

In the Matter of)	
)	
Amendment of the Amateur Service Rules)	WT Docket No. 12-283
Governing Qualifying Examination Systems)	
and Other Matters)	
)	
Amendment of Part 97 of the Commission's)	RM-11629
Rules to Facilitate Use in the Amateur Radio)	
Service of Single Slot Time Division Multiple)	
Access Telephony and Data Emissions)	
)	
Request for Temporary Waiver)	
)	
Amendment of Part 97 of the Commission's)	RM-11625
Rules to Facilitate Use in the Amateur Radio)	
Service of Single Slot Time Division Multiple)	
Access Telephony and Data Emissions)	
)	
Amendment of the Amateur Service Rules)	WT Docket No. 09-209
Governing Vanity and Club Station)	
)	

**COMMENTS ON THE NOTICE OF PROPOSED RULE MAKING AND ORDER ADOPTED
OCTOBER 1, 2012**

TO: The Commission

Filed: November 10, 2012

Commenter

Comments are submitted by Joseph Speroni, licensed by the FCC as AH0A, with experience administering VE examinations. Commenter has participated in Internet remote test sessions under the auspices of the ARRL VEC.

Commenter welcomes the Commission's desire to address new issues related to the Amateur Radio Service. The requirements to operate equipment in the Amateur Radio Service have evolved with new technology. The nation's education system is changing to realize the need to promote STEM (Science, Technology, Engineering and Mathematics) curricula. These and other issues related to licensing will be of growing importance to the Amateur Radio Service if we are to attract youth to the Amateur Radio Service and take full advantage of allocations.

There are issues related to Amateur Radio stations in the Pacific the Commenter would like to bring to the Commission's attention.

EXAMINATION CREDIT

1. Credit for Expired Licenses.

A different requirement for two groups is presented as a question of fairness

- a. Licensees who renew prior to the expiration of a current license
- b. Former licensees who have let their license expire, perhaps as long as 20 or 30 years ago.

There are other factors that could be considered:

- i. These two groups of licensees may really differ. A licensee chosen from group (a) who has recent operating experience and has followed the Commission's evolving rules and regulations during the preceding years would, **in general**, have a higher level of skill than one from group (b) that had been inactive, for say 20 years. Action to make an operator license permanent may reduce the **average** competency of the Amateur Radio Service. That is not to say that the NPRM observation is wrong,

“We also agree with Anchorage VEC that the fact that an individual allowed his or her license to expire more than two years ago does not necessarily mean that the person no longer possess adequate knowledge of the subject. That a license was continuously renewed does not establish that the licensee remained active in the amateur service, for amateur licensees are not required to operate their stations in order to remain licensed”

However picking one example from the general population does not prove its applicability to the entire population. In this Commenter's opinion, perceived fairness for a single case is not justification to reduce the average level of skill that may result. *But absent an expensive statistical study, the perceived reduction may be so small as to not justify argument against the proposed change.*

- ii. The NPRM does not address how VE teams would vet presented documents in lieu of information from the ULS database or paper CSCEs. The Commission should define acceptable proof and insulate VE teams from any legal action if they doubt the validity of documents presented. *There is the possibility of fraud and real costs to VE teams for this change.*
- iii. If fairness is a major issue, treatment of other groups could be considered. For example these groups might justifiably claim credit for their knowledge as equivalent to being tested,
 - a. Former or active military with training in radio communications
 - b. Operators of marine radio stations. Japan uses a common operator permit database for many radio services, with different training and testing methods, and allows credit in lieu of taking the Amateur Radio examinations.
 - c. PhDs in Electrical engineering who have read Part 97 rules. W3BE suggested former licensees simply confirm they have read “the applicable rules of 47 CFR Parts 0, 1, 2, 17, 97 and 214”. (Should this be the subset of Part 97 since questions pools only address it?).

- iv. There exist other inequities that the Commission might address at this time. Advanced Class licensees licensed prior to 1950 lost their full frequency privileges when the FCC restructured the Amateur Radio Service. At a time when licensing fairness is being reviewed, couldn't they be allowed credit for elements 4A and 4B so they can regain lost privileges?
- v. Is this rule change justifiable? How many licensees with expired licenses *that no longer have the skills to pass current examinations* are there? Has petitioner provided data to justify the costs benefits of this change?
- vi. It may be true that some licensees who renew do not have current skills and knowledge to be able to be control operators of an Amateur Radio station. Does fairness justify creating a rule that may increase the number? Perhaps recertifying should be considered. How far should this change go? Might we entertain *self-study tests on Internet* as adequate qualification in place of VE examinations or for renewals?

2. Validity of CSCEs

Commenter sees no benefit to changing the period of validity of CSCEs. The implied requirement for record storage by VECs and VE teams would be a real cost and offer an opportunity of fraud if the documents are difficult to validate. How would VEs vet 10 year old CSCEs and/or handle the task of storage? This is a demand on volunteers that seems excessive.

3. Grace Period for License Renewal

The discussion implies there is some relationship between the length of the renewal grace period and the length of the hold period for expired calls. Inspection of the ULS database shows old records of licensees are retained *even when a call is reassigned to another licensee*. For example the call W6AH has been held by four different licensees with documentation that could be used for examination credit. The Commission now has twelve years of ULS data that can be used for that purpose.

It would be possible to retain a two year grace period to reserve call signs and have records for ten years of examination credit. Applicants and/or VE teams could access ULS for examination credit and *this would require no changes to ULS*. The two year grace period for regaining the same station call sign could remain. Applicants that use the expired license for examination credit would receive a new call.

Commenter favors this approach with clear rules for the VE system. It would have no real costs and be easy to implement with guidance to VECs. No ULS change would be required.

One concern remains that individuals with the same or similar names might fraudulently use prior ULS data for examination credit. The FCC 605 form contains the following statement which is absent in the VEC605 form used by VECs.

WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND / OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND / OR FORFEITURE (U.S. Code, Title 47, Section 503).

4. Vanity Call Sign Waiting Period

The number of vanity calls available is a real issue and many would like the period reduced to help them acquire calls. However Commenter sees no benefit from revising the current system. The Amateur Radio community understands it. Tying the waiting period to the examination credit period would reduce the availability of calls. Reducing the period would decrease the perceived privileges of current licensees.

The issue is a concern in Hawaii.

- i. In 1996 the Commission expanded allocation for Hawaii stations to include area 7 calls – AH7, KH7, NH7 and WH7. With the growth of Amateur Radio in Hawaii all district 6 and 7 Group A calls are allocated.
- ii. There are only 200 Group A calls available for the 650 Amateur Extra licensees in Hawaii. In comparison, Alaska which has only 550 Amateur Extra licensees has 1040 Group A calls available.
- iii. The Anchorage VEC raises the issue of fairness in treatment of expired licensees which has raised the question of how long to hold expired calls in the vanity system. Commenter feels that the treatment of Hawaii vanity calls is a related issue and asks the Commission to consider revising assignments to give Hawaii and other Pacific area licensees a fair allocation of Group A calls. Commenter believes there will be little benefit to Hawaii Amateurs in shortening the hold period to even as little as six months.
- iv. Appendix I is a proposal for reassignment of Pacific calls. It should be noted that the Commission will never assign new calls to areas 1, 3, 4, 5, and 9 since FCC regulations require applicants using form 605 supply a mailing address with a ZIP code. The US Postal service no longer has ZIP codes assigned to any of these islands and will not directly deliver mail to them.

In the past the FCC assigned calls to individuals living on these islands. Today there are seven active area 3 calls, one in area 4 and six in area 9. All have US mainland addresses. See Appendix II for a list of these stations. None of the current active calls in this list conflicts with the Appendix I proposal.

5. Number of VEs

Based on Commenter's experience of participating in forty ARRL VE sessions, he feels reducing the number of VEs would have little effect on the "the likelihood of any possible fraud". *Commenter supports decreasing the required number to two.*

The process of scoring examinations has been "automated" by most VECs by distributing keys to VE teams. The questions and answers are in the public domain so it hard to see why every VE participating in an examination need be licensed to the same level as the examinations being conducted. Requiring the VE team leader be so licensed seems adequate in the very rare case that knowledge of a question and answer becomes required.

In Hawaii we have several small islands with only one Amateur Extra or General class resident VE. This often requires expensive travel to conduct examinations. While remote testing via Internet can be useful it introduces technical issues that may not be easily satisfied, e.g. adequate Internet bandwidth or restrictions imposed on use of government equipment for use by non-government employees.

Commenter suggests that only the team leader be required to have an equal or greater license class than the examination being conducted.

Remote testing

Commenter has direct experience in administering an FCC authorized remote examination on behalf of the ARRL VEC in August 2011. He supports expanding the use of such testing.

i. VEC Software

The test could only have been conducted using software or equivalent provided by the ARRL. Commenter suggests that initially VECs be involved in testing and training major VE teams to participate. With time and experience Individual VE teams might be authorized to conduct such tests independently.

ii. Scoring Examinations

Providing the tests directly from the ARRL VEC server allowed grading to be done by VEs not at the testing locations. *There is no need for a test key to be available at the testing location, which decreases the possibility of fraud.* (One suggestion would be to remove the question identifier from the screen to minimize its use for look up of answers from a crib sheet).

iii. Administration Costs

All reports were administered using computer HTML forms reducing the cost and complexity of testing. The process is not easily scaled to large sessions but we easily conducted a test for five applicants using two client PCs connected to the ARRL server.

iv. Remote Site VE Participation

Commenter flew to the remote site at great expense to conduct the session. Afterwards, reviewing how well the ARRL software performed, it was realized that with “certified” software or procedures, there was no compelling reason for a licensed VE to be present. The Superintendent of the Kalaupapa National Historic Park, Stephen B Prokop, could have and would have acted as a test monitor, if it were permitted. A mayor of a small town, principal of a school or a teacher, who certified in writing that they followed examination procedures, could perform tests without the need for a VE traveling to the testing location site. There is little risk of fraud if scoring is not done at the test site.

Tying a remote test to the travel schedule of the visiting VE is an additional complexity that could be avoided if the local population can conduct the test.

One procedural suggestion - the monitor and test candidates should be visible to the VEs monitoring the test using Internet audio and video. Knowing where the monitor is and what he or she is doing reduces the possibility of fraud.

v. **Examinations without Certified Software**

The NPRM could be construed as suggesting that just video and audio links be used to monitor an examination using current VE paper forms and procedures. Commenter would not support such a system. It is more subject to fraud, especially if a large number of sessions are permitted. This approach is suggestive of the FCC Conditional license testing which was discontinued when the VE system was established.

vi. **The Future of Amateur Radio Testing**

The Commission should explore a future on-line examination system that could complement and ultimately replace the existing paper based system. The NPRM correctly points out “We note that such methods are commonly used by colleges to provide courses at locations around the globe”. On-line education and testing would go a long way to reduce costs and perhaps replace the implicit taxation of the fee based VEC system.

D. **Emission Types**

i. **TDMA**

The NPRM addresses extending Section 97.3 (c) (5) to allow TDMA with the observations that “One of the purposes of the amateur service is to contribute to the advancement of the radio art”, and “Another purpose of the amateur service is to assist the public as a voluntary and noncommercial communications service, particularly with respect to providing emergency communications”. Commenter supports this change.

ii. **HF Digital Modes**

Currently Technician and Novice licensees have large CW allocations in the 80, 40, 15 and 10 meter bands. The 10 meter privileges include full digital modes from 28000 to 28500 kHz. This ten meter digital allocation confirms these operators have the necessary skills to operate digital modes and could do so in their other HF allocations.

Commenter asserts that, as with a TDMA allocation, it would be in the interest of the Amateur Radio Service to allow Technician and Novice class licensees to operate digital modes in their HF CW allocations. Younger licensees entering the Amateur Radio Service have greater knowledge of computer software and could contribute to development of these and newer algorithms that will offer future contributions to emergency communications.

iii. **Expanded HF Digital Mode Use**

Commenter suggests than in addition to authorizing TDMA, the Commission should delete Sections 97.307 (f) (9) and (10) to allow expanded use of HF digital modes by Technician and Novice class licensees.

Respectfully submitted,

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FRN 0003062098
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Appendix I – Proposal for District 13 Call Sign Allocations

13	Hawaii and Pacific Insular areas:	
	Commonwealth of Northern Mariana Islands	0 or 1
	Guam	2 or 3
	Hawaii	4, 5, 6 or 7
	American Samoa	8
	Baker or Howland Island	9 followed by the letter B
	Johnston Island	9 followed by the letter J
	Kure Island	9 followed by the letter K
	Midway Island	9 followed by suffix letter M
	Palmyra or Jarvis Island	9 followed by suffix letter P
	Kingman Reef	9 followed by suffix letter R
	Wake, Wilkes, or Peale Island	9 followed by the letter W

Appendix II – District 13 Calls Originally Assigned to Pacific Island Stations

Call	City	Postal Code	ZIP	Status	Expiration Date
AH3AC	APO	AE	09630	Active	05/21/2018
AH3D	Jackson	WY	83001	Active	09/01/2022
KH3AC	Lecanto	FL	34446	Active	06/24/2020
KH3AD	Newcastle	WA	98059	Active	07/20/2013
KH3AE	Kingston	WA	98346	Active	05/12/2022
KH3AF	Aiea	HI	96701	Active	07/07/2021
KH3AG	Elizabeth City	NC	27909	Active	02/18/2022
KH4AG	Wyckoff	NJ	07481	Active	11/12/2021
AH9A	Newport	OR	97365	Active	01/31/2019
AH9C	Vancouver	WA	98664	Active	10/27/2022
KH9AB	Hilo	HI	96720	Active	09/26/2016
KH9AE	New Baden	TX	77870	Active	03/13/2020
WH9AAF	Yorktown	VA	23692	Active	07/16/2019
WH9AAH	Elk River	MN	55330	Active	05/15/2017
AH3B	Sarasota	FL	34237	Cancelled	07/10/2010
AH3C				Cancelled	01/14/1998
AH9B	Edmond	OK	73034	Cancelled	03/03/2012
AH3AD	Johnston Island	UM	00000	Expired	09/26/1999
WH3AAE	Johnston Island	UM	00000	Expired	03/13/2000
WH3AAG	Johnston Island	UM	00000	Expired	05/29/2000
KH4AA	Juana Diaz	PR	00795	Expired	09/03/2011
KH4AB	San Diego	CA	92126	Expired	10/13/2002
KH4AF	Blue Mountain	AL	36204	Expired	04/28/2002
AH9AA	Los Angeles	CA	90086	Expired	09/29/1997
AH9AC	Las Vegas	NV	89119	Expired	06/15/2003
KH9AA	Las Vegas	NV	89108	Expired	05/28/2011
WH9AAC	FPO	AP	96516	Expired	05/29/2006
WH9AAI	Wake Island	UM	00000	Expired	03/17/2002