

**Before the
Federal Communications Commission
Washington, D.C. 20554**

Amendment of Part 97 of the Commission's
Rules Governing the Amateur Radio Service
to Implement Changes to Parts 97.3-(c)(2);
97.221 Automatically Controlled Digital
Station;
97.305 Authorized Emission Types;
97.307 Emission Standards; and
97.309 RTTY and Data Emission Codes

FCC Docket No. RM-11392

By W. Lee McVey, P.E.
W6EM
PG-12-19879

To: The Chief, Wireless Telecommunications
Bureau

REPLY TO THE COMMENTS OF LAWRENCE G. HAYS

Mr. Hays, who presents himself to us as the Chief of the United States Army Military Affiliate Radio System (MARS), offers Comments that imply that if the subject Petition were to be adopted that it would somehow impair or obstruct the operations of his MARS program.

Apparently, Mr. Hays does not sufficiently understand the scope of governance of the organization that he is speaking on behalf of as its leader.

Elements of the federal government, including the Department of Defense, his sponsoring agency, receive telecommunications operating authority, frequency assignments and standards not from the Commission, but from the National Telecommunications and Information Administration (NTIA).

As such, any change in the occupied bandwidth constraints of 47CFR§97, arising out of this Rulemaking proceeding will have no effect upon Army MARS operations, or any other service-branch MARS operations, or support to any “served agency” by MARS, since they are conducted wholly on NTIA-assigned and regulated frequencies that are outside of US amateur radio bands. Some of the unique HF frequencies used by MARS even require frequency tolerances that cannot even be met by a majority of the commercially-manufactured transmitters used by US amateur radio operators.

If Mr. Hays is indeed concerned about mode/bandwidth limitations on MARS HF channels, he should consult with the appropriate NTIA Defense Frequency Coordinator assigned to the Ft. Huachuca, Arizona area to better understand the differences between NTIA regulatory requirements and those of the Commission.

Respectfully Submitted,

/s/

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