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Before the
Federal Communications Commission
Washington, D.C. 20554

In re Application of	)	WT Docket No. 08-20
	)	
WILLIAM F. CROWELL	)	FCC File No. 0002928684
	)	
	)	
For Renewal of Amateur Radio Advanced Class Operator License	)	
	)	

Accepted / Filed
APR 10 2017
Federal Communications Commission
Office of the Secretary
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To: Marlene H. Dortch, Secretary
Federal Communications Commission

Attn: Robert L. Sippel,
Administrative Law Judge

LICENSEE'S PROFFER OF RELATED EVIDENCE
[Pursuant to full-candor requirement of Title 47 CFR, Chapter I, Subchapter A, Part 1, Subpart B, Sec. 1.17]

Section 1.17 of the Commission's Rules of Practice and Procedure requires that I be entirely forthcoming and candid with the ALJ herein.

Since the ALJ's recent Orders[1] herein evince an obvious concern on the ALJ's part about having a history of my correspondence and dealings with Riley Hollingsworth, I wish to advise the ALJ that the most accurate display of Mr. Hollingsworth's true attitude toward my case occurred *not* in the letters or emails

1 17M-11, 3-28-3017 and 17M-15, 3-30-2017

that he sent to *me*, but instead in those emails that he sent to *other* amateur radio operators *about* me, and in my telephone conversations with him in response to my two warning letters issued during the year 2000.

1. For example, on November 6, 2002 Hollingsworth wrote to Ben Gardner (deceased), formerly KD7BCW (copy attached as "Exhibit 1"), informing him that he never reads any of my emails, and that they are "auto-deleted" from his computer, so he never even becomes aware that I sent them. That is a clear denial of due process which adversely and irrevocably taints the integrity of the Enforcement Bureau's case herein.

2. Then on January 14, 2003 Hollingsworth again emailed Gardner (copy attached as "Exhibit 2"), telling him that I am a "dickhead" and that Gardner "just [has] to stop talking to [me]". Gardner later informed me that he took this as a warning from Hollingsworth that he would get in trouble with the Commission if he continued to talk to me, and he did stop talking to me at that time. It is respectfully submitted that the ALJ should not countenance or permit such corruption in Commission enforcement.

3. On February 1, 2001, Orville Dalton (deceased), formerly K6UEY, (who was trying to run me off the frequency because he didn't like me) emailed his friends in the so-called "3830 group" (copy attached as "Exhibit 3") [i.e., Dalton sent the email to some, but not all, of the participants in the nightly roundtable conversation (QSO) on 3830 kc.: just the participants whom Dalton liked]. He advised them that he had received an email from Hollingsworth in which Hollingsworth essentially told him that he was trying to construct a phony (my characterization) jamming case against me by claiming that I was jamming every time I tried to say anything on the frequency, which Hollingsworth was forced to do because I wasn't doing anything else illegal.

4. Dalton went on to advise his friends in the 3830 group that the problem Hollingsworth encountered with the recordings that Dalton and his buddies had previously sent him was that many of the 3830 participants *did* wish to speak to me, and therefore did indeed speak to me, and that since Hollingsworth couldn't prove his phony case with that kind of evidence, Hollingsworth proposed to concoct false evidence instead. Dalton told his friends that Hollingsworth had told him to order all the stations on the 3830 roundtable not to talk to me, so Hollingsworth would be able to claim I was jamming every time I said anything (even if I only identified my station with my call sign as required by Part 97), because he could then claim that nobody else on the freqluency wanted to talk to me.

5. While Dalton and I were obviously not friends, and I disagreed with many of his judgments, usually I could not dispute his purely factual statements. In my opinion he had a good reputation for credibility within the amateur community when he stuck strictly to the facts. I am sure he would not have made something like this up, and what Dalton reports is perfectly consistent with, and indeed represents the merely the logical extension of, the telephone conversations I had with Hollingsworth after receiving his 2000 warning letters.

6. After receiving Hollingsworth's August 21, 2000 and November 28, 2000 warning notices, I telephoned him both times in response, as requested therein. Hollingworth told me in said conversations that I was henceforth prohibited from operating on 3820.9 kc., 3830 kc. and 3857 kc. (I had never operated on the latter frequency) because "nobody on those frequencies wants to talk to you". He also told me that, henceforth, before I could join in *any* roundtable conversations on *any* amateur band on which I had a right to operate under my license grant, I had to affirmatively request the permission of every other station on the frequency to join the QSO, and if any station objected then I could not join the conversation. He said if I remained on such a frequency after even one other station had objected to

my presence, then all my transmissions thereafter would be considered to be "imaginary, fictitious, one-way transmissions" in violation of Section 97.113 of Part 97[2].

7. I then told Hollingsworth that he was illegally purporting to substantially modify my license grant during its term, in violation of Part 97, Sec. 97.27[3] (which provides for due process and a hearing on amateur license modifications) and Section 9 of the Administrative Procedure Act[4]. I said, "You can't do that". His response: "Just watch me."

8. In an August 31, 2000 email following up on our telephone conversation regarding the August 21, 2000 warning letter, I told Hollingsworth in frustration that he was "fucking stupid!" I am not going to lie to the ALJ and say I am sorry that I said it.

9. Since both Gardner and Dalton are now deceased due to the extreme passage of time between the initial enforcement action and the proposed hearing herein, I intend to lay a foundation for the Gardner and Dalton emails, and to offer them and said testimony into evidence at the hearing herein, as an exception to the hearsay rule.

I declare under penalty of perjury that the foregoing is true and correct, and that this Motion is signed on April 1, 2017 at Diamond Springs, El Dorado County, California.

Respectfully submitted,

(original signed)
William F. Crowell
Applicant-licensee

2 Title 47 CFR, Part 97, Subpart A, §97.113(b)
3 Title 47 CFR , Patr 97, Subpart A, §97.27
4 5 USC, Subchapter II, §554

----- Original Message -----
From: "Riley Hollingsworth" <RHOLLING@fcc.gov>
To: <kd7bcw@attbi.com>
Sent: Wednesday, November 06, 2002 1:04 PM
Subject: Re: N6ayj

Ben--I never read e mail from Crowell anyway. It is auto deleted from my
computer and I don't even know that it comes in. I guess crowell needs a hobby, or something.

>>> KD7BCW-Ben 11/05/02 07:14PM >>>
Riley, I am almost totally commentless regarding Crowell's complaints.
I feel to comment only dignifies his ramblings.
(etc.)
73 Ben

Exhibit 1

-------- Original Message --------
From: "KD7BCW-Ben" <kd7bcw@attbi.com>
Subject: Fw: N6AYJ
To: "Bill-WB6BNQ" <wb6bnq@cox.net>

I saved what I fwded, but you are welcome to aske, him, or research this. I
certainly did not make it up. Ben
----- Original Message -----
From: "KD7BCW-Ben" <kd7bcw@attbi.com>
Sent: Tuesday, January 14, 2003 8:58 PM
Subject: Fw: N6AYJ

>
> ----- Original Message -----
> From: "Riley Hollingsworth" <rholling@adelphia.net>
> To: "KD7BCW-Ben" <kd7bcw@attbi.com>
> Sent: Tuesday, January 14, 2003 4:58 PM
> Subject: Re: N6AYJ
>
>
> > Ben, the guy is a dickhead. You just have to stop talking to him. We
> > haven't yet figured out a way to regulate stupidity. He needs a hobby.
> > he's probably been this way since the fourth grade.
> > ----- Original Message -----
> > From: "KD7BCW-Ben" <kd7bcw@attbi.com>
> > To: <RHOLLING@fcc.gov>
> > Sent: Sunday, January 12, 2003 4:35 AM
> > Subject: N6AYJ

Exhibit 2

>From: "ORV DALTON" <k6uey@jpsnet>
>Reply-To: 3830@yahoogroupscom
>To: <3830@yahoogroupscom>
>Subject: [3830] BILLY / N6AYJ
>Date: Tue, 13 Feb 2001 17:19:24 -0800

>HELLO TO THE 3830 Group
>First I want to thank every one who put forth effort in writing and supplying tapes to Riley in trying to rid 3830 of the menace Billy. I received a note from Riley asking for tapes of Billy that does NOT contain
our group in conversation with him. Because some individuals chose to engage
him in conversation almost all the tapes sent in are invalid. The present
method of operation will be when he comes on I will ask him to leave, of course he will make a smart ass remark, but we will all go silent and just
listen and ID at the proper time but NO ONE is to engage him in conversation. We can't clean all of Ham Radio up but we can wipe the slime
off 3830TNX 73 ORV

Exhibit 3

PROOF OF SERVICE BY MAIL
[47 C.F.R. Part I, Subpart A, §1.47]

I am a citizen of the United States and a resident of El Dorado County, California. I am the Applicant-licensee herein. I am over the age of 18 years. My address is: 1110 Pleasant Valley Road, Diamond Springs, California 95619-9221.

On April 1, 2017 I served the foregoing Licensee's Proffer of Related Evidence on all interested parties herein by placing true copies thereof, each enclosed in a sealed envelope with postage thereon fully prepaid, in a United States mail box at Diamond Springs, California, addressed as follows:

Office of the Secretary, Federal Communications Commission
Attention: ALJ Sippel
445 – 12th Street S.W., Washington, D.C. 20554
(original and 6 copies)

Pamela S. Kane, Special Counsel
Investigations & Hearings Division, Enforcement Bureau
Federal Communications Commission, 445 12th Street, S.W., Washington, D.C. 20554

I further declare that, on this same date, I emailed a copy of this document to the ALJ and to Bureau Counsel, and that I filed this document under the Commission's Electronic Comment Filing System.

I declare under penalty of perjury that the foregoing is true and correct, and that this proof of service was executed on April 1, 2017 at Diamond Springs, California.

(original signed)
William F. Crowell