

Comment on proposed rule-making RM-11699

Submitted by:

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To whom it may concern,

I have been a licensed amateur radio operator for some years, and I am opposed to allowing amateur radio communications to be encrypted, as proposed by Mr. Don Rolph in his Petition for Rule Making, dated March 23, 2013.

Amateur radio operators are allowed to use certain radio frequencies for communication by and testing of radio communications devices. Since the communications on some of these frequencies can literally be heard around the world, the frequencies are agreed upon by most of the nations around the world.

Because the communications are open and unencrypted, any person in any nation can listen in and make sure of the benign nature of them. If we were to allow these communications to be encrypted, thus cutting off these assurances, other nations would have no easy way to know the nature of them and could get concerned about their nature. If they were concerned enough, it would be easy for any nation to cut off those communications by transmitting their own signals on the same frequencies, effectively blocking us from using them for the peaceful and productive purposes such as providing emergency communications in time of emergencies.

Since the beginning of radio, amateur radio operators have openly communicated with their fellow hams. As a group, we understand that anything we say (or otherwise communicate) to another person is able to be copied by anyone else who wished to do so. Because of that, and because there is usually no need to, we do not communicate sensitive information in that way.

Mr. Rolph makes the statement that “It has been observed in a variety of contexts, that agencies served by amateur radio communication during emergencies perceive”...”that encryption of certain emergency data is required”..., “that certain emergency information is required for tactical purposes to be encrypted”..., and “that for national security reasons certain emergency communications should be encrypted”. I submit that amateur radio communications should not be used in the above instances. Just because others misunderstand the amateur radio operator’s roll in an emergency, it doesn’t mean that we should change how we do things to meet their misinformed ideas. We would be better served to have more drills with, or provide training materials to these “agencies” who expect us to provide secure communications for them.

The amateur radio community is not in the business of making, keeping, or communicating secrets – we are there to help where we can, and not help where we can’t. We are not licensed carry weapons into dangerous locations in order to provide emergency communications, we are not authorized to run red lights and exceed the speed limit in order to get to a location faster to provide emergency communications, nor should we be authorized to encrypt our transmissions to provide emergency communications because other agencies do not understand the amateur radio operator’s roll in their situation.

On a specific note, Mr. Rolph’s assertion that we may need to communicate sensitive patient information is not correct. In addition to being an amateur radio operator, I am an Emergency Medical Technician at my local fire department, and I’ve taken training on HIPAA requirements in communication. I am able to use an unencrypted radio in the ambulance to communicate a patient’s condition with a hospital every time I go out on it. I do not mention the patient’s identifying information, such as name, address, or phone number, but I can still give a complete report to the doctor at the hospital without violating the HIPAA laws. There is no reason that amateur radio operators cannot do the same thing, if need be.

Because of the above reasons, it does not appear that any change to Part 97.113, with regard to the exceptions to prohibited transmissions, should be considered at this time.

Thank you for your consideration of this information when addressing Mr. Rolph’s Petition for Rule

Making.

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