

## Application Fees for Amateur Radio Mandated by Congress

### The FCC Proposes a \$50 Application Fee

1. On 26 August 2020, the FCC released a [Notice of Proposed Rulemaking](#) (NPRM) that proposes a \$50 application fee for amateur radio licenses. Why did they do that?

2. The President signed H.R. 1625, Consolidated Appropriations Act, 2018 (PDF version) into law on 23 March 2018. This appropriations bill consisted of 22 separate funding bills including the funding bill for the FCC.

a. The FCC funding bill was originally titled “The FCC Reauthorization Act of 2018” but was retitled as the “**Repack Airwaves Yielding Better Access for Users of Modern Services Act of 2018**” or the “[RAY BAUM’S Act of 2018](#)”.

b. The “Ray Baum’s Act” among other things, amended Sections 8, 9 and 9A of the Communications Act of 1934 and these changes became effective on 1 October 2018.

(1) Section 8 (Application Fees) is amended as follows:

“The Commission shall assess and collect application fees at such rates as the Commission shall establish in a schedule of application fees to recover the costs of the Commission to process applications.”

“In every even-numbered year, the Commission shall review the schedule of application fees established under this section and, except as provided in paragraph (2), set a new amount for each fee in the schedule...”

“The application fees established under this section shall not be applicable to—

(A) a governmental entity;

(B) a nonprofit entity licensed in the Local Government, Police, Fire, Highway Maintenance, Forestry-Conservation, Public Safety, or Special Emergency Radio services; or

(C) a noncommercial radio station or noncommercial television station.”

(2) Section 9 (Regulatory Fees) was amended and confirmed that regulatory fees shall not be applicable to “an amateur radio operator licensee under part 97 of the Commission’s rules (47 CFR part 97)”.

3. Here are the key points to understand and share:

a. The concept of application fees for the amateur radio service is not an FCC initiative. The RAY BAUM’S Act requires the FCC to assess and collect fees from several previously uncharged services including the amateur radio service.

b. According to the FCC, application fees are based on estimates of the direct labor costs to process a typical application, including all labor costs for identifiable tasks up through the first level of

supervision. The costs involved in the automated processes, routine maintenance of the Commission's Universal Licensing System (ULS) and limited instances where staff needs to be involved in the application process are also included when determining application fees. The FCC believes that all these factors justify their proposal of an across-the-board "nominal application fee" of \$50 for Amateur Radio.

- c. The amateur radio application fee will apply to the following application purposes:
  - (1) New licenses.
  - (2) Modifications of existing licenses (e.g., upgrades, systematic call sign changes, and vanity call signs).
  - (3) License renewals.
  - (4) Requests for a physical license by mail (including requests for a duplicate license).
- d. The FCC says it is in the public interest to encourage licensees to update their information without a charge. Therefore, there will be no fee for administrative updates.

4. The FCC is seeking comments on their proposed fees for amateur radio applications. Once the NPRM is posted in the Federal Register, comments can be submitted online or via mail.

a. Online - Comments may be filed electronically by accessing the Electronic Filing Comment System (ECFS) at: <https://www.fcc.gov/ecfs/>.

b. Parties who choose to file by paper must file an original and one copy of each filing. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- (1) 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.
- (2) U.S. Postal Service First-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington, DC 20554.

5. Questions and Answers

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| 1. Why is the FCC doing this?         | Congress mandated the requirement of application fees. The FCC doesn't have the option of declining to implement application fees for certain services such as amateur radio. |
| 2. When will the fees go into effect? | Unknown.<br>It could be later this year or early next year.   |
| 3. Do VEs have to collect money?      | No. Payment of application fees will be the responsibility of the applicant.  |

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| <p>4. How will the applicant pay the fee?</p>   | <p>According the NPRM they have two options...</p> <ol style="list-style-type: none"> <li>1. The applicant can make their payment electronically using the Commission's electronic filing and payment system Fee Filer (<a href="http://www.fcc.gov/feefiler">www.fcc.gov/feefiler</a>).</li> <li>2. They can submit manual filings and payments to: Federal Communications Commission, OET Services, P.O. Box 979095, St. Louis, MO 63197-9000.</li> </ol> |
| <p>5. What form of payment is acceptable?</p>   | <p>The following credit cards are accepted:</p> <ul style="list-style-type: none"> <li>• Visa</li> <li>• MasterCard</li> <li>• Discover</li> <li>• American Express</li> </ul> <p>It's not clear if personal checks, cashier's checks or money orders will be accepted.</p>   |
| <p>6. How much time will the applicant have to pay the application fee?</p>                                       | <p>Unknown.</p> <p>If past fees for vanity call signs are any indication, applicants could have up to 10 days to pay the application fee.</p>   |
| <p>7. How long will it take the application to be granted once payment is received?</p>                           | <p>Probably the same day or the following business day unless the application is from a felon.</p>  |
| <p>8. What happens if the applicant fails to submit their payment?</p>  | <p>Their application will probably be dismissed.</p>  |
| <p>9. If the application is dismissed after paying the application fee, will the application fee be refunded?</p> | <p>Unknown.</p>   |
| <p>10. Can a dismissed application be resubmitted?</p>  | <p>Probably.</p> <p>Currently, a dismissed application can be resubmitted as long as the CSCE for that application has not expired. There is no information to suggest that this will change.</p>   |

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| <p>11. What happens when an application is submitted to the FCC?</p>  | <ol style="list-style-type: none"> <li>1. The application will be flagged for manual processing.</li> <li>2. The status of the application will be "Pending".</li> <li>3. Once the fee is paid, the application will be granted unless the applicant is a felon, in which case the application will remain in pending status until the FCC grants the application or dismisses the application.</li> </ol> |
| <p>12. What if the applicant is a felon?</p>  | <p>The felon applicant will probably have two deadlines to meet.</p> <ol style="list-style-type: none"> <li>1. Payment of the application fee (Possibly 10 days).</li> <li>2. Provide their felony explanation (Currently 14 days).</li> </ol> <p>If the application fee is not paid within the time limit (TBD), the application will be dismissed without prejudice.</p>                                 |
| <p>13. How long will it take an application from a felon to be granted once payment is received?</p>  | <p>Unknown.</p>  |
| <p>14. If the applicant for a new license passes the Tech exam on Thursday and the application is pending. The applicant then passes the General exam on Saturday. Is there a way to avoid having to pay the second application fee? What if the applicant is licensed?</p> | <p>Yes.</p> <ol style="list-style-type: none"> <li>1. The pending application for a new license (any class) would have to be withdrawn and resubmitted as an application for the appropriate class of license.</li> <li>2. If the applicant is licensed, the pending application can be amended.</li> </ol>  |
| <p>15. Will the applicant who upgrades their license, renews their license, and requests a systematic call sign change at the same exam session on the same application form have to pay a single application fee or will they have to pay three fees?</p>                  | <p>Unknown.</p>  |

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| 16. What will VEs be required to do?  | <p>Not a lot.</p> <p>1. Remind or inform applicants that there is an application fee (TBD) and that they are responsible to pay that fee within the allotted time (TBD).</p> <p>2. Possibly give them a handout (To be developed) that will describe how to submit their payment.</p> |
| 17. Will the VEs or the VEC be able to inform the applicants of their new call sign or upgrade once the application is granted? | Probably not. We don't get notified when a previously pending application is granted.   |
| 16. Can the application fees change?  | Yes. The FCC is required to review and adjust the fees as necessary, every two years during even numbered years.  |
| 18. Can't the FCC choose not to assess and collect fees on amateur radio applications?  | No. It's the law.   |
| 19. What can we do about the application fee requirement?   | Contact your Representative and Senators and let them know how you feel.  |
| 20. What can we do about the proposed \$50 application fee?   | You can submit comments on the proposed rulemaking using the means described in paragraph 4, above.   |

6. Recommendations.

a. Share this information with your VEs, clubs and club members. Most hams don't know about this.

b. Encourage licensees to upgrade their license, change their call sign, seek a vanity call, or if currently eligible or will soon become eligible to renew to do so as soon as possible to avoid an application fee. Sooner is better.

c. Solicit the following information from your applicants and club members. It could give you an indication of your future activity levels as a VE team.

(1) Will an application fee of any amount be a deal breaker? In other words, will it stop you from getting a license, upgrading an existing license, or renewing your license?

(2) Is there a dollar amount that will be an economic bridge too far for you?  
If so, how much?

\$10    \$20    \$30    \$40    \$50    \$60 or more

(3) Will you put off upgrading until your license is eligible to be renewed in order to save money?

7. If you have any questions, contact your Regional Coordinator.