-3.90	(a)

* * * * *

(c) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, (Paragraph)
-----------------	--------------	--------------	--------------	--

* * * * *

<u>HF</u>	<u>MHz</u>	<u>MHz</u>	<u>MHz</u>	
80 m	3.525-3.60	3.525-3.60	3.525-3.60	(a)
75 m	3.70-3.80	3.70-4.00	3.700-3.90	(a)

* * * * *

15 m	21.025-21.20	21.025-21.20	21.025-21.20	
-Do-	21.225-21.45	21.225-21.45	21.225-21.45	

* * * * *

(d) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, (Paragraph)
-----------------	--------------	--------------	--------------	--

* * * * *

<u>HF</u>	<u>MHz</u>	<u>MHz</u>	<u>MHz</u>	
80 m	3.525-3.60	3.525-3.725	3.525-3.725	(a)
75 m	---	3.80-4.00	3.80-3.90	(a)
40 m	7.025-7.125	7.025-7.125	7.025-7.125	(a)
-Do-	---	7.175-7.300	---	(a)

* * * * *

15 m	21.025-21.20	21.025-21.20	21.025-21.20	
-Do-	21.275-21.45	21.275-21.45	21.275-21.45	

* * * * *

(e) * * *

Wavelength band	ITU Region 1	ITU Region 2	ITU Region 3	Sharing requirements See § 97.303, (Paragraph)
-----------------	--------------	--------------	--------------	--

<u>HF</u>	<u>MHz</u>	<u>MHz</u>	<u>MHz</u>	
80 m	3.525-3.60	3.525-3.60	3.525-3.60	(a)
40 m	7.025-7.075	7.025-7.125	7.025-7.075	(a)
15 m	21.025-21.20	21.025-21.20	21.025-21.20	
10m	28.0-28.5	28.0-28.5	28.0-28.5	

* * * * *

11. Section 97.303 is amended by revising paragraph (g)(1) to read as follows:

§ 97.303 Frequency sharing requirements.

* * * * *

(g) * * *

(1) In the States of Colorado and Wyoming, bounded by the area of latitude 39°N. to 42°N. and longitude 103°W. to 108°W., an amateur station may transmit in the 902 MHz to 928 MHz band only on the frequency segments 902.0-902.4, 902.6-904.3, 904.7-925.3, 925.7-927.3, and 927.7-928.0 MHz. This band is allocated on a secondary basis to the amateur service subject to not causing harmful interference to, and not receiving any interference protection from, the operation of industrial, scientific and medical devices, automatic vehicle monitoring systems, or Government stations authorized in this band.

* * * * *

12. Section 97.305 is amended by revising paragraph (a) and the fifth, sixth, seventh, eight, and twenty-sixth entries to the table following paragraph (c) to read as follows:

§ 97.305 Authorized emission types.

(a) Except as specified elsewhere in this part, an amateur station may transmit a CW emission on any frequency authorized to the control operator.

(b) * * *

(c) * * *

Wavelength	Frequencies band	Emission types authorized	Standards See § 97.307(f), (Paragraph)
* * * * *			
HF			
* * * * *			
40 m	7.000-7.075 MHz	RTTY, data	(3), (9)
40 m	7.075-7.100 MHz	Phone, image	(1), (2), (9), (11)
40 m	7.100-7.125 MHz	RTTY, data	(3), (9)
40 m	7.125-7.300 MHz	Phone, image	(1), (2)
* * * * *			
VHF			
* * * * *			
1.25 m	219-220 MHz	Data	(13)
-Do-	222-225 MHz	RTTY, data, test MCW, phone, SS, image.....	(2), (6), (8)
* * * * *			

13. Section 97.309 is amended by revising paragraph (b) to read as follows:

§ 97.309 RTTY and data emission codes.

(b) Where authorized by Sections 97.305(c) and 97.307(f) of this part, a station may transmit a RTTY or data emission using an unspecified digital code, except to a station in a country with which the United States does not have an agreement permitting the code to be used. RTTY and data emissions using unspecified digital codes must not be transmitted for the purpose of obscuring the meaning of any communication. When deemed necessary by an District Director to assure compliance with the FCC Rules, a station must:

14. Section 97.313 is amended by revising paragraph (c) introductory text, (c)(1) and (c)(2) to read as follows:

§ 97.313 Transmitter power standards.

* * * * *

(c) No station may transmit with a transmitter power exceeding 200 W PEP:

(1) On the 10.10-10.15 MHz segment;

(2) When the control operator is a Novice Class operator or a Technician Class operator who has received credit for proficiency in telegraphy in accordance with the international requirements; or

* * * * *

15. Section 97.315 is revised to read as follows:

§ 97.315 Certification of external RF power amplifiers.

(a) Any external RF power amplifier (see Section 2.815 of the FCC Rules) manufactured or imported for use at an amateur radio station must be certificated for use in the amateur service in accordance with subpart J of part 2 of the FCC Rules. No amplifier capable of operation below 144 MHz may be constructed or modified by a non-amateur service licensee without a grant of certification from the FCC.

(b) The requirement of paragraph (a) does not apply if one or more of the following conditions are met:

(1) The amplifier is constructed or modified by an amateur radio operator for use at an amateur station.

(2) The amplifier was manufactured before April 28, 1978, and has been issued a marketing waiver by the FCC, or the amplifier was purchased before April 28, 1978, by an amateur radio operator for use at that operator's station.

(3) The amplifier is sold to an amateur radio operator or to a dealer, the amplifier is purchased in used condition by a dealer, or the amplifier is sold to an amateur radio operator for use at that operator's station.

(c) Any external RF power amplifier appearing in the Commission's database as certificated for use in the amateur service may be marketed for use in the amateur service.

16. Section 97.317 is revised to read as follows:

§ 97.317 Standards for certification of external RF power amplifiers.

(a) To receive a grant of certification, the amplifier must:

(1) Satisfy the spurious emission standards of Sec. 97.307(d) or (e) of this part, as applicable, when the amplifier is operated at the lesser of 1.5 kW PEP or its full output power and when the amplifier is placed in the "standby" or "off" positions while connected to the transmitter.

(2) Not be capable of amplifying the input RF power (driving signal) by more than 15 dB gain. Gain is defined as the ratio of the input RF power to the output RF power of the amplifier where both power measurements are expressed in peak envelope power or mean power.

(3) Exhibit no amplification (0 dB gain) between 26 MHz and 28 MHz.

(b) Certification shall be denied when:

(1) The Commission determines the amplifier can be used in services other than the Amateur Radio Service, or

(2) The amplifier can be easily modified to operate on frequencies between 26 MHz and 28 MHz.

17. Section 97.401 is revised to read as follows:

§ 97.401 Operation during a disaster.

A station in, or within 92.6 km (50 nautical miles) of, Alaska may transmit emissions J3E and R3E on the channel at 5.1675 MHz (assigned frequency 5.1689 MHz) for emergency communications. The channel must be shared with stations licensed in the Alaska-Private Fixed Service. The transmitter power must not exceed 150 W PEP. A station in, or within 92.6 km of, Alaska may transmit communications for tests and training drills necessary to ensure the establishment, operation, and maintenance of emergency communication systems.

18. Section 97.407 is amended by removing paragraphs (b)(1), (2), and (3), and revising paragraph (b) to read as follows:

§ 97.407 Radio amateur civil emergency service.

(a) * * *

(b) The frequency bands and segments and emissions authorized to the control operator are available to stations transmitting communications in RACES on a shared basis with the amateur service. In the event of an emergency which necessitates invoking the President's War Emergency Powers under the provisions of Section 706 of the Communications Act of 1934, as amended, 47 U.S.C. 606, RACES stations and amateur stations participating in RACES may only transmit on the frequency segments authorized pursuant to part 214 of this chapter.

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19. Section 97.505 is amended by revising paragraph (a)(9) to read as follows:

§ 97.505 Element credit.

(a) * * *

(9) An expired FCC-granted Technician Class operator license document granted before February 14, 1991; an expired FCC-granted Technician Class operator license document granted after February 14, 1991 accompanied by documentation showing the examinee has passed a telegraphy examination; or an expired FCC-granted General, Advanced, or Amateur Extra Class operator license document:

Element 1.

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20. Section 97.509 is amended by revising paragraphs (a) and (m) to read as follows:

§ 97.509 Administering VE requirements.

(a) Each examination for an amateur operator license must be administered by a team of at least 3 VEs at an examination session coordinated by a VEC. The number of examinees at the session may be limited.

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(m) After the administration of a successful examination for an amateur operator license, the administering VEs must submit the application document to the coordinating VEC according to the coordinating VEC's instructions.

21. Section 97.519 is amended by revising paragraph (b) introductory text to read as follows:

§ 97.519 Coordinating examination sessions.

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(b) At the completion of each examination session, the coordinating VEC must collect applicant information and test results from the administering VEs. The coordinating VEC must:

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