

**Before the
Federal Communications Commission
Washington, DC 20554**

FCC 17M-12

10775

In the Matter of)	WT Docket No. 08-20
)	
WILLIAM F. CROWELL)	FCC File No. 0002928684
)	
Application to Renew License for Amateur)	
Radio Service Station W6WBJ)	

ORDER

Issued: March 28, 2017

Released: March 28, 2017

On August 31, 2010, pro se renewal applicant William F. Crowell (Crowell) filed a Motion for Summary Decision. His sole argument was that the character issue(s)¹ should be dismissed with prejudice on the grounds that the Commission’s Character Policy Statements apply only to broadcast radio, and not to amateur radio. The weight of the law and relevant Commission cases fail to support that argument.

Commission precedent makes clear that its Character Policy Statements,² such as at 5 FCC Rcd 3252 (1990), which is cited in Para. 6 of the Hearing Designation Order (*HDO*),³ do apply to amateur radio. *See, e.g., In re Keeney*, Order to Show Cause, 22 FCC Rcd 19975 (EB 2007) (noting that the Commission has consistently applied broadcast character standards to applicants and licensees in the Amateur Radio Service). *See also In re Titus*, 22 FCC Rcd 1638 (EB 2007); *In re Landis*, Order to Show Cause, 21 FCC Rcd 8741 (EB 2006).

And note well the case of *Schoenbohm v. FCC*, 204 F.3d 243, 246-49 (D.C. Cir. 2000). In that case, the Court of Appeals affirmed the Commission’s denial of an amateur radio operator’s license renewal application due to deliberate misrepresentations and lack of candor in addition to a felony conviction, pursuant to the Character Policy Statement, *supra*. Significantly, the Court held that the applicant’s deliberate misrepresentations and lack of candor “were a rationale for nonrenewal that went beyond the felony conviction alone.” *Id.* at 247.

Crowell’s sole ground for summary decision – that the Character Policy Statements apply

¹ *See In re Crowell*, Hearing Designation Order, DA 08-361 at 3, para. 9 (WT Feb. 12, 2008) (*HDO*).

² 47 CFR § 73.4280 (listing FCC orders regarding character evaluation of broadcast applications).

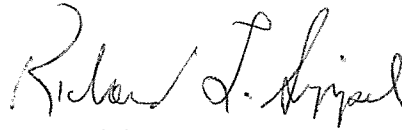
³ *See HDO* at 2-3, para. 6.

only to broadcast radio – is deemed and determined to be without merit. Moreover, Crowell’s conduct as alleged in the *HDO* contain substantial questions of fact, which cannot be resolved by summary decision.⁴

Accordingly, Crowell’s Motion for Summary Decision **MUST BE** and **IS DENIED**.

SO ORDERED.

FEDERAL COMMUNICATIONS COMMISSION⁵



Richard L. Sippel
Chief Administrative Law Judge

⁴ 47 CFR § 1.251 (summary decision).

⁵ Courtesy copies of this Order will be sent via email to all counsel of record on the date of issuance.