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AUTHORITY: §§ 97.1 to 97.227 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. Subchap. I, III-VI.

SOURCE: §§ 97.1 to 97.227 appear at 28 F.R. 14181, Dec. 21, 1963.

Subpart A—General

§ 97.1 Basis and purpose.

The rules and regulations in this part are designed to provide an amateur radio service having a fundamental purpose as expressed in the following principles:

(a) Recognition and enhancement of the value of the amateur service to the public as a voluntary noncommercial communication service, particularly with respect to providing emergency communications.

(b) Continuation and extension of the amateur's proven ability to contribute to the advancement of the radio art.

(c) Encouragement and improvement of the amateur radio service through rules which provide for advancing skills in both the communication and technical phases of the art.

(d) Expansion of the existing reservoir within the amateur radio service of trained operators, technicians, and electronics experts.

(e) Continuation and extension of the amateur's unique ability to enhance international good will.

§ 97.3 Definitions.

(a) *Amateur service*. A radio service carried on by amateur stations.

(b) *Amateur operator*. A person interested in radio technique solely with a personal aim and without pecuniary interest, holding a valid license issued by the Federal Communications Commission authorizing him to operate licensed amateur stations.

(c) *Amateur station*. A station used by an amateur operator, and embracing all radio transmitting apparatus at a particular location used for amateur service and operated under a single instrument of authorization.

(d) *Amateur portable station*. An amateur station that is so constructed that it may conveniently be moved about from place to place for communication, but which is not operated while in motion.

(e) *Amateur mobile station*. An amateur station that is so constructed that it may conveniently be transferred to or from a mobile unit or from one such unit to another, and is ordinarily used while such mobile unit is in motion.

(f) *Amateur radio communication*. Radio communication between amateur stations solely with a personal aim and without pecuniary interest.

(g) *Remote control.* Control of transmitting equipment of an amateur station from an operating position other than one at which the transmitter is in view and immediately accessible, except that, direct mechanical control or direct electrical control by wired connections of an amateur transmitter from a point located on board any aircraft, vessel or vehicle on which such transmitter is located shall not be considered remote control within the meaning of this definition.

(h) *Antenna structure.* The radiating system, including its supporting structures, and any surmounting appurtenances.

(i) *Aircraft landing area.* Any locality, either on land or water, including airports and intermediate landing fields, which is used, or approved for use, for landing and take-off of aircraft whether or not facilities are provided for the shelter, servicing, or repair of aircraft, or for the receiving or discharging of passengers or cargo.

Subpart B—Amateur Operator and Station Licenses

OPERATOR LICENSES

§ 97.5 Classes of operator licenses.

- Amateur extra class.
- Advanced class (previously class A).
- General class (previously class B).
- Conditional class (previously class C).
- Technician class.
- Novice class.

§ 97.7 Privileges of operator licenses.

(a) *Amateur extra class.* All authorized amateur privileges including such additional privileges in both communication and technical phases of the art which the Commission may consider as appropriately limited to holders of this class of license.

(b) *Advanced class.* All amateur privileges except those which may be reserved to holders of the Amateur Extra Class license.

(c) *General and Conditional classes.* All authorized amateur privileges.

(d) *Technician Class.* All authorized amateur privileges in the amateur frequency bands 50 to 54 Mc/s, 145 to 147 Mc/s and in the amateur frequency bands above 220 Mc/s.

(e) *Novice class.* Those amateur privileges as designated and limited as follows:

(1) The d. c. plate power input to the vacuum tube or tubes supplying power to the antenna shall not exceed 75 watts.

(2) Only the following frequency bands and types of emission may be used, and the emissions of the transmitter must be crystal-controlled:

(i) 3700 to 3750 kc/s, radiotelegraphy using only type A1 emission.

(ii) 7150–7200 kc/s, radiotelegraphy using only type A1 emission.

(iii) 21.10 to 21.25 Mc/s, radiotelegraphy using only type A1 emission.

(iv) 145 to 147 Mc/s, radiotelegraphy or radiotelephony using types of emission as set forth in § 97.61.

§ 97.9 Eligibility for operator license.

Persons are eligible to apply for the various classes of amateur operator licenses as follows:

(a) *Amateur extra class.* Any citizen of the United States who either (1) at any time prior to receipt of his application by the Commission has held for a period of two years or more a valid amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the United States Government during or prior to April, 1917.

(b) *Advanced class.* New Advanced Class amateur operator licenses will not be issued; however, Advanced Class (or Class A) licenses may continue to be renewed as set forth in § 97.13.

(c) *General class.* Any citizen of the United States.

(d) *Conditional Class.* Any citizen of the United States:

(1) Whose actual residence and amateur station location are more than 75 miles airline distance from the nearest location at which examinations are held at intervals of not more than 3 months for General Class amateur operator license.

(2) Who is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(3) Who is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(4) Who furnishes sufficient evidence, at the time of filing, of temporary residence for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this paragraph.

(e) *Technician class.* Any citizen of the United States.

(f) *Novice class.* Any citizen of the United States except a former holder of an amateur license of any class issued by any agency of the United States Government, military or civilian.

§ 97.11 Application for operator license.

(a) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which will require an examination supervised by Commission personnel, shall be submitted to the district field office of the Commission which exercises jurisdiction over the area in which the applicant resides. Upon receipt of the application, and any necessary filing fee (see § 97.55), the district field office will make arrangements for conducting the required examination either at its location or at an examination point within its area.

(b) An application (FCC Form 610) for a new operator license, including an application for change in operating privileges, which requests an examination supervised by a volunteer examiner under the provisions of § 97.29(b), shall be submitted to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall be accompanied by any necessary filing fee (see § 97.55) and by a request for the written examination material (see § 97.29(b)).

(c) An application (FCC Form 610) for renewal and/or modification of license when no change in operating privileges is involved shall be submitted, together with any necessary filing fee (see § 97.55), to the Commission's office at Gettysburg, Pennsylvania, 17325.

§ 97.13 Renewal or modification of operator license.

(a) An amateur operator license, except the Novice Class, may be renewed upon proper application in which it is stated that the applicant has lawfully accumulated, at an amateur station licensed by the Commission, a minimum total of either 2 hours operating time during the last 3 months or 5 hours operating time during the last 12 months of the license term. Such operating time, for the purpose of renewal, shall be counted as the total of all that time between the entries in the station log showing the beginning and end of transmissions as required in § 97.103(a), both during single transmissions and during a sequence of transmissions. The application shall, in addition to the foregoing, include a statement that the applicant can send by hand key, i. e., straight key or any other type of hand operated key such as a semi-automatic or electronic key, and receive by ear, in plain language, messages in the International Morse Code at a speed of not less than that which is required in qualifying for an original license of the class being renewed.

NOTE: Until further order of the Commission, the showing that the applicant actually operated an amateur radio station or stations for the periods of time specified in § 97.13 will not be required in cases where it is shown that the applicant was unable to conduct such operation because he was on active duty overseas in the armed forces of the United States or was duly enrolled as an employee of an agency of the Federal Government and in the course of such employment was on duty in a foreign country continuously during the last year of the license term: *Provided*, That any such employee of the Federal Government shall submit with his application for renewal of license a statement signed by his agency head, or the chief of the Bureau or Division in which he is employed attesting to such employment.

(b) The Novice Class license will not be renewed.

(c) The applicant shall qualify for a new license by examination if the requirements of this section are not fulfilled.

(d) Application for renewal and/or modification (change of address, etc.) of an amateur operator license shall be

submitted on FCC Form 610 and shall be accompanied by the applicant's license. Unless otherwise directed by the Commission, each application for renewal of license shall be filed only during the last 60 days of the license term or within a period of grace of one year after the expiration date of such license. During this one year period of grace an expired license is not valid. A renewed license issued upon the basis of an application filed during the grace period will be dated currently and will not be backdated to the date of expiration of the license being renewed. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined. In accordance with § 97.59(c), a license for modification only will be dated to expire on the same date as the license being modified.

OPERATOR LICENSE EXAMINATIONS

§ 97.19 When examination is required.

Examination is required for the issuance of a new amateur operator license, and for a change in class of operating privileges. Credit may be given, however, for certain elements of examination as provided in § 97.25.

§ 97.21 Examination elements.

Examinations for amateur operator privileges will comprise one or more of the following examination elements:

Element 1 (A): *Beginner's code test.* Code test at five (5) words per minute.

Element 1 (B): *General code test.* Code test at thirteen (13) words per minute.

Element 1 (C): *Expert's code test.* Code test at twenty (20) words per minute.

Element 2: *Basic amateur practice.* Amateur radio operation and apparatus, including radiotelephone and radiotelegraph.

Element 3 (A): *Basic law.* Rules and regulations essential to beginners' operation, including sufficient elementary radio theory for the understanding of those rules.

Element 3 (B): *General regulations.* Provisions of treaties, statutes, and rules and regulations affecting all amateur stations and operators.

Element 4 (B): *Advanced amateur practice.* Advanced radio theory and operation

as applicable to modern amateur techniques, including, but not limited to, radiotelephony, radiotelegraphy, and transmissions of energy for measurements and observations applied to propagation, for the radio control of remote objects and for similar experimental purposes.

§ 97.23 Examination requirements.

Applicants for original licenses will be required to pass examinations as follows:

(a) *Amateur extra class.* Elements 1 (C), 2, 3 (B) and 4 (B).

(b) *General class.* Elements 1(B), 2 and 3(B).

(c) *Conditional class.* Elements 1 (B), 2 and 3 (B).

(d) *Technician class.* Elements 1 (A), 2 and 3 (B).

(e) *Novice class.* Elements 1 (A) and 3 (A).

§ 97.25 Examination credit.

(a) An applicant for a higher class of amateur operator license who holds a valid amateur operator license issued upon the basis of an examination by the Commission will be required to pass only those elements of the higher class examination that were not included in the examination for the amateur license held when such application was filed. However, credit will not be allowed for licenses issued on the basis of an examination given under the provisions of § 97.29(b).

(b) An applicant for any class of amateur operator license, except the Extra Class, will be given credit for the telegraph code element if within five years prior to the receipt of his application by the Commission he held a commercial radiotelegraph operator license or permit issued by the Federal Communications Commission.

(c) An applicant for Amateur Extra Class operator license will be given credit for examination elements 1 (C) and 4 (B) if he so requests and submits evidence of having held a valid amateur radio station or operator license issued by any agency of the United States Government during or prior to April 1917, and qualifies for or currently holds a valid amateur operator license of the General or Advanced Class.

(d) No examination credit, except as herein provided, shall be allowed on the

basis of holding or having held any amateur or commercial operator license.

§ 97.27 Availability of Conditional Class license examinations.

The examinations for Conditional Class will be available only under one or more of the following conditions:

(a) If the applicant's actual residence and proposed amateur station location are more than 75 miles airline distance from the nearest location at which examinations are conducted by an authorized Commission employee or representative at intervals of not more than 3 months for amateur operator licenses.

(b) If the applicant is shown by physician's certificate to be unable to appear for examination because of protracted disability.

(c) If the applicant is shown by certificate of the commanding officer to be in the armed forces of the United States at an Army, Navy, Air Force, or Coast Guard station and, for that reason, to be unable to appear for examination at the time and place designated by the Commission.

(d) If the applicant demonstrates by sufficient evidence that his temporary residence is for a continuous period of at least 12 months outside the continental limits of the United States, its territories or possessions, irrespective of other provisions of this section.

§ 97.29 Manner of conducting examinations.

(a) The examinations for Extra and General Classes of amateur operator licenses will be conducted by an authorized Commission employee or representative at locations and at times specified by the Commission.

(b) Unless otherwise prescribed by the Commission, an examination for the Conditional, Technician, or Novice Class license will be conducted and supervised by a volunteer examiner selected by the applicant. A volunteer examiner shall be at least 21 years of age and shall be the holder of an Extra, Advanced, or General Class Amateur Radio operator license, or shall hold a Commercial radiotelegraph operator license issued by the Commission, or shall be employed in the service of the United States as the operator of a manually operated radio-

telegraph station. The written portion of the examination shall be obtained, supervised, and submitted in accordance with the following procedure:

(1) Within ten days after passing the required code test, an applicant shall submit an application (FCC Form 610), together with any filing fee prescribed by § 97.55, to the Commission's office at Gettysburg, Pennsylvania, 17325. The application shall include a written request from the volunteer examiner for the appropriate examination papers. The examiner's written request shall include (i) the names and permanent addresses of the examiner and the applicant, (ii) a description of the examiner's qualifications to administer the examination, (iii) the examiner's statement that the applicant has passed the code test for the class of license involved under his supervision within the ten days prior to submission of the request, and (iv) the examiner's written signature. Examination papers will be forwarded only to the volunteer examiner.

NOTE: When the applicant is entitled to examination credit for the code test pursuant to § 97.25(b), an application may be submitted without regard to the ten day limitation. The examiner's request should then state that a code test was not administered for that reason. The applicant should furnish details as to the class, number, and expiration date of the Commercial radiotelegraph operator license involved.

(2) The volunteer examiner shall be responsible for the proper conduct and necessary supervision of the examination. Administration of the examination shall be in accordance with the instructions included with the examination papers and as prescribed in §§ 97.29(c) and (d), 97.31, and 97.33.

(3) The examination papers, either completed or unopened in the event the examination is not taken, shall be returned by the volunteer examiner to the Commission's office at Gettysburg, Pennsylvania within the time prescribed (normally not later than 20 days after the date when the papers are forwarded by the Commission).

(c) The code test required of an applicant for amateur radio operator license, in accordance with the provisions of §§ 97.21 and 97.23 shall determine the applicant's ability to transmit by hand

key (straight key, or if supplied by the applicant, any other type of hand operated key such as a semi-automatic or electronic key) and to receive by ear, in plain language, messages in the International Morse Code at not less than the prescribed speed, free from omission or other error for a continuous period of at least 1 minute during a test period of 5 minutes counting five characters to the word, each numeral or punctuation mark counting as two characters.

(d) All written portions of the examinations for amateur operator privileges shall be completed by the applicant in legible handwriting or hand printing, and diagrams shall be drawn by hand, by means of either pen and ink or pencil. Whenever the applicant's signature is required, his normal signature shall be used. Applicants unable to comply with these requirements, because of physical disability, may dictate their answers to the examination questions and the receiving code test and if unable to draw required diagrams, may dictate a detailed description essentially equivalent. If the examination or any part thereof is dictated, the examiner shall certify the nature of the applicant's disability and the name and address of the person(s) taking and transcribing the applicant's dictation.

§ 97.31 Grading of examinations.

(a) Code tests for sending and receiving are graded separately. Failure to pass the required code test for either sending or receiving will terminate the examination.

(b) Seventy-four percent is the passing grade for written examinations. For the purpose of grading, all elements, other than element 4 (B), required in qualifying for a particular license will be considered a single examination, and element 4 (B), will be considered as a separate examination. All written examinations will be graded only by Commission personnel.

§ 97.33 Eligibility for reexamination.

An applicant who fails examination for an amateur operator license may not take another examination for the same or a higher class amateur operator license within 30 days, except that this limitation shall not apply to an exami-

nation for a General Class license following an examination conducted by a volunteer examiner for a Novice, Technician, or Conditional Class license.

§ 97.35 Additional examination for holders of Novice, Technician, or Conditional Class operator licenses.

(a) The Commission may require a licensee holding a Novice, Technician, or Conditional Class of operator license to appear for a Commission-supervised license examination at a location designated by the Commission. If the licensee fails to appear for this examination when directed to do so, or fails to pass such examination, the Novice, Technician, or Conditional Class operator license previously issued shall be subject to cancellation, and upon cancellation, a new license will not be issued for the same class operator license as that cancelled.

(b) Whenever the holder of a Novice, Technician, or Conditional Class amateur operator license is required by the Commission to restrict the operation of his amateur station, in accordance with the provisions of § 97.131, § 97.133, or § 97.135, the necessity for such restriction shall be considered sufficient grounds to require the holder of the Novice, Technician, or Conditional Class license to appear for a Commission-supervised examination.

(c) A holder of a Conditional license obtained on the basis of an examination under the provisions of § 97.29(b) is not required to be re-examined when changing residence and station location to within a regular examination area, nor when a new examination location is established within 75 miles of such licensee's residence and station location.

STATION LICENSES

§ 97.37 General eligibility for station license.

A license for an amateur station will be issued in response to proper application therefor to a licensed amateur operator who has made a satisfactory showing of control of the transmitting station for which license is desired and of control of the specific premises upon which all of the station apparatus is to be located, at a designated fixed location. An amateur station license may

also be issued to an individual, not a licensed amateur operator (other than an alien or a representative of an alien or of a foreign government), who is in charge of a proposed amateur station for recreation under military auspices (only of the Armed Forces of the United States) which is to be located in approved public quarters but not operated by the United States Government.

§ 97.39 Eligibility of corporations or organizations to hold station license.

An amateur station license will not be issued to a school, company, corporation, association, or other organization, nor for its use, except that in the case of a bona fide amateur radio organization or society, a station license may be issued to a licensed amateur operator, other than the holder of a Novice Class license, as trustee for such society.

§ 97.41 Application for station license.

(a) Each application for a station license shall be made in writing on FCC Form 610.

(b) One application and all papers incorporated therein and made a part thereof shall be submitted for each amateur station license. If the application is for station license only, it shall be filed directly with the Commission at its Gettysburg, Pa., office. If the application also contains application for any class of amateur operator license, it shall be filed in accordance with the provisions of § 97.11.

§ 97.43 Location of station.

(a) Every amateur station shall have a fixed transmitter location. Only one fixed transmitter location will be authorized and will be designated on the license for each amateur station, except that when remote control is authorized, the location of the remote control position as well as the location of the remotely controlled transmitter shall be considered as fixed transmitter locations and will be so designated on the station license. Unless remote control of the transmitting apparatus is authorized, such apparatus shall be operated only by a duly licensed amateur radio operator present at the location of such apparatus.

(b) Authority for operation of an amateur station with the licensed operator on duty at a specific remote control

point in lieu of the remote transmitter location may be granted upon filing an application for a modified station license on FCC Form 610, provided that the following conditions are met:

(1) The remote control point as well as the remotely controlled transmitter, shall be located on premises controlled by the licensee.

(2) The remotely controlled transmitter shall be so installed and protected that it is inaccessible to other than duly authorized persons.

(3) In addition to the requirements of § 97.85 a photocopy of the amateur station license shall be posted in a conspicuous place at the location of the remotely controlled transmitter.

(4) Means shall be provided at the control point to permit the continuous monitoring of the emissions of the remotely controlled transmitter, and it shall be continuously monitored when in operation.

(5) Means shall be provided at the remote control point immediately to suspend the radiation of the transmitter when there is any deviation from the terms of the station license or from the Amateur Radio Service rules.

(6) In the event that operation of an amateur transmitter from a remote control point by radio is desired, an application for a modified station license on FCC Form 610 should be submitted with a letter requesting authority to operate in such a manner stating that the controlling transmitter at the remote control location will operate within amateur frequency bands 220 megacycles or higher and that there will be full compliance with subparagraphs (1) through (5) of this paragraph. Supplemental statements and diagrams should accompany the application and show how radio remote control will be accomplished and what means will be employed to prevent unauthorized operation of the transmitter by signals other than those from the controlling unit. There should be included complete data on control channels, relays and functions of each, directional antenna design for the transmitter and receiver in the control circuit and means employed for turning the main transmitter on and off from the remote control location.

(c) An amateur transmitter may be operated from a remote control point in lieu of the remote transmitter location without special authorization by the Commission when there is direct mechanical control or direct electrical control by wired connections of the transmitter from a point located in the same or closely adjoining building or structure provided there is full compliance with the conditions set forth in paragraphs (b) (1) through (5) of this section.

§ 97.45 Limitations on antenna structures.

(a) No new antenna structure shall be erected for use by any station in the Amateur Radio Service, and no change shall be made in any existing antenna structure used or intended to be used by any station in the Amateur Radio Service so as to increase its overall height above ground level, without prior approval by the Commission, in any case when either (1) the antenna structure proposed to be erected will exceed an overall height of 170 feet above ground level, except where the antenna is mounted on an existing man-made structure other than an antenna structure and does not increase the overall height of such man-made structure by more than 20 feet, or (2) the antenna structure proposed to be erected will exceed an overall height of one foot above the established airport (landing area) elevation for each 200 feet of distance, or fraction thereof, from the nearest boundary of such landing area, except where the antenna does not exceed 20 feet above the ground or if the antenna is mounted on an existing man-made structure other than an antenna structure or natural formation and does not increase the overall height of such man-made structure or natural formation by more than 20 feet as a result of such mounting. Application for Commission approval, when such approval is required, shall be submitted on FCC Form 401-A (revised), in triplicate.

(b) In cases where FCC Form 401-A (revised) is required to be filed, further details as to whether an aeronautical study and/or obstruction marking may be required, and specifications for obstruction marking when required, may be obtained from Part 17 of this chapter, "Construction, Marking and Lighting of

Antenna Structures." Information regarding requirements as to inspection of obstruction marking, recording of information regarding such inspection, and maintenance of antenna structures is also contained in Part 17 of this chapter.

§ 97.47 Renewal and/or modification of station license.

Application for renewal and/or modification (change of address, etc.) of any station license shall be submitted on FCC Form 610. In every case the application should be accompanied by the applicant's license. Unless otherwise directed by the Commission, each application for renewal of license shall be filed during the last 60 days of the license term or within a period of grace of one year after the expiration date of such license. During this one-year period of grace, an expired license is not valid. A renewed license issued upon the basis of an application filed during the grace period will be dated currently and will not be backdated to the date of expiration of the license being renewed. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined. In accordance with § 97.59(c), a modified license will be dated to expire on the same date as the license being modified.

§ 97.49 Commission modification of station license.

(a) Whenever the Commission shall determine that public interest, convenience, and necessity would be served, or any treaty ratified by the United States will be more fully complied with, by the modification of any radio station license either for a limited time, or for the duration of the term thereof, it shall issue an order for such licensee to show cause why such license should not be modified.

(b) Such order to show cause shall contain a statement of the grounds and reasons for such proposed modification, and shall specify wherein the said license is required to be modified. It shall require the licensee against whom it is directed to appear at a place and time therein named, in no event to be less

than 30 days from the date of receipt of the order, to show cause why the proposed modification should not be made and the order of modification issued.

(c) If the licensee against whom the order to show cause is directed does not appear at the time and place provided in said order, a final order of modification shall issue forthwith.

CALL SIGNS

§ 97.51 Assignment of call signs.

(a) The call signs of amateur stations will be assigned systematically by the Commission with the following exceptions:

(1) A specific unassigned call sign may be reassigned to the most recent holder thereof;

(2) A specific unassigned call sign may be assigned to a previous holder if not under license during the past 5 years;

(3) A specific unassigned call sign may be assigned to an amateur organization in memoriam to a deceased member and former holder thereof;

(4) A specific call sign may be temporarily assigned to a station connected with an event, or events, of general public interest;

(5) An unassigned "two-letter call sign" (a call sign having two letters following the numeral) may be assigned to a previous holder of a two-letter call sign the prefix of which consisted of not more than a single letter.

(b) An amateur call sign will consist of a sequence of one or two letters, a numeral designating the call sign area, and two or three letters. The call sign areas are as follows:

- No.
1. Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut.
 2. New York, New Jersey.
 3. Pennsylvania, Delaware, Maryland, District of Columbia.
 4. Virginia, North and South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Puerto Rico and Virgin Islands.
 5. Mississippi, Louisiana, Arkansas, Oklahoma, Texas, New Mexico.
 6. California, Hawaii and Pacific possessions except those included in area 7.
 7. Oregon, Washington, Idaho, Montana, Wyoming, Arizona, Nevada, Utah, Alaska and adjacent islands.
 8. Michigan, Ohio, West Virginia.
 9. Wisconsin, Illinois, Indiana.
 0. Colorado, Nebraska, North and South Dakota, Kansas, Minnesota, Iowa, Missouri.

FEEs

§ 97.53 Payment of fees.

(a) Each formal application for which a fee is prescribed in § 97.55 must be accompanied by a remittance in the full amount of the fee. In no case will an application for which a fee is prescribed be accepted for filing or processed prior to payment of the full amount specified. Applications for which no remittance is received, or for which an insufficient amount is received, may be returned to the applicant.

(b) Fee payments accompanying applications submitted to the Commission should be in the form of a check or money order payable to the Federal Communications Commission. The Commission will not be responsible for cash sent through the mails. All fees collected will be paid into the United States Treasury as miscellaneous receipts in accordance with the provisions of Title V of the Independent Offices Appropriation Act of 1952 (5 U.S.C. 140).

(c) Receipts will be furnished upon request in the case of payments made in person, but no receipts will be issued for payments sent through the mails.

(d) All fees will be charged irrespective of the Commission's disposition of the application. Applications returned to applicants for additional information or corrections will not require an additional fee when resubmitted. Refunds will be made only in the case of payments in excess of the fee prescribed in this subpart.

§ 97.55 Schedule of fees.

(a) Except as provided in paragraph (b) of this section, applications filed on or after January 1, 1964, under this part must be accompanied by the fees prescribed below:

Applications for initial license, including new class of operator license, and applications for renewal of license.....	\$4
Applications for modification of license without renewal.....	2
Applications for a combination of modification and renewal of license.....	4
Application for a specific call sign pursuant to § 97.51(a).....	20

NOTE: Reassignment of a specific call sign held under an expired license is not subject to the \$20 fee if an application for renewal is filed within 1 year after the expiration date of the license.

(b) Fees are not required for the following types of amateur applications:

- Applications for Novice license.
- Applications for a license for a station for recreation under military auspices.
- Applications filed in the Radio Amateur Civil Emergency Service.
- Informal applications for special temporary authority.

DUPLICATE LICENSES AND LICENSE TERM

§ 97.57 Duplicate license.

Any licensee requesting a duplicate license to replace an original which has been lost, mutilated, or destroyed, shall submit a statement setting forth the facts regarding the manner in which the original license was lost, mutilated, or destroyed. If, subsequent to receipt by the licensee of the duplicate license, the original license is found, either the duplicate or the original license shall be returned immediately to the Commission.

§ 97.59 License term.

(a) Amateur operator licenses are normally valid for a period of 5 years from the date of issuance of a new or renewed license, except the Novice Class which is normally valid for a period of 1 year from the date of issuance.

(b) The license for an amateur station is normally valid for a period of 5 years from the date of issuance of a new or renewed license except that an amateur station license issued to the holder of a Novice Class amateur operator license is normally valid for a period of 1 year from the date of issuance.

(c) A duplicate license or a modified license which is not being renewed shall bear the same expiration date as the license for which it is a modification or duplicate.

Subpart C—Technical Standards

§ 97.61 Authorized frequencies and types of emissions.

(a) Subject to the limitations and restrictions set forth in paragraph (b) of this section and in § 97.65, the following frequency bands and types of emissions are allocated and available for amateur station operation:

Band	Emission(s)	Limitations
<i>kc/s</i>		
1800 to 2000.....	A1, A3.....	1, 2, 3, 4
3500 to 4000.....	A1, A3, F1, F3.....	5
7000 to 7300.....	A1, A3, F1, F3.....	6
14000 to 14350.....	A1, A3, F1, F3.....	7
<i>Mc/s</i>		
21.0 to 21.45.....	A1, A3, F1, F3.....	8
28.0 to 29.7.....	A1, A3, F1, F3.....	9
50.0 to 54.0.....	A0, A1, A2, A3, A4, F0, F1, F2, F3.....	10
144 to 148.....	A0, A1, A2, A3, A4, F0, F1, F2, F3.....	11
220 to 225.....	A0, A1, A2, A3, A4, F0, F1, F2, F3, F4.....	12, 13
420 to 450.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.....	12, 14
1215 to 1300.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.....	12
2300 to 2450.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.....	12, 15
3300 to 3500.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.....	12
5650 to 5925.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.....	12, 15
10000 to 10500.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.....	12
21000 to 22000.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.....	-----
Above 40000.....	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.....	-----

(b) Explanation of the limitations appearing in the frequency tabulation of paragraph (a) of this section:

(1) Use of this band is on a shared basis with the Loran-A system of radionavigation. The amateur service may use, in any area, whichever bands, 1800-1825, 1875-1900 or 1900-1925, 1975-2000 kc/s, are not required for Loran-A in that area. The use of these frequencies by the amateur service shall not be a bar to the expansion of the radionavigation (Loran-A) service;

(2) The use of these frequencies by stations in the amateur service shall not cause harmful interference to the Loran-A system of radionavigation. If an amateur station causes such interference, the station licensee shall, as directed by the Commission, immediately cease operation on the frequencies involved.

(3) Amateur operation shall be limited to:

Area	Maximum DC plate input power in watts							
	1800-1825 kc/s		1875-1900 kc/s		1900-1925 kc/s		1975-2000 kc/s	
	Day	Night	Day	Night	Day	Night	Day	Night
Alabama.....	200	50	No operation		No operation		100	25
Alaska.....	200	50	200	50	No operation		No operation	
Arizona.....	100	25	100	25	100	25	500	100
Arkansas.....	200	50	No operation		No operation		200	50
California.....	No operation		No operation		200	50	500	200
Colorado.....	200	50	100	25	100	25	500	100
Connecticut.....	200	50	100	25	No operation		No operation	
Delaware.....	200	50	100	25	No operation		No operation	
District of Columbia.....	200	50	100	25	No operation		No operation	
Florida.....	100	25	No operation		No operation		No operation	
Georgia.....	100	25	No operation		No operation		No operation	
Hawaii.....	No operation		No operation		100	25	100	25
Idaho.....	100	25	200	50	200	50	500	100
Illinois.....	200	50	100	25	100	25	200	50
Indiana.....	200	50	100	25	100	25	100	25
Iowa.....	500	100	100	25	100	25	200	50
Kansas.....	500	100	100	25	100	25	200	50
Kentucky.....	200	50	100	25	100	25	100	25
Louisiana.....	200	50	No operation		No operation		100	25
Maine.....	500	100	100	25	No operation		No operation	
Maryland.....	200	50	100	25	No operation		No operation	
Massachusetts.....	500	100	100	25	No operation		No operation	
Michigan:								
(Upper Peninsula).....	500	100	100	25	100	25	200	50
(Lower Peninsula).....	500	100	100	25	100	25	100	25
Minnesota.....	500	100	100	25	100	25	200	50
Mississippi.....	200	50	No operation		No operation		100	25
Missouri.....	200	50	100	25	100	25	200	50
Montana:								
(West of 111° W.).....	100	25	200	50	200	50	500	100
(East of 111° W.).....	200	50	200	50	200	50	500	100
Nebraska.....	500	100	100	25	100	25	500	100
Nevada.....	100	25	200	50	200	50	500	200
New Hampshire.....	500	100	100	25	No operation		No operation	
New Jersey.....	200	50	100	25	No operation		No operation	
New Mexico.....	200	50	100	25	100	25	500	100
New York:								
(North of 42° N.).....	500	100	100	25	No operation		No operation	
(South of 42° N.).....	200	50	100	25	No operation		No operation	
North Carolina.....	200	50	No operation		No operation		No operation	
North Dakota.....	500	100	200	50	200	50	500	100
Ohio.....	200	50	100	25	100	25	100	25
Oklahoma.....	500	100	No operation		No operation		200	50
Oregon.....	No operation		No operation		200	50	500	100
Pennsylvania.....	200	50	100	25	No operation		No operation	
Rhode Island.....	200	50	100	25	No operation		No operation	
South Carolina.....	100	25	No operation		No operation		No operation	
South Dakota.....	500	100	100	25	100	25	500	100
Tennessee.....	200	50	No operation		No operation		100	25
Texas:								
(East of 103° W.).....	500	100	No operation		No operation		200	50
(West of 103° W.).....	200	50	100	25	100	25	500	100
Utah.....	100	25	100	25	100	25	500	100
Vermont.....	500	100	100	25	No operation		No operation	
Virginia.....	200	50	100	25	No operation		No operation	
Washington.....	No operation		No operation		200	50	500	100
West Virginia.....	200	50	100	25	No operation		No operation	
Wisconsin.....	500	100	100	25	100	25	200	50
Wyoming.....	200	50	100	25	100	25	500	100
Puerto Rico.....	No operation		No operation		100	25	100	25
Virgin Islands.....	No operation		No operation		100	25	100	25
Swan Island.....	500	100	No operation		No operation		100	25
Serrana Bank.....	500	100	No operation		No operation		100	25
Roncador Key.....	500	100	No operation		No operation		100	25
Navassa Island.....	No operation		No operation		No operation		100	25
Baker, Canton, Enderbury, Guam, Howland, Jarvis, Johnston, Midway and Palmyra Islands.....	No operation		No operation		500	100	500	100
American Samoa.....	500	200	500	200	500	200	500	200
Wake Island.....	500	100	500	100	No operation		No operation	

(4) Subparagraphs (1), (2), and (3) of this paragraph shall be considered as temporary in the sense that they shall remain subject to cancellation or to revision, in whole or in part, by order of the Commission without hearing whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran-A system of radio-navigation.

(5) 3500 to 4000 kc/s, type A1 emission; 3500 to 3800 kc/s, type F1 emission; 3800 to 4000 kc/s, type A3 emission and narrow band frequency or phase modulation for radiotelephony; except that frequencies 3900 to 4000 kc/s are not available to stations located within the following United States possessions in Region 3, as defined in the Geneva 1959 Radio Regulations: Baker, Canton, Enderbury, Guam, Howland, Jarvis, Palmyra, American Samoa, and Wake Islands.

(6) 7000 to 7300 kc/s, type A1 emission; 7000 to 7200 kc/s, type F1 emission; 7200 to 7300 kc/s, type A3 emission or narrow band frequency or phase modulation for radiotelephony.

(7) 14,000 to 14,350 kc/s, type A1 emission; 14,000 to 14,200 kc/s, type F1 emission; 14,200 to 14,350 kc/s, type A3 emission or narrow band frequency or phase modulation for radiotelephony.

(8) 21.00 to 21.45 Mc/s, type A1 emission; 21.00 to 21.25 Mc/s, type F1 emission; 21.25 to 21.45 Mc/s, type A3 emission and narrow band frequency or phase modulation for telephony.

(9) 28.0 to 29.7 Mc/s, type A1 emission; 28.5 to 29.7 Mc/s, type A3 emission and narrow band frequency or phase modulation for radiotelephony and, on frequencies 29.0 to 29.7 Mc/s, special emission for frequency modulation (radiotelephone transmissions and radiotelegraph transmissions employing carrier shift or other frequency modulation techniques).

(10) 50.0 to 54.0 Mc/s, type A1 emission; 50.1 to 54.0 Mc/s, type A2, A3, A4 and narrow band F1, F2 and F3 emissions; 51.0 to 54.0 Mc/s, type A \emptyset emission; 52.5 to 54.0 Mc/s, type F \emptyset , F1, F2, and F3 emission.

(11) 144.0 to 148.0 Mc/s, type A1 emission; 144.0 to 147.9 Mc/s, type A \emptyset , A2, A3, A4, F \emptyset , F1, F2, and F3 emission.

(12) In this band the amateur service shall not cause harmful interference to the government radiolocation service.

(13) In those portions of the States of Texas and New Mexico in the area bounded on the south by parallel 31°53' N., on the east by longitude 105°40' W., on the north by parallel 33°24' N., and on the west by longitude 106°40' W., the frequency band 220–225 Mc/s is not available for use by amateur stations engaged in normal amateur operation between the hours of 0500 and 1800 local time Monday through Friday inclusive of each week. However, the entire frequency band 220–225 Mc/s shall be available in all areas to those amateur stations authorized to operate in an organized civil defense network during all periods when civil defense emergencies exist and, in addition, special arrangements for civil defense drills between the hours and within the area set forth in this subparagraph may be made upon mutual agreement between the Federal Communications Commission Engineer in Charge at Dallas, Texas, and the Area Frequency Coordinator at White Sands, New Mexico, if it appears necessary to conduct such drills. Such arrangements shall specify dates and times, and will depend upon the degree of use of the frequency band at White Sands at any particular time.

(14) Within the following areas, the DC plate power input to the final stage of the transmitter shall not exceed 50 watts, unless expressly authorized by the Commission after mutual agreement, on a case-by-case basis, between the Federal Communications Commission Engineer in Charge at the applicable District Office and the Military Area Frequency Coordinator at the applicable military base:

(i) Those portions of Texas and New Mexico bounded on the south by latitude 31°53' North, on the east by longitude 105°40' West, on the north by latitude 33°24' North, and on the west by longitude 106°40' West;

(ii) The entire State of Florida, including the Key West area and the areas enclosed within a 200-mile radius of Patrick Air Force Base, Florida (latitude 28°21' North, longitude 80°43' West), and within a 200 mile radius of Eglin Air Force Base, Florida (latitude 30°30' North, longitude 86°30' West);

(iii) The entire State of Arizona;

(iv) Those portions of California and Nevada south of latitude 37°10' North, and the areas enclosed within a 200-mile radius of the U.S. Naval Missile Center,

Point Mugu, California (latitude 34°09' North, longitude 119°11' West).

(15) Operations in the frequency bands 2300 to 2450 Mc/s and 5650 to 5925 Mc/s are subject to such interference between 2400 and 2450 Mc/s and between 5775 and 5925 Mc/s, respectively, as may result from emissions of industrial, scientific and medical devices on the frequencies 2450 and 5800 Mc/s, respectively.

§ 97.63 Individual frequency not specified.

Transmissions by an amateur station may be on any frequency within any authorized amateur band. Sideband frequencies resulting from keying or modulating a carrier wave shall be confined within the authorized amateur band.

§ 97.65 Special emission limitations.

(a) Type A0 emission, where not specifically designated in the bands listed in § 97.61, may be used for short periods of time when required for authorized remote control purposes or for experimental purposes. However, these limitations do not apply where type A0 emission is specifically designated.

(b) Whenever code practice, in accordance with § 97.91(d), is conducted in bands authorized for A3 emission, tone modulation of the radiotelephone transmitter may be utilized when interspersed with appropriate voice instructions.

(c) The use of narrow band frequency or phase modulation is subject to the conditions that the band-width of the modulated carrier shall not exceed the bandwidth occupied by an amplitude-modulated carrier of the same audio characteristics, and that the purity and stability of such emissions shall be maintained in accordance with the requirements of § 97.73.

§ 97.67 Maximum authorized power.

Except for power restrictions as set forth in § 97.61, each amateur transmitter may be operated with a power input not exceeding 1 kilowatt to the plate circuit of the final amplifier stage of an amplifier-oscillator transmitter or to the plate circuit of an oscillator transmitter. An amateur transmitter operating with a power input exceeding 900 watts to the plate circuit shall provide means for accurately measuring the plate power input to the vacuum tube or tubes supplying power to the antenna.

§ 97.69 Radio teleprinter transmissions.

The following special conditions shall be observed during the transmission of radio teleprinter signals on authorized frequencies by amateur stations:

(a) A single channel five-unit (start-stop) teleprinter code shall be used which shall correspond to the International Telegraphic Alphabet No. 2 with respect to all letters and numerals (including the slant sign or fraction bar) but special signals may be employed for the remote control of receiving printers, or for other purposes, in "figures" positions not utilized for numerals. In general, this code shall conform as nearly as possible to the teleprinter code or codes in common commercial usage in the United States.

(b) The nominal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as nearly as possible to the standard speed of 60 words per minute and, in any event, within the range 55 to 65 words per minute.

(c) When frequency shift keying (type F1 emission) is utilized, the deviation in frequency from the mark signal to space signal, or from the space signal to the mark signal, shall be less than 900 cycles per second.

(d) When audio frequency shift keying (type A2 or type F2 emission) is utilized, the highest fundamental modulating audio frequency shall not exceed 3000 cycles per second, and the difference between the modulating audio frequency for the mark signal and that for the space signal shall be less than 900 cycles per second.

§ 97.71 Transmitter power supply.

The licensee of an amateur station using frequencies below 144 megacycles shall use adequately filtered direct-current plate power supply for the transmitting equipment to minimize modulation from this source.

§ 97.73 Purity and stability of emissions.

Spurious radiation from an amateur station being operated with a carrier frequency below 144 megacycles shall be reduced or eliminated in accordance with good engineering practice. This spurious radiation shall not be of sufficient intensity to cause interference in receiving equipment of good engineering design including adequate selectivity characteristics, which is tuned to a frequency or frequencies outside the fre-

quency band of emission normally required for the type of emission being employed by the amateur station. In the case of A3 emission, the amateur transmitter shall not be modulated to the extent that interfering spurious radiation occurs, and in no case shall the emitted carrier wave be amplitude-modulated in excess of 100 percent. Means shall be employed to insure that the transmitter is not modulated in excess of its modulation capability for proper technical operation. For the purposes of this section a spurious radiation is any radiation from a transmitter which is outside the frequency band of emission normal for the type of transmission employed, including any component whose frequency is an integral multiple or submultiple of the carrier frequency (harmonics and subharmonics), spurious modulation products, key clicks, and other transient effects, and parasitic oscillations. When using amplitude modulation on frequencies below 144 megacycles, simultaneous frequency modulation is not permitted and when using frequency modulation on frequencies below 144 megacycles simultaneous amplitude modulation is not permitted. The frequency of the emitted carrier wave shall be as constant as the state of the art permits.

§ 97.75 Frequency measurement and regular check.

The licensee of an amateur station shall provide for measurement of the emitted carrier frequency or frequencies and shall establish procedure for making such measurement regularly. The measurement of the emitted carrier frequency or frequencies shall be made by means independent of the means used to control the radio frequency or frequencies generated by the transmitting apparatus and shall be of sufficient accuracy to assure operation within the amateur frequency band used.

Subpart D—Operating Requirements and Procedures

GENERAL

§ 97.77 Practice to be observed by all licensees.

In all respects not specifically covered by these regulations each amateur station shall be operated in accordance with good engineering and good amateur practice.

§ 97.79 Who may operate an amateur station.

An amateur radio station may be operated only by a person holding a valid amateur operator license. Such station may be operated by the licensee only in the manner and to the extent provided in his amateur operator license. Persons other than the station licensee, when operating such station, may operate it only to the extent and in the manner authorized to the licensee of the station and not exceeding the operating authority of such person's own amateur operator license. When an amateur station is used for telephony or radio teleprinter transmissions the station licensee may permit any person to transmit by voice or teleprinter, provided during such transmission call signs are announced or transmitted as prescribed by § 97.87 and a duly licensed amateur operator maintains actual control over the emissions, including turning the carrier on and off for each transmission and signing the station off after communication with each station has been completed.

§ 97.81 Authorized apparatus.

An amateur station license authorizes the use under control of the licensee of all transmitting apparatus at the fixed location specified in the station license which is operated on any frequency, or frequencies allocated to the amateur service, and in addition authorizes the use, under control of the licensee, of portable and mobile transmitting apparatus operated at other locations.

§ 97.83 Availability of operator license.

The original operator license of each operator shall be kept in the personal possession of the operator while operating an amateur station. When operating an amateur station at a fixed location, however, the license may be posted in a conspicuous place in the room occupied by the operator. The license shall be available for inspection by any authorized Government official whenever the operator is operating an amateur station and at other times upon request made by an authorized representative of the Commission, except when such license has been filed with application for modification or renewal thereof, or has been mutilated, lost or destroyed, and request has been made for a duplicate license in accord-

ance with § 97.57. No recognition shall be accorded to any photocopy of an operator license; however, nothing in this section shall be construed to prohibit the photocopying for other purposes of any amateur radio operator license.

§ 97.85 Availability of station license.

The original license of each amateur station or a photocopy thereof shall be posted in a conspicuous place in the room occupied by the licensed operator while the station is being operated at a fixed location or shall be kept in his personal possession. When the station is operated at other than a fixed location, the original station license or a photocopy thereof shall be kept in the personal possession of the station licensee (or a licensed representative) who shall be present at the station while it is being operated as a portable or mobile station. The original station license shall be available for inspection by any authorized Government official at all times while the station is being operated and at other times upon request made by an authorized representative of the Commission, except when such license has been filed with application for modification or renewal thereof, or has been mutilated, lost, or destroyed, and request has been made for a duplicate license in accordance with § 97.57.

§ 97.87 Transmission of call signs.

(a)(1) The operator of an amateur station shall transmit the call sign of the station or stations (or may transmit the generally accepted identification of the network) being called or communicated with, or shall identify appropriately any other purpose of a transmission, followed by the authorized call sign of the station transmitting:

(i) At the beginning and end of each single transmission or;

(ii) At the beginning and end of a series of transmissions between stations having established communication, each transmission of which is of less than three minutes duration (the identification at the end of such a series may be omitted when the duration of the entire series is less than three minutes), and;

(iii) At least once every ten minutes or as soon thereafter as possible during a series of transmissions between stations having established communication, and;

(iv) At least once every ten minutes during any single transmission of more than ten minutes duration.

(2) The required identification shall be transmitted on the frequency or frequencies being employed at the time and, in accordance with the type of emission authorized thereon, shall be by either telegraphy using the International Morse Code, or telephony. In addition to the foregoing, when a method of communication other than telephony or telegraphy using the International Morse Code is being used or attempted, the prescribed identification shall also be transmitted by that method.

(b) In addition to complying with the requirements of paragraph (a) of this section, an operator of an amateur station operated as a portable or mobile station using radiotelegraphy shall transmit immediately after the call sign of such station, the fraction-bar character (DN) followed by the number of the amateur call sign area in which the portable or mobile amateur station is then being operated, as for example:

Example 1. Portable or mobile amateur station operating in the third amateur call sign area calls a fixed amateur station: W1ABC W1ABC W1ABC DE W2DEF DN 3 W2DEF DN 3 W2DEF DN 3 AR.

Example 2. Fixed amateur station answers the portable or mobile amateur station: W2DEF W2DEF W2DEF DE W1ABC K.

Example 3. Portable or mobile amateur station calls a portable or mobile amateur station: W3GHI W3GHI W3GHI DE W4JKL DN 4 W4JKL DN 4 W4JKL DN 4 AR.

When telephony is used, the call sign of the station shall be preceded by the words "this is" or the word "from" instead of the letters "de," followed by an announcement of the geographical location in which the portable or mobile station is being operated.

Example 4. Portable or mobile amateur radiotelephone station operating in the third call area calls a fixed amateur station: W1ABC W1ABC W1ABC "this is" or the word "from" W2DEF W2DEF W2DEF operating portable (or mobile) 3 miles north of Bethesda, Md., over.

(c) When telephony is used, the transmission of call signs prescribed by paragraphs (a) and (b) of this section may be made by the person transmitting by voice in lieu of a duly licensed operator provided the licensed operator maintains the control required by § 97.79.

(d) When using telephony, phonetic aids to identify the call sign of the station may be employed.

(e) In addition to complying with the requirements of paragraph (a) of this section, an operator of an amateur station operated as a mobile station aboard a vessel on the high seas, or aboard an aircraft en route on an international flight, shall, when the vessel or aircraft is outside the 10 call sign areas prescribed by the Commission in § 97.51 (b), comply with the following calling procedure:

(1) Mobile operations aboard a vessel.

(i) When using telegraphy the amateur operator shall transmit immediately after the call sign of the station the fraction bar \overline{DN} followed by the designator MM to indicate that the station is being operated as a mobile station aboard a vessel. In addition, the name of the vessel and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off. If the vessel does not have a name, the number of the vessel shall be transmitted in lieu of the name of the vessel.

(ii) When using telephony the call sign of the station shall be preceded by the words "this is", or the word "from" followed by the words "maritime mobile" to indicate that the station is being operated as a mobile station aboard a vessel. In addition the name of the vessel, and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off. If the vessel does not have a name, the number of the vessel shall be transmitted in lieu of the name of the vessel.

(2) Mobile operations aboard aircraft.

(i) When using telegraphy the amateur operator shall transmit immediately after the call sign of the station the fraction bar \overline{DN} followed by the designator AM to indicate that the station is being operated as a mobile station aboard an aircraft. In addition, the number of the aircraft and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off.

(ii) When using telephony the call sign of the station shall be preceded by the words "this is", or the word "from" followed by the words "aeronautical mobile", to indicate that the station is being

operated as a mobile station aboard an aircraft. In addition, the number of the aircraft and its approximate geographical location shall be transmitted at the end of each transmission immediately prior to signing off.

§ 97.89 Points of communications.

An amateur station may be used to communicate only with other amateur stations, except that in emergencies or for test purposes it may also be used temporarily for communication with other classes of stations licensed by the Commission, and with United States Government stations. Amateur stations may also be used to communicate with any radio station other than amateur which is authorized by the Commission to communicate with amateur stations. Amateur stations may be used also for transmitting signals, or communications, or energy, to receiving apparatus for the measurement of emissions, temporary observation of transmission phenomena, radio control of remote objects, and for similar experimental purposes and for the purposes set forth in § 97.91.

§ 97.91 One-way communications.

In addition to the experimental one-way transmission permitted by § 97.89, the following kinds of one-way communications, addressed to amateur stations, are authorized and will not be construed as broadcasting: (a) Emergency communications, including bona-fide emergency drill practice transmissions; (b) Information bulletins consisting solely of subject matter having direct interest to the amateur radio service as such; (c) Round-table discussions or net-type operations where more than two amateur stations are in communication, each station taking a turn at transmitting to other station(s) of the group; and (d) Code practice transmissions intended for persons learning or improving proficiency in the International Morse Code.

§ 97.93 Modulation of carrier.

Except for brief tests or adjustments, an amateur radiotelephone station shall not emit a carrier wave on frequencies below 51 megacycles unless modulated for the purpose of communication. Single audiofrequency tones may be transmitted for test purposes of short duration for the development and perfection of amateur radio telephone equipment.

STATION OPERATION AWAY FROM AUTHORIZED LOCATION

§ 97.95 Requirements for portable and mobile operation.

(a) Within the continental limits of the United States or its possessions, an amateur station may be operated as either a portable or a mobile station on any frequency authorized and available for the amateur radio service. Notice of such operation in accordance with the provisions of § 97.97 shall be given to the Engineer in Charge of the radio district in which operation is intended.

(b) When outside the continental limits of the United States, its territories, or possessions, an amateur radio station may be operated as portable or mobile only under the following conditions:

(1) Operation may not be conducted within the jurisdiction of a foreign government except pursuant to, and in accordance with express authority granted to the licensee by such foreign government. When a foreign government permits Commission licensees to operate within its territory, the amateur frequency bands which may be used shall be as prescribed or limited by that government. (See Appendix 4 of this Part for the text of treaties or agreements between the United States and foreign governments relative to reciprocal amateur radio operation.)

(2) When outside the jurisdiction of a foreign government: Operation may be conducted within Region 2 on any amateur frequency band between 7.0 Mc/s and 148 Mc/s, inclusive; and when not within Region 2, operation may be conducted only on the amateur frequency bands 14.00–14.35 Mc/s, 21.00–21.45 Mc/s, and 28.0–29.7 Mc/s.

NOTE: Region 2 is defined as follows: On the east, a line (B) extending from the North Pole along meridian 10° west of Greenwich to its intersection with parallel 72° north; thence by Great Circle Arc to the intersection of meridian 50° west and parallel 40° north; thence by Great Circle Arc to the intersection of meridian 20° west and parallel 10° south; thence along meridian 20° west to the South Pole. On the west, a line (C) extending from the North Pole by Great Circle Arc to the intersection of parallel 65°30' north with the international boundary in Bering Strait; thence by Great Circle Arc to the intersection of meridian 165° east of Greenwich and parallel 50° north; thence by Great Circle Arc to the intersection of meridian 170° west and parallel 10° north;

thence along parallel 10° north to its intersection with meridian 120° west; thence along meridian 120° west to the South Pole.

(3) Notice of such operation, in accordance with the provisions of § 97.97, shall be given to the Engineer in Charge of the district having jurisdiction of the authorized fixed transmitter location.

§ 97.97 Notice of operation away from authorized location.

Whenever an amateur station is, or is likely to be, operated for a period in excess of 48 hours away from the fixed transmitter location specified on the station license without return thereto, the licensee shall give advance written notice of such operation to the Commission office or offices specified in § 97.95 or § 97.99. A new notice is required whenever there is any change in the particulars of a previous notice or whenever operation away from the authorized station continues for a period in excess of one year. The notice required by this section shall contain the following specific information:

- (a) Name of licensee.
- (b) Station call sign.
- (c) Authorized fixed transmitter location.
- (d) Portable location(s), or mobile itinerary as specifically as possible, or temporary fixed transmitter location, or new permanent fixed transmitter location.
- (e) The dates of the beginning and end of each period of operation away from the location specified in the station license.
- (f) The address at which, or through which, the licensee can be readily reached.
- (g) In the case of mobile operation, the official name, registry number or license number (including the name of the issuing state or territory, if any) of the aircraft, vessel, or land vehicle in which the mobile station is installed and operated.

§ 97.99 Special requirements for non-portable stations.

(a) An amateur station that has been moved from the authorized permanent location to another permanent location may be operated for a period not exceeding four consecutive months at the latter location, but in no event beyond the expiration of the license unless timely application for renewal thereof has been

filed in accordance with the provisions of § 97.47 under the following conditions:

(1) Advance notice, in accordance with the provisions of § 97.97, shall be given to the Engineer in Charge of the radio district in which operation is intended; and

(2) Formal application for modification to change the permanent location shall be filed with the Commission within the above specified four-month period.

(b) The licensee of an amateur station who changes residence temporarily, but retains a permanent residence associated with the fixed transmitter location designated in the station license, and moves his amateur station to a temporary location associated with his temporary residence, or the licensee-trustee for an amateur radio society which changes the normal location of its amateur station to a different and temporary location, may operate the station at such temporary location under the condition that: Notice, in accordance with the provisions of § 97.97, shall be given to the Secretary of the Commission, Washington, D.C., 20554, and to the Engineer in Charge of the radio district in which temporary operation is intended.

(c) When the station is operated under the provisions of this section, the portable identification procedures specified in § 97.87 shall be used.

§ 97.101 Special provisions for mobile stations aboard ships or aircraft.

In addition to complying with all other applicable rules, an amateur mobile station operated on board a ship or aircraft must comply with all of the following special conditions: (a) The installation and operation of the amateur mobile station shall be approved by the master of the ship or captain of the aircraft; (b) The amateur mobile station shall be separate from and independent of all other radio equipment, if any, installed on board the same ship or aircraft; (c) The electrical installation of the amateur mobile station shall be in accord with the rules applicable to ships or aircraft as promulgated by the appropriate government agency; (d) The operation of the amateur mobile station shall not interfere with the efficient operation of any other radio equipment installed on board the same ship or aircraft; and (e) The amateur mobile station and its associated equipment, either in itself or in its method of operation, shall not constitute a hazard to the safety of life or property.

Logs

§ 97.103 Station log requirements.

Each licensee of an amateur station shall keep an accurate log of station operation, which shall include the following:

(a) The date and time of each transmission, except that for a period of continuous mobile operation the time of each transmission may be omitted, provided that the dates and times of commencing and terminating such mobile operations are entered in the log. (The date need only be entered once for each day's operation. The expression "time of each transmission" means the time of making a call and need not be repeated during the sequence of communication which immediately follows; however, an entry shall be made in the log when signing off so as to show the period during which communication was carried on.)

(b) The signature of each licensed operator who manipulates the key of a radiotelegraph transmitter; the signature of each licensed operator who operates a transmitter of any other type; and the name of any person not holding an amateur operator license who either directly or by recording transmits by voice over a radiotelephone transmitter or operates a teleprinter keying a radiotelegraph transmitter. (The signature of the operator need only be entered once in the log, in those cases when all transmissions are made by or under the supervision of the signatory operator, provided a statement to that effect also is entered. The signature of any other operator who operated the station shall be entered in the proper space for that operator's transmission.)

(c) Call sign of the station called. (This entry need not be repeated for calls made to the same station during any sequence of communication, provided the time of signing off is given.)

(d) The input power to the oscillator, or to the final amplifier stage where an oscillator-amplifier transmitter is employed. (This need be entered only once, provided the input power is not changed.)

(e) The frequency band used. (This information need be entered only once in the log for all transmissions until there is a change in frequency to another amateur band.)

(f) The type of emission used. (This need be entered only once until there is a change in the type of emission.)

(g) The location of the station (or the approximate geographical location of a mobile station) at the time of each transmission. (This need be entered only once provided the location of the station is not changed. However, suitable entry shall be made in the log upon changing the location. Where operating at other than a fixed location, the type and identity of the vehicle or other mobile unit in which the station is operated shall be shown.)

(h) The message traffic handled. (If record communications are handled in regular message form, a copy of each message sent and received shall be entered in the log or retained on file at the station for at least 1 year.)

§ 97.105 Retention of logs.

The log shall be preserved for a period of at least 1 year following the last date of entry. The copies of record communications and station log required by § 97.103 shall be available for inspection by authorized representatives of the Commission.

EMERGENCY OPERATIONS

§ 97.107 Operation in emergencies.

In the event of an emergency disrupting normally available communication facilities in any widespread area or areas, the Commission, in its discretion, may declare that a general state of communications emergency exists, designate the area or areas concerned, and specify the amateur frequency bands, or segments of such bands, for use only by amateurs participating in emergency communication within or with such affected area or areas. Amateurs desiring to request the declaration of such a state of emergency should communicate with the Commission's Engineer in Charge of the area concerned. Whenever such declaration has been made, operation of and with amateur stations in the area concerned shall be only in accordance with the requirements set forth in this section, but such requirements shall in no wise affect other normal amateur communication in the affected area when conducted on frequencies not designated for emergency operation.

(a) All transmissions within all designated amateur emergency communication bands other than communications relating directly to relief work, emergency

service, or the establishment and maintenance of efficient amateur radio networks for the handling of such communications, shall be suspended. Incidental calling, answering, testing or working (including casual conversation, remarks or messages) not pertinent to constructive handling of the emergency situation shall be prohibited within these bands.

(b) The Commission may designate certain amateur stations to assist in the promulgation of information relating to the declaration of a general state of communications emergency, to monitor the designated amateur emergency communications bands, and to warn non-complying stations observed, to be operating in those bands. Such station, when so designated, may transmit for that purpose on any frequency or frequencies authorized to be used by that station, provided such transmissions do not interfere with essential emergency communications in progress; however, such transmissions shall preferably be made on authorized frequencies immediately adjacent to those segments of the amateur bands being cleared for the emergency. Individual transmissions for the purpose of advising other stations of the existence of the communications emergency shall refer to this section by number (§ 97.107) and shall specify, briefly and concisely, the date of the Commission's declaration, the area and nature of the emergency, and the amateur frequency bands or segments of such bands which constitute the amateur emergency communications bands at the time. The designated stations shall not enter into discussions with other stations beyond furnishing essential facts relative to the emergency, or acting as advisors to stations desiring to assist in the emergency, and the operators of such designated stations shall report fully to the Commission the identity of any stations failing to comply, after notice, with any of the pertinent provisions of this section.

(c) The special conditions imposed under the provisions of this section shall cease to apply only after the Commission, or its authorized representative, shall have declared such general state of communications emergency to be terminated; however, nothing in this paragraph shall be deemed to prevent the Commission from modifying the terms of its declaration from time to time as may be necessary during the

period of a communications emergency, or from removing those conditions with respect to any amateur frequency band or segment of such band which no longer appears essential to the conduct of the emergency communications.

Subpart E—Prohibited Practices and Administrative Sanctions

PROHIBITED TRANSMISSIONS AND PRACTICES

§ 97.111 No remuneration for use of station.

An amateur station shall not be used to transmit or receive messages for hire, nor for communication for material compensation, direct or indirect, paid or promised.

§ 97.113 Broadcasting prohibited.

Subject to the provisions of § 97.91, an amateur station shall not be used to engage in any form of broadcasting, that is, the dissemination of radio communications intended to be received by the public directly or by the intermediary of relay stations, nor for the retransmission by automatic means of programs or signals emanating from any class of station other than amateur. The foregoing provision shall not be construed to prohibit amateur operators from giving their consent to the rebroadcast by broadcast stations of the transmissions of their amateur stations, provided, that the transmissions of the amateur stations shall not contain any direct or indirect reference to the rebroadcast.

§ 97.115 Music prohibited.

The transmission of music by an amateur station is forbidden.

§ 97.117 Codes and ciphers prohibited.

The transmission by radio of messages in codes or ciphers in domestic and international communications to or between amateur stations is prohibited. All communications regardless of type of emission employed shall be in plain language except that generally recognized abbreviations established by regulation or custom and usage are permissible as are any other abbreviations or signals where the intent is not to obscure the meaning but only to facilitate communications.

§ 97.119 Obscenity, indecency, profanity.

No licensed radio operator or other person shall transmit communications containing obscene, indecent, or profane words, language, or meaning.

§ 97.121 False signals.

No licensed radio operator shall transmit false or deceptive signals or communications by radio, or any call letter or signal which has not been assigned by proper authority to the radio station he is operating.

§ 97.123 Unidentified communications.

No licensed radio operator shall transmit unidentified radio communications or signals.

§ 97.125 Interference.

No licensed radio operator shall willfully or maliciously interfere with or damage or cause interference to any radio communication or signal.

§ 97.127 Damage to apparatus.

No licensed radio operator shall willfully damage, or cause or permit to be damaged, any radio apparatus or installation in any licensed radio station.

§ 97.129 Fraudulent licenses.

No licensed radio operator or other person shall obtain or attempt to obtain, or assist another to obtain or attempt to obtain, an operator license by fraudulent means.

ADMINISTRATIVE SANCTIONS

§ 97.131 Restricted operation.

(a) If the operation of an amateur station causes general interference to the reception of transmissions from stations operating in the domestic broadcast service when receivers of good engineering design including adequate selectivity characteristics are used to receive such transmissions and this fact is made known to the amateur station licensee, the amateur station shall not be operated during the hours from 8 p. m. to 10:30 p. m., local time, and on Sunday for the additional period from 10:30 a. m. until 1 p. m., local time, upon the frequency or frequencies used when the interference is created.

(b) In general, such steps as may be necessary to minimize interference to stations operating in other services may be required after investigation by the Commission.

§ 97.133 Second notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the second violation of the provisions of §§ 97.61,

97.63, 97.65, 97.71, or 97.73, the station licensee, if directed to do so by the Commission, shall not operate the station and shall not permit it to be operated from 6 p. m. to 10:30 p. m., local time, until written notice has been received authorizing the resumption of full-time operation. This notice will not be issued until the licensee has reported on the results of tests which he has conducted with at least two other amateur stations at hours other than 6 p. m. to 10:30 p. m., local time. Such tests are to be made for the specific purposes of aiding the licensee in determining whether the emissions of the station are in accordance with the Commission's rules. The licensee shall report to the Commission the observations made by the cooperating amateur licensees in relation to the reported violations. This report shall include a statement as to the corrective measures taken to insure compliance with the rules.

§ 97.135 Third notice of same violation.

In every case where an amateur station licensee is cited within a period of 12 consecutive months for the third violation of §§ 97.61, 97.63, 97.65, 97.71, or 97.73, the station licensee if directed by the Commission, shall not operate the station and shall not permit it to be operated from 8 a.m. to 12 midnight, local time, except for the purposes of transmitting a prearranged test to be observed by a monitoring station of the Commission to be designated in each particular case. The station shall not be permitted to resume operation during these hours until the licensee is authorized by the Commission, following the test, to resume full-time operation. The results of the test and the licensee's record shall be considered in determining the advisability of suspending the operator license or revoking the station license, or both.

§ 97.137 Answers to notices of violations.

Any licensee receiving official notice of a violation of the terms of the Communications Act of 1934, as amended, any legislative act, Executive order, treaty to which the United States is a party, or the rules and regulations of the Federal Communications Commission, shall, within 10 days from such receipt, send a written answer direct to the office of the Commission originating the official notice: *Provided, however,* That if an answer cannot be sent or an ac-

knowledgment made within such 10-day period by reason of illness or other unavoidable circumstances, acknowledgment and answer shall be made at the earliest practicable date with a satisfactory explanation of the delay. The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. If the notice relates to some violation that may be due to the physical or electrical characteristics of transmitting apparatus, the answer shall state fully what steps, if any, are taken to prevent future violations, and if any new apparatus is to be installed, the date such apparatus was ordered, the name of the manufacturer, and promised date of delivery. If the notice of violation relates to some lack of attention or improper operation of the transmitter, the name of the operator in charge shall be given.

§ 97.139 Revocation of station license and issuance of cease and desist orders.

(a) Whenever it appears that a station license should be revoked for any of the reasons set forth in section 312 (a) of the Communications Act of 1934, as amended, or a cease and desist order should be issued for any of the reasons specified in section 312 (b) of the act, the Commission will issue an order directing the licensee to show cause why an order of revocation or a cease and desist order, as the case may be, should not be issued.

(b) Any order to show cause issued in accordance with paragraph (a) of this section will contain a statement of matters with respect to which the Commission is inquiring and will call upon the licensee to appear before the Commission at a time and place stated in the order, but in no event less than thirty (30) days after the receipt of such order, and give evidence upon the matter specified therein; except that where safety of life or property is involved, the Commission may provide in the order for a shorter period.

(c) In order to avail himself of the opportunity to appear before the Commission at the time and place stated in the show cause order to give evidence upon the matter specified therein, the licensee, in person or by his attorney, shall, within 30 days of the receipt of the order, or such shorter period as may be specified therein if the safety of life and property is involved, file with the Commission, in

triplicate, a written appearance stating that he will appear and present evidence on the matter specified in the order.

(d) The hearing on the matter specified in the order to show cause, and the practice and procedure in connection therewith, shall accord with the provisions of Subparts A and B of Part 1 of this chapter, except that in all such hearings the burden of proof shall be upon the Commission.

(e) If the licensee does not desire to appear before the Commission and give evidence upon the matter specified in the show cause order, he shall, within 30 days of the receipt of the order, or such shorter period as may be specified therein if the safety of life or property is involved, file with the Commission, in triplicate, a written waiver of hearing. Such waiver, which shall include the name of the licensee to whom the show cause order was addressed, the call letters of his station, if any, and the docket number of the proceeding, may be accompanied by a statement of reasons why the licensee believes that the order of revocation or a cease and desist order, as the case may be, should not be issued.

(f) If the licensee fails to timely respond to an order to show cause or fails to appear at a hearing, such failure will be deemed a waiver of hearing.

(g) If the licensee waives a hearing in accordance with the provisions of paragraph (e) of this section and fails to submit a statement therewith showing why he believes an order of revocation or a cease and desist order should not be issued, or if he is deemed to waive a hearing in accordance with the provisions of paragraph (f) of this section, the allegations specified in the order to show cause will be deemed to be admitted and a decision will be issued by the Commission invoking the sanction specified in the order to show cause. If a hearing is waived pursuant to paragraph (e) of this section but a written statement as to why an order of revocation or cease and desist order should not be issued is submitted, the Commission will, on the basis of the facts before it as supplemented by such written statement, issue a decision stating its reasons for invoking the sanction specified in the order to show cause or for dismissing the proceeding, as the case may be: *Provided*, That where the written statement contains factual allegations contrary to those upon which the show cause order was based, the Commission may call upon the submitting

party to furnish additional information under oath, or, if necessary, designate the proceeding for oral hearing. The decisions of the Commission referred to in this paragraph shall have the same effect as an initial decision, and the procedure to be followed thereafter shall be the same as in the case of an initial decision issued in the course of the regular hearing procedure (see §§ 1.204, 1.276, 1.277, 1.279, and 1.282 of this chapter).

(h) Any order of revocation or cease and desist order issued pursuant to this section shall include a statement of the findings and the grounds and reasons therefor and specify the effective date of the order, and shall be served on said licensee.

§ 97.141 Order of suspension.

No order of suspension of any operator's license shall take effect until 15 days' notice in writing thereof, stating the cause for the proposed suspension, has been given to the operator licensee who may make written application to the Commission at any time within said 15 days for a hearing upon such order. The notice to the operator licensee shall not be effective until actually received by him, and from that time he shall have 15 days in which to mail the said application. In the event that physical conditions prevent mailing of the application at the expiration of the 15-day period, the application shall then be mailed as soon as possible thereafter, accompanied by a satisfactory explanation of the delay. Upon receipt by the Commission of such application for hearing, said order of suspension shall be held in abeyance until the conclusion of the hearing which shall be conducted under such rules as the Commission shall deem appropriate. Upon the conclusion of said hearing the Commission may affirm, modify, or revoke said order of suspension.

§ 97.143 Proceedings.

Proceedings for the suspension of an operator's license shall in all cases be initiated by the entry of an order of suspension. Respondent will be given notice thereof together with notice of his right to be heard and to contest the proceeding. The effective date of the suspension will not be specified in the original order but will be fixed by subsequent motion of the Commission in accordance with the conditions specified above. Notice of the effective date of suspension will be given respondent

who shall send his operator license to the office of the Commission in Washington, D. C., on or before the said effective date, or, if the effective date has passed at the time notice is received, the license shall be sent to the Commission forthwith.

Subpart F—Radio Amateur Civil Emergency Service (RACES)

GENERAL

§ 97.161 Nature of this service.

(a) The Radio Amateur Civil Emergency Service provides a temporary phase of amateur operation for Civil Defense communications purposes only, and the rules are limited in their force and effect to the period of the present national emergency, including any emergency which may necessitate invoking of the President's War Emergency Powers under the provisions of section 606 of the Communications Act of 1934, as amended.

(b) Pursuant to the provisions of section 4 (j) of the Communications Act of 1934, as amended, records relating to the Radio Amateur Civil Emergency Service shall not be open to general public inspection.

§ 97.163 Definitions.

For the purposes of this subpart, the following definitions are applicable:

(a) *Radio Amateur Civil Emergency Service.* A temporary radio-communication service carried on by licensed amateur radio stations while operating on specifically designated segments of the regularly allocated amateur frequency bands under the direction of authorized local, regional, or federal civil defense officials pursuant to an approved civil defense communications plan.

(b) *Radio Amateur Civil Emergency Station.* An amateur radio station which is authorized to operate in the Radio Amateur Civil Emergency Service for the purpose of transmitting and receiving civil defense communications.

(c) *Civil defense communications.* Communications or signals essential to the conduct of civil defense activities of duly authorized civil defense organizations, including communications directly concerning safety of life, preservation of property, maintenance of law and order, alleviation of human suffering and need and dissemination of warnings of enemy attack to the civilian population in case of actual or impending armed attack or in any disaster or other incident endan-

gering the public welfare. Such communications may also include transmissions necessary to establishment and maintenance of the radio system and communications essential to the training of civil defense personnel.

(d) *Civil defense authority.* The legally appointed Director of Civil Defense, or his authorized alternate or representative, for the particular geographical area (city, county, etc.) which a proposed radio station is intended to serve, and who is responsible to local governmental authority for protection and aid to the civilian population in the event of armed attack or of any disaster or other incident endangering public safety.

(e) *Civil Defense Communications Officer.* The official of any duly constituted civil defense organization having direct responsibility under the Director of that organization for the provision, organization, maintenance, readiness, and utilization of all means of communication to be used by such civil defense organization in the performance of its lawful functions.

(f) *Civil Defense Radio Officer.* The duly designated official of a legally constituted civil defense organization who is directly responsible either to the Communications Officer or to the Director of such civil defense organization for the provision, organization, maintenance, readiness, and utilization of radio communications facilities for civil defense use.

(g) *Radio Amateur Civil Emergency Network.* All radio amateur civil emergency stations intended to be included in the civil defense communications plan of the area concerned and which operate, or are to operate, in conjunction with a single control station. Such network may be made up of several separately authorized radio amateur civil emergency stations or units of such stations, or may be made up of several units of the same station operated at different locations. In addition, the same radio amateur civil emergency station or any unit of such station may be a part of more than one network; e. g., the control station of one network may also be the control station or a member station of another network operated in conjunction therewith.

(h) *Net control station.* Any authorized Radio Amateur Civil Emergency Station unit designated by the civil defense radio officer, with the approval of

the Director of Civil Defense or the Civil Defense Communications Officer, to direct the use and operation of other station units of the same Radio Amateur Civil Emergency Network.

(1) *Civil defense communications plan.* The plan under which communications facilities are provided to all branches and phases of the civil defense organization in the area concerned and for all of its activities. Such plan may be drawn up in accordance with the needs of the particular area affected and the facilities, including licensed radio operators and stations, available in that particular area. Plans need not be uniform, but to be acceptable to the Commission they must comply with the following:

(1) The plan must be clearly described in writing, and it may include diagrams and sketches. It must include a general description of the facilities and personnel available to provide communications for civil defense purposes and the expected usage to be made thereof.

(2) The plan must have been approved by the state and federal civil defense authorities having jurisdiction of the area affected.

(3) The plan must include the name, address, official title, and a statement of the qualifications of the Civil Defense Radio Officer (and of any and all alternate Radio Officers) responsible for the organization, training, and utilization of the radio amateur civil emergency station networks under that plan, and the name, address, and official title of the civil defense official responsible for the coordination of all civil defense activities of the area concerned.

(4) The plan must include a general description of each radio amateur civil emergency station network under the jurisdiction of each respective Civil Defense Radio Officer, showing location of fixed installations, purpose, area of activity to be served, an estimate of the number of radio amateur stations and independent operating units of such stations intended to be used in the network, and a description, including the location and call sign, of its control station and any alternate control station or stations.

(5) The plan must include a general statement as to the frequency bands to be used by the radio amateur civil emergency station networks and the approximate number of stations, or units

of such stations, to be operated in each such band, together with a description of the method which has been adopted for liaison and coordination of frequency usage with other similar networks in the same and adjacent areas.

(6) The plan must include a statement setting forth the facilities available to the area and the procedures to be followed in determining the loyalty and general reliability of all civil defense Radio Officers, amateur radio station licensees and radio operators intended to be utilized in the implementation of that plan. (See §§ 97.173(b), 97.175(c), and 97.203(a).)

§ 97.165 Applicability of rules governing amateur radio stations and operators.

In all cases not specifically covered by the regulations contained in this subpart, licensed amateur stations authorized to be operated in the Radio Amateur Civil Emergency Service shall be governed by the provisions of the rules governing amateur radio stations and operators (Subparts A through E of this part) which are not in conflict herewith. In any case of conflict, the rules governing the Radio Amateur Civil Emergency Service shall govern in respect to any station operated in that service.

ORGANIZATION

§ 97.167 Organization of networks.

To supplement or extend other means of communication available to the civil defense organization or to provide necessary communications for which no other means exist, local radio amateur civil emergency station networks shall be organized by the civil defense authority of the area concerned and under the immediate direction of the Civil Defense Radio Officer. Such networks shall include all licensed amateur radio stations which are intended to be included in the civil defense communications plan of the area concerned. In any particular area there may be several such networks and each network may be independent of the others. Whenever there is more than one network in the same area, all such networks must share, under a single civil defense communications plan, the available frequencies in an efficient and orderly manner. The various networks in adjacent areas shall establish proper liaison and a description of the arrangements made shall become a part of their respective civil defense communications

plans. Such arrangements shall provide for the efficient sharing of frequencies, plans for operating procedure designed to avoid mutual interference, and the exchange of communications facilities upon an inter-area basis where need for such exchange may arise.

§ 97.169 Approval of civil defense communications plans.

(a) All civil defense communications plans which provide for the utilization of radio amateur civil emergency stations for civil defense purposes must be submitted to and approved by the responsible state (or territorial) and federal civil defense authorities before the licensed amateur stations intended to be used will be authorized to operate in the radio amateur civil emergency service.

(b) Material changes or modifications in such civil defense communications plans which alter the basic information required shall be submitted for approval in the same manner as the original plans.

(c) Written certification of approval by the competent state and federal civil defense authorities of each civil defense communications plan, or of any changes or modifications thereof, shall accompany the copies of such plans, changes, or modifications which are submitted to the Commission in accordance with the provisions of this part.

§ 97.171 Certification of Civil Defense Radio Officer.

(a) Certification of the Civil Defense Radio Officer shall be made on FCC Form 482. Such form shall be executed by the civil defense authority responsible for the coordination of all civil defense activities of the area concerned and show:

(1) The name, address, and area of responsibility of such civil defense radio officer,

(2) Statement by him that he has accepted such appointment and agrees to perform faithfully the duties of that office, including those prescribed by this subpart,

(3) A certification by the responsible civil defense authority that he has satisfied himself that the named civil defense radio officer is fully qualified in accordance with the provisions of § 97.173, and

(4) The effective date of the appointment of the civil defense radio officer and the name of any previous civil defense radio officer whose appointment is terminated.

(b) FCC Form 482, when completed in accordance with this section, shall be forwarded to the Commission via the responsible state and federal civil defense officials whose approval (or disapproval) shall be clearly indicated on the form.

§ 97.173 Qualifications of Civil Defense Radio Officer.

No person shall be considered qualified as a civil defense radio officer until he shall have been found to satisfy the following minimum requirements:

(a) He shall hold either (1) a valid commercial radio operator's license of either first or second class (radiotelegraph or radiotelephone) issued by the Commission, or (2) a valid amateur operator license issued by the Commission, other than the Technician or Novice Class.

(b) A determination shall have been made as to his loyalty to the United States and his general reliability, in accordance with the procedures provided in the approved civil defense communications plan of the area concerned.

(c) It shall have been determined that his technical and administrative qualifications are adequate for the proper performance of his duties.

§ 97.175 Duties of Civil Defense Radio Officer.

The duties of the Civil Defense Radio Officer shall include among such other duties as may be assigned or as may be required in accordance with the provisions of this subpart.

(a) The direction and supervision of all radio stations forming the radio amateur civil emergency networks in accordance with the approved civil defense communications plan for the area involved.

(b) Provision for adequate monitoring of all transmissions of the stations under his supervision to assure compliance with the rules and regulations of the Commission, and to guard against improper use of the radio stations and intentional or inadvertent transmissions which might jeopardize the defense or security of the United States.

(c) The recommendation to the Commission for the granting of authorizations to individual amateurs for operation in this service, and certification to the Commission as to the loyalty to the United States and reliability of such

individuals and the certification required in accordance with §97.181.

(d) The recommendation to the Commission for cancellation of any authorization previously recommended or certified whenever subsequent investigation or circumstances indicate that the original recommendation or certification should not have been made.

STATION AUTHORIZATIONS

§ 97.177 Station authorization required.

No radio station may be operated in the Radio Amateur Civil Emergency Service except pursuant to an authorization for such operation issued by the Federal Communications Commission.

§ 97.179 Eligibility for station authorization.

An authorization to operate a station in the Radio Amateur Civil Emergency Service will be issued only to a person who holds an amateur radio operator license, other than Technician or Novice Class, and an appropriate amateur radio station license.

§ 97.181 Filing of application.

Each application for a station authorization or for renewal thereof shall be submitted on FCC Form 481-1, signed by the applicant and countersigned by the appropriate civil defense radio officer, who shall certify to the following:

(a) That the applicant has satisfied all requirements (both local and federal) for participation in the civil defense organization and is actually enrolled as a member of the local organization which serves the area where the station will operate.

(b) That the amateur station licensed in the name of the applicant has been approved for and, when authorized by the Commission, will actually constitute a unit of a civil defense communications network in accordance with an approved civil defense communications plan or amendment thereof.

§ 97.183 Additional data required.

Each application for a station authorization in the Radio Amateur Civil Emergency Service shall be accompanied by the following data unless such material has already been submitted to the Commission, in which case the application shall clearly identify the material previously submitted:

(a) A copy of the approved communications plan (as defined in this part) for the civil defense communications

network in which the station will operate, together with a copy of each approved amendment, change or modification of that plan.

(b) The official certification of the Civil Defense Radio Officer as provided in this subpart.

§ 97.185 Single application for all equipment under one amateur station license.

Only one application need be filed for any one amateur station, including all transmitting equipment under the control of the licensee of that station, even though individual units of such station are capable of being operated and are intended to be operated independently at different locations, or as portable or mobile stations with no fixed locations. No distinction need be made between those units which are personally owned by the amateur station licensee and those units which are otherwise under his technical control for operation in this service.

§ 97.187 Issuance of station authorization.

An authorization to operate in this service will be issued in the discretion of the Commission upon satisfactory completion of all requirements of this subpart and proper certification that the requirements of the civil defense organization for which the station will be used have been or are being complied with. The station authorization (Form 481-3) will be forwarded to the Civil Defense Radio Officer for delivery to the applicant. Such authorization will be accompanied by a stub (Form 481-2) which may be retained by the civil defense radio officer for his records.

§ 97.189 Term of station authorization.

(a) Authorization to operate an amateur station in the Radio Amateur Civil Emergency Service will be issued for a term running concurrently with the term of the amateur radio station license. Application for renewal of such authorization shall be filed concurrently with application for renewal of the basic amateur radio station license.

(b) Whenever, under rules contained in Subparts A through E of this part, modification of the basic amateur station license becomes necessary, if such modification affects the information submitted with the original application for authorization in the Radio Amateur Civil Emergency Service, application for modifica-

tion of the Radio Amateur Civil Emergency Service station authorization shall be submitted concurrently therewith.

(c) Nothing in this section shall be construed to alter or amend the temporary nature of a station authorization in the Radio Amateur Civil Emergency Service and the Commission's authority to cancel or amend it in accordance with the applicant's agreement as indicated on the initial application for station authorization.

§ 97.191 Cancellation of station authorization.

(a) Each authorization for operation in the Radio Amateur Civil Emergency Service shall be issued with the express provision that such authorization is subject to revocation or cancellation without hearing whenever, in the opinion of the Commission, the security of the United States or the proper functioning of the Radio Amateur Civil Emergency Service would be served thereby, or termination of the national emergency makes it unnecessary to continue the operation of stations in this service.

(b) The station authorization shall be submitted to the Commission (via the Civil Defense Radio Officer) for cancellation under the following circumstances:

(1) The station for which the authorization was issued becomes inactive for a period of three months or it is not planned to use the station in the radio amateur civil emergency network for a period of at least three months.

(2) The basic amateur radio station license of the station has expired and has not been renewed.

(3) In cases where the amateur radio station license and the radio amateur civil emergency station authorization have both been modified, the original authorization of the latter shall be submitted to the Commission immediately upon receipt by the licensee of a new or modified authorization.

TECHNICAL REQUIREMENTS

§ 97.193 Frequencies available.

(a) The following tabulation indicates the frequencies and frequency bands, within the regularly allocated amateur frequency bands, which are available for use by stations in the Radio Amateur Civil Emergency Service. These frequencies and frequency bands may be used, on a non-exclusive basis

(stations authorized in the Amateur Radio Service may also, pursuant to the provisions of § 97.61, use these frequencies or frequency bands until such time as national conditions require discontinuance of regular amateur operations), by the classes of radio amateur civil emergency stations or units of such stations indicated, and only with the types of emission shown in the right-hand column.

(1) For use only by authorized stations or units of such stations which are operated under the direct supervision of duly designated and responsible officials of the civil defense organization:

Frequency band:	Authorized emission
1800-1825 kc/s ¹ ----	0.1A1, 1.1F1, 6A3
1975-2000 kc/s ¹ ----	0.1A1, 1.1F1, 6A3
3500-3510 kc/s----	0.1A1, 1.1F1
3990-4000 kc/s----	0.1A1, 1.1F1, 6A3, 6F3

¹ Use of frequencies in the band 1800-2000 kc is subject to the priority of the Loran system of radionavigation in this band and to the geographical, frequency, emission, and power limitations contained in § 97.61 of the rules governing amateur radio stations and operators (Subparts A through E of this part). The use of these frequencies by stations authorized to be operated in the Radio Amateur Civil Emergency Service shall not be a bar to expansion of the radionavigation (Loran) service, and such use shall be considered temporary in the sense that it shall remain subject to cancellation or to revision, in whole or in part, without hearing, whenever the Commission shall deem such cancellation or revision to be necessary or desirable in the light of the priority within this band of the Loran system of radionavigation.

(2) For use by all authorized stations only in the continental United States, except that, the bands 7245-7255 and 14,220-14,230 kc/s are also available in Alaska, Hawaii, Puerto Rico, and the Virgin Islands:

Frequency band:	Authorized emission
3510-3516 kc/s----	0.1A1, 1.1F1.
3516-3550 kc/s ¹ ----	0.1A1, 1.1F1.
3984-3990 kc/s----	0.1A1, 1.1F1, 6A3, 6F3.
7097-7103 kc/s----	0.1A1, 1.1F1.
7103-7125 kc/s ¹ ----	0.1A1, 1.1F1.
7245-7255 kc/s ¹ ----	0.1A1, 1.1F1, 6A3, 6F3.
14047-14053 kc/s--	0.1A1, 1.1F1.
14220-14230 kc/s ¹ .	0.1A1, 1.1F1, 6A3, 6F3.
21047-21053 kc/s--	0.1A1, 1.1F1.

¹ The availability of the frequency bands 3516-3550 kc/s, 7103-7125 kc/s, 7245-7247 kc/s, 7253-7255 kc/s, 14220-14222 kc/s and 14228-14230 kc/s for use during periods of actual civil defense emergency is limited to the initial 30 days of such emergency, unless otherwise ordered by the Commission.

(3) For use by all authorized stations:

Frequency or frequency bands:	Authorized emission
3997 kc/s ¹ -----	0.1A1, 6A3.
28.55-28.75 Mc/s--	0.1A1, 6A3, 6F3, 6A4.
29.45-29.65 Mc/s--	0.1A1, 1.1F1, 6A3, 6A4, 40F3.
50.35-50.75 Mc/s--	0.1A1, 6A2, 6F2, 6A3, 6F3, 6A4.
53.30 Mc/s ¹ -----	40F3.
53.35-53.75 Mc/s--	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
145.17-145.71 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
146.79-147.33 Mc/s	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.
220-225 Mc/s-----	0.1A1, 1.1F1, 6A2, 6F2, 6A3, 6A4, 40F3.

¹ For use in emergency areas when required to make initial contact with military units; also, for communication with military stations on matters requiring coordination.

(b) The selection and use of specific frequencies within the authorized frequency bands by stations in the Radio Amateur Civil Emergency Service shall be in accordance with a coordinated local area and adjacent area civil defense communications plan and applicable rules of this part.

(c) Except as provided in paragraph (d) of this section, at such time as any or all of these frequency bands are withdrawn from availability to stations operating in the Amateur Radio Service, such bands shall be jointly available to stations in the Radio Amateur Civil Emergency Service and to stations in the military services for training and tactical operations. At that time, in areas where interference might occur, local mutual arrangements shall be made regarding times of operation such as to preclude or satisfactorily alleviate interference. In time of actual civil defense emergency, stations in the Radio Amateur Civil Emergency Service shall have absolute priority.

(d) In the band 220 to 225 Mc/s, stations operating in the Radio Amateur Civil Emergency Service shall not at any time cause harmful interference to the government radiolocation service.

§ 97.195 Classification of emissions.

(a) For the purposes of this subpart, the authorized emissions, as contained in the table of § 97.193, are defined as follows:

- 0.1A1—Continuous wave telegraphy.
- 1.1F1—Frequency shift telegraphy.

- 6A2—Telegraphy amplitude modulated at audio frequency.
- 6F2—Telegraphy frequency modulated at audio frequency.
- 6A3—Commercial quality amplitude modulated telephony.
- 6F3—Narrow band frequency or phase modulated telephony.
- 40F3—Wide band frequency or phase modulated telephony.
- 6A4—Amplitude modulated facsimile.

(b) On frequencies where wide band frequency or phase modulated telephony (40F3) is authorized, narrow band frequency or phase modulated telephony (6F3) may also be employed; similarly, where commercial quality amplitude modulated telephony (6A3) is authorized, single or double sideband amplitude modulated telephony, with or without carrier or with reduced carrier, may also be employed.

§ 97.197 Transmitter power.

The transmitting equipment of a radio station in this service shall be adjusted in such manner as to produce the minimum radiation necessary to carry out the communications desired. No station operating in this service shall use a direct current plate power input to the vacuum tube or tubes supplying energy to the antenna in excess of that permitted to be used by a licensed amateur radio station when operated on the same frequencies or in the same frequency bands in accordance with the provisions of the rules governing amateur radio stations and operators (Subparts A through E of this part).

§ 97.199 Equipment requirements.

(a) Except under the conditions specified in paragraph (b) of this section, all stations authorized to be operated in the Radio Amateur Civil Emergency Service shall be capable of receiving on the same frequencies or frequency bands utilized for transmission.

(b) When a station in this service is operated only on a single frequency or frequency band for cross-band operation in communication with a station or stations operating on another frequency or in another frequency band, or in other services, such station shall be capable of receiving the station with which it is communicating.

(c) The direct modulation of an oscillator with a frequency stability less than that obtainable with crystal control, or

the radiation of a signal having simultaneous amplitude and frequency or phase modulation, is prohibited on frequencies below 220 Mc.

§ 97.201 Alleviation of harmful interference.

(a) When emissions of stations in the Radio Amateur Civil Emergency Service, other than those necessary to carry on the desired communications, cause harmful interference to stations in this or any other service, the Commission may, in its discretion, require appropriate technical changes in the equipment to alleviate the interference.

(b) When the emissions of stations in the Radio Amateur Civil Emergency Service that are necessary to carry on the desired communications cause harmful interference to stations in other radio services, appropriate action shall be taken to alleviate such interference including, if necessary, the suspension (except during times of an actual state of civil emergency) of such emissions as cause the interference.

OPERATING REQUIREMENTS

§ 97.203 Operator requirements.

(a) No person shall operate a station in the Radio Amateur Civil Emergency Service unless (1) that person holds a valid radio operator license of the proper grade, as described in this section, and (2) that person holds a valid written certification by the chief of the local, regional, or state Civil Defense organization of the area in which he serves that he has satisfied all federal, state, and local requirements for enrollment in the Civil Defense organization as a radio operator and is actually enrolled therein. Such certification shall clearly indicate that a determination has been made as to his loyalty to the United States and general reliability in accordance with the procedures described in the approved civil defense communications plan for the area concerned. (See §§ 97.163(i) and 97.169.)

(b) The person manipulating the key of a manually operated radio-telegraph transmitter of a station authorized to operate in this service shall hold either (1) any class of amateur operator license issued by the Commission, other than the Technician or Novice Class, or (2) any class of commercial radiotelegraph operator license issued by the Commission other than the Temporary Limited Radiotelegraph Second Class

Operator License, together with the certification required in accordance with the provisions of paragraph (a) of this section.

(c) Except as specifically provided in paragraphs (a) and (b) of this section, any station in the Radio Amateur Civil Emergency Service may be operated by the holder of any class of amateur or commercial radio operator license issued by the Commission other than a Temporary Limited Radiotelegraph Second Class Operator License or an Aircraft Radiotelephone Operator Authorization: *Provided*, That, when such operation is performed by the holder of a Novice Class amateur operator license or by the holder of a commercial radiotelephone or radiotelegraph third class operator license or restricted operator permit; (1) such operator shall be prohibited from making any adjustments that may result in improper transmitter operation, (2) the equipment shall be so designed and installed that none of the operations necessary to be performed during the course of the normal rendition of the service of the station may cause off-frequency operation or result in any unauthorized radiation, and (3) any needed adjustments of the transmitter that may affect the proper operation of the station shall be regularly made by or under the immediate supervision and responsibility of the holder of either an amateur operator license other than the Novice Class or a commercial radiotelephone or radiotelegraph first or second class operator license.

(d) All adjustments or tests during or coincident with the installation, servicing or maintenance of the transmitting equipment of a station in this service shall be made only by or under the immediate supervision and responsibility of the holder of either (1) an amateur operator license other than the Novice Class or (2) a commercial radiotelephone or radiotelegraph first or second class operator license issued by the Commission, who in addition holds the certification required in accordance with the provisions of paragraph (a) of this section.

§ 97.205 Operation at other than licensed location.

A station in this service, or any unit thereof, may be operated at any location in accordance with the approved civil defense communications plan for the area concerned, in the discretion of and as directed by the Civil Defense Radio Officer,

without notice to the Commission and without limitation as to the length of time within which such operation takes place: *Provided*, That nothing in this section shall be construed to waive the necessity for modification of the authorization of a station in this service when the address of the licensee or the basic location of the station is changed, or for any other reason where, because of a change of the communications plan or other reason, the information heretofore furnished the Commission with the original application may be materially altered or changed.

§ 97.207 Availability of station authorizations and operator licenses.

(a) The original station authorization permitting operation of the licensed amateur station in the Radio Amateur Civil Emergency Service, or a photocopy thereof, shall be permanently attached to each transmitter of such station, including each transmitter which is capable of being operated and intended to be operated independently at different locations, if the transmitter is readily accessible, or, if the control position is located at a place other than the transmitter location, it may be posted at the control position: *Provided*, That, whenever a photocopy of the station authorization is utilized in compliance with the requirement of this paragraph, the original station authorization shall be made available for inspection upon reasonable request from any authorized representative of the Federal Government.

(b) The original radio operator license, or a verification card (FCC Form 758-F) in the case of the holder of a commercial radio operator license of the diploma type, of the operator controlling the emissions of a station authorized to be operated in this service together with the certification required by § 97.203(a), shall be carried on his person or kept immediately available at the place where he is operating the station or any independent unit of a station: *Provided*, That, whenever a verification card (FCC Form 758-F) is utilized in compliance with the requirement of this paragraph, the original operator license shall be made available for inspection upon reasonable request from an authorized representative of the Federal Government.

(c) When a licensed amateur station, or an independent unit of such station, is operated at a location other than that shown in its license in compliance with

the provisions of this subpart, the basic amateur station license required by Subparts A through E of this part need not be readily available at the station or unit location, but shall be made available for inspection upon reasonable request from any authorized representative of the Federal Government.

§ 97.209 Radio station log.

(a) Except as otherwise expressly provided in this subpart, there shall be maintained at each radio amateur civil emergency station, or unit of such station, an accurate log of all operations. The following information shall be recorded in such station log:

(1) The name and address of the station licensee, the regularly assigned call sign of the station and unit number if any, the name of the radio amateur civil emergency network or networks in which the station is normally operated, and the d.c. plate power input to the vacuum tube or tubes supplying energy to the transmitting antenna system. This information need be entered only once in the log unless there is a change in any of the items specified in this subparagraph, but the original entry and each change shall show the date on which the entry was made.

(2) The date and time of beginning and end of each period during which the station was operated, the purpose of such operation, and the frequencies or bands of frequencies on which the operation took place.

(3) The call signs or other identification of all stations or units of such stations with which communications are established or attempted during such period of operation.

(4) The signature of the licensed operator on duty and in charge of the operation of the station or unit of such station during each period of operation, and the signature of each licensed operator who manipulated the key of any manually operated radiotelegraph transmitter of such station or unit. The signature of the operator shall be entered with the date and time at the beginning and end of each period during which he performed the foregoing duties, and at least once on each page additional to the first page, covering the period for which he was the responsible operator. The signatures of any additional operators who operate the transmitter(s) during the regular watch of another operator and details to indicate the periods during

which they operated the transmitter(s) shall be entered in the proper form.

(5) Upon completion of each period of operation for any purpose, there shall be entered in the log a summary of such operation describing the nature thereof and, if message traffic or other record communications were exchanged with other stations, an estimate of the amount of such traffic handled together with a report on any unusual delays which were experienced in the delivery of such messages.

(6) There shall be no erasure, obliteration, or destruction of any part of the log of any station or station unit. Corrections shall be made by striking out the erroneous portion and initialing and dating the corrections.

(b) Mobile radio amateur civil emergency stations or station units, and portable radio amateur civil emergency stations or station units, where not being operated at pre-determined fixed locations, shall be exempt from the requirements of maintaining a log to the extent that the entries required under the preceding paragraph of this section are substantially contained in the log of another station or stations operating in the same radio amateur civil emergency networks. All stations or station units operating in accordance with the provisions of this subpart shall be exempt from the requirements concerning station logs contained in Subpart D of this part whenever it is shown that compliance with these requirements would interfere with the expeditious handling of civil defense communications or communication drills.

(c) The current portion of the log shall be kept at the location of the operating or control position of the station or unit. Other portions of the log shall be retained by the licensee for a period of one year, at a place determined by the civil defense Radio Officer to be appropriate and advisable: *Provided*, That the logs of a station in this service shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government: *And provided further*, That those portions of any log covering operation of a station in this service in connection with any actual condition jeopardizing the public safety or affecting the national defense or security shall not be destroyed unless prior approval for such destruction shall have been received from the Commission.

§ 97.211 Station identification.

(a) Stations operating in the Radio Amateur Civil Emergency Service shall identify themselves in the same manner and under the same conditions as prescribed in Subpart D of this part, except that:

(1) Additional designators to indicate portable or mobile operation, or to indicate operation at a location other than that specified in the station license, shall not be used.

(2) When engaged in network operation, after a station or unit has been fully identified at least once, further identification by that station or unit may be accomplished by the use of abbreviated call signs or other distinctive signals prescribed by the civil defense Radio Officer in lieu of the call signs otherwise required to be transmitted by that station or unit. A record of such abbreviated call signs or other distinctive signals shall be maintained by the Radio Officer and shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government.

(b) When two or more separate units of a station, which is authorized to be operated in the Radio Amateur Civil Emergency Service, are operated independently at different locations, each unit shall separately identify itself by the addition of a unit number at the end of its call sign. When transmitting by telegraphy such additional identification shall immediately follow the basic call sign and to avoid confusion with portable or mobile indicators, shall not be separated therefrom by the use of the "slant" or fraction bar, or other punctuation mark or symbol.

§ 97.213 Tactical call signs.

Stations operating in this service, and independent units of such stations, may be assigned tactical or secret call signs by the Commission or by competent civil defense authority, and may utilize such tactical call signs in lieu of the call signs appearing on the station licenses when such use is directed by competent civil defense authority: *Provided*, That a list of all such tactical call signs assigned stations under his direction shall be maintained by the civil defense Radio Officer and shall be made available for inspection upon reasonable request by any authorized representative of the Federal Government: *And provided further*, That when such tactical call signs

are intended to be used at times other than during communications in connection with actual or impending conditions which appear to jeopardize the defense or security of the United States, a list of such tactical call signs and the stations or units to which assigned shall be furnished the Commission prior to such use.

USE OF STATIONS

§ 97.215 Limitations on use of stations.

(a) No station authorized to be operated in this service other than a control station as defined in this subpart, shall be operated for the purpose of transmitting any signal, message, or other communications except with the permission and under the operational control of the control station of the network in which it is operating: *Provided*, That nothing in the foregoing shall be construed to prohibit the transmission by any station or unit of a station of such signals as may be necessary for the purpose of alerting or making contact with the control station of the network, or for the purpose of transmitting actual emergency civil defense communications if the control station is disabled or is otherwise inoperative.

(b) Nothing in this section shall be construed to prevent the operation of a station which is authorized to be operated in this service for the purpose of brief tests or adjustments during or coincident with the installation, servicing or maintenance of such station: *Provided*, That the transmissions of that station during such tests or adjustments shall not cause harmful interference to the conduct of communications by any other station.

(c) No station in this service shall be used to transmit or to receive messages for hire, nor to transmit communications for material compensation, direct or indirect, paid or promised.

§ 97.217 Hours of operation.

Stations in this service may be operated at such times and under such conditions as may be prescribed by the Communications Officer or other responsible official of the civil defense organization having jurisdiction over the area which the station will serve: *Provided*, That the communications of such stations shall at all times be in accordance with the permissible communications authorized in this subpart.

§ 97.219 Points of communication.

Stations in this service may communicate with each other, with stations in the Disaster Communications Service, and with stations of the United States Government which are authorized to exchange communications with stations in this service by the particular agency having control. In addition, stations in this service may communicate, for the purpose of exchanging civil defense communications, with any other station in any service provided by the Commission's rules, whenever such station is authorized to communicate with stations in the Radio Amateur Civil Emergency Service by the provisions of the Commission's rules governing the class of station concerned or in accordance with the provisions of § 2.405 of this chapter.

§ 97.221 Permissible communications.

Stations in this service are authorized to transmit only the following types of civil defense communications:

(a) Communications for training purposes consisting of necessary drills and tests to insure establishment and maintenance of orderly and efficient operation of the radio amateur civil emergency networks and such other radio stations and networks as may be associated therewith for the conduct of civil defense communications, including communications directly concerned with the conduct of practice alerts, practice blackouts, practice mobilization, and other comparable situations as may be ordered or initiated by competent civil defense authority or by the United States governmental or military authority charged with the defense of the area concerned. All messages which are transmitted in connection with such drills, exercises and tests shall be clearly identified as such by use of any one of the words "Drill" or "Exercise" or "Test" in the body of such messages.

(b) Communications when there is an impending or actual condition jeopardizing the public safety or affecting the national defense or security:

(1) Communications directly concerning the activation of the radio amateur civil emergency station networks or such other radio stations and networks as may be associated with the networks for the conduct of civil defense communications.

(2) Communications directly concerning the conduct of service by the

radio amateur civil emergency networks and such other radio stations and networks as may be associated therewith.

(3) Communications directly concerning safety of life, preservation of property, maintenance of law and order, alleviation of human suffering and need, and combating of armed attack or sabotage.

(4) Communications directly concerning the accumulation and dissemination of public information or instructions to the civilian population essential to the activities of the civil defense organization or that of other authorized governmental or relief agencies.

(5) Communications directly concerning the transaction of business essential to public welfare.

§ 97.223 Use of codes and ciphers.

Any station in this service is authorized to transmit messages in codes and ciphers and to utilize any method of secret or coded authentication of its transmissions when such method of concealing the contents of messages or such authentication procedure is prescribed by the competent civil defense authority of the area served by the station and is approved by the cognizant federal civil defense authorities.

§ 97.225 Priority of communications.

The order of priority of communications by stations in this service, when there is an impending or actual condition jeopardizing the public safety or affecting the defense or security of an area, shall be determined by the cognizant civil defense authority of the area concerned or his authorized representative.

§ 97.227 Operating procedure.

The operating procedure, and the method of circuit control by the control station of each network, shall be determined by the responsible civil defense authority of the area concerned and shall, in general, conform as nearly as possible to the operating procedure normally followed in other services in the expeditious handling of message traffic by the method of transmission in use.

APPENDICES

APPENDIX 1

EXAMINATION POINTS

Examinations for amateur radio operator licenses are conducted at the Commission's office in Washington, D.C., and at each field

office of the Commission on the days designated by the Engineer in Charge of the office. Specific dates should be obtained from the Engineer in Charge of the nearest field office of the Commission.

Examinations are also given frequently, by appointment, at the Commission's offices at the following points:

Anchorage, Alaska.	San Pedro, Calif.
Beaumont, Tex.	Savannah, Ga.
Mobile, Ala.	Tampa, Fla.
San Diego, Calif.	

Examinations are also given at greater intervals at the places named below, which are visited for that purpose by Commission examiners from the field offices for such locations. For current schedules, exact time, place, and other details, inquiry should be addressed to the office conducting examinations at the chosen point.

QUARTERLY POINTS

Birmingham, Ala.	Nashville, Tenn.
Charleston, W. Va.	Oklahoma City, Okla.
Cincinnati, Ohio.	Omaha, Nebr.
Cleveland, Ohio.	Phoenix, Ariz.
Columbus, Ohio.	Pittsburgh, Pa.
Corpus Christi, Tex.	St. Louis, Mo.
Davenport, Iowa.	Salt Lake City, Utah.
Des Moines, Iowa.	San Antonio, Tex.
Fort Wayne, Ind.	Schenectady, N. Y.
Fresno, Calif.	Sioux Falls, S. Dak.
Grand Rapids, Mich.	Syracuse, N. Y.
Indianapolis, Ind.	Tulsa, Okla.
Knoxville, Tenn.	Williamsport, Pa.
Little Rock, Ark.	Winston-Salem, N. C.
Louisville, Ky.	
Memphis, Tenn.	
Milwaukee, Wis.	

SEMIANNUAL

Albuquerque, N. Mex.	Portland, Maine.
Boise, Idaho.	Roanoke, Va.
Hartford, Conn.	Spokane, Wash.
Jackson, Miss.	Tucson, Ariz.
Jacksonville, Fla.	Wichita, Kans.
	Wilmington, N. C.

ANNUAL

Amarillo, Tex.	Hilo, Hawaii
Bakersfield, Calif.	Jamestown, N. Dak.
Bangor, Maine.	Klamath Falls, Oreg.
Billings, Mont.	Lihue, Hawaii
El Paso, Tex.	Marquette, Mich.
Fairbanks, Alaska	Rapid City, S. Dak.
Great Falls, Mont.	Waikuku, Hawaii

Arrangements have also been made, including cooperation of other Federal agencies, for General Class examinations in outlying areas as follows:

Alaska: Alaska Communications System stations.

Guam: District Communications Officer, United States naval station.

Hawaii: At not exceeding one point on any island, by the Engineer in Charge (Honolulu).

APPENDIX 2

Extracts From Radio Regulations Annexed to the International Telecommunication Convention (Geneva, 1959)

ARTICLE 41—AMATEUR STATIONS

SECTION 1. Radiocommunications between amateur stations of different countries shall be forbidden if the administration of one of the countries concerned has notified that it objects to such radiocommunications.

SEC. 2. (1) When transmissions between amateur stations of different countries are permitted, they shall be made in plain language and shall be limited to messages of a technical nature relating to tests and to remarks of a personal character for which, by reason of their unimportance, recourse to the public telecommunications service is not justified. It is absolutely forbidden for amateur stations to be used for transmitting international communications on behalf of third parties.

(2) The preceding provisions may be modified by special arrangements between the administrations of the countries concerned.

SEC. 3. (1) Any person operating the apparatus of an amateur station shall have proved that he is able to send correctly by hand and to receive correctly by ear, texts in Morse code signals. Administrations concerned may, however, waive this requirement in the case of stations making use exclusively of frequencies above 144 Mc/s.

(2) Administrations shall take such measures as they judge necessary to verify the technical qualifications of any person operating the apparatus of an amateur station.

SEC. 4. The maximum power of amateur stations shall be fixed by the administrations concerned, having regard to the technical qualifications of the operators and to the conditions under which these stations are to work.

SEC. 5. (1) All the general rules of the Convention and of these Regulations shall apply to amateur stations. In particular, the emitted frequency shall be as stable and as free from spurious emissions as the state of technical development for such stations permits.

(2) During the course of their transmissions, amateur stations shall transmit their call sign at short intervals.

APPENDIX 3

CLASSIFICATION OF EMISSIONS

For convenient reference the tabulation below is extracted from the classification of typical emissions in Part 2 of the Commission's Rules and Regulations and in the Radio Regulations, Geneva, 1959, and it includes only those general classifications which appear most applicable to the Amateur Radio Service.

Type of modulation	Type of transmission	Symbol
Amplitude....	With no modulation.....	A0
	Telegraph without the use of modulating audio frequency (by on-off keying). Telegraphy by the on-off keying of an amplitude modulating audio frequency or audio frequencies or by the on-off keying of the modulated emission (special case: an unkeyed emission amplitude modulated).	A1
Frequency (or phase).	Telephony.....	A3 ¹
	Facsimile.....	A4
	Television.....	A5
	Telegraphy by frequency shift keying without the use of a modulating audio frequency.	F1
	Telegraphy by the on-off keying of a frequency modulating audio frequency or by the on-off keying of frequency modulated emission (special case: an unkeyed emission frequency modulated).	F2
Pulse.....	Telephony.....	F3
	Facsimile.....	F4
	Television.....	F5
	P

¹ In Part 97, unless specified otherwise, A3 includes single and double side band with full, reduced, or suppressed carrier.

APPENDIX 4

Convention Between the United States of America and Canada, Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country (Effective May 15, 1952)

ARTICLE III

It is agreed that persons holding appropriate amateur licenses issued by either country may operate their amateur stations in the territory of the other country under the following conditions:

(a) Each visiting amateur may be required to register and receive a permit before operating any amateur station licensed by his government.

(b) The visiting amateur will identify his station by:

(1) *Radiotelegraph operation.* The amateur call sign issued to him by the licensing country followed by a slant (/) sign and the amateur call sign prefix and call area number of the country he is visiting.

(2) *Radiotelephone operation.* The amateur call sign in English issued to him by the licensing country followed by the words, "fixed," "portable" or "mobile", as appropriate, and the amateur call sign prefix and call area number of the country he is visiting.

(c) Each amateur station shall indicate at least once during each contact with another station its geographical location as nearly as possible by city and state or city and province.

(d) In other respects the amateur station shall be operated in accordance with the laws and regulations of the country in which the station is temporarily located.

PART 99—DISASTER COMMUNICATIONS SERVICE

Subpart A—General

- Sec.
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99.3 Definitions.

Subpart B—Station License or Authorization

- 99.7 Eligibility.
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99.11 Applications.
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Subpart C—Use of Stations

- 99.17 Activation of stations.
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Subpart D—Operating Requirements

- 99.29 Limitations on use of frequencies.
99.31 Liaison with licensees in the Industrial Radiolocation Service.
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99.37 Equipment requirements.
99.39 Operator requirements.
99.41 Availability of station and operator licenses.

AUTHORITY: §§ 99.1 to 99.41 issued under 48 Stat. 1066, 1082, as amended; 47 U.S.C. 154, 303. Interpret or apply 48 Stat. 1064-1068, 1081-1105, as amended; 47 U.S.C. Subchap. I, III-VI.

SOURCE: §§ 99.1 to 99.41 appear at 28 F.R. 14199, Dec. 21, 1963.

Subpart A—General

§ 99.1 Basis and purpose.

(a) The basis of this part is the Communications Act of 1934, as amended, and applicable treaties and agreements to which the United States is a party. This part is issued pursuant to authority contained in Title III of the Communications Act of 1934, as amended, which vests authority in the Federal Communications Commission to regulate radio transmissions and to issue licenses for radio stations.

(b) The purpose of this part is to provide for the licensing or authorizing of radio stations to provide essential com-

munications incident to or in connection with disasters or other incidents which involve loss of communication facilities normally available or which require the temporary establishment of communication facilities beyond those normally available.

§ 99.3 Definitions.

(a) *Disaster Communications Service.* A service of fixed, land, and mobile stations licensed, or authorized, to provide essential communications incident to or in connection with disasters or other incidents which involve loss of communications facilities normally available or which require the temporary establishment of communications facilities beyond those normally available.

(b) *Disaster.* An occurrence of such nature as to involve the health or safety of a community or large area, or the health or safety of any group of individuals in an isolated area to whom no normal means of communications are available, and include, but are not limited to, floods, earthquakes, hurricanes, explosions, aircraft or train wrecks, and consequences of armed attack.

(c) *Disaster station.* Any government or non-government radio station able to function as a fixed, land, or mobile station and authorized, if government, by its controlling federal government agency or licensed, if nongovernment, by the Federal Communications Commission to operate in the Disaster Communications Service. A single disaster station may consist of more than one unit, each capable of being operated independently as a fixed, land, or mobile station.

(d) *Associated station.* A disaster station is considered to be associated with a licensed station in some other service when both stations are licensed to the same licensee at the same location and both stations are included in at least one coordinated disaster communications plan of the area concerned. A portable station or a mobile station in the Disaster Communications Service will be considered to be associated with the station in the other service which is located at its base of operations.

(e) *Portable station.* A land station in the Disaster Communications Service which is capable of being moved from place to place and is in fact, from time to time, moved to and operated at un-