

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

In the Matter of)	
)	
Changes in Part 97 With Regard to Amateur Radio Service Rules, 97.119(a) Station Identification)	RM-11346
)	
Proposed Changes in 47 CFR Part 97 Section 97.119)	RM-11347
)	
Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Service to Provide for Recognition of Amateur Operators Who Have Served in the United States Military)	
)	

ORDER

Adopted: July 6, 2007

Released: July 9, 2007

By the Deputy Chief, Mobility Division, Wireless Telecommunications Bureau:

I. INTRODUCTION

1. We have before us three petitions requesting changes to Section 97.119 of the Commission’s Rules, which governs amateur station identification.¹ Two of the petitions request that the time interval between required identification announcements be changed. The third petition requests that certain combinations of letters be reserved for use by current or former members of the armed forces when identifying their amateur service stations. Because the petitioners seek to amend the rules to permit activity that the current rules already permit, or do not present sufficient evidence to justify altering the current rules, we are dismissing all three petitions.

II. DISCUSSION

A. Station identification interval

2. *Background.* Section 97.119(a) of the Commission’s Rules provides that an amateur station “must transmit its assigned call sign on its transmitting channel at the end of each communication, and at least every 10 minutes during a communication, for the purpose of clearly making the source of the transmissions from the station known to those receiving the transmissions.”² We have received two proposals to amend this provision. On December 9, 2005, Murray Green filed a petition for rulemaking, RM-11346, requesting that the Commission amend Section 97.119(a) to reduce the required frequency of station identification to every thirty minutes during a communication, rather than once every ten

¹ 47 C.F.R. § 97.119.

² 47 C.F.R. § 97.119(a).

minutes.³ On May 19, 2006, Glen E. Zook filed a petition for rulemaking, RM-11347, requesting that the Commission amend Section 97.119(a) to require that the call sign be transmitted at the beginning and end of each single transmission, and at the beginning and end of a series of transmissions between stations having established communications when each transmission is less than three minutes in duration.⁴

3. Green argues that the station identification requirement should be relaxed because the current requirement “appears, perhaps out of an abundance of caution, to have resulted in more frequent or over-identification by Amateur Radio operators,” and requiring identification less frequently “would harmonize the Amateur Radio Service station identification requirement with that of other radio services and should not hinder the Commission’s enforcement of Amateur Radio regulations.”⁵ Zook, on the other hand, argues that the station identification requirement should be tightened because “too many amateur radio operators . . . do not identify during their first transmission. In fact, a considerable number of these operators never seem to get around to identifying even after 10 minutes of operation and a ‘fair’ number never seem to get around to giving their call sign at all.”⁶ Each petition received approximately one hundred comments. The commenters generally oppose both petitions.

4. *Decision.* Based on our review of the record, we are not persuaded that the requested rule changes are necessary or supported by the amateur radio community. The purpose of the station identification rule is “to clearly make the identity of the station transmitting known to those receiving the transmission.”⁷ To achieve this purpose, the rule requires that an amateur station transmit its call sign at the end of each communication and at least every ten minutes during a communication that lasts longer than ten minutes. The overwhelming majority of commenters believe that the current rule properly balances the burden of requiring the station to transmit its call sign with the convenience of those receiving the transmissions to determine the identity of the station making the transmissions.

5. The commenters argue that the current requirement is not burdensome,⁸ but rather “is a good balance between operational flexibility and ease of identification,”⁹ and that the maximum ten minutes

³ See Petition for Rulemaking, Changes in Part 97 with Regard to Amateur Radio Service Rules, 97.119(a) Station Identification, at 1 (filed Dec. 9, 2005) (Green Petition).

⁴ See Letter dated May 10, 2006 from Glen E. Zook to Marlene H. Dortch, Secretary, Federal Communications Commission, at 3 (filed May 19, 2006) (Zook Petition). Zook also requests that we amend the rule to require that the call sign be preceded by the words “this is” or “from” when voice communications is being transmitted, and require that the call sign be preceded by the prosign “de” when telegraphy is being transmitted. See *id.* at 3-4. Zook notes that these identification procedures were required “in years past” and that his proposal incorporates the identification procedures that were under former Section 12.82 of the Commission’s Rules, 47 C.F.R. § 12.82 (1956).

⁵ Green Petition at 2 (citing 47 C.F.R. §§ 5.115 (Experimental Radio Service), 22.313 (Public Mobile Services)).

⁶ Zook Petition at 2.

⁷ Amendment of the Amateur Service Rules to Provide for Greater Use of Spread Spectrum Communication Technologies, *Report and Order*, WT Docket No. 97-12, 15 FCC Rcd 1481, 1488 ¶ 6 (1999).

⁸ See, e.g., James P. Miccolis Comments at 1; Wayne C. Greaves Comment at 1; Bill Noyce Comments at 1; Merle C. Bone, Jr., Comments at 1; John Elengo Comments at 1; Robert Witte Comments at 1; James Melton Comments at 1; Ken Holland Comments at 1; Dee D. Flint Comments at 1.

⁹ James P. Miccolis Comments at 1.

between station identification (which has been in effect for over fifty years¹⁰) is short enough that those listening can discover the source of a transmission in a reasonable time.¹¹ We concur.¹² We also agree that a thirty-minute interval would be too long, because interference and variations in propagation may not permit continuous reception of a specific station for thirty minutes.¹³ In addition, we share the commenters' concern¹⁴ that requiring a station receiving another station's transmission to listen for up to thirty minutes to determine the call sign of the transmitting station would compromise the ability of the amateur service to self-police,¹⁵ especially in light of the fact that other methods of identifying the station, such as looking up the station call sign based on the operating frequency, are not available because amateur stations do not operate on specifically assigned frequencies. It therefore is reasonable to require amateur station identification more frequently than is required of stations in other services.¹⁶ We conclude, therefore, that proposing to increase the time between required station identification transmissions would not improve or enhance the operation of amateur service stations or otherwise be in the public interest. Accordingly, we dismiss the Green Petition.

6. We also agree with the commenters that increasing the frequency of station identification as proposed in the Zook Petition is unnecessary and would be burdensome.¹⁷ It also could lead to congestion, such as during a contest when many amateur operators are trying to contact a distant station.¹⁸ Moreover, the petition does not demonstrate that so revising the station identification requirement would address the primary concern expressed by the petitioner – that many amateur radio operators do not identify their station timely or at all. Therefore, we agree with the comments that say, in various ways, that the problem of station operators not complying with the present rule is better addressed by enforcement of the present rule, rather than a rule change.¹⁹ Finally, we note that while the

¹⁰ See, e.g., 47 C.F.R. § 12.82(a)(1)(iv) (1956).

¹¹ See, e.g., Bill Noyce Comments at 1; Merle C. Bone, Jr., Comments at 1; John King Comments at 1; Cathy James Comments at 1.

¹² Because the present rule has not been shown to be burdensome or unreasonable, we are not persuaded by comments that support expanding the interval between required identification to fifteen or twenty minutes. See Donald B. Chester Comments at 3; Earl Paazig Comments at 1-2.

¹³ Donald B. Chester Comments at 1; Wayne C. Greaves Comment at 1.

¹⁴ See, e.g., James P. Miccolis Comments at 1; James L. McCoy Comments at 1; John Elengo Comments at 1; David G. Borchert Comments at 1; Steven J. Robeson Comments at 1; Hershel L. Keris, Jr., Comments at 1.

¹⁵ We note that a hallmark of enforcement in the amateur service is "self-policing," which depends on an amateur station hearing a message being able to determine the call sign of the transmitting station. See, e.g., Waiver of Sections 97.80(b) and 97.114(b)(4) of the Amateur Rules to Permit the Retransmission of Third-Party Traffic in Certain Situations, *Order*, PR Docket No. 85-105, 59 Rad. Reg. (P & F) 1326, 1326 ¶ 2 (PRB 1986).

¹⁶ See, e.g., Wayne C. Greaves Comment at 1; Bill Noyce Comments at 1; Robert Witte Comments at 1; Donald B. Chester Comments at 1; James L. McCoy Comments at 1.

¹⁷ See, e.g., Michael A. Voltz Comments at 1; Alan W. Jump Comments at 1; Donald B. Chester Comments at 2.

¹⁸ Donald B. Chester Comments at 2.

¹⁹ David M. Drumheller Comments at 1; John Elengo Comments at 1.

current rule does not require identification at the beginning of a communication, many amateur stations already routinely begin a transmission with their call sign. Accordingly, we dismiss the Zook Petition.

B. Unique indicators for licensees who are veterans

7. *Background.* Section 97.119(c) of the Commission's Rules permits the inclusion of indicators with the call sign during station identification, provided that no self-assigned indicator conflicts with any indicator specified by the Commission's rules or with any prefix assigned to another country.²⁰ On December 1, 2006, the Quarter Century Wireless Association (QCWA) filed a petition for rulemaking requesting that Section 97.119(c) be amended to permit an amateur radio operator who is a current or honorably discharged member of the United States military to include a unique indicator with the station's call sign identification announcement.²¹ In support of this proposal, QCWA notes that many amateur radio operators are serving or have served in the United States military, or became amateur radio operators during or following their military training in communications and electronics, and it states that this proposal would afford those individuals the option to advise others of their military service when they identify their amateur stations on the air.²²

8. *Decision.* We are not persuaded that proposing the requested rule change is warranted. Amateur radio operators who are current or honorably discharged members of the United States military already are permitted to identify their stations in the way QCWA suggests. As noted above, the present rule permits a control operator to include an indicator with the call sign, subject only to the limitation that a self-assigned indicator not conflict with any other indicator specified by the Commission's rules or with any prefix assigned to another country. We note that the indicators QCWA suggests do not conflict with other indicator specified by the rules or with another country's prefix. They therefore may be included as an indicator with a presently-assigned amateur station call sign. To the extent that QCWA seeks to regularize the use of its proposed indicators to increase their recognition, the amateur community may do so without any change to the amateur service rules.²³ For these reasons, we conclude that the rule change requested by the QCWA is unnecessary, and we dismiss the QCWA Petition.²⁴

²⁰ 47 C.F.R. § 97.119(c).

²¹ See Petition for Rulemaking, Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Service to Provide for Recognition of Amateur Operators Who Have Served in the United States Military, at 3 (filed Dec. 1, 2006) (QCWA Petition). Specifically, QCWA requests that the indicators AF, AA, NA, NM, and ACG be reserved for use by current or honorably discharged members of the United States Air Force, Army, Navy, Marine Corps, and Coast Guard, respectively.

²² *Id.* at 1.

²³ Cf. Development of Operational, Technical and Spectrum Requirements for Meeting Federal, State and Local Public Safety Communication Requirements Through the Year 2010, *Fourth Report and Order and Fifth Notice of Proposed Rule Making*, WT Docket No. 96-86, 16 FCC Rcd 2020, 2040 ¶ 59 (2001) (declining to mandate the use of a standard channel nomenclature for public safety interoperability channels, but encouraging the development of an industry standard).

²⁴ See Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Services, *Notice of Proposed Rulemaking and Order*, WT Docket No. 04-140, 19 FCC Rcd 7293, 7323 ¶ 66 (2004) (deeming it unnecessary to amend the amateur rules to authorize activity that is already permitted).

III. CONCLUSION AND ORDERING CLAUSES

9. On the basis of the above, we conclude that the requests in the above-captioned petitions for rulemaking are unnecessary in light of the existing rules, and do not warrant further consideration at this time.

10. Accordingly, IT IS ORDERED, pursuant to Sections 4(i) and (j) and 303(r) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), 303(r), and Section 1.401(e) of the Commission's Rules, 47 C.F.R. § 1.401(e), that the petition for rulemaking filed by Murray Green, RM-11346, on December 9, 2005 IS HEREBY DISMISSED WITHOUT PREJUDICE.

11. IT IS FURTHER ORDERED that the petition for rulemaking filed by Glen E. Zook, RM-11347, on May 19, 2006 IS HEREBY DISMISSED WITHOUT PREJUDICE.

12. IT IS FURTHER ORDERED that the petition for rulemaking filed by the Quarter Century Wireless Association on December 1, 2006 IS HEREBY DISMISSED WITHOUT PREJUDICE.

13. This action is taken under delegated authority pursuant to Sections 0.131 and 0.331 of the Commission's Rules, 47 C.F.R. §§ 0.131, 0.331.

FEDERAL COMMUNICATIONS COMMISSION

Scot Stone
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Wireless Telecommunication Bureau