

Applicants Must Use FCC Form 605 with “Felony Question,” Starting on September 7

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[\[http://www.arrl.org/news/applicants-must-use-fcc-form-605-with-felony-question-starting-on-september-7\]](http://www.arrl.org/news/applicants-must-use-fcc-form-605-with-felony-question-starting-on-september-7)

In an August 7 Public Notice, the FCC Wireless Telecommunications Bureau (WTB) announced formally that FCC Form 605, Quick-Form Application for Authorization in the Ship, Aircraft, Amateur, Restricted and Commercial Operator, and General Mobile Radio Services, now will ask whether the applicant has ever been convicted of a felony. The FCC said this revision is “consistent with application forms for other Commission services.” The new FCC Form 605 must be used on and after September 7, 2017; the current Form 605 will become obsolete and no longer will be accepted. The change applies to both paper and electronic applications.

“This information enables the Commission to determine whether an applicant is eligible under Section 308(b) of the Communications Act of 1934, as amended, to hold a station license,” the WTB said in explaining the need for a revised Form 605. “In assessing character qualifications, the Commission considers felony convictions... [and] any conviction provides an indication of an applicant’s or licensee’s propensity to obey the law.”

Applicants filing an FCC Form 605 for a new license, a modification and/or renewal of an existing license, or an amendment to a pending application for any of these purposes would be required to answer the felony question. Applicants answering in the affirmative must attach as an exhibit a statement explaining the circumstances of their conviction and spelling out why the applicant believes that granting the application “would be in the public interest notwithstanding the misconduct.”

A “Yes” response will be publicly viewable in the Commission’s Universal Licensing System (ULS), but applicants may file a separate request that the exhibit be treated as confidential. The request would not be publically available. When a Form 605 is submitted in batch form by a Volunteer Examiner Coordinator (VEC), the applicant must submit the exhibit to the Bureau via e-mail or the US Postal Service; VECs cannot submit these “exhibits,” which must be received within 14 days from receipt of the application.

The WTB said the FCC has consistently applied character standards to applicants and licensees in other radio services, and other Commission forms already ask whether the applicant has been convicted of a felony, so the inclusion of the felony question is nothing new. It was not previously included on Form 605, however.