

KEY SUMMARY. FCC ABUSE MUST BE STOPPED.

(K6PDS) Revised 9/3/2026 0916 HRS

The essential issue presented is as follows:

“Can a non-ham use a ham frequency in order to save human life in an emergency.”

LAURA SMITH (FCC ENFORCEMENT) CURRENTLY THREATENS ENFORCEMENT ACTION IF A NON HAM USES A HAM REPEATER FOR AN EMERGENCY. SMITH REQUIRES THE CONTROL OPERATOR OF A REPEATER TO SHUT DOWN THE REPEATER TO PREVENT USE BY THE NON HAM DURING AN EMERGENCY (includes: 911 Radio Relay; Wildfires; Earthquakes; Floods; Tornadoes; Evacuations, etc...).

Auto Accident Example: “assume a Ham and his wife are driving and have an auto accident. The Ham operator (husband) dies on impact. The wife is going to bleed to death without immediate medical attention, but she is not a licensed Ham operator. The Ham radio is working and she can reach it. The cell phone has no reception. Issue: Can the wife use the Ham radio to call for help? The answer is either: Yes, or No.”

WHAT WOULD YOU DO IN THAT SITUATION?

THE FCC HAS PROVIDED 3 DIFFERENT RULES (2 OF WHICH ARE FAKE).

1. SMITH FAKE RULE (Smith’s version of 97.403):

“Section 97.403 of the Commission’s rules clearly states that a non-licensed individual may only use amateur radios to communicate if there is an “immediate” safety of life or protection of property issue AND no other form of communications is available...” (BOLD AND UNDERLINED SHOWING LANGUAGE SMITH MADE UP ON HER OWN.) SMITH used this FAKE NONEXISTENT RULE TO CLAIM VIOLATION!

2. Actual FCC Rule 97.403:

Section 97.403 version: “No provision of these rules prevents the use by an amateur station of any means of radio communication at its disposal to provide essential communication needs in connection with the immediate safety of human life and immediate protection of property when normal communication systems are not available.” (bold and underlining is emphasis to show differences created by SMITH FCC FAKE RULES).

3. ANOTHER SMITH FAKE RULE:

“there is no situation where the amateur rules would authorize unlicensed use.”

“...an unlicensed individual may not operate an amateur radio under any circumstances. If they do so, they are in violation of the Communications Act and the Commission’s rules and subject to a possible enforcement action”.

WHICH DO YOU USE? SMITH REFUSED TO STATE WHICH FAKE “RULE” IS TO BE FOLLOWED OR WHETHER THE ACTUAL RULE IS TO BE FOLLOWED. SMITH DEMANDS WE PLAY RUSSIAN ROULETTE, BUT SHE LOADS THE GUN AND PULLS THE TRIGGER. SMITH ALSO REFUSED TO ANSWER EITHER “YES” OR “NO” TO THE AUTO ACCIDENT EXAMPLE.

As to your WIFE, SPOUSE OR CHILDREN in the Auto Accident, each of SMITH’S FAKE “RULES” PROHIBIT THE WIFE FROM USING THE HAM RADIO TO SAVE HER LIFE OR THE LIVES OF HER CHILDREN. ALSO, THE REPEATER CONTROL OPERATOR IS SUBJECT TO THREATS OF ILLEGAL ENFORCEMENT ACTION BY SMITH IF HE ALLOWS THE CALL FOR HELP.

SMITH’S FAKE RULES ARE ARBITRARY, CAPRICIOUS, AND ILLEGAL.

FURTHER, Smith’s FAKE RULES ALSO CONTRADICT FCC LEGAL COUNSEL (2021) WHICH ADVISED: “Yes, the use of the Ham Radio under the above circumstances by the unlicensed wife would be reasonable;”

ALL HAMS, ALL AMERICANS, THE PRESIDENT AND ALL ELECTED OFFICIALS HAVE A DUTY TO STAND UP AGAINST THIS FCC FRAUD AND TYRANNY.