**FEDERAL COMMUNICATIONS COMMISSION**

47 CFR Part 0

[WT Docket No. 15–81; FCC 15–40]

**Electronically Stored Application and Licensing Data**

**AGENCY:** Federal Communications Commission.

**ACTION:** Proposed rule.

**SUMMARY:** This document proposes to amend the Commission’s Rules to specify that historical amateur radio licensee address information will not be routinely available for public inspection.

**DATES:** Submit comments on or before June 16, 2015 and reply comments are due July 16, 2015.

**ADDRESSES:** You may submit comments, identified by WT Docket No. 15–81; FCC 15–40, by any of the following methods:

- People with Disabilities: Contact the FCC to request reasonable accommodations (accessible format documents, sign language interpreters, CART, etc.) by email: FCC504@fcc.gov or phone 202–418–0530 or TTY: 202–418–0432.

For detailed instructions for submitting comments and additional information on the rulemaking process, see the SUPPLEMENTARY INFORMATION section of this document.

**FOR FURTHER INFORMATION CONTACT:** Scot Stone, at [Scot.Stone@fcc.gov](mailto:Scot.Stone@fcc.gov), Mobility Division, Wireless Telecommunications Bureau, (202) 418–0638, TTY (202) 418–7233.

**SUPPLEMENTARY INFORMATION:** This is a summary of the Federal Communications Commission’s Notice of Proposed Rulemaking (NPRM), WT Docket No. 15–81; FCC 15–40, adopted March 31, 2015, and released March 31, 2015. The full text of this document is available for inspection and copying during normal business hours in the FCC Reference Center, 445 12th Street SW., Room CY–A257, Washington, DC 20554, or by downloading the text from the Commission’s Web site at [www.fcc.gov](http://www.fcc.gov). Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format), by sending an email to FCC504@fcc.gov or calling the Consumer and Government Affairs Bureau at (202) 418–0530 (voice), (202) 418–0432 (TTY).

**Summary**

1. The Commission initiated this proceeding to amend its rules of organization that apply to amateur radio licensee address information that is routinely available for public inspection. Specifically, the Commission proposes in this NPRM to amend its rules to revise its rules to specify that historical amateur radio licensee address information (that is, address information not associated with a current license or pending application) will not be routinely available for public inspection. The Commission found that amending these rules will enhance amateur radio operators’ privacy without undermining the public interest in knowing who is authorized to operate on amateur spectrum. The Commission also seeks comment on whether this approach should be extended to individual licensees in any other Wireless Radio Services, such as the General Mobile Radio Service, commercial radio operator licensees, and individuals who hold ship station and/or aircraft station licenses.

**I. PROCEDURAL MATTERS**

**A. Ex Parte Rules—Permit-but-Disclose Proceeding**

2. This is a permit-but-disclose notice and comment rulemaking proceeding. Ex parte presentations are permitted, except during the Sunshine Agenda period, provided they are disclosed as provided in the Commission’s rules.

**B. Comment Dates**

3. Pursuant to §§1.415 and 1.419 of the Commission’s rules, interested parties may file comments on or before June 16, 2015, and reply comments are due July 16, 2015.

4. Commenters may file comments electronically using the Commission’s Electronic Comment Filing System (ECFS), the Federal Government’s eRulemaking Portal, or by filing paper copies. Commenters filing through the ECFS can be sent as an electronic file via the Internet to [http://www.fcc.gov/e-file/ecfs.html](http://www.fcc.gov/e-file/ecfs.html). If multiple docket or rulemaking numbers appear in the caption of this proceeding, filers must transmit one electronic copy for each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Commenters may also submit an electronic comment by Internet email. To get filing instructions for email comments, commenters should send an email to ecfs@fcc.gov, and should include the following words in the body of the message, “get form.” Commenters will receive a sample form and directions in reply. Commenters filing through the Federal eRulemaking Portal [http://www.regulations.gov](http://www.regulations.gov), should follow the instructions provided on the Web site for submitting comments.

5. Commenters who chose to file paper comments must file an original and four copies of each comment. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number. All filings must be sent to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission, 445 12th Street SW., Room TW–A325, Washington, DC 20554.

6. Commenters may send filings by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal
Commission’s inspection of records
In this NPRM, we propose to amend the
Commission’s rules of organization.

Small Business Administration (SBA).

operated; (2) is not dominant in its field
which: (1) Is independently owned and
concern’’ under the Small Business Act.

The term ‘‘small business’’ has the same
‘‘small organization,’’ and ‘‘small
‘‘small entity’’ as having the same
substantial number of small entities.’’

significant economic impact on a
will not, if promulgated, have a
unless the agency certifies that ‘‘the rule
analysis to be prepared for notice and
requires an initial regulatory flexibility
and Priority Mail to 445 12th Street

C. Paperwork Reduction Act
7. This document does not contain
proposed information collection
requirements subject to the Paperwork
In addition, therefore, it does not
contain any proposed information
collection burden ‘‘for small business
concerns with fewer than 25
employees,’’ pursuant to the Small
Business Paperwork Relief Act of 2002,
Public Law 107–198, see 44 U.S.C.
3506(c)(4).

II. Initial Regulatory Flexibility
Analysis
8. The Regulatory Flexibility Act
requires an initial regulatory flexibility
analysis to be prepared for notice and
comment rulemaking proceedings,
enless the agency certifies that ‘‘the rule
will not, if promulgated, have a
significant economic impact on a
substantial number of small entities.’’
The RFA generally defines the term
‘‘small entity’’ as having the same
meaning as the terms ‘‘small business,’’
‘‘small organization,’’ and ‘‘small
governmental jurisdiction.’’ In addition,
the term ‘‘small business’’ has the same
meaning as the term ‘‘small business
concern’’ under the Small Business Act.
A ‘‘small business concern’’ is one
which: (1) Is independently owned and
operated; (2) is not dominant in its field
of operation; and (3) satisfies any
additional criteria established by the
Small Business Administration (SBA).

9. In the NPRM, we propose to amend
the Commission’s rules of organization.
In this NPRM, we propose to amend
the Commission’s inspection of records
rules to provide that only amateur radio
licensee address information connected
with current licenses and pending
applications is routinely available for
public inspection in ULS or in paper
files. Because ‘‘small entities,’’ as
defined in the RFA, do not include a
‘‘person’’ as the term is used in this
proceeding or an individual, the
proposed rules do not apply to ‘‘small
entities.’’ Rather, they apply exclusively
to individuals who are licensees of
certain stations or who hold certain
Commission authorizations. Therefore,
we certify that the proposals in this
NPRM, if adopted, will not have a
significant economic impact on a
substantial number of small entities.

III. Ordering Clauses
11. Accordingly, it is ordered,
pursuant to sections 4(i), 303(r), and 403
of the Communications Act of 1934, 47
U.S.C. 154(i), 303(r), and 403, that this
Notice of Proposed Rulemaking is
hereby adopted.
12. The Commission’s Consumer and
Governmental Affairs Bureau, Reference
Information Center, shall send a copy of
this Notice of Proposed Rulemaking,
including the Initial Regulatory
Flexibility Certification, to the Chief
Counsel for Advocacy of the Small
Business Administration.

List of Subjects in 47 CFR Part 0
Organization and functions.
Federal Communications Commission.
Marlene H. Dortch,
Secretary.

Proposed Rules
For the reasons discussed in the
preamble, the Federal Communications
Commission proposes to amend 47 CFR
part 0 as follows:

PART 0—COMMISSION
ORGANIZATION
1. The authority citation for part 0
continues to read as follows:
Authority: Sec. 5, 48 Stat. 1068, as
amended; 47 U.S.C. 155, 225, unless
otherwise noted.
2. Section 0.453 is amended by
revising paragraphs (d) introductory text
and (d)(4) to read as follows:

§ 0.453 Public reference rooms.
* * * * * *(d) Wireless Telecommunications
Services and Auction related data as
follows, except to the extent they are
excluded from routine public inspection
under another section of this chapter:
* * * * *

(4) Electronically stored application
and licensing data (including data filed
manually and entered into ULS by
Commission staff) for commercial radio
operators and for all authorizations in
the Wireless Radio Services are
available for public inspection via the
wireless.fcc.gov/uls. Wireless Radio
services include Commercial and
Private Mobile Radio, Common Carrier
and Private Operational Fixed point-to-
point Microwave, Local Television
Transmission Service (LTTS), Digital
Electronic Message Service (DEMS),
Aviation Ground and Marine Coast
applications; and
* * * * *

3. Section 0.457 is amended by
revising paragraph (f) to read as follows:

§ 0.457 Records not routinely available
for public inspection.
* * * * *

(f) Personnel, medical and other files
whose disclosure would constitute a
clearly unwarranted invasion of
personal privacy, 5 U.S.C. 552(b)(6), (1)
Under E.O. 10561, the Commission
 maintains an Official Personnel Folder
for each of its employees. Such folders
are under the jurisdiction and control,
and are a part of the records, of the U.S.
Office of Personnel Management. Except
as provided in the rules of the Office of
Personnel Management (5 CFR 293.311),
such folders will not be made available
for public inspection by the
Commission. In addition, other records
of the Commission containing private,
personal or financial information
concerning particular employees and
Commission contractors will be
withheld from public inspection.

(2) With respect to the Amateur Radio
Service as that term is defined in
§ 97.3(a) of this chapter, address
information on expired, canceled, or
terminated licenses; archived versions
of active licenses; and processed
applications will not be made available
for public inspection by the
Commission. For such licensees,
disclosure of an individual’s historical
address information is considered
clearly unwarranted invasion of
personal privacy.
* * * * *

[FR Doc. 2015–08810 Filed 4–16–15; 8:45 am]