

States and the permittee shall comply immediately. A permittee may, within 30 days of the mailing of such letter, request the Commission to reconsider its action. The filing of a request for reconsideration shall not stay the effectiveness of that action, but the Commission may stay its action on its own motion.

§ 95.141 Possession of permit.

The current permit issued by the Commission, or a photocopy thereof, must be in the possession of the operator or attached to the transmitter. The license issued to the Canadian licensee by his government must also be in his possession while he is in the United States.

§ 95.143 Knowledge of rules required.

Each Canadian permittee, operating under this subpart, shall have read and understood this Part 95, Citizens Radio Service.

§ 95.145 Operating conditions.

(a) The Canadian licensee may not under any circumstances begin operation until he has received a permit issued by the Commission.

(b) Operation of station by a Canadian licensee under a permit issued by the Commission must comply with all of the following:

(1) The provisions of this subpart and of Subparts A through D of this part.

(2) Any further conditions specified on the permit issued by the Commission.

§ 95.147 Station identification.

The Canadian licensee authorized to operate his radio station in the United States under the provisions of this subpart shall identify his station by the call sign issued by the appropriate authority of the government of Canada followed by the station's geographical location in the United States as nearly as possible by city and state.

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**AUTHORITY:** The provisions of this Part 97 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. 151-155, 301-609.

**Subpart A—General**

**SOURCE:** The provisions of this Subpart A appear at 28 F.R. 14182, Dec. 21, 1963, unless otherwise noted.

**§ 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 lo-

cated shall not be considered remote control within the meaning of this definition.

(h) *Antenna structures.* The term antenna structures includes the radiating system, its supporting structures and any appurtenances mounted thereon.

[28 F.R. 14182, Dec. 14182, Dec. 21, 1963, as amended at 34 F.R. 18307, Nov. 15, 1969]

**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.

[28 F.R. 14182, Dec. 21, 1963]

§ 97.7 Privileges of operator licenses.

(a) *Amateur Extra Class and Advanced Class.* All authorized amateur privileges including exclusive frequency operating authority in accordance with the following table.

Frequencies	Class of license authorized
3500-3525 kc/s-----	} Amateur Extra Only.
3800-3825 kc/s-----	
7000-7025 kc/s	
14,000-14,025 kc/s----	
21,000-21,025 kc/s	
21,250-21,275 kc/s	
3825-3900 kc/s-----	} Amateur Extra and Advanced.
7200-7250 kc/s-----	
14,200-14,275 kc/s----	
21,275-21,350 kc/s----	
50-50.1 Mc/s-----	

(b) *General Class and Conditional Class.* All authorized amateur privileges except those exclusive frequency operating privileges which are reserved to the Advanced Class and/or the Amateur Extra Class.

(c) *Technician Class.* All authorized amateur privileges on the frequencies 50.1-54.0 Mc/s and 145-147 Mc/s and in the amateur frequency bands above 220 Mc/s.

(d) *Novice Class.* Those amateur privileges 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, and the transmitter shall be crystal controlled.

(2) Radiotelegraphy operation in the frequency bands 3700-3750 kc/s, 7150-7200 kc/s, and 21.10-21.25 Mc/s, using only type A-1 emission and 145-147 Mc/s,

using radiotelegraphy emissions as set forth in § 97.61, is authorized.

**NOTE:** Novice Class licensees may additionally operate until November 22, 1968, on 145–147 Mc/s for radiotelephony using types of emission as set forth in § 97.61.

[32 F.R. 12684, Sept. 1, 1967; 32 F.R. 16162, Nov. 28, 1967; 34 F.R. 15344, Oct. 2, 1969]

#### § 97.9 Eligibility for new operator license.

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

(a) *Amateur extra class.* Any citizen or national of the United States who either (1) at any time prior to receipt of his application by the Commission has held for at least 2 years an amateur operator license of other than the Novice or Technician Class, issued by any agency of the U.S. Government, or submits proof that he held for a period of 2 years an amateur operator license at least equivalent to a General Class license issued by a foreign government, or (2) submits evidence of having held a valid amateur radio station or operator license issued by any agency of the U.S. Government during or prior to April 1917.

(b) *Advanced Class.* Any citizen or national of the United States.

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

(d) *Conditional class.* Any citizen or national of the United States:

(1) Whose actual residence and amateur station location are more than 175 miles airline distance from the nearest location at which examinations are held at intervals of not more than 6 months for General Class amateur operator licenses.

(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 any 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 or national of the United States.

(f) *Novice Class.* Any citizen or national of the United States, except a person who holds, or who has held within the 12-month period prior to the date of receipt of his application, a Commission-issued amateur radio license. The Novice Class license may not be concurrently held with any other class of amateur radio license.

[28 F.R. 14182, Dec. 21, 1963, and 32 F.R. 12685, Sept. 1, 1967; 33 F.R. 19017, Dec. 20, 1968; 34 F.R. 11, Jan. 1, 1969; 35 F.R. 3118, Feb. 18, 1970]

#### § 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 at a regular Commission examining office shall be submitted to such office in advance of or at the time of the examination, except that, whenever an examination is to be taken at a designated examination point away from a Commission office, the application, together with the necessary filing fee should be submitted in advance of the examination date to the office which has jurisdiction over the examination point involved.

(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 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 to the Commission's office at Gettysburg, Pennsylvania, 17325.

[28 F.R. 14183, Dec. 21, 1963, as amended at 30 F.R. 8837, July 14, 1965]

#### § 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 renewed and/or modification of an amateur operator license shall be submitted on FCC Form 610 and shall be accompanied by the applicant's license. Application for renewal of unexpired licenses must be made during the license term and should be filed within 90 days but not later than 30 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference

to any activity of a continuing nature shall expire until such application shall have been finally determined.

(e) If a license is allowed to expire, application for renewal may be made during a period of grace of one year after the expiration date. During this one year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of its expiration. Application for renewal shall be submitted on FCC Form 610 and shall be accompanied by the applicant's expired license.

(f) When the name of a licensee is changed or when the mailing address is changed a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice, which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, the radio station call sign and class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be kept by the licensee until a new license is issued.

[28 F.R. 14183, Dec. 21, 1963, as amended at 29 F.R. 3230, Mar. 11, 1964; 31 F.R. 6422, Apr. 28, 1966]

#### 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.

[28 F.R. 14183, Dec. 21, 1963]

§ 97.21 Examination elements.

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

(a) Element 1(A): Beginner's code test at five (5) words per minute;

(b) Element 1(B): General code test at thirteen (13) words per minute;

(c) Element 1(C): Expert's code test at twenty (20) words per minute;

(d) Element 2: Basic law comprising rules and regulations essential to beginners' operation, including sufficient elementary radio theory for the understanding of those rules;

(e) Element 3: General amateur practice and regulations involving radio op-

eration and apparatus and provisions of treaties, statutes, and rules affecting amateur stations and operators;

(f) Element 4(A): Intermediate amateur practice involving intermediate level radio theory and operation as applicable to modern amateur techniques, including, but not limited to, radiotelephony and radiotelegraphy;

(g) Element 4(B): Advanced amateur practice involving 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.

[32 F.R. 12685, Sept. 1, 1967]

#### § 97.23 Examination requirements.

Applicants for original licenses will be required to pass the following examination elements:

(a) Amateur Extra Class: Elements 1(C), 3, 4(A), and 4(B);

(b) Advanced Class: Elements 1(B), 3, and 4(A);

(c) General Class and Conditional Class: Elements 1(B) and 3;

(d) Technician Class: Elements 1(A) and 3;

(e) Novice Class: Elements 1(A) and 2.

[32 F.R. 12685, Sept. 1, 1967]

#### § 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 the Amateur Extra Class operator license will be given

credit for examination elements 1(C), 4(A), 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 U.S. 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.

[28 F.R. 14183, Dec. 21, 1963, as amended at 32 F.R. 12685, Sept. 1, 1967]

#### § 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 175 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 6 months for amateur operator license.

(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.

[28 F.R. 14184, Dec. 1963, as amended at 30 F.R. 1944, Feb. 11, 1965]

#### § 97.28 Mail examinations for disabled applicants for Amateur Extra and Advanced Class licenses.

(a) The Commission may permit the examination for an Amateur Extra or Advanced Class license to be administered by a volunteer examiner selected by the applicant when it is shown by a physician's certificate that the applicant is unable to appear for a Commission

supervised examination because of protracted disability.

(b) The volunteer examiner for an Amateur Extra or Advanced Class license examination shall be at least 21 years of age and shall be the holder of a class of amateur operator license equal to or higher than the class of license for which the applicant is being examined. The written portion of the examination shall be obtained, supervised, and submitted in accordance with the procedures set forth in § 97.29(b).

[33 F.R. 7153, May 15, 1968]

**§ 97.29 Manner of conducting examinations.**

(a) Except as provided by § 97.28, the examination for Amateur Extra, Advanced 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 radiotelegraph 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, 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 under one of the provisions of § 97.25, an application may be submitted without regard to the 10-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 any Commercial radiotelegraph 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, Pa., no later than 30 days after the date the papers are mailed by the Commission (the date of mailing is normally stamped by the Commission on the outside of the examination envelope).

(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 dic-

tated, 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.

[28 F.R. 14184, Dec. 21, 1963, as amended at 33 F.R. 7153, May 15, 1968; 36 F.R. 7217, Apr. 16, 1971]

#### § 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 (74%) is the passing grade for written examinations. For the purpose of grading, each element required in qualifying for a particular license will be considered as a separate examination. All written examinations will be graded only by Commission personnel.

[28 F.R. 14184, Dec. 21, 1963, as amended at 32 F.R. 12685, Sept. 1, 1967]

#### § 97.33 Eligibility for re-examination.

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

[32 F.R. 12685, Sept. 1, 1967]

#### § 97.35 Additional examination for holders of operator licenses obtained by mail.

(a) A licensee who holds an amateur license which was obtained by a mail examination under the supervision of a volunteer examiner may be required 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 operator license involved shall be subject to cancellation. When a Novice, Technician, or Conditional Class license is cancelled under this provision, a new license will not be issued for the same class operator license as that cancelled.

(b) [Reserved]

(c) A holder of a Conditional Class license, obtained on the basis of an exami-

nation 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 175 miles airline distance from such licensee's residence and station location.

[30 F.R. 1944, Feb. 11, 1965; 32 F.R. 6143, Apr. 19, 1967; 33 F.R. 7153, May 15, 1968]

### 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 for use 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 U.S. Government.

[34 F.R. 6529, Apr. 16, 1969]

#### § 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.

[28 F.R. 14185, Dec. 21, 1963]

#### § 97.41 Application for station license.

(a) Each application for an individual station license shall be made on the FCC Form 610, and each application for a club or military recreation station shall be made on an FCC Form 610-B.

(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.

(c) Applicants proposing to construct a radio station on a site located on land under the jurisdiction of the U.S. Forest Service, U.S. Department of Agriculture, or the Bureau of Land Management, U.S. Department of the Interior, must supply the information and must follow the procedure prescribed by § 1.70 of this chapter.

[28 F.R. 14185, Dec. 21, 1963, as amended at 32 F.R. 2891, Feb. 15, 1967; 34 F.R. 12219, July 24, 1969]

§ 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 on FCC Form 610 for an individual station license and on FCC Form 610-B for an amateur club or military recreation station license provided 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 on FCC Form 610 for an individual station license and on FCC Form 610-B for an amateur club or military recreation station license 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.

[28 F.R. 14185, Dec. 21, 1963, as amended at 34 F.R. 12219, July 24, 1969]

§ 97.45 Limitations on antenna structures.

(a) Except as provided in paragraph (b) of this section, an antenna for a station in the Amateur Radio Service which exceeds the following height limitations may not be erected or used unless notice has been filed with both the FAA on FAA Form 7460-1 and with the Commission on Form 714 or on the license application form, and prior approval by the Commission has been obtained for:

(1) Any construction or alteration of more than 200 feet in height above ground level at its site (§ 17.7(a) of this chapter).

(2) Any construction or alteration of greater height than an imaginary surface extending outward and upward at one of the following slopes (§ 17.7(b) of this chapter):

(i) 100 to 1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of each airport with at least one runway more than 3,200 feet in length, excluding heliports and sea-plane bases without specified boundaries, if that airport is either listed in the Airport Directory of the current Airman's Information Manual or is operated by a Federal military agency.

(ii) 50 to 1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of each airport with its longest runway no more than 3,200 feet in length, excluding heliports and sea-plane bases without specified boundaries, if that airport is either listed in the Airport Directory or is operated by a Federal military agency.

(iii) 25 to 1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport listed in the Airport Directory or operated by a Federal military agency.

(3) Any construction or alteration on an airport listed in the Airport Directory of the Airman's Information Manual (§ 17.7(c) of this chapter).

(b) A notification to the Federal Aviation Administration is not required for any of the following construction or alteration:

(1) Any object that would be shielded by existing structures of a permanent and substantial character or by natural terrain or topographic features of equal or greater height, and would be located in the congested area of a city, town, or settlement where it is evident beyond all reasonable doubt that the structure so shielded will not adversely affect safety in air navigation. Applicants claiming such exemption shall submit a statement with their application to the Commission explaining the basis in detail for their finding (§ 17.14(a) of this chapter).

(2) Any antenna structure of 20 feet or less in height except one that would increase the height of another antenna structure (§ 17.14(b) of this chapter).

(c) Further details as to whether an aeronautical study and/or obstruction

marking and lighting may be required, and specifications for obstruction marking and lighting when required, may be obtained from Part 17 of this chapter, "Construction, Marking, and Lighting of Antenna Structures." Information regarding the inspection and maintenance of antenna structures requiring obstruction marking and lighting is also contained in Part 17 of this chapter.

[34 F.R. 18307, Nov. 15, 1969]

#### § 97.47 Renewal and/or modification of amateur station license.

(a) Application for renewal and/or modification of an individual station license shall be submitted on FCC Form 610, and application for renewal and/or modification of an amateur club or military recreation station shall be submitted on FCC Form 610-B. In every case the application shall be accompanied by the applicant's license or photocopy thereof. Applications for renewal of unexpired licenses must be made during the license term and should be filed not later than 60 days prior to the end of the license term. In any case in which the licensee has, in accordance with the provisions of this chapter, made timely and sufficient application for renewal of an unexpired license, no license with reference to any activity of a continuing nature shall expire until such application shall have been finally determined.

(b) If a license is allowed to expire, application for renewal may be made during a period of grace of 1 year after the expiration date. During this 1-year period of grace, an expired license is not valid. A license renewed during the grace period will be dated currently and will not be backdated to the date of expiration. An application for an individual station license shall be submitted on FCC Form 610. An application for an amateur club or military recreation station license shall be submitted on FCC Form 610-B. In every case the application shall be accompanied by the applicant's expired license or a photocopy thereof.

(c) When the name of a licensee is changed (without changes in the ownership, control, or corporate structure), or when the mailing address is changed (without changing the authorized location of the amateur radio station) a formal application for modification of license is not required. However, the licensee shall notify the Commission promptly of these changes. The notice,

which may be in letter form, shall contain the name and address of the licensee as they appear in the Commission's records, the new name and/or address, as the case may be, and the call sign and the class of operator license. The notice shall be sent to Federal Communications Commission, Gettysburg, Pa., 17325, and a copy shall be maintained with the license of each station until a new license is issued.

NOTE: For the rules governing operation of an amateur station away from the authorized location, see §§ 97.95-97.101.

[29 F.R. 3230, Mar. 11, 1964, as amended at 31 F.R. 6422, Apr. 28, 1966; 34 F.R. 12219, July 24, 1969]

#### § 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.

[28 F.R. 14185, Dec. 21, 1963]

#### 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) One 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. Additionally, a two-letter call sign may be assigned to an Amateur Extra Class licensee who submits evidence that he held any amateur radio operator or station license, issued by any agency of the U.S. Government or by any foreign government, 25 years or more prior to the receipt date of an application for such assignment. Applicants for two-letter call signs are not permitted to select a specific assignment except in accordance with subparagraphs (1) and (2) of this paragraph.

(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.
10. Colorado, Nebraska, North and South Dakota, Kansas, Minnesota, Iowa, Missouri.

[28 F.R. 14186, Dec. 21, 1963, as amended at 35 F.R. 3118, Feb. 18, 1970]

**§ 97.53 Policies and procedures applicable to assignment of call signs.**

(a) The following are regarded as preferred call signs:

(1) Two-letter call signs—call signs with a single letter prefix (two-letter prefix in Alaska, Hawaii, and in the U.S. possessions) and a two-letter suffix; e.g. W6AB (KH6AB).

(2) Three-letter call signs—call signs with a single letter prefix and a three-letter suffix; e.g. W6ABC.

(b) An eligible licensee will be permitted to hold only one two-letter call sign. However, a licensee who, by reason of former rule provisions, presently holds more than one such call sign may continue to hold those call signs in the same call sign areas.

(c) Subject to availability, two-letter call signs beginning with the letter "W" will normally be assigned in each call sign area to eligible licensees.

(d) An eligible licensee who holds one or more three-letter call signs must relinquish one of those call signs in order to be assigned a two-letter call sign.

(e) New additional stations will not be assigned a preferred call sign.

(f) An additional station which is presently assigned a preferred call sign will be issued a nonpreferred call sign upon modification of license to show a station location in a different call sign area.

(g) Subject to availability, a basic station will be issued the same type of call sign as the one relinquished upon modification of license to show a station location in a different call sign area.

(1) Licensees will not be assigned specific call signs of their choice or counterpart call signs (call signs with identical suffix letters) under this provision.

(2) When a two-letter call sign is not available in the new call sign area, an eligible licensee may be assigned an available unspecified three-letter call sign.

(h) Call signs which have been unassigned for more than one year are normally available for reassignment.

[33 F.R. 4466, Mar. 13, 1968]

**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.

[28 F.R. 14186, Dec. 21, 1963]

**§ 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 2 years 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 2 years from the date of issuance. All amateur station licenses, regardless of when issued, will expire on the same date as the licensee's amateur operator license.

(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.

[28 F.R. 14186, Dec. 21, 1963, as amended at 32 F.R. 12685, Sept. 1, 1967; 35 F.R. 6866, Apr. 30, 1970]

**Subpart C—Technical Standards**

SOURCE: The provisions of this Subpart C appear at 28 F.R. 14186, Dec. 21, 1963, unless otherwise noted.

**§ 97.61 Authorized frequencies and emissions.**

(a) Following are the frequency bands and associated emissions available to amateur stations, subject to the limitations stated in paragraph (b) of this section and § 97.65.

Frequency band	Emissions	Limitations	Frequency band	Emissions	Limitations
<i>See paragraph (b)</i>			<i>See paragraph (b)</i>		
<i>kc/s</i>			<i>kc/s</i>		
1800-2000	A1, A3	1, 2	3300-3500	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5
3500-4000	A1		5650-5925	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5, 9
3500-3800	F1		10000-10500	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5
3800-3900	A5, F5		21000-22000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
3800-4000	A3, F3	4	Above 40000	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	
7000-7300	A1	3, 4			
7000-7200	F1	3, 4			
7200-7250	A5, F5	3, 4			
7200-7300	A3, F3	3, 4			
14000-14350	A1				
14000-14200	F1				
14200-14275	A5, F5				
14200-14350	A3, F3				
<i>Mc/s</i>					
21.00-21.45	A1				
21.00-21.25	F1				
21.25-21.35	A5, F5				
21.25-21.45	A3, F3				
28.0-29.7	A1				
28.0-28.5	F1				
28.5-29.7	A3, A5, F3, F5				
50.0-54.0	A1				
50.1-54.0	A2, A3, A4, A5, F1, F2, F3, F5.				
51.0-54.0	A0				
144-148	A1				
144.1-148.0	A0, A2, A3, A4, A5, F0, F1, F2, F3, F5.	5, 6			
220-225	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5, 6			
420-450	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5, 7			
1215-1300	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5.	5			
2300-2450	A0, A1, A2, A3, A4, A5, F0, F1, F2, F3, F4, F5, P.	5, 8			

(b) Limitations:  
 (1) The use of frequencies in this band is on a shared basis with the Loran A radionavigation system and is subject to cancellation or revision, in whole or in part, by order of the Commission, without hearing, whenever the Commission shall determine such action is necessary in view of the priority of the Loran A radionavigation system. The use of these frequencies by amateur stations shall not cause harmful interference to Loran A system. If an amateur station causes such interference, operation on the frequencies involved must cease if so directed by the Commission.  
 (2) Operation shall be limited to:

Area	Maximum DC plate input power in watts								
	1800-1825	1825-1850	1850-1875	1875-1900	1900-1925	1925-1950	1950-1975	1975-2000	
	kc/s	kc/s	kc/s	kc/s	kc/s	kc/s	kc/s	kc/s	kc/s
	Day/Night	Day/Night	Day/Night	Day/Night	Day/Night	Day/Night	Day/Night	Day/Night	Day/Night
Alabama	500/100	100/25	0	0	0	0	100/25	500/100	
Alaska	1000/200	500/100	500/100	100/25	0	0	0	0	
Arizona	1000/200	500/100	500/100	0	0	0	0	0	
Arkansas	1000/200	500/100	100/25	0	0	100/25	100/25	500/100	
California	1000/200	500/100	500/100	100/25	0	0	0	0	
Colorado	1000/200	500/100	200/50	0	0	0	0	200/50	
Connecticut	500/100	100/25	0	0	0	0	0	0	
Delaware	500/100	100/25	0	0	0	0	0	100/25	
District of Columbia	500/100	100/25	0	0	0	0	0	100/25	
Florida	500/100	100/25	0	0	0	0	100/25	500/100	
Georgia	500/100	100/25	0	0	0	0	0	200/50	
Hawaii	0	0	0	0	200/50	100/25	100/25	500/100	
Idaho	1000/200	500/100	500/100	100/25	100/25	100/25	100/25	500/100	
Illinois	1000/200	500/100	100/25	0	0	0	0	200/50	
Indiana	1000/200	500/100	100/25	0	0	0	0	200/50	
Iowa	1000/200	500/100	200/50	0	0	100/25	100/25	500/100	
Kansas	1000/200	500/100	100/25	0	0	100/25	100/25	500/100	
Kentucky	1000/200	500/100	100/25	0	0	0	0	200/50	
Louisiana	500/100	100/25	0	0	0	0	100/25	500/100	
Maine	500/100	100/25	0	0	0	0	0	0	
Maryland	500/100	100/25	0	0	0	0	0	100/25	
Massachusetts	500/100	100/25	0	0	0	0	0	0	
Michigan	1000/200	500/100	100/25	0	0	0	0	100/25	
Minnesota	1000/200	500/100	500/100	100/25	100/25	100/25	100/25	500/100	
Mississippi	500/100	100/25	0	0	0	0	100/25	500/100	
Missouri	1000/200	500/100	100/25	0	0	100/25	100/25	500/100	
Montana	1000/200	500/100	500/100	100/25	100/25	100/25	100/25	500/100	
Nebraska	1000/100	500/100	200/50	0	0	100/25	100/25	500/100	
Nevada	1000/200	500/100	500/100	100/25	0	0	0	0	
New Hampshire	500/100	100/25	0	0	0	0	0	0	

Area	Maximum DC plate input power in watts							
	1800-1825 kc/s	1825-1850 kc/s	1850-1875 kc/s	1875-1900 kc/s	1900-1925 kc/s	1925-1950 kc/s	1950-1975 kc/s	1975-2000 kc/s
	Day/ Night	Day/ Night	Day/ Night	Day/ Night	Day/ Night	Day/ Night	Day/ Night	Day/ Night
New Jersey.....	500/100	100/25	0	0	0	0	0	0
New Mexico.....	1000/200	500/100	100/25	0	0	100/25	500/100	1000/200
New York.....	500/100	100/25	0	0	0	0	0	0
North Carolina.....	500/100	100/25	0	0	0	0	0	100/25
North Dakota.....	1000/200	500/100	500/100	100/25	100/25	100/25	100/25	500/100
Ohio.....	1000/200	500/100	100/25	0	0	0	0	100/25
Oklahoma.....	1000/200	500/100	100/25	0	0	100/25	100/25	500/100
Oregon.....	1000/200	500/100	500/100	100/25	0	0	0	0
Pennsylvania.....	500/100	100/25	0	0	0	0	0	0
Rhode Island.....	500/100	100/25	0	0	0	0	0	0
South Carolina.....	500/100	100/25	0	0	0	0	0	200/50
South Dakota.....	1000/200	500/100	500/100	100/25	100/25	100/25	100/25	500/100
Tennessee.....	1000/200	500/100	100/25	0	0	0	0	200/50
Texas.....	500/100	100/25	0	0	0	0	0	200/50
Utah.....	1000/200	500/100	500/100	100/25	100/25	0	0	100/25
Vermont.....	500/100	100/25	0	0	0	0	0	0
Virginia.....	500/100	100/25	0	0	0	0	0	100/25
Washington.....	1000/200	500/100	500/100	100/25	0	0	0	0
West Virginia.....	1000/200	500/100	100/25	0	0	0	0	100/25
Wisconsin.....	1000/200	500/100	200/50	0	0	0	0	200/50
Wyoming.....	1000/200	500/100	500/100	100/25	100/25	0	0	200/50
Puerto Rico.....	500/100	100/25	0	0	0	0	0	200/50
Virgin Islands.....	500/100	100/25	0	0	0	0	0	200/50
Swan Island.....	500/100	100/25	0	0	0	0	100/25	500/100
Serrana Bank.....	500/100	100/25	0	0	0	0	100/25	500/100
Roncador Key.....	500/100	100/25	0	0	0	0	100/25	500/100
Navassa Island.....	500/100	100/25	0	0	0	0	0	200/50
Baker, Canton, Enderbury, Howland.....	100/25	0	0	100/25	100/25	0	0	100/25
Guam, Johnston, Midway, American Samoa.....	200/50	0	0	200/50	200/50	0	0	100/25
Wake.....	100/25	0	0	100/25	0	0	0	200/50
Palmyra, Jarvis.....	0	0	0	0	200/50	0	0	0

(3) Where, in adjacent regions or subregions, a band of frequencies is allocated to different services of the same category, the basic principle is the equality of right to operate. Accordingly, the stations of each service in one region or subregion must operate so as not to cause harmful interference to services in the other regions or subregions (No. 117, the Radio Regulations, Geneva, 1959).

(4) 3900-4000 kc/s and 7100-7300 kc/s are not available in the following U.S. possessions: Baker, Canton, Enderbury, Guam, Howland, Jarvis, Palmyra, American Samoa, and Wake Islands.

(5) Amateur stations shall not cause interference to the Government radio-communication service.

(6) Not available in those portions of Texas and New Mexico bounded by latitude 33°24' N., and 31°53' N., and longitude 105°40' W. and 106°40' W. between the hours 0500 and 1800 local time, Monday through Friday, except to stations authorized to operate in an organized civil defense network when civil defense emergencies exist or when arrangements have been made with the Commission Engineer in Charge at Dallas, Tex., and the Area Frequency Coordinator at

White Sands, N. Mex., for drills at specific dates and times.

(7) In the following areas the d.c. plate input power to the final transmitter stage shall not exceed 50 watts, except when authorized by the appropriate Commission Engineer in Charge and the appropriate Military Area Frequency Coordinator.

(i) Those portions of Texas and New Mexico bounded by latitude 33°24' N., 31°53' N., and longitude 105°40' W. and 106°40' W.

(ii) The State of Florida, including the Key West area and the areas enclosed within circles of 200-mile radius centered at 28°21' N., 80°43' W. and 30°30' N., 86°30' W.

(iii) The State of Arizona.

(iv) Those portions of California and Nevada south of latitude 37°10' N. and the area within a 200-mile radius of 34°09' N., 119°11' W.

(8) No protection in the band 2400-2450 Mc/s is afforded from interference due to the operation of industrial, scientific, and medical devices on 2450 kc/s.

(9) No protection in the band 5725-5875 is afforded from interference due to

the operation of industrial, scientific, and medical devices on 5800 kc/s.

[33 F.R. 10642, July 26, 1968, as amended at 35 F.R. 1107, Jan. 28, 1970; 35 F.R. 13991, Sept. 3, 1970; 36 F.R. 4265, Mar. 4, 1971; 36 F.R. 6423, Apr. 3, 1971]

#### § 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 Emission limitations.

(a) Type A $\emptyset$  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 A $\emptyset$  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) On frequencies below 29.0 Mc/s and between 50.1 and 52.5 Mc/s, the bandwidth of an F3 emission (frequency or phase modulation) shall not exceed that of an A3 emission having the same audio characteristics; and the purity and stability of emissions shall comply with the requirements of § 97.73.

(d) On frequencies below 50 Mc/s, the bandwidth of A5 and F5 emissions shall not exceed that of an A3 single sideband emission.

(e) On frequencies between 50 Mc/s and 225 Mc/s, single sideband or double sideband A5 emission may be used and the bandwidth shall not exceed that of an A3 single sideband or double sideband signal respectively. The bandwidth of F5 emission shall not exceed that of an A3 single sideband emission.

(f) Below 225 Mc/s, A3 and A5 emissions may be used simultaneously on the same carrier frequency provided the total bandwidth does not exceed that of an A3 double sideband emission.

[28 F.R. 14186, Dec. 21, 1963, as amended at 33 F.R. 10644, July 26, 1968]

#### § 97.67 Maximum authorized power.

Except for power restrictions as set forth in § 97.61, each amateur trans-

mitter 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 normal transmitting speed of the radio teleprinter signal keying equipment shall be adjusted as closely as possible to one of the standard teleprinter speeds, namely, 60 (45 bauds), 67 (50 bauds), 75 (56.25 bauds) or 100 (75 bauds) words per minute, and in any event, within the range of plus or minus five words per minute of the selected standard speed.

(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.

[28 F.R. 14186, Dec. 21, 1963, as amended at 36 F.R. 23299, Dec. 8, 1971]

EFFECTIVE DATE: The amendment at 36 F.R. 23299, which revised (b), is effective Jan. 7, 1972. For the convenience of the user the superseded text follows here:

(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.

#### § 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 frequency 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

SOURCE: The provisions of this Subpart D appear at 28 F.R. 14188, Dec. 21, 1963, unless otherwise noted.

#### 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 frequen-

cies 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 accordance 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 Station identification.

(a) An amateur station shall be identified by the transmission of its call sign at the beginning and end of each single transmission or exchange of transmissions and at intervals not to exceed ten minutes during any single transmission or exchange of transmissions of more than 10 minutes duration. Additionally, at the end of an exchange of telegraphy (other than teleprinter) or telephony transmissions between amateur stations, the call sign (or the generally accepted network identifier) shall be given for the station, or for at least one of the group of stations, with which communication was established.

(b) When an amateur station is operated as a portable or mobile station, the operator shall give the following additional identification at the end of each single transmission or exchange of transmissions:

(1) When identifying by telegraphy, immediately after the call sign, transmit the fraction-bar  $\overline{DN}$  followed by the number of the call sign area in which the station is being operated.

(2) When identifying by telephony, immediately after the call sign, transmit the word "portable" or "mobile", as appropriate, followed by the number of the call sign area in which the station is being operated.

(c) When an amateur station is operated outside of the 10 call sign areas prescribed in § 97.51(b) and outside of the jurisdiction of a foreign government, the operator shall give the following additional identification at the end of each single transmission or exchange of transmissions:

(1) When identifying by telegraphy, immediately after the call sign, transmit the fraction-bar  $\overline{DN}$  followed by the designator R 1, R 2, or R 3, to show the region (as defined by the International Radio Regulations, Geneva, 1959) in which the station is being operated.

(2) When identifying by telephony, immediately after the call sign, transmit the word "mobile" followed by the designator Region 1, Region 2, or Region 3, to show the region (as defined by the International Radio Regulations, Geneva, 1959) in which the station is being operated.

(d) The identification required by paragraphs (a), (b), and (c) of this section shall be given on each frequency being utilized and shall be transmitted

by telegraphy, using the International Morse Code, or by telephony, using the English language. The use of a nationally or internationally recognized standard phonetic alphabet as an aid for correct telephony identification is encouraged.

[32 F.R. 17430, Dec. 5, 1967]

#### § 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 Operation away from the authorized permanent station location.

(a) Operation within the United States, its territories, or possessions is permitted as follows:

(1) When there is no change in the authorized permanent station location, an amateur station may be operated under the permanent station license anywhere in the United States, its territories or possessions as a portable, mobile, or temporary fixed station.

(2) When the authorized permanent station location is changed, formal application (FCC Form 610 for an individual station license and FCC Form 610-B for an amateur club or military recreation station license) must be submitted to the Commission prior to any operation and within 4 months of the move for the purpose of modifying the station license to show the new permanent station location. Operation at the new location is permitted under the license for the former station from the date the modification application is mailed until advised of Commission action on that application.

(3) For operations under subparagraphs (1) and (2) of this paragraph, advance notice, as required by § 97.97, must be given to the Engineer in Charge of each radio district in which operation is intended and the portable identification procedures specified in § 97.87 must be used.

(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 in the amateur bands 7.0–7.1 Mc/s, 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.

[28 F.R. 14188, Dec. 21, 1963, as amended at 33 F.R. 4467, Mar. 13, 1968; 34 F.R. 12219, July 24, 1969; 34 F.R. 18865, Nov. 26, 1969]

**§ 97.97 Notice of operation away from authorized location.**

Whenever an amateur station is, or is likely, to be operated during periods 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's office(s) specified in § 97.95. 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.

[28 F.R. 14188, Dec. 21, 1963, as amended at 33 F.R. 4467, Mar. 13, 1968]

**§ 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 nowise 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 fre-

quencies 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**

**SOURCE:** The provisions of this Subpart E appear at 28 F.R. 14191, Dec. 21, 1963, unless otherwise noted.

#### **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

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 acknowledgment 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 viola-

tions, 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.

### Subpart F—Radio Amateur Civil Emergency Service (RACES)

SOURCE: The provisions of this Subpart F appear at 28 F.R. 14193, Dec. 21, 1963, unless otherwise noted.

#### GENERAL

#### § 97.161 Nature of this service.

(a) The Radio Amateur Civil Emergency Service provides for amateur radio operation for civil defense communications purposes only, during periods of local, regional or national civil emergencies, 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.

[28 F.R. 14193, Dec. 21, 1963, as amended at 31 F.R. 9807, July 20, 1966]

#### § 97.163 Definitions.

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

(a) *Radio Amateur Civil Emergency Service.* A radiocommunication 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 endangering 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.

(i) *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).)

[28 F.R. 14193, Dec. 21, 1963, as amended at 31 F.R. 9807, July 20, 1966]

#### § 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 modification of the Radio Amateur Civil Emergency Service station authorization shall be submitted concurrently therewith.

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

[28 F.R. 14193, Dec. 21, 1963, as amended at 31 F.R. 9807, July 20, 1966]

§ 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.

(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 sub-

mitted to the Commission immediately upon receipt by the licensee of a new or modified authorization.

[28 F.R. 14193, Dec. 21, 1963, as amended at 31 F.R. 9807, July 20, 1966]

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 <sup>1</sup> ---	0.1A1, 1.1F1, 6A3
1975-2000 kc/s <sup>1</sup> ---	0.1A1, 1.1F1, 6A3
3500-3510 kc/s----	0.1A1, 1.1F1
3990-4000 kc/s----	0.1A1, 1.1F1, 6A3, 6F3

<sup>1</sup> 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.
3518-3550 kc/s <sup>1</sup> ----	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 <sup>1</sup> ----	0.1A1, 1.1F1.
7245-7255 kc/s <sup>1</sup> ----	0.1A1, 1.1F1, 6A3, 6F3.
14047-14053 kc/s----	0.1A1, 1.1F1.
14220-14230 kc/s <sup>1</sup> ----	0.1A1, 1.1F1, 6A3, 6F3.
21047-21053 kc/s----	0.1A1, 1.1F1.

<sup>1</sup> 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 <sup>1</sup> -----	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 <sup>1</sup> -----	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.

<sup>1</sup> 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 ac-

cordance 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.

#### Subpart G—Operation of Amateur Radio Stations in the United States by Aliens

SOURCE: The provisions of this Subpart G appear at 30 F.R. 2706, Mar. 3, 1965, unless otherwise noted.

#### § 97.301 Basis, purpose, and scope.

(a) The rules in this subpart are based on, and are applicable solely to, alien amateur operations pursuant to section 303(1)(2) and 310(a) of the Communications Act of 1934, as amended. (See Public Law 88-313, 78 Stat. 202.)

(b) The purpose of this subpart is to implement Public Law 88-313 by prescribing the rules under which an alien, who holds an amateur operator and station license issued by his government referred to in this subpart as an alien amateur, may operate an amateur radio station in the United States, in its possessions, and in the Commonwealth of Puerto Rico (referred to in this subpart only as the United States).

#### § 97.303 Permit required.

(a) Before he may operate an amateur radio station in the United States, under the provisions of sections 302(1)(2) and 310(a) of the Communications Act of 1934, as amended, an alien amateur licensee must obtain a permit for such operation from the Federal Communications Commission. A permit for such operation shall be issued only to an alien holding a valid amateur operator and station authorization from his government, and only when there is in effect a bilateral agreement between the United States and that government for such operation on a reciprocal basis by United States amateur radio operators.

#### § 97.305 Application for permit.

(a) Application for a permit shall be made on FCC Form 610-A. Form 610-A may be obtained from the Commission's

Washington, D.C., office, from any of the Commission's field offices and, in some instances, from United States missions abroad.

(b) The application form shall be completed in full in English and signed by the applicant. A photocopy of the applicant's amateur operator and station license issued by his government shall be filed with the application. The Commission may require the applicant to furnish additional information. The application must be filed by mail or in person with the Federal Communications Commission, Washington, D.C., 20554, U.S.A. To allow sufficient time for processing, the application should be filed at least 60 days before the date on which the applicant desires to commence operation.

#### § 97.307 Issuance of permit.

(a) The Commission may issue a permit to an alien amateur under such terms and conditions as it deems appropriate. If a change in the terms of a permit is desired, an application for modification of the permit is required. If operation beyond the expiration date of a permit is desired, an application for renewal of the permit is required. Application for modification or for renewal of a permit shall be filed on FCC Form 610-A.

(b) The Commission, in its discretion, may deny any application for a permit under this subpart. If an application is denied, the applicant will be notified by letter. The applicant may, within 90 days of the mailing of such letter, request the Commission to reconsider its action.

(c) Normally, a permit will be issued to expire 1 year after issuance but in no event after the expiration of the license issued to the alien amateur by his government.

#### § 97.309 Modification, suspension, or cancellation of permit.

At any time the Commission may, in its discretion, modify, suspend, or cancel any permit issued under this subpart. In this event, the permittee will be notified of the Commission's action by letter mailed to his mailing address in the United States and the permittee shall comply immediately. A permittee may, within 90 days of the mailing of such letter, request the Commission to reconsider its action. The filing of a request for reconsideration shall not stay the effectiveness of that action, but the Com-

mission may stay its action on its own motion.

#### § 97.311 Operating conditions.

(a) The alien amateur may not under any circumstances begin operation until he has received a permit issued by the Commission.

(b) Operation of an amateur station by an alien amateur under a permit issued by the Commission must comply with all of the following:

(1) The terms of the bilateral agreement between the alien amateur's government and the government of the United States;

(2) The provisions of this subpart and of Subparts A through E of this part;

(3) The operating terms and conditions of the license issued to the alien amateur by his government; and

(4) Any further conditions specified on the permit issued by the Commission.

(c) An alien amateur may operate on dates, at locations, or via an itinerary, significantly different from that specified in the application for his permit only under the condition that he has given advance notice of the particulars of such operation to the Commission in accordance with the requirements of § 97.95(a).

[30 F.R. 2706, Mar. 3, 1965, as amended at 35 F.R. 7259, May 8, 1970]

#### § 97.313 Station identification.

(a) The alien amateur shall identify his station as follows:

(1) Radiotelegraph operation: The amateur shall transmit the call sign issued to him by the licensing country followed by a slant (/) sign and the United States amateur call sign prefix letter(s) and number appropriate to the location of his station.

(2) Radiotelephone operation: The amateur shall transmit the call sign issued to him by the licensing country followed by the words "fixed", "portable" or "mobile", as appropriate, and the United States amateur call sign prefix letter(s) and number appropriate to the location of his station. The identification shall be made in the English language.

(b) At least once during each contact with another amateur station, the alien amateur shall indicate, in English, the geographical location of his station as

nearly as possibly by city and State, commonwealth, or possession.

## 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 Diego, Calif.
Beaumont, Tex.	Savannah, Ga.
Mobile, Ala.	Tampa, Fla.

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

Albany, N.Y.	Milwaukee, Wis.
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.	Sioux Falls, S. Dak.
Fresno, Calif.	Syracuse, N. Y.
Grand Rapids, Mich.	Tulsa, Okla.
Indianapolis, Ind.	Williamsport, Pa.
Knoxville, Tenn.	Winston-Salem, N. C.
Little Rock, Ark.	
Louisville, Ky.	
Memphis, Tenn.	

## SEMIANNUAL

Albuquerque, N. Mex.	Ketchikan, Alaska
Boise, Idaho.	Las Vegas, Nev.
El Paso, Tex.	Lubbock, Tex.
Fairbanks, Alaska.	Portland, Maine.
Hartford, Conn.	Salem, Va.
Jackson, Miss.	Spokane, Wash.
Jacksonville, Fla.	Tucson, Ariz.
Juneau, Alaska	Wichita, Kans.
	Wilmington, N. C.

## ANNUAL

Bakersfield, Calif.	Jamestown, N. Dak.
Bangor, Maine.	Klamath Falls, Ore.
Billings, Mont.	Lihue, Hawaii.
Great Falls, Mont.	Marquette, Mich.
Helena, Mont.	Rapid City, S. Dak.
Hilo, Hawaii.	Wailuku, Hawaii.

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

Guam: District Communications Officer, United States naval station.

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

[28 F.R. 14198, Dec. 21, 1963, as amended at 29 F.R. 15082, Nov. 7, 1964; 29 F.R. 15289, Nov. 14, 1964; 30 F.R. 4618, Apr. 9, 1965; 30 F.R. 7755, June 10, 1965; 30 F.R. 8837, July 14, 1965; 30 F.R. 14932, Dec. 2, 1965; 31 F.R. 16567, Dec. 28, 1966; 84 F.R. 752, Jan. 17, 1969; 84 F.R. 18459, Nov. 20, 1969; 35 F.R. 16797, Oct. 30, 1970; 36 F.R. 158, Jan. 6, 1971; 36 F.R. 13215, July 16, 1971]

## 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.

RESOLUTION NO. 10

Relating to the use of the bands 7000 to 7100 kc/s and 7100 to 7300 kc/s by the Amateur Service and the Broadcasting Service.

The Administrative Radio Conference, Geneva, 1959,

Considering—

(a) That the sharing of frequency bands by amateur, fixed, and broadcasting services is undesirable and should be avoided;

(b) That it is desirable to have worldwide exclusive allocations for these services in Band 7;

(c) That the band 7000 to 7100 kc/s is allocated on a worldwide basis exclusively to the amateur service;

(d) That the band 7100 to 7300 kc/s is allocated in Regions 1 and 3 to the broadcasting service and in Region 2 to the amateur service;

resolves,

that the broadcasting service should be prohibited from the band 7000 to 7100 kc/s and that broadcasting stations operating on frequencies in this band should cease such operation;

and noting,

the provisions of No. 117 of the Radio Regulations;

further resolves,

that interregional amateur contacts should be only in the band 7000 to 7100 kc/s and that the administrations should make every effort to ensure that the broadcasting service in the band 7100 to 7300 kc/s, in Regions 1 and 3, does not cause interference to the amateur service in Region 2; such being consistent with the provisions of No. 117 of the Radio Regulations.

[28 F.R. 14198, Dec. 21, 1963, as amended at 35 F.R. 13991, Sept. 3, 1970]

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.....	A9
	Telegraph without the use of modulating audio frequency (by on-off keying).	A1
	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).	
	Telephony.....	A3 <sup>1</sup>
	Facsimile.....	A4
Frequency (or phase).	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
	Telephony.....	F3
	Facsimile.....	F4
Pulse.....	Television.....	F5
		P

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

[28 F.R. 14198, Dec. 21, 1963]

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.

[28 F.R. 14199, Dec. 21, 1963]

## PART 99—DISASTER COMMUNICATIONS SERVICE

### Subpart A—General

- Sec.  
99.1 Basis and purpose.  
99.3 Definitions.

### Subpart B—Station License or Authorization

- 99.7 Eligibility.  
99.9 Organization of networks.  
99.11 Applications.  
99.13 Limitations on antenna structures.  
99.15 License term.

### Subpart C—Use of Stations

- 99.17 Activation of stations.  
99.19 Points of communications.  
99.21 Limitations on use.  
99.23 Permissible communications.  
99.25 Station identification.  
99.27 Radio station log.

### Subpart D—Operating Requirements

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

**AUTHORITY:** The provisions of this Part 99 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. 151-155, 301-609.

**SOURCE:** The provisions of this Part 99 appear at 28 F.R. 14199, Dec. 21, 1963, unless otherwise noted.

### 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 communications 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 communication facilities normally available or which require the temporary establishment of communication 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 unspecified fixed locations for the purpose of communicating with other fixed, land, or mobile stations.