

# DS LAW, PLLC

1629 K Street NW Suite 300  
Washington, DC 20006

David R. Siddall  
(202) 559-4690  
david@davidsiddall-law.com

## VIA ECFS

June 7, 2021

Marlene H. Dortch, Secretary  
Federal Communications Commission  
45 L Street, NE  
Washington, DC 20554

Re: WT Docket No. 16-239, Amendment of Part 97 of the Commission's Amateur Radio Service Rules to Permit Greater Flexibility in Digital Data Communications Notice of *Ex Parte* Presentation

Dear Ms. Dortch:

On June 3, 2021, David Siddall, Washington Counsel to ARRL, The National Association for Amateur Radio ("ARRL"), met by telephone with Ethan Lucarelli, Acting Legal Advisor to Acting Chairwoman Rosenworcel for Wireless and Public Safety. Discussed during the meeting were issues addressed in ARRL filings submitted earlier in this proceeding.

The purpose of this meeting was to request adoption before the next hurricane season of the proposal endorsed by the Commission five years ago to remove an outmoded limit on digital data rate that constrains use of certain amateur frequencies. The limit was adopted in 1980 during the earliest days of digital data communications, when Jimmy Carter was President. It has no place in today's modern digital communications world. The slower speeds needlessly occupy the crowded amateur frequencies for longer than necessary to transmit messages. The bandwidth limit that in 1980 the Commission suggested was its intention to adopt with the 300 baud limit – 2.8 kHz – should be adopted to replace the baud limit.<sup>1</sup>

Amateurs in all other known countries are permitted to use the modern digital data speeds denied amateurs in the United States. We can hear the signals every day, but we are not permitted to respond with the same technique. This situation is not because of any affirmative

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<sup>1</sup> See Third Report and Order, 45 Fed.Reg. 8990 (Feb. 11, 1980) at para. 4. Indeed, the 2.8 kHz bandwidth limit was adopted in later regulation governing digital use of the amateur 60-meter band, but was not changed for the other amateur bands. See 47 C.F.R. 97.303(h), 307(f)(14).

decision, but because there has been a lack of action to update the rules. It is embarrassing that in recent years our nation's amateurs have had to apply for temporary waivers to efficiently handle emergency health and welfare messages from hurricane-prone Caribbean islands and even from within the United States.<sup>2</sup> Amateurs in the Caribbean, as in other areas of the world, generally are using equipment and software developed by the amateur community and promoted by the International Telecommunications Union (ITU) specifically to ensure communications capabilities during times of severe weather.<sup>3</sup>

## Conclusion

Amateur Radio has led many young people into scientific and engineering professions, including many related to the digital services and technologies that are at the heart of today's wireless communications marketplace. The incentive to work on improving data communications technologies is the ability to experiment on the airwaves and to employ improved capabilities both casually and in times of need. This capability should be restored to America's radio amateurs.

This notice is being filed electronically pursuant to Section 1.1206 of the Commission's rules. Please contact me if you have any questions.

Respectfully submitted,



David R. Siddall  
Washington Counsel  
ARRL, THE NATIONAL ASSOCIATION  
FOR AMATEUR RADIO

cc: Ethan Lucarelli

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<sup>2</sup> See American Radio Relay League, Order, 32 FCC Rcd 7428 (WTB MD 2017); American Radio Relay League, Order, 33 FCC Rcd 8758 (WTB MD 2018); American Radio Relay League, Order, 34 FCC Rcd 7956 (WTB MD 2019); American Radio Relay League, Order, 35 FCC Rcd 10393 (WTB MD 2020).

<sup>3</sup> See Miguel Alcaine, Representative of the ITU Area Office in Tegucigalpa, Honduras: [How ITU is Strengthening Emergency Telecommunications in the Americas](#). ITU News (dated March 5, 2019), available at: <https://news.itu.int/how-itu-is-strengthening-emergency-telecommunications-in-the-americas/> (checked 6/5/ 2021): "In 2018, ITU teamed up with regional telecommunications bodies in the Americas such as la Comision Regional Tecnica de Telecomunicaciones (COMTELCA), the Inter-American Telecommunication Commission (CITEL) and the International Amateur Radio Union (IARU) to set up an alternative telecommunication system for use in times of emergencies. The system does not rely on conventional means of communication such as the Internet, but rather on amateur radio systems....The alternative telecommunications system used is known as Winlink, a worldwide email service that uses radio pathways and is capable of operating completely without the Internet."