



# PUBLIC NOTICE

Federal Communications  
Commission  
445 12th St., S.W.

News Media Information: 202-418-0500  
Internet: <http://www.fcc.gov>  
TTY: 1-888-835-5322

---

DA 09-2259

Released: October 20, 2009

## AMATEUR SERVICE COMMUNICATIONS DURING GOVERNMENT DISASTER DRILLS

Transmissions by amateur stations participating in government disaster drills must comply with all applicable amateur service rules. While the value of the amateur service to the public as a voluntary noncommercial communications service, particularly with respect to providing emergency communications, is one of the underlying principles of the amateur service,<sup>1</sup> the amateur service is not an emergency radio service. Rather, it is a voluntary, non-commercial communication service authorized for the purpose of self-training, intercommunication and technical investigations carried out by licensed persons interested in radio technique solely with a personal aim and without pecuniary interest.<sup>2</sup>

State and local government public safety agencies occasionally conduct emergency preparedness or disaster drills that include amateur operations. Some entities, such as hospitals, emergency operations centers, and police, fire, and emergency medical service stations, have expressed interest in having their employees who are amateur station operators participate in these drills by transmitting messages on the entity's behalf. The Commission's Rules, however, specifically prohibit amateur stations from transmitting communications "in which the station licensee or control operator has a pecuniary interest, including communications on behalf of an employer."<sup>3</sup>

Given the public interest in facilitating government-sponsored emergency preparedness and disaster drills, we take this opportunity to provide a clear process for requesting a waiver, and the information that we require in order to consider granting such a request.<sup>4</sup> Waiver requests should be submitted to the Wireless Telecommunications Bureau by the government entity conducting the drill, and must provide the following information: (1) when and where the drill will take place; (2) identification of the amateur licensees expected to transmit amateur communications on behalf of their employers; (3) identification of the employers on whose behalf they will be transmitting; and (4) a brief description of the drill. We emphasize that the filing of a waiver request does not excuse compliance with the rules while that request is pending. The waiver must be requested prior to the drill, and employees may not transmit amateur communications on their employer's behalf unless the waiver request has been granted.

In an actual emergency, the Commission's Rules provide that an amateur station may use any means of radiocommunication at its disposal to provide essential communication needs in connection

---

<sup>1</sup> See 47 C.F.R. § 97.1(a). See also Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, *Order*, EB Docket No. 06-119; WC Docket No. 06-63, 22 FCC Rcd 10541, 10576 ¶ 111 (2007) (noting that the amateur radio community played an important role in the aftermath of Hurricane Katrina and other disasters).

<sup>2</sup> See 47 C.F.R. § 97.3(a)(4).

<sup>3</sup> See 47 C.F.R. § 97.113(a)(3) (emphasis added).

<sup>4</sup> See 47 C.F.R. § 1.925.

with the immediate safety of human life and the immediate protection of property when normal communication systems are not available.<sup>5</sup> In those circumstances, rule waiver is not necessary.

For further information regarding matters discussed in this *Public Notice*, contact William T. Cross of the Wireless Telecommunications Bureau, Mobility Division, at (202) 418-0680, [William.Cross@fcc.gov](mailto:William.Cross@fcc.gov).

By the Chief, Wireless Telecommunications Bureau; Chief, Public Safety and Homeland Security Bureau; and Chief, Enforcement Bureau.

-FCC-

---

<sup>5</sup> See 47 C.F.R. § 97.403. See also Amendment of Part 97 of the Commission's Rules Governing the Amateur Radio Services, *Report and Order*, WT Docket No. 04-140, 21 FCC 11643, 11667 ¶ 52 (2006) (clarifying that amateur radio operators who are emergency personnel may use their amateur radio stations while in paid duty status, but not addressing the prohibition against transmitting messages on behalf of an employer).