

117TH CONGRESS
2D SESSION

H. R. 9664

To direct the Federal Communications Commission to amend part 97.307(f) of title 47, Code of Federal Regulations, to allow greater flexibility in data communications in the amateur radio service, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

DECEMBER 21, 2022

Mrs. LESKO introduced the following bill; which was referred to the
Committee on Energy and Commerce

A BILL

To direct the Federal Communications Commission to amend part 97.307(f) of title 47, Code of Federal Regulations, to allow greater flexibility in data communications in the amateur radio service, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Amateur Radio Com-
5 munications Improvement Act”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

1 (1) More than 778,000 amateur operators in
2 the United States are licensed by the Federal Com-
3 munications Commission in the amateur radio serv-
4 ices, and, by treaty, additional amateur operators li-
5 censed by other sovereign entities and jurisdictions
6 are authorized to operate within the United States.

7 (2) Amateur radio, in addition to providing life-
8 saving emergency communications at no cost to tax-
9 payers, provides a fertile ground for technical self-
10 training in modern telecommunications, electronics
11 technology, and emergency communications tech-
12 niques and protocols.

13 (3) In 2016, the Commission issued a Notice of
14 Proposed Rulemaking agreeing with the petition of
15 the American Radio Relay League to remove an out-
16 moded limit on digital data rate transmissions (con-
17 tained in part 97.307(f) of title 47, Code of Federal
18 Regulations) that constrains the use of the amateur
19 spectrum, particularly during emergencies and de-
20 clared disasters.

21 (4) Adopted in 1980, the present data rate
22 limit is a relic of an era long since relegated to obso-
23 lescence by the remarkable advancements in digital
24 data communications.

1 (5) The present data rate limit has no place in
2 the modern digital communications world. Slower
3 speeds needlessly occupy busy amateur frequencies
4 for longer than necessary to transmit messages,
5 leading to unnecessary crowding without benefit to
6 anyone, and a delay in the transmission of mission
7 critical information during emergencies and declared
8 disasters.

9 (6) United States amateurs developed the first
10 amateur digital protocols, but now are consigned to
11 watching as amateurs in other countries take the
12 lead in squeezing more data within each bandwidth.
13 Amateurs in other countries universally are per-
14 mitted to use modern digital data speeds denied
15 amateurs in the United States. United States ama-
16 teurs can hear and decode higher speed signals every
17 day, but are not permitted to respond with the same
18 protocol.

19 (7) This situation is not because of any affirm-
20 ative decision, but simply because there has been an
21 8-year unexplained lack of action to update the
22 rules.

23 (8) It is embarrassing that in recent years, in-
24 cluding this year, radio amateurs have had to apply
25 to the Commission for temporary waivers, which are

1 always granted, of the limit on data communications
2 to efficiently manage emergency, health, and welfare
3 messages from hurricane-prone Caribbean islands,
4 and even from within the United States. Amateurs
5 in the Caribbean, as in other areas of the world,
6 generally are using equipment and software devel-
7 oped by the amateur community and promoted by
8 the International Telecommunication Union specifi-
9 cally to ensure communications capabilities during
10 times of severe weather.

11 (9) Amateur radio has led many young people
12 into scientific and engineering professions, including
13 many related to the digital services and technologies
14 that are at the heart of the wireless communications
15 marketplace of today. The incentive to work on im-
16 proving data communications technologies is the
17 ability to experiment on the airwaves and to employ
18 improved capabilities both casually and in times of
19 need.

20 (10) This capability should be restored to radio
21 amateurs in the United States.

1 **SEC. 3. REPEAL OF SYMBOL RATE LIMITS FOR TRANS-**
2 **MISSIONS ON CERTAIN AMATEUR FRE-**
3 **QUENCIES AND ADOPTION OF 2.8 KHZ BAND-**
4 **WIDTH LIMIT.**

5 Not later than 180 days after the date of the enact-
6 ment of this Act, the Federal Communications Commis-
7 sion, pursuant to section 303 of the Communications Act
8 of 1934 (47 U.S.C. 303) and as proposed in FCC Docket
9 16–239, shall—

10 (1) repeal the symbol (or baud) rate limits in
11 part 97.307(f) of title 47, Code of Federal Regula-
12 tions; and

13 (2) adopt, in place of such symbol (or baud)
14 rate limits, a 2.8 kHz bandwidth limit for any single
15 digital signal on the frequencies referred to in such
16 part.

17 **SEC. 4. COMMISSION DEFINED.**

18 In this Act, the term “Commission” means the Fed-
19 eral Communications Commission.

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