

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

In the Matter of)
)
Amendment of Sections 0.453(d) (4) and 0.457(f) of) **WT Docket No. 15-81**
the Commission's Rules Concerning Electronically)
Stored Application and Licensing Data)

To: The Commission

**EX PARTE SUPPLEMENTAL COMMENTS OF ARRL,
THE NATIONAL ASSOCIATION FOR AMATEUR RADIO**

ARRL, the national association for Amateur Radio, formally known as the American Radio Relay League, Incorporated (ARRL), by counsel, hereby respectfully submits the following additional comments in response to the *Notice of Proposed Rule Making*, FCC 15-40, 30 FCC Rcd 3245, released March 31, 2015 (the Notice).¹ The Notice proposes to amend the Commission's rules to specify that historical amateur radio licensee address information will not be routinely available for public inspection. To implement the changed status of such historical licensee address data, the Commission proposes to remove from public view in the Universal Licensing System (ULS) amateur radio licensee address information that is not associated with a current license or pending application. In addition to the comments previously filed, ARRL states as follows:

1. At paragraph 7 of its June 16, 2015 comments in this proceeding, ARRL stated that a very important use of historical licensee data not associated with a current license is by the Volunteer Examiner Coordinators (VECs) in researching the entitlement of a candidate for an upgraded Amateur Radio operator license to examination credit for a license previously held by

¹ ARRL filed timely comments in this proceeding on or about June 16, 2015. This ex parte statement constitutes a supplement to those comments.

that candidate. ARRL noted that the Commission decided a year ago in Docket 12-283 to afford examination credit to certain former licensees for examination elements 3 and 4. *See*, 47 C.F.R. §97.505(a).² This placed an additional burden on the VECs and the Volunteer Examiner (VE) teams that volunteer their services in examination administration. ARRL noted that in order to provide examination credit to license candidates for licenses previously held (which may have expired many years previously), the VEs or VECs would be called upon to authenticate old documents and to generally validate the entitlement to the alleged former licensee to the claimed examination element credit.³ Authentication of documents and the research necessary to such validation did not fall within the skill sets of administering VEs or VECs. However, the rules are now in place and it is, for better or worse, the VEC's obligation to make sure that examination credit is granted only where the applicant is entitled to it. Using ULS historical licensing data is a principal means of verifying that an examination candidate who claims credit for examination elements 3 and 4 is actually the person who formerly held a license that would entitle him or her to the credit provided for by Section 505(a) of the Rules. Having placed difficult authentication and verification burdens on VECs and/or VEs a year ago, it is not now reasonable to deprive the VECs and VEs of the ability to ensure the integrity of the volunteer examination program by

² See, *Amendment of the Amateur Service Rules Governing Qualifying Examination Systems and Other Matters*, Report and Order, 29 FCC Rcd. 6311 (released June 9, 2014).

³ The process for affording prior licensees examination credit works as follows: First, holders of expired licenses must attend an examination session. The Commission held that all expired license exam credit be done through a VEC via their VE Teams. At the examination session the candidate presents a photo ID and his or her expired license proof, pays the exam session processing fee and takes a Technician exam. At VE exam sessions it is the applicant (not the VEs or coordinating VEC) who has the burden of supplying evidence of holding valid expired license exam credit. Then the VE Team prepares and mails all session paperwork to the coordinating VEC. Once the session results arrive at the VEC, the VEC staff must verify all session documentation. The documents used for expired license exam element credit must be validated by the VEC and the test documents must be confirmed as being passed. Finally, the session data and information from the 605 forms can then be keyed and submitted to the Commission. Speaking only for the ARRL-VEC, having access to historical data has aided in detecting and precluding fraud in this process, such as use of an old license of a relative for examination credit, or proffering a license that shows the same name as that of the applicant.

revoking access to information by which, at least in part, a VEC might verify an applicant's claim of entitlement to examination credit.

2. It is reasonable, in support of the foregoing argument, to provide some perspective with respect to the number of people who have, in the year since the Commission decided to afford lifetime exam element credit to former licensees, availed themselves of the opportunity to regain an Amateur license. In this connection, it should be noted at the outset that the ability of a former licensee to revive their expired license is relatively new. Because of this, it is difficult to estimate how widely known the program is among the class of eligible individuals (many or most of whom might not be Commission licensees at the moment), who might want to take advantage of it. Therefore, it is difficult for the ARRL-VEC to extrapolate from its very limited experience with the program in order to determine what resources may have to be made available in the near future in order to serve those applicants whose prior license data will have to be researched and evaluated.

3. The ARRL-VEC currently transmits to the Commission, on average, 5 applications with expired license credits per week. Therefore, the ARRL-VEC has handled approximately 300 such applications since July of 2014. ARRL-VEC handles a large majority of the Amateur Radio examinations administered and applications for new and upgraded Amateur licenses, but the experience of the other VECs⁴ with respect to expired license credit applications is not specifically known. There is no good means of determining how many former licensees may take advantage of prior license examination credit in future years because there is no way to alert previous licensees of the still-new program. Applicants that have used the prior license credit mostly learned of the opportunity to regain an Amateur license by word-of-mouth from

⁴ ARRL has discussed this matter with the W5YI-VEC however. See paragraph 5 below.

acquaintances or from relatives who are licensees. Others stumbled upon it having decided to get back into Amateur Radio. Though there is no way to predict future numbers, it may be expected that as more former licensees hear of the availability of lifetime examination credit, more will decide to regain their licenses. The Commission, having obligated VECs to validate claims of former licensee status and the data associated therewith, cannot fairly take away a key resource for objectively evaluating the validity of applicants' claims and documentation. To do so decreases substantially the ability of VECs to maintain the historically high degree of integrity of the Amateur Radio licensing process. Since the Commission clearly has no intention of assuming any of the burden of the validation process (and is ill-equipped to do so in any case), the instant proposal is, from the perspective of the ARRL-VEC, both unfair and illogical.

4. Expired license credit is just one of many items researched in the ULS database that necessitates access by VECs to historical license data. As but a few examples, the ARRL-VEC has always used (on a daily basis) the ULS historical data stored in the FCC archives, the FCC license search and the FCC applications search functions for the purpose of validating identification of examination candidates; the ARRL-VEC has used and continues to use the information from those same sources to research information for family members and clubs who would like to use a deceased Amateur's call sign *in memoriam*; to help individuals who would like to obtain a vanity call sign; to locate grandfathered Technician licenses in connection with examination credit for pre-1987 Technician licenses; and to track both VEC Electronic Batch Filed (EBF) applications electronically transmitted to the Commission (to correct EBF error codes) and to help individuals who have interactive filings.

5. The ARRL-VEC has recently consulted on this topic with the W5YI-VEC, which has indicated that it concurs with the foregoing. The W5YI-VEC reportedly relies heavily on this

information. Additionally, the W5YI-VEC noted that the VECs' EBF software pulls in license data from the Commission's daily transaction zip files that are available for download on the Commission's website. If the proposal to delete historical data from the ULS is adopted, they are concerned about the effect on the information included in the daily transaction zip files. Other Amateur Radio information sources, including but not limited to ARRL, eHam.net and QRZ.com also use the license information contained in the daily transaction files.

Now, therefore, for the above reasons and for the reasons set forth earlier in ARRL's comments in this proceeding, ARRL, the national association for Amateur Radio, hereby again respectfully requests that the Commission continue to make available historical license data to at least the VECs.

Respectfully submitted,

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