

## **FCC Basic Qualification Question (aka “The Felony Question”)**

**This item, on NCVEC Form 605, used at amateur radio license exam sessions as of August 21, 2017, or later...enables the FCC to determine whether an Applicant is eligible under §§ 310(d) and 308(b) of the Communications Act of 1934, as amended, to hold or have ownership interest in a station license.**

**Applicants are required to answer the question ONLY if:**

- 1) They are filing NCVEC or FCC Form 605 for any one of the following purposes indicated: New, Amendment, Modification (Upgrade or Callsign Change), or Renewal/Modification; and**
- 2) The answer has CHANGED from the answer previously provided (originally NO, it is now YES).**

**Applicants using NCVEC or FCC Form 605 for any other purpose (renewal without any data changes, or an “administrative update” to change the name, mailing, or email address), are not required to answer this question...although it may be helpful to do so, even if the answer is NO.**

**If the answer to the basic qualification question (aka “the felony question”) is YES, then the applicant must submit as an exhibit, a statement explaining the circumstances, and a statement giving the reasons why the applicant believes that grant of the license application would be in the public interest, notwithstanding the actual or alleged misconduct.**

**If the applicant responds YES to this question, and has previously provided a statement and explanation regarding the circumstances as an attachment to a prior application filed in the FCC ULS, and the facts and circumstances are unchanged, the applicant may refer to the previous application by identifying the application file number, and indicating the disposition of the prior application.**

**You can find your FCC Application File Number at  
<http://wireless2.fcc.gov/ULsApp/ApplicationSearch/searchAppl.jsp>**

**Applicants can send the explanation and the application file number, via email to [attach605@fcc.gov](mailto:attach605@fcc.gov) – or via postal mail to FCC, 1270 Fairfield Road, Gettysburg, PA 17325-7245.**

**The applicant is REQUIRED to provide an explanation within 14 days of the application data being submitted to the FCC. Failure to do may result in the application dismissal without action.**

**The applicant must provide sufficient information for the FCC to determine whether there exists any material and substantial question of fact, regarding whether the applicant has the character qualifications to be a Commission licensee.**

**There is no set checklist of items, but useful information includes:**

- **A detailed description of the conduct that resulted in the conviction or guilty plea, including time and place.**
- **The date of the conviction or guilty plea.**
- **The punishment that was imposed, and whether the sentence has been completed; or if the applicant is still under any restriction or condition resulting from the conviction or guilty plea.**
- **Any efforts taken to remedy the wrongs committed, and ensure that the applicant will not engage in such conduct in the future.**

**If the applicant does not request confidential treatment, the explanation will be publicly viewable in the FCC ULS. If the applicant request that the explanation be confidential, it will not be visible to the public.**

**However, in order to seek confidential treatment, the applicant must include a separate request that the material not be made available for public inspection. The request must contain a statement of the reasons for the request, and identify the portion(s) of the response, for which confidential treatment is requested. It is NOT sufficient to simply mark a document as “Confidential”.**

**All attachments, confidential or non-confidential, should be accompanied by an application file number, to ensure that the explanation is attached to the proper filing.**

**Applicants should NOT submit the NCVEC Form 605 directly to the FCC. Otherwise, it will be returned without action. The form is sent to the VEC (Volunteer Examiner Coordinator) by the VE Teams, for filing with the FCC. The current NCVEC Form 605, in Adobe Acrobat Reader PDF format, can be downloaded from the NCVEC website at <http://www.ncvec.org>**