



Do You Know?

12 Oct 2017

Do you know how many amateur radio license applications were received and processed by the FCC during the first four weeks since the FCC implemented the felony question?

1. This is a summary of the first 28 days following the implementation of the “felony question” for the Amateur Radio Service by the FCC. The data cited in this document is from the ULS.

a. When the FCC announced the pending implementation of the felony question they were very vague on some of the details of their timeline to process an application from the day it is flagged until it is granted or referred to a hearing and ultimately granted or dismissed. Twenty-eight days later, it appears that the timeline is still uncertain.

b. During preparations for implementation I predicted the timeline for a “worst case” scenario and a “best case” scenario.

- In the worst-case scenario estimate, I predicted that it would take the FCC 75-80 days to dismiss or grant a felon’s application from exam date to a final decision.
- We haven’t seen a worst-case scenario yet but I believe there is one pending based on the subject of the felony conviction.
- In the best-case estimate, I predicted that the FCC might approve a felon’s application 3-5 days following receipt of the felon’s explanation.

2. After the first 28 days we’ve learned a few things.

a. **VEC input.** The time from exam date to receipt by the FCC varies by VEC. There is limited data available that indicates took the ARRL and W5YI VECs 8-10 days from the exam date to upload the session results in the ULS. As mentioned, it’s limited data and the timeframe could be extended. Obviously, they probably won’t ever be as quick as the Laurel VEC in uploading session results.

b. **Initial processing.** An application with the felony question answered “Yes” is processed up to a point.

- An FRN is assigned if the applicant provided a SSN
- When the application has a FRN it is flagged and the application status is “Pending”
- Once the “Pending” status is assigned, the 14-day period starts for the applicant to submit his explanation for his felony conviction.

c. **The unknown “grace period”.** While not previously mentioned, it turns out the FCC allows a “grace period” of unknown length in addition to the 14-day window. According to the Wireless Telecommunications Bureau (WTB), this additional time is provided in case the applicant sends his explanation by USPS.

d. **Processing felon explanations.** According to the WTB, once a felon's explanation is received, they wait an additional period – not further defined - before posting the explanation in the ULS.

- This allows the FCC (Contractors and employees) to identify inappropriate and unnecessary information (e.g., e-mail addresses and phone numbers) and to redact or remove the inappropriate or unnecessary information before they post the explanation in the ULS.
- It is labor intensive on their end to print the attachment, redact the inappropriate or unnecessary information, re-attach the attachment to the application and then delete the previous attachment.
- Applicants should not include phone numbers and e-mail addresses in their explanation.
- Initially, the FCC experienced some issues of incomplete redacting of inappropriate or unnecessary information but they have implemented new and effective procedures.

e. **Felony explanations.** According to the WTB, once a felon's explanation is received and processed, it will be added to his application in the ULS and the date of receipt will be indicated.

- If the applicant did not request confidentiality, the explanation would be visible to the public via a link in the "Attachments" section under the "Admin" tab in the ULS application. The link would be titled "Felony Explanation".
- If the applicant requested confidentiality then the link would work "only for him and the FCC".
- Apparently, the FCC has since decided not to post the explanation at all if the applicant requested confidentiality.

f. **Number of applications.** Between 7 Sep and 4 October, the FCC received a total of 2680 applications submitted by the various VECs.

- 2060 applications for a New license including 22 from felons (1.07% of new applications)
- 620 applications for a license modification including 6 from felons (0.97% of modifications)
- The number of applications uploaded during the 4-week period appears to be within the activity norm.
- Twenty-eight applicants answered "yes" to the felony question
 - 1.04% of all applications submitted by VECs.
- About 20% of the felon applicants are already licensed.

g. **Percentage of felon applications.** The percentage of felon applications has varied slightly week to week through the 28-day sampling. (Note: I added a fifth week)

- 7-13 Sep = 0.88%
- 14-20 Sep = 1.09%
- 21-27 Sep = 1.10%

- 28 Sep-4 Oct = 1.01%
- 5-11 Oct = 1.04%

h. **Felon applications granted.** The FCC granted thirteen applications from felons on 3 October and four applications on 5 Oct.

- The first felon application was received on 7 Sep.
 - The application was granted **26 days after receipt of the application.**
 - The felon's explanation was never posted in the ULS.
- The second application was received on 8 Sep
 - The application was withdrawn on 22 Sep
- The thirteen applications granted on 3 October were uploaded between 7-21 Sep.
 - Six of the felons' explanations were never posted in the ULS.
 - When queried, the FCC responded: "*...It is possible that the attachment was marked confidential.*" – This is different than the earlier FCC explanation about confidential explanations.
 - These applications were granted **12-26 days** after receipt of the application.
 - How long after the receipt of the felony explanation were licenses granted is not clear.
 - Eight applications were granted 2-15 days following the receipt of the felony explanation.
- The four applications granted on 5 Oct were uploaded on 2 and 3 Oct.
 - One of the felon's explanation was not posted in the ULS.
 - These applications were granted **2-3 days** after receipt of the application and explanation.
 - This timeline is in keeping with my original estimate.
- Why the process of evaluating a felon's explanation and granting his license varies so dramatically is unclear.

3. Summary.

a. At best, the procedures used by the FCC for processing felony amateur radio license applications are not clear and appear to be subject to change without notice. In other words, it's a work in progress.

b. The number of felon applications received by the FCC does not appear to be overwhelming (one per day on average).

- c. The FCC implemented the felony question in Aug 2016 for the following WTB radio services:
- Public Mobile Services
 - Personal Communications Services
 - General Wireless Communications Services
 - Private Land Mobile Radio Services
 - Broadcast Auxiliary Services
 - Broadband Radio Services

- Educational Radio Services
- Fixed Microwave Services
- Maritime Services (excluding ships)
- Aviation Services (excluding aircraft).

d. Despite dealing with the felony question in these services for over a year, it seems like the WTB wasn't quite ready to deal with felon applications in the amateur service. Perhaps the number of felon applications was very low or non-existent in those services that use FCC Form 601 and so they had no practical experience.

e. At this point, only one thing is clear: If the felony question is answered "Yes", the application will be flagged as "Pending".

Now you know.