



Do You Know?

23 March 2019

Did you know that the FCC used to include a “criminal conviction” question on the FCC Form 610, Application for an Amateur Radio License?

The authority to ask that question is found in the Communications Act of 1934, as amended, which is codified in the United States Code in Title 47 – Telecommunications.

- a. §307 gives the FCC the authority to grant licenses.

The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this chapter, shall grant to any applicant therefor a station license provided for by this chapter.

- b. §308(b) gives the FCC the authority to establish the conditions for granting a license

All applications for station licenses, or modifications or renewals thereof, shall set forth such facts as the Commission by regulation may prescribe as to the citizenship, character, and financial, technical, and other qualifications of the applicant to operate the station.

According to an article in the January 1979 edition of QST,

“The FCC has approved a recommendation by its staff to eliminate the criminal conviction question from the Amateur Radio application form. The question, first adopted in 1963, asks:

‘Have you been convicted in a Federal, state, or local court for any crime for which the penalty imposed was a fine of \$500 or more or an imprisonment of six months or more within 10 years of the date of this application?’

The *Safety and Special Radio Services Bureau* staff recommended [Probably in 1978 given the date of the QST edition] that the question be deleted because no hearing had ever been designated on the basis of an answer to the question, nor had any case involving the use of Amateur Radio to further a crime ever been reported in response to the question. In addition, the Bureau staff questioned whether the question has had any effect on the level of rule compliance in the Amateur Radio Service, and noted that Amateur Radio has provided important rehabilitation for persons re-entering society.”

According to an article in the February 1981 edition of QST, the FCC introduced a new Form 610 as 1980 drew to a close. The new form was dated August 1980 and replaced the previous Form 610 dated September 1977. The new form did not include the criminal conviction question which used to be on the back side of the earlier versions of the Form 610.

Thirty-seven years later, the FCC added a more specific version of the criminal conviction question now commonly referred to as “the felony question”. While the addition of the felony question is certainly within the jurisdiction of the FCC, they have never provided the rationale for adding it.

Now you know.

Questions or comments? Contact Bob/AA3RR – aa3rr@cableone.net