



PUBLIC NOTICE

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WIRELESS TELECOMMUNICATIONS BUREAU SEEKS COMMENT ON UPDATING THE COMMERCIAL OPERATOR LICENSE EXAMINATION (COLE) QUESTION POOL FOR ELEMENT 7

WT Docket No. 21-238

Comment Date: July 7, 2021

Reply Date: July 22, 2021

In furtherance of the Commission's ongoing commitment to improve the content of the Commercial Operator License Examination (COLE), and pursuant to section 13.215 of the Commission's Rules, 47 CFR § 13.215, the Wireless Telecommunications Bureau seeks comment on updating the COLE question pool for Element 7 (Global Maritime Distress and Safety System (GMDSS) Radio Operating Practices).

Individuals who operate or repair and maintain certain ship, aircraft, and ground stations in the maritime and aviation radio services must hold an FCC-issued commercial operator license.¹ To obtain a new or upgraded FCC commercial operator license, an applicant must pass an examination demonstrating the applicant's qualifications to hold the license.² In order to obtain a GMDSS Radio Operator's License, an applicant relying on a COLE Manager-administered examination must pass Elements 1 and 7.³ A proposed updated Element 7 question pool of 600 questions has been submitted to the FCC by the

¹ See 47 CFR. §§ 80.159, 80.167, 80.169, 87.73, 87.89. In addition, only technicians holding an appropriate commercial operator license may conduct inspections of ships required to comply with GMDSS requirements. See 47 CFR § 80.159.

² 47 CFR § 13.201(b). The Wireless Telecommunications Bureau (Bureau) has been delegated authority to administer the commercial operator program. 47 CFR § 0.131(j). In 1993, the Commission privatized the administration of examinations for commercial operator licenses, and delegated to the Bureau (formerly the Private Radio Bureau) authority to certify private entities to be COLE Managers. See *Amendment of Part 13 of the Commission's Rules to Privatize the Administration of Examinations for Commercial Operator Licenses and to Clarify Certain Rules*, Report and Order, 8 FCC Rcd 1046 (1993). Accordingly, COLE Managers now administer the examinations and, after determining that an examinee has passed, issue the examinee one or more Proof of Passing Certificates to be included with the license application package that the examinee or the COLE Manager files with the FCC. See 47 CFR §§ 13.209, 13.211. The Bureau currently reviews and approves updates to the question pools that are proposed by private entities or individuals, but no longer generates question pools itself. See *Amendment of the Commission's Rules Concerning Commercial Radio Operators*, 28 FCC Rcd 532, 538, para. 14 (2013); 47 CFR § 13.215.

³ 47 CFR § 13.201(b)(4). Section 13.201 prescribes the written Elements, *i.e.*, subject matters on which the examinee is required to demonstrate knowledge, for each of the individual commercial radio operator licenses. 47 CFR § 13.201(b). As an alternative to taking a COLE Manager-administered examination, an applicant for a GMDSS Radio Operator's License may submit a Proof of Passing Certificate issued by the United States Coast Guard or its designee representing a certificate of competency from a Coast Guard-approved training course for a GMDSS endorsement. 47 CFR § 13.201(b)(4).

national GMDSS Task Force.⁴ This proposed question pool has been posted under this docket in the Commission's Electronic Comment Filing System: <https://www.fcc.gov/ecfs/>.

We seek comment on whether adoption of the proposed question pool for Element 7 is warranted in whole or in part. Our goal is to ensure that the questions reflect the current duties and responsibilities of licensees and state-of-the-art technologies. In addition to comments on the proposed question pool, we invite suggestions for new questions to be added to the Element 7 question pool. Each proposed new question must be stated as a complete sentence and include a narrative statement regarding the question's importance. For each question, the following information must be included: (1) correct answer and at least three multiple-choice distracters; (2) name of source document(s) upon which the question is based; and (3) a citation for the correct answer.

Filing Requirements. Interested parties may file comments in response to this *Public Notice* on or before the date indicated on the first page of this document.⁵ Comments may be filed using the Commission's Electronic Comment Filing System (ECFS).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing.
- Filings can be sent by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Postal Service first-class, Express, and Priority mail must be addressed to 45 L Street NE, Washington DC 20554.
- Effective March 19, 2020, and until further notice, the Commission no longer accepts any hand or messenger delivered filings. This is a temporary measure taken to help protect the health and safety of individuals, and to mitigate the transmission of COVID-19.⁶
- During the time the Commission's building is closed to the general public and until further notice, if more than one docket or rulemaking number appears in the caption of a proceeding, paper filers need not submit two additional copies for each additional docket or rulemaking number; an original and one copy are sufficient.
- People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Ex Parte Rules. The proceeding this Notice initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules.⁷ Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within

⁴ See Letter from Captain John C. Fuechsel, UCG, Retired, Director, GMDSS Task Force, to Marlene H. Dortch, Secretary, FCC (July 24, 2020) (GMDSS Task Force Letter). The GMDSS Task Force Letter is available for review under this docket in the Commission's Electronic Comment Filing System.

⁵ See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121-01 (1998).

⁶ See *FCC Announces Closure of FCC Headquarters Open Window and Change in Hand-Delivery Policy*, Public Notice, DA 20-304 (March 19, 2020), <https://www.fcc.gov/document/fcc-closes-headquarters-open-window-and-changes-hand-delivery-policy>.

⁷ 47 CFR §§ 1.1200 *et seq.*

two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, contact Ghassan Khalek of the Mobility Division, Wireless Telecommunications Bureau, at (202) 418-2771, TTY (202) 418-7233, or via email to Ghassan.Khalek@fcc.gov.