

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Amendment of Part 97 of the Commission’s Rules) WP Docket 10-72
Regarding Amateur Radio Service Communications)
During Government Disaster Drills)

COMMENTS OF APCO

The Association of Public-Safety Communications Officials-International, Inc. (“APCO”) hereby submits the following comments in response to the Commission’s *Notice of Proposed Rulemaking*, FCC 10-45 (released March 24, 2010) (“*NPRM*”), in the above-captioned proceeding.

Founded in 1935, APCO is the nation’s oldest and largest public safety communications organization. Most APCO members are state or local government employees who design, manage, and operate public safety communications systems for police, fire, emergency medical, forestry conservation, highway maintenance, disaster relief, and other public safety agencies. APCO regularly appears before the Commission on a wide range of issues regarding public safety communications.

APCO strongly supports the Commission’s proposed rule change to provide amateur radio operators the express authority to participate in government-sponsored emergency response drills in which their employers may be participating. Requiring rules waivers, as is the current practice, is an inefficient and unnecessary burden on amateur radio licensees, sponsors of emergency preparedness drills, and the Commission staff.

Amateur radio operators have long played an important role in emergency responses following major disasters, supplementing dedicated public safety communications systems.

APCO and its members work closely with amateur radio operators and organizations, and many APCO members are themselves amateur radio licensees.

Recent disasters have driven home the need for careful planning and training drills to ensure effective emergency responses. As permitted by current FCC rules, amateur radio operators often participate in these drills, which are typically conducted by state and local government agencies. However, current law makes it difficult for amateur radio licensees to participate if they are employed by one of the government entities involved in the exercise. As explained in the *NPRM*, the Commission's rules prohibit amateur radio communications "in which the station licensee or control operator has a pecuniary interest, including communication on behalf of an employer."¹ The Commission has granted numerous waivers of this provision, but we agree with the Commission's "tentative" conclusions that the rule should be modified as described in the *NPRM*. That will eliminate the need to submit waivers in most instances, and clear the way for state and local government employees (including some APCO members) to operate their amateur radio stations as part of emergency preparedness drills.

This is a simple, but important rule change that will promote the safety of life, health, and property, and is clearly in the public interest.

Respectfully submitted,

/s/

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¹ 47 C.F.R. §97.113 (a)(3).