

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)

Biennial Regulatory Review --)
Amendment of Part 0, 1, 13, 22,)
24, 26, 27, 80, 87, 90, 95, 97 and)
101 of the Commission's Rules to)
Facilitate the Development and Use)
of the Universal Licensing System)
in the Wireless Telecommunications)
Services)

WT Docket No. 98-20

To: The Commission

COMMENTS OF THE AMERICAN RADIO RELAY LEAGUE, INCORPORATED
IN RESPONSE TO NOTICE OF PROPOSED RULE MAKING

THE AMERICAN RADIO RELAY
LEAGUE, INCORPORATED

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SUMMARY

The American Radio Relay League, Incorporated (the League), the national association of Amateur Radio operators in the United States, submits its comments in response to the *Notice of Proposed Rulemaking*, FCC 98-25, released March 8, 1998 (the Notice). The Notice seeks comment on certain aspects of the establishment and implementation of the Universal Licensing System (ULS) on licensees. With respect to the impact of the ULS as proposed on the Amateur Radio Service, the League would note the following.

The Commission has proposed a difficult consolidation of databases, and the League has no general objection to the concept of the ULS. The comments set forth herein raise somewhat specific implementation issues that are substantial, but which need not derail the ULS concept.

The League is most concerned about the harmonization of the alien reciprocal rules on the one hand, and the final resolution of the CEPT and CITEL international "roaming" proposals on the other; the continued issuance of license documents by the Commission after the implementation of the ULS; the difficulties in multiple-entity administration of club, military recreation and RACES licenses and the issue of resumption of RACES authorizations; the numerous problems with and omissions from the proposed configuration of the new Form 605; and the privacy issues inherent in the collection of TINs.

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The American Radio Relay League, Incorporated (the League), the national association of Amateur Radio operators in the United States, by counsel and pursuant to Section 1.415(a) of the Commission's Rules [47 C.F.R. §1.415(a)], hereby respectfully submits its comments in response to the *Notice of Proposed Rulemaking*, FCC 98-25, released March 8, 1998 (the Notice). These comments are timely filed in view of publication of the Notice in the Federal Register on April 7, 1998, and the extension of the time for comments granted by the Commission subsequent thereto. The Notice seeks comment on certain aspects of the establishment and implementation of the Universal Licensing System (ULS) on licensees. With respect to the impact of the ULS as proposed on the Amateur Radio Service, the League states as follows:

I. Introduction

1. The Amateur Radio Service has been at the forefront of the Commission's efforts to streamline the licensing processes for the various telecommunications services administered by the Commission. Long ago, the Commission and the amateur community jointly developed a high-integrity, highly efficient licensing structure for radio amateurs by extensive use of volunteers, efficient, privatized database administration, and electronic filing of applications for new, modified and renewed licenses in the Amateur Service. Radio amateurs were called upon to develop this system of examination administration and application processing by legislation passed almost 16 years ago, and the resulting procedure has been an unqualified success. Applications in the Amateur Service are processed for new station and operator licenses entirely in the private sector, and filed with the Commission electronically on an aggregated basis. The turnaround time between successful examination completion and FCC database entry has been reduced from several months to less than seven days in most cases. Newly licensed radio amateurs can begin operation with an assigned callsign, typically, a day or two after completion of the examination.

2. The League, as the largest Volunteer Examiner Coordinator (VEC) in the Amateur Service, and a pioneer in electronic filing of applications with the Commission, is most gratified that the success of the Amateur Radio licensing program has apparently served as the catalyst for the updating of other radio services' licensing procedures. Given the fact that the Amateur Service implemented electronic filing of applications (and essentially privatized the application/examination process) some time ago, the impact of the ULS implementation will have far less effect on the Amateur Service than it will on other radio services administered by the

Commission. Nonetheless, there are several issues of some importance to the Amateur Service, and some (perhaps unintended) consequences of the various proposals contained in the Notice, that are worthy of comment.

II. Non-U.S. Citizen Reciprocal Permits

3. The Notice, at paragraph 91, proposes to discontinue issuing alien reciprocal permits, or the filing of FCC Form 610-AL to amateur licensees from one of the 65 countries with which the United States has reciprocal arrangements. It is noted that the Commission currently processes some 2,000 reciprocal permits for radio amateurs from those countries. The Notice indicates that it is often difficult for non-U.S. citizens from those countries to obtain the permit application forms prior to their arrival here, and the only function of the reciprocal permit is to confirm that the amateur visitor here is from a country that has a reciprocal agreement with the United States, and that the visitor possesses a valid amateur license from his or her home country. The Commission proposes instead to authorize all reciprocal operation by rule.

4. The proposed rule, Section 97.107 in the Appendix to the Notice, would authorize operation by non-U.S. citizens holding an Amateur Service authorization from a government which has a multilateral or bilateral agreement with the United States, as a control operator of an Amateur Station at locations under the jurisdiction of the Commission. There is no time limit specified for such operation. The terms of such operation are also specified in the rule, and address the unique arrangement between the United States and Canada contained in the *Convention Between the United States and Canada (TIAS No. 2508) Relating to the Operation by Citizens of Either Country of Certain Radio Equipment or Stations in the Other Country*.

5. The League supports the proposal to delete the application process for non-U.S.

citizens to operate Amateur Stations in the United States. Such licensing is largely a burden without a benefit: temporary operation by visiting radio amateurs to the United States is to be encouraged with minimal restrictions as a means of enhancing the international goodwill aspects of Amateur Radio, and is a reasonable step toward implementing and encouraging international "roaming". The proposed rule is generally consistent with the United States' participation in the *Inter-American Convention on an International Amateur Radio Permit*, AG/doc.3216/95 (CITEL/Amateur Convention) and in the European Conference of Postal and Telecommunications Administrations (CEPT) Recommendation T/R 61-01.¹

6. However, the proposed rule would eliminate Section 97.25(b) in the current rules, which limits alien reciprocal permits to one year terms. The revised rules contain no time limit whatsoever on operation by a non-U.S. citizen of an amateur station in the United States. This is inconsistent with the CITEL/Amateur Convention and the CEPT Recommendation. The CITEL/Amateur Convention provides that International Amateur Radio Permits (IARP) would be valid for a period of one year in a given country. The CEPT Recommendation specifies that the licensing arrangement is intended for "short visits", which is subject to interpretation among the participants in the CEPT Recommendation. There is a common, informal understanding among those participants, however, that the meaning of "short visits" is on the order of several months.

7. In short, it is urged that the Commission proceed to deregulate the authorization for amateur operation by reciprocal permit of non-U.S. citizens from countries with bilateral or multilateral reciprocal agreements with the United States. However, that authorization by rule

¹ The European Radiocommunications Office (ERO) has, on February 17, 1998, accepted the United States' proposal to participate in the T/R 61-01 licensing arrangement.

should include a limitation of one year for such persons to operate in the United States during any one continuous visit. For longer single periods of regular operation in the United States, non-U.S. citizens are able to obtain a United States amateur license by examination. The time limit for any by-rule reciprocal authorization for non-U.S. citizen amateur licensees must in any event be consistent with the CEPT Recommendation and the CITEL/Amateur Convention. The provisions of both agreements, like the reciprocal operation arrangements proposed in the Appendix, are intended to cover short term visits in the United States, and should be consistent. Relative also to the need for consistency with the CEPT agreement and the CITEL/Amateur Convention, non-U.S. amateurs operating under reciprocal rules in the United States must be required to have their amateur license document in their possession while operating in the U.S. Such is not clear from the wording of the proposed Section 97.107 of the Rules, which affords operating privileges in the United States to those non-citizens "holding an amateur service authorization granted by the alien's government..." The license document should be in the possession of the operator at such time as he or she is operating an amateur station in the United States or its territories or possessions.

8. Furthermore, the proposed rule regarding reciprocal license arrangements should be implemented at the same time as the Commission resolves the directly related issues in WT Docket 96-188, which has been pending for more than one and one-half years. That proceeding would amend the Commission's Rules to authorize citizens of certain countries in Europe and the Americas to operate amateur stations while on short visits to the United States, pursuant to the CEPT and CITEL international agreements. The harmonization of the rules in this respect

is necessary and timely,² in order to effectuate the terms of the agreements to which the United States is a party.

III. Licenses Versus License Grants

9. The Notice, at Appendix M (at Page M-1) indexes and lists rule changes to the Part 97 rules to implement the ULS. Among these are numerous rule change references³ to "license grants" in the Amateur Service, where the rules formerly specified "licenses". This undoubtedly is intended to address the fact that the Commission actually grants a license when the license processing facility enters the data into the amateur service licensee data base, which in the future will be the ULS. This was clarified by the Commission by *Order*, 9 FCC Rcd. 6111, released October 24, 1994, at the time the Commission amended the Amateur Service rules to provide for electronic filing of license applications by VECs. Prior to that Order, a successful examinee in the Amateur Service for a new license had to wait for receipt of a mailed license document from the Commission prior to exercising the new privileges earned. The Order clarified that the license is granted when the information shows up in the database, thus eliminating some delay in the commencement of amateur operations by new licensees.

10. The combination of this and the commencement of electronic filing by VECs greatly facilitated the commencement of amateur operations by new licensees, and the process has worked well. The League has no concern with the revised wording of the rules, which would, if adopted, establish that the license grant, and not the possession of the paper license document from the Commission, is the necessary element in amateur operation. However, the proposed

² It is especially timely in view of the fact that the ERO has just recently accepted the United States proposal to participate in the CEPT Recommendation, as discussed above.

³ These include, for example, Sections 97.3, 97.5, 97.7, 97.9, 97.27 and 97.29.

rule changes anticipate that a license document may not be necessary at all. In the event that these rule changes might be interpreted as a precursor of the elimination of license documents issued by the Commission, the League would object strongly. The issuance of amateur license documents by the Commission serves several important purposes, which cannot be served by other means.

11. It is often necessary to demonstrate that one holds a Federally-issued license, in order to establish certain entitlements, such as the ability to obtain zoning or other land use authorizations to install antennas, and to establish the entitlement to the protections afforded to licensed radio amateurs by the Commission's limited preemption policy, *Amateur Radio Antenna Preemption*, 101 FCC 2d 952 (1985), *codified at* 47 C.F.R. §97.15(e). It is absolutely necessary to be able to prove that one is an FCC-licensed radio amateur in order to enjoy the protections afforded pursuant to state and local statutes and ordinances regulating possession of scanning receivers. Radio amateurs are typically exempt from the restrictions in ordinances and statutes on the possession or use of such receivers, largely pursuant to the protections offered by the Commission's *Memorandum Opinion and Order*, 8 FCC Rcd. 6413 (1993). Absent the ability to produce a Federally-issued license document, radio amateurs stand to suffer arrest and criminal prosecution, as well as seizure of equipment by local law enforcement officers.

12. Additionally, international amateur radio operation often necessitates the possession of a written, government-issued license document in order to afford entitlement to reciprocal licenses for operation outside the United States. Foreign customs officials frequently require the exhibition of an amateur license document in order to permit the release of equipment from customs at the foreign point of embarkation. Further, as noted above, the United States

requested acceptance, and has been accepted by the ERO, as a participant in the CEPT Recommendation for international reciprocal amateur license recognition. The underlying assumption in that entire arrangement is that the United States radio amateur visiting a CEPT member country would hold a piece of paper issued by the United States government called a license. The CEPT license itself is such an instrument. The letter from the United States Department of State to the ERO requesting participation in the CEPT Recommendation states in part that "the FCC will recognize amateur radio licenses of participating CEPT members for temporary operation in the United States", and requests ERO confirmation that the CEPT members in turn will honor reciprocally the FCC license --when presented together with a Public Notice -- as equivalent to a "CEPT Radio Amateur License."

13. The same thought is carried over in other parts of the exchange of letters. Tab E of the United States correspondence with the ERO states categorically that the United States license may take the form of two parts: "the national license document (FCC Form 660) and a Public Notice referencing CEPT Recommendation T/R 61-01." "On request, the license holder shall present the original license document and a copy of the Public Notice." Paragraph 2c of Tab E also states that "when operating the amateur station, the person must have in his or her possession the original license document and a copy of the Public Notice." The draft Public Notice document itself states that "when operating the amateur station, the person must have in his or her possession a copy of this Public Notice and the original license document." Both documents must be shown to proper authorities upon request. Therefore, it is clear that a United States written proposal, which the CEPT countries approved, contemplates, *inter alia*, an FCC-issued license document.

14. Finally, the ITU Radio Regulations, at S18.1, would appear to require the issuance of license documents by an administration:

No transmitting station may be established or operated by a private person or by any enterprise without a licence issued in appropriate form and in conformity with the provisions of these Regulations by or on behalf of the government of the country to which the station in question is subject.

This is not to suggest that the Commission cannot construe its license grant to occur when the license information appears in its database, but rather only that subsequently, a license document evidencing that fact must be issued by, or on behalf of, the Commission.

15. Therefore, while the instant Notice makes no reference to any planned elimination of the issuance of paper, government-issued license documents, the League has noted repeated staff references to such a plan in recent months, and the proposed rules contain nothing that would continue to obligate the Commission to issue license documents. The League urges that the rules continue to provide for the issuance by the Commission of paper license documents, for the reasons stated herein. The League notes that the Commission has acknowledged as its policy the principle that government should be responsive to user needs. 9 FCC Rcd. at 6111, citing *Vice President Al Gore, Report of the National Performance Review, From Red Tape To Results: Creating a Government that Works Better and Costs Less*, at 6-8 (1993). The continued issuance of amateur radio license documents is both necessary and an urgent user need.

IV. Club and Military Recreation and RACES Station Grants

16. The Notice, at paragraph 92, proposes to use certain eligible private sector entities, on a volunteer, uncompensated and unreimbursed basis to issue Club, Military Recreation and Radio Amateur Civil Emergency Service (RACES) station call signs. The Commission indicated that the sole function of club, military recreation station and RACES licenses was to authorize

a unique call sign in the station identification procedure. It does not authorize any operating privileges. Therefore, pursuant to the Commission's authority contained in Section 4(g)(3)(B) of the Communications Act, the Commission intends to utilize Section 501(c)(3) organizations to issue such call signs on a batch electronic filing basis.

17. There is some history to this proposal, and in fact it was affirmatively rejected earlier as a program by the Commission. There are practical difficulties in the process, to the extent that multiple entities are to be enabled to provide this service. The Commission could utilize volunteer entities to administer call signs and process applications for Club and Military Recreation Stations, and RACES stations on a practical basis under certain configurations, but the details of such a program are not specified in the instant Notice. The Telecommunications Authorization Act of 1992, Pub. L. No. 102-538, 106 Stat. 3533 (1992) at Section 208, indeed authorized the Commission to accept voluntary, uncompensated and unreimbursed services of Section 501(c)(3) entities to provide club and military recreation station call signs. The Commission attempted to implement this program by *Order*, 8 FCC Rcd. 3594, released May 19, 1993. It indicated that certain blocks of call signs, never before issued, would be apportioned to club and military recreation station administrators for assignment.

18. Currently, the Commission processes some 1,500 applications annually for new, modified or renewed club, military recreation and RACES station grants. The processing burden is not significant, by comparison to the processing of other examinations and applications for modified or renewed amateur operator licenses currently handled by VECs. The Commission ultimately found in 1993 that its then-current plan for private sector administration of club and military recreation station call signs was neither minor nor non-controversial, and should have

been handled by means of a Notice of Proposed Rule Making rather than an Order. Furthermore, the Commission noted, by *Memorandum Opinion and Order*, 9 FCC Rcd. 103 (1993) that it was adopting a vanity call sign program that would "meet the need of persons interested in obtaining a club station license" and therefore it was not necessary to retain the call sign administrator rules adopted in the May 19, 1993 Order. Thus, the Commission vacated the rules adopted in the May 19, 1993 Order. It is difficult to understand why that finding has changed to the extent that separate administrators are necessary for club, military recreation or RACES call signs, and why it is necessary to revisit the controversial matter of multiple administrators for this limited task in any case. It would appear to create, for a very limited purpose, an unnecessary additional level of processing that is unjustified by the number of applications received.

19. One of the largest problems associated with the prior plan for private-sector administration of club and military recreation station call signs was the real-time coordination of club and military recreation station call sign administration. The League had strenuously urged the appointment of only one such administrator, since the task justified no more than that, and because administration of blocks of callsigns by multiple entities was administratively difficult. Those issues are not addressed in the Notice, except that the Commission indicates its anticipation that "many VECs would be likely to volunteer their service as club station call sign administrators." While that may be the case, the cumbersome nature of any club, military recreation and RACES call sign program using multiple administrators makes the program far more cumbersome than can be justified. Nor is there any indication that the Amateur community is dissatisfied with current processes for administration of club station call signs. There are at

present no new RACES licenses being issued [47 C.F.R. §97.17(g)].

20. Furthermore, it is unclear why, if such a bureaucracy is to be established for issuance of call signs, it is necessary for the Commission to continue the practice of not issuing new RACES licenses. What is envisioned in the proposed revised Section 97.17 at page M-5 of the Notice is that applications on the new Form 605 would be filed with one of multiple administrators for club, military recreation, or RACES station call signs. Presumably, that evaluation will establish entitlement to a new, modified or renewed license and/or call sign for one of those stations. Presumably, the application will also be evaluated for eligibility and completeness by the administrator. Little practical purpose is served by accepting and evaluating RACES applications in the private sector, while at the same time continuing the prohibition of issuance of new licenses for RACES stations. Call signs for club stations (after issuance of a new license and a sequential call sign by the Commission) can be presently administered through the Vanity Call Sign System now in place, with little apparent burden on the Commission. Military recreation stations and RACES station call signs could be handled the same way. Indeed, the cost of Commission administration of the Vanity Call Sign program is apparently significantly decreased from previous years, as is evidenced by the recent, substantial reduction in regulatory fees proposed for FY 1998. See, the *Notice of Proposed Rule Making*, MD Docket 98-36.

21. Finally, the League disagrees with the Commission's assessment at paragraph 92 of the Notice that the processing of license applications for club and military recreation stations equates simply to the administration of call signs for those entities (and for RACES stations). The practical administrative effect of the grant of an application for any station license may be

the resultant issuance of a callsign, but that is not the sole effect or purpose of processing an application for a club license, for example. As discussed above, there are non-ministerial evaluations of eligibility for a club license that are required by existing rules. These types of evaluations are not delegated to VECs currently; they are, instead, licensing functions that remain the obligation of the Commission, and are not delegable pursuant to existing legislation.

22. Overall, absent a comprehensive recitation of how such a program would work, given the Commission's abortive attempt at piecemeal delegation of this function previously, the League would discourage the Commission from adoption of this portion of the Notice proposal. This is not at all to suggest that the League opposes privatization of the processing of new, modified or renewed club or military license application processing, or the continuation of issuance of new club, military recreation station licenses or the resumption of new RACES licenses. Quite the contrary: the League would be willing to serve as administrator of all listed types of license applications and would do so without compensation or reimbursement. The task, however, is of a minimal nature and does not justify the creation of a cumbersome, multiple-administrator system that requires real-time coordination among the multiple administrators. Nor is the current mechanism for processing club and military recreation station applications in any sense flawed. That which is working well need not, in this instance, be modified.

V. FCC Form 605

23. The Commission's proposed multiple-purpose, multiple-service Form 605 is a distinct departure from the series of FCC Forms 610 that the Commission has used for many years, and with which radio amateurs have become familiar. The revision of the forms, and the use of multiple-service forms which include Part 97 licensees, is not inherently problematic. It is,

however, inherently more cumbersome for the amateur licensee to determine which portions of the Form are to be used and which may be disregarded.⁴ However, there are certain omissions from the proposed Form 605 that perhaps are unintended; some clarifications that are necessary; and there are certain items included in the Form 605 that were not in the Form 610, and should be deleted for amateur applicants.

24. First of all, as discussed hereinabove, the Commission proposes to de-license, and to authorize by rule, non-U.S. citizens operating amateur stations here pursuant to bilateral or multilateral reciprocal licensing agreements. A proposed rule is included in the appendix to accommodate this. However, at Part 3, Schedule C of the Form, the information necessary for the *Alien Amateur Radio Request To Operate In The United States* is called for. Presumably, Part 3 of Schedule C would be deleted if the proposal contained in the Notice is adopted.

25. At Part 2 of Schedule C of the Form, the Commission appears to provide for new RACES station authorizations, as well as for club and military recreation station licenses. There is no indication in the form, or in the instructions for the form, that new RACES station licenses are not being issued any longer. If indeed it is the Commission's intention not to issue new RACES call signs, applicants should be informed of that fact somewhere in the instructions to the form.

26. Nowhere in the form or in the instructions is there a physician's certification for a

⁴ For example, it is difficult for an amateur to determine how to answer questions 20 and 21 accurately. Although amateurs are exempt from all application fees, and are subject to regulatory fees only if they choose to participate in the vanity call sign program, the difference between those types of fees is not apparent to a licensee unaware of the distinction. An amateur who is a participant in the vanity call sign program might believe that he or she is subject to application fees, assuming that an application for a vanity call sign calls for an application fee. Likewise, it is difficult to determine how to answer question 21, since the applicant, as a member of a class of licensees, is not exempt from regulatory fees regardless of whether he or she is a participant in the vanity call sign program, though some applicants who choose not to participate are individually exempt.

medical exemption from the higher-speed Morse Code examination requirement. The current Form 610 contains a detailed explanation for the benefit of a physician certifying to a disability of a patient. It also contains the physician's certification of the severe handicap of the patient. The physician's certification and signature line, and the patient's release and signature line, are both necessary, and both are required by the rules, at Section 97.505(a)(10). In fact, the proposed revision to Section 97.505(a)(10) (see page M-10 of the Notice) requires that the Form 605 document contain both the Physician's certification and the patient's release. Inquiry of Commission staff on this subject indicated that the omission of this information was intentional, and that VECs may develop their own certification and release forms, but that the provisions thereof may not be more restrictive than what the rule permits.

27. Surely enough, the rule specifies the barest of information about the nature of the physician's certification. However, it provides no guidelines for the physician, and no indication of what might be deemed sufficient by way of a certification. If it is the Commission's intention to allow the certifications to vary from VEC to VEC, that fact is certainly left a mystery to those with severe disabilities who may have to obtain a physician's certification and provide a release, and as well to the VECs who have to evaluate non-standard exemption certifications and releases. The disabled person will have no idea what format a VEC might find acceptable, and there would be no indication to a physician that his or her certification was made under penalty of perjury or that it was a representation made to a Federal agency. Furthermore, the failure of the Commission to specify a format for the physician's certification and the patient's release exacerbates an existing problem with fraud in the use of medical exemptions that is serious and which is addressed in a League petition for rule making, RM-9196. Recent discussions with

Commission staff have revealed that one means of addressing the perceived abuses is to modify and improve the Notice to Physician included in the current form 610. No one could believe, however, that, in the face of statistical evidence of widespread abuses in the exemption procedure, a reasonable response is the elimination of the Notice to Physician, the standardized certification form, and the standard patient release, with no proposed substitute. The League requests that those items, perhaps with some further instruction to the physician, be included as a required schedule to the Form 605, and the instructions modified accordingly.

28. Finally, the Main Form calls for a certification that the applicant is not subject to denial of benefits that include FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. §862. This certification, which has been used for some time in connection with Commission licenses for commercial radio services, has never been required of amateur radio licensees or applicants for amateur licenses. It is not included in FCC Form 610. The League's review of 21 U.S.C. §862 indicates that this certification is not required of amateur radio licensees or applicants. Therefore, it is requested that the certification statements portion of the Main Form disclaim application of the Anti-Drug Abuse Act certification to Amateur Radio Service applicants.

VI. Taxpayer Identification Numbers

29. There is a great deal of misunderstanding within the amateur radio community about the Commission's collection of Taxpayer Identification Numbers (TINs). It is clear from the Notice that the Commission is obligated to collect this information pursuant to the Debt Collection Improvement Act, P.L. 104-134, 110 Stat. 1321 (1996) (DCIA). However, it is unclear to radio amateurs why they must register their TIN, if they do not choose to participate

in the Vanity Call Sign program (which is subject to a regulatory fee). In all respects other than the Vanity Call Sign program, radio amateurs cannot be subject to refunds, since they pay no application nor regulatory fees. It is also correct that non-United States citizens who hold U.S. amateur licenses will have no Social Security number, and therefore no TIN. For these persons, the Commission will have to substitute some other type of registration number.

30. Notwithstanding the above, the Notice proposes that all persons making filings using ULS provide TINs. Many radio amateurs are concerned about disclosing their Social Security number without assurance of the necessity therefor and without assurance of confidentiality. The Notice offers very little of either. There is no indication of the need for an individual who is not called upon to pay FCC application or regulatory fees, and who therefore will not be entitled to a refund, to have to provide a TIN (for radio amateurs, all of whom are individuals, only a Social Security Number would be used). Neither does paragraph 75 of the Notice offer any assurance that a person's Social Security Number would not be subject to disclosure or use for purposes other than those intended by the individual licensee.

VII. Mandatory Electronic Filing

31. At Paragraph 21 of the Notice, the Commission proposes to require electronic filing of all applications by January 1, 1999. The League believes that electronic filing should be available, of course, but that it should not be made mandatory, at least not for the foreseeable future, because access to an ability to file electronically is not universally available, and will not be by the proposed implementation date. Totally electronic filing by applicants, licensees and coordinators in all services is a reasonable and laudable goal, but a mandatory electronic filing requirement would certainly disenfranchise some, especially in inner-city areas and rural areas,

where Internet access is far from universal. Indeed, the League is well-aware of and supportive of the Chairman's intention to extend the Internet to rural and inner-city areas, but that program is an implicit acknowledgement that an electronic filing requirement stands at the present time, for the near future, as a barrier to access to the Amateur Service. People in rural areas, and in inner cities where financial limitations exist, are not to be denied access to Amateur Service licensing because of their circumstances. Thus, the electronic filing implementation date is too soon by a considerable margin.

32. The needs of these individuals to be able to file manually could be met in the private sector, through amateur clubs or the League's offices. The League would caution in the strongest possible terms against the Commission's adoption of rules that might result in a greater financial burden on amateurs who have no choice but to file manually through a private sector entity. However the electronic filing issue is resolved, the League will accommodate the need for individual amateurs to file applications manually without imposing a financial burden on them.

VIII. Conclusions

33. In sum, the Commission has proposed a difficult consolidation of databases, and the League has no general objection to the concept of the ULS. The foregoing comments raise somewhat specific implementation issues that are substantial, but which need not derail the ULS concept. The League is most concerned about the harmonization of the alien reciprocal rules on the one hand, and the final resolution of the CEPT and CITEL international "roaming" proposals on the other; the continued issuance of license documents by the Commission after the implementation of the ULS; the difficulties in multiple-entity administration of club, military recreation and RACES licenses and the issue of resumption of RACES authorizations; the

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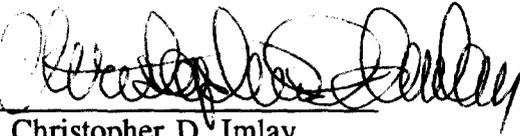
Therefore, the foregoing considered, the American Radio Relay League, Incorporated respectfully requests that the Commission modify its ULS proposals, the proposed Forms, and the proposed rules as indicated hereinabove.

Respectfully submitted,

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