

DAVID BOREN
OKLAHOMA

RUSSELL BUILDING
WASHINGTON, DC 20510

821 NORTH ROBINSON
OKLAHOMA CITY, OK 73102

409 S. BOSTON
TULSA, OK 74103

211 EAST OAK
SEMINOLE, OK 74868

EX PARTE OR LATE FILED

United States Senate

WASHINGTON, DC 20510-3601

February 22, 1993

*PRB
92-235
DLB*

SENATE CHAIRMAN
JOINT COMMITTEE ON
THE ORGANIZATION OF CONGRESS
MEMBER, JOINT COMMITTEE
ON TAXATION
MEMBER, COMMITTEE ON FINANCE
CHAIRMAN, SUBCOMMITTEE ON
TAXATION
MEMBER, COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
CHAIRMAN, SUBCOMMITTEE ON
AGRICULTURAL TRADE

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MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Linda Townsend Solheim
Director
Office of Legislative Affairs
Federal Communications Commission
1919 M St. NW, Rm. 808
Washington, D.C. 20554

Dear Ms. Solheim:

A number of radio-controlled model enthusiasts in Oklahoma have contacted me with their concerns about PR Docket 92-235. Should this rule change be adopted, they believe it will severely hamper their ability to enjoy their hobby.

Since the FCC's comment period for this proposed rule change will soon expire, I would appreciate your full consideration of the issues raised in the enclosed correspondences and include their views in your report.

Thank you for giving your attention to this matter.

Sincerely,

David L. Boren
David L. Boren
United States Senator

DLB/mb

(124) Letters attached

Tinker man enjoys model airplanes

By **ROBIN MAXEY**
EastOC NEWS EDITOR

He's got more airplanes than the air forces of some small countries. In fact, he's not sure just how many aircraft he has — somewhere around 50 with a half dozen more in production.

But don't expect to hear about Tinker retiree resident Jack Austin helping out with any allied raids over Baghdad — the biggest of his planes has a wing span of nine feet.

Austin isn't planning, however, to stop adding to his collection. Model airplanes, the radio controlled kind that takes to the skies over Baxter Field at Lake Stanley Draper, are his passion and they have been for 50 years.

"When I was younger you could buy a model for 10 cents or a quarter," said Austin who was reared in Bartlesville. "I loved airplanes. My godparents, Billy and Cindy Parker were both pilots and they really got me interested in flying."

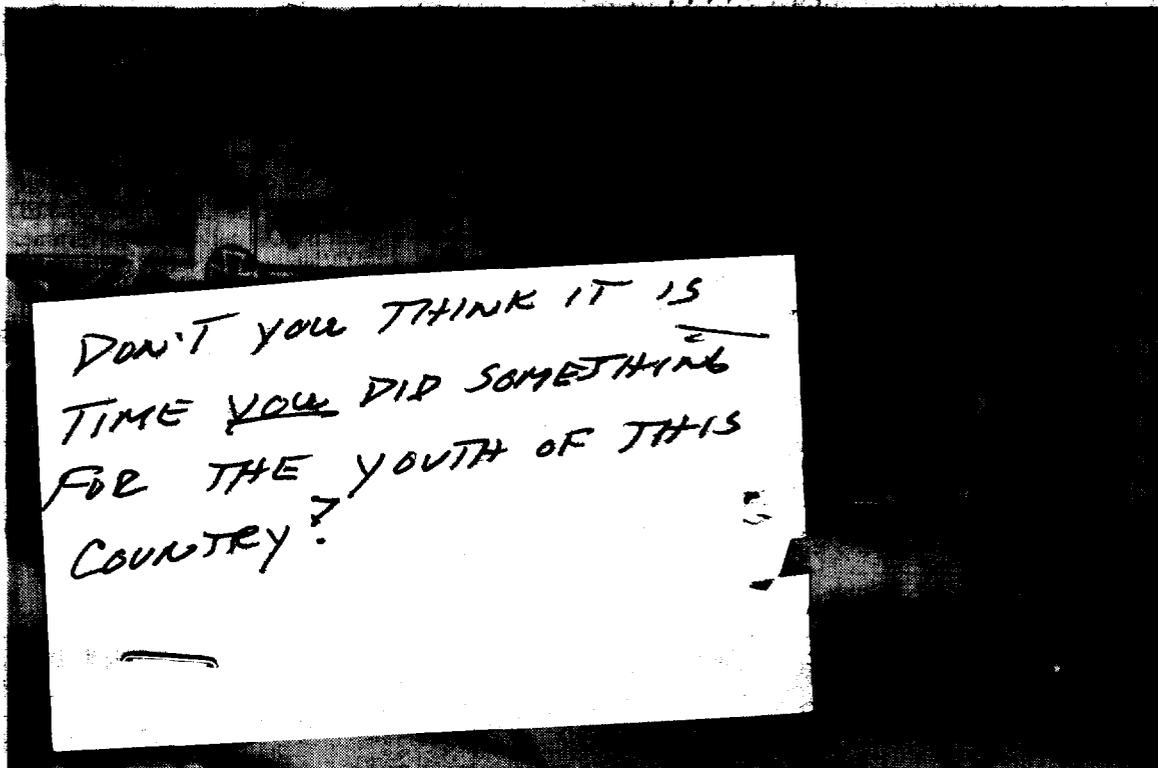
It's a favor Austin would like to do for young people today. He's taken it on as a kind of personal mission to interest today's youth in the hobby that has given him so many years of enjoyment.

"Someday guys like me aren't going to be around and I just want to see some kids get interested in this," Austin said.

It's not an easy task to interest the MTV generation in something so complex, tedious and time consuming.

"Most kids that will buy a model and open it up and see a box of sticks. They'll be real excited for an hour or so and then they'll lose interest," Austin said.

But modeling is not just complex, tedious and time consuming. It's also rewarding.



Retired USAF pilot Jack Austin of Midwest City has been collecting model airplanes for more than 50 years. Here he displays the Folker triplane and F-86 fighter. — Robin Maxey photo

Austin said he recently saw just how rewarding when brothers Usman and Omar Baber, the sons of Midwest City Regional Hospital cardiologist Dr. Zaheer Baber, completed their own radio controlled model airplane. The two put in more than 100 hours of work.

"When a kid can take that box of sticks and persevere there is such a reward waiting at the end of all that work," he said.

For Austin the love of flying model planes turned into a 23-year career as a fighter pilot. During his career he was a member of the first fighter unit to carry atomic bombs. Stationed in Europe, the job of his unit was to be prepared to fly into Russian airspace and drop their atomic payload each pilot knowing he would never return.

"It's a part of history and

thank goodness we never had to follow through," Austin said. "It probably would have meant World War III or the end of the world."

Austin's second career, 21 years as an aeronautical engineer, has made him even more interested in building his flying models than in seeing them soar.

One of the six model aircraft he currently has under construction is a good example.

The cowling or the nose piece of his 4-foot long 1934 Racer GeeBee includes 240 separate pieces of wood. It will, when completed, be the star of his air armada.

It's a diverse collection. Included are a World War I Folker triplane, a biplane with a 9-foot wing span, two other small aircraft replicas with

9-foot wing spans and an F-86 fighter jet.

And it's a huge collection one that has already outgrown the small heated workshop he built for himself after retiring from 44 years of federal service. Most of planes are in pieces — wings here, fuselage there.

The largest of his aircraft — the 9-foot biplane — is more than six feet in length and is so large that, in addition to removing all four wings, he had to remove its landing gear to get it inside the camper shell on his El Camino.

"I really need more room," he said. "I guess I'm going to have to build a bigger workshop."

Austin suggests that any children interested in getting started in model airplanes as a hobby give him a call at 732-8348.

EX PARTE OR LATE FILED

SENATOR BO
WASHINGTON.

419 E Live Oak
Altus, OK 73521
10 Feb 1993

The Honorable David B. Berman PH
U.S. Senate - 483 Russell Bldg
Washington, D.C. 20510

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MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator:

I am writing in regard to the
proposed FCC rule change known as: PR Docket
92-235

For over 45 years my hobby has been
model air planes and for the past 30 years only

②

When I consider the number of fellow modelers
in Okla & Texas alone, much less nation wide,
I begin to think it is inappropriate for the

Frederic L. Rice, Jr.
257 Turkey Creek
Bartlesville, OK 74006

EX PARTE OR LATE FILED

SENATOR BOREN
WASHINGTON, D.C.
60 FEB 12 PM 3:30

February 6, 1993

RECEIVED

The Honorable David L. Boren
United States Senate
453 Russell Senate Office Bldg.
First and C St. NE
Washington, D.C. 20510

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Dear Senator Boren:

I am retired and derive many hours of pleasure building and operating radio controlled model airplanes. I am very concerned about proposed rules currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will

Frederic L. Rice, Jr.
257 Turkey Creek
Bartlesville, OK 74006

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. Our local model club operates from a flying field in a public park, leased from the U.S. Corp of Engineers which, because of its ~~public accessibility~~, causes us to be especially aware of safety considerations. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,



F. L. Rice, Jr.

EX PARTE OR LATE FILED

The Honorable David L. Boren
United States

SENATOR BOREN
WASHINGTON, D.C.

00 FEB 17 AM 10:01

band is primarily used for private land mobile dispatch operations, however, our radio control frequencies on this band are far

point, they are capable of causing property damage, serious injury, or even death if

THE HONORABLE DAVID L. BOREN
452 RUSSELL SENATE OFF BLDG
WASHINGTON DC 20515

EX PARTE OR LATE FILED

SENATOR BOREN
WASHINGTON, D.C.
00 FEB 12 AM 10:33

3 FEB 93
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DEAR SENATOR BOREN

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I AM RETIRED AND AS A HOBBY I SPEND
HOURS CONSTRUCTING AND FLYING RADIO CONTROLLED MODEL
AIRPLANES. I AM VERY CONCERNED ABOUT PROPOSED RULES
THAT ARE CURRENTLY UNDER CONSIDERATION BY THE FCC.
THE PROCEEDING IS P.R. DOCKET 92-235. IF ADOPTED, THE
NEW RULES WILL GREATLY REDUCE THE USABILITY OF
FREQUENCIES CURRENTLY ASSIGNED FOR MODEL USE AND INCREASE
THE RISK OF ACCIDENTS AND ATTENDANT LIABILITY FOR
CONTROLLING MODEL AIRPLANES.

OUR RADIO CONTROL FREQUENCIES ARE IN THE 72-76
MHZ BAND. THIS BAND IS PRIMARILY USED FOR PRIVATE
LAND MOBILE DISPATCH OPERATION. HOWEVER, OUR RADIO
CONTROL FREQUENCIES IN THIS BAND ARE FAR ENOUGH
APART FROM THE LAND MOBILE FREQUENCIES THAT WE
HAVE BEEN ABLE TO SHARE THE BAND WITHOUT EITHER
USE INTERFERING WITH THE OTHER.

NOW THE FCC WANTS TO CREATE MORE LAND MOBILE
FREQUENCIES IN THIS BAND WITH NO PROTECTION

WHEN WE FLY OUR MODEL AIRPLANES UNDER RADIO
CONTROL, WE GO TO GREAT LENGTHS TO ASSURE THE
SAFETY OF THE OPERATORS AND BYSTANDERS AND THE
P

SENATOR BOREN MAR - 8 1993
 WASHINGTON, D.C.
 FEDERAL COMMUNICATIONS COMMISSION
 OFFICE OF THE SECRETARY
 00 FEB -9 PM 2:18

Dear

Senator Boren,

I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC).

The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the aircraft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

Jack E. Austin
 309 Bluebird Dr.
 MWC, OK 73110

EX PARTE OR LATE FILED

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MAR - 8 1993

SENATOR BOREN
WASHINGTON, D.C.

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

00 FEB 10 AM 9:35

Dear Sirs,

Can you picture a 55 pound airplane going 80 mph with
a 13 foot wingspan going out of control into a
neighborhood or park. or a remote control car race.

RECEIVED
MAR - 8 1993

Senator David Boren

SENATOR DAVID BOREN
WASHINGTON, D.C. FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Feb 7, 1993

00 FEB 17 AM 10:23

My name is Adam Krawczynski, I have been interested in aviation for as long as I can remember. I am very active in our local club whose members enjoy building and flying R/C Model airplanes.

I have been in R/C Planes for some 15 yrs, and I have a substantial investment in the hobby, "Some \$15,000.00 worth."

I am very concerned about proposed rules that are currently under consideration by the F.C.C. The proceeding is PR Docket 92-235.

If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

The notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a New Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 KHz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users

Page 1

on frequencies within 2.5 KHz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels of the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies on the 75 MHz band (for R/C cars + boats) now used by hobbyists. In fact more channels will likely be affected.

When we operate our R/C models, we go to great lengths to assure the safety of the operations and by standards and the protection of property.

Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the F.C.C., the remaining frequencies will become congested and the margin of safety will be greatly decreased.

I don't think it is wise of the F.C.C. to seek to expand the operation conditions of land mobile radio users at the expense of R/C modelers. The F.C.C. may not think we are as important as business users of radio, but we have a considerable investment in our models and in our radio equipment. It is a.

sizeable industry that must be saved from these detrimental F.C.C. actions.

The hobby provides many hours of enjoyment to hundreds of thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help us continue the safe enjoyment of our pastime by not allowing the F.C.C. to carry out its proposal P.R. Docket 92-235 for the 72-76 MHz band. We all need your help urgently because the F.C.C. has a deadline of Feb. 26, 1993.

Sincerely,

Adam Krawczynski

910 North B St

Duncan, OK. 73533

EX PARTE OR LATE FILED

RECEIVED

SENATOR
WASHINGTON

SEN
D/C

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

OP FEB 19 PM 4:43
Dear Senator, David Boren

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio controlled model Airplanes.

I am very concerned about proposed rules that are currently under construction by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the New rules will greatly reduce the usability of frequencies currently assigned for Model use and increase the risk of accidents and attendant liability for controlling model Airplanes.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and by standees and the protection of property. Many of our safety precautions include the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wingspans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as

Please help me continue the safe
enjoyment of my pasture by not allowing
the FCC to carry out its proposals for
the 72-76 MHz bands.

Sincerely
Joe Allus

SENATOR. DAVID L BOREN

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MAR - 8 1993

SENATOR BOREN
WASHINGTON, D.C.

00 FEB -2 PM 5:37

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

This letter is in respond to the new (FCC) proposed rule making NPRMPR DOCKET * 92-235 which if implemented, Will have a profound effect on model frequency use.

I am a 48 year old man I own my own business & flying R.C. model airplane,s is my hobbie which I devote a lot of time to bulding & flying model airplane,s which weigh from 7 to 40 pound,s & fly from 60 to 140 MPH, At a cost of from \$500.00 to \$4500.00 with a wing span of up to 10 feet. I have 5 R.C radio,s at a total cost of around 12-\$1300.00 . Which was all bought afert 1991 when our new narrow band radio,s came out to make our flying more efficient & less inference from other raodo frequencies from other sources. I have been flying both model & real plane,s for 20 some year,s

Many of our model airport,s are in public park,s . Which will cause a saftey hazard to all that might be in the aerier while we are flying not to speek of the loss of aircraft due to interence. Our radio,s will not cut out inference from these new radio frequencies if allowed. This would put a lot of preasure on the model airplane business. There is no R.C. RADIO on the market that can operate safely with these new frequencies beside them.

We have many contest event,s both state & national with as many as 100 R.C.pilot,s competing & 4-500 spectator,s

I and all outhter R.C. PILOTS will appreciate any help
to stop this FCC proposel.

(THANK YOU)

JESSE L FELTON

PO. BOX 202

SO. COFFEYVILLE OKLA. 74072

SEN/ WIREN
WASH DC

00 FEB 2 1993 PM 5:50

7935 S. New Haven St.
Tulsa, OK 74136

RECEIVED

January 27, 1993

MAR - 8 1993

Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ladies and Gentlemen:

Recently we learned that the FCC is considering an action that will severely limit the radio controlled (RC) model aircraft hobby. Many of us have been active in this hobby for years flying various types of RC model aircraft. I first became interested in this hobby in high school. This interest in electronics and aerodynamics were major factors that encouraged me to obtain an engineering degree. Our Academy of Model Aeronautics sanctioned Tulsa RC Soaring Club, TULSOAR, has school age members who may well follow this career path.

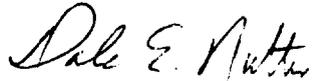
Your notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of your rules with a new Part 88. Part 90 allows for safe use of RC aircraft and surface models by keeping 10 Khz spacing between fixed commercial users and frequencies used by RC enthusiasts. Your new Part 88 proposes to allow mobile use on frequencies within 2.5 Khz of frequencies available to us with excessive band width that will eliminate safe use of at least 31 of the 50 channels on the 72 MHz band used by aircraft and 10 of the 30 frequencies on the 75 MHz band now used by surface models. It is likely that more channels will be affected.

Our environmentally friendly sailplanes create no noise or litter and are quite enjoyable with flying characteristics much like Bald Eagles and Red Hawks often seen circling in the same thermal. In national competition meets over one hundred competitors fly five to seven rounds (500 to 700 individual flights) in two days making full use of our frequency allocation. This past year TULSOAR club members have participated in soaring competition in Massachusetts, Indiana, Kansas, Oklahoma, Texas and California.

Putting commercial users in a position to cause radio interference to our equipment would be similar to building project housing on golf courses. Unlike basketball, golf or tennis, RC soaring also develops one's ability to work constructively with aerodynamics principals, mechanics of materials and electronics. Our hobby is not as well known as it should be, however, because we are often too busy with our model construction and flying techniques to make adequate promotional effort.

We urge you to reconsider this action. Keep 10 Khz spacing between all frequencies on the 72 KHz and 75 MHz bands available for the safe use by RC enthusiasts. Our country needs to encourage this hobby that develops Citizen's technology interests.

Yours sincerely,



Dale E. Nutter, P.E.
Consultant (Inventor)
AMA # 184

cc: Senator Don Nickles
713 Hart Building
Washington, D.C. 20510-3602

Senator David Boren
453 Russell Building
Washington, D.C. 20510

Representative James Inhofe
408 Cannon Building
Washington, D.C. 20510

Academy of Model Aeronautics
1810 Samuel Morse Drive
Reston, Virginia 22090

EX PARTE OR LATE FILED

The Honorable Senator Boren,
United States Senate
Washington, DC 20510

Jan. 28, 1993
Tulsa, OK.

SENATOR BOREN
WASHINGTON, D.C.
00 FEB -2 PM 5:34

Re: P.R. Docket 92-235

RECEIVED

MAR - 8 1993

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I am greatly concerned about the proposed rules that are currently under consideration by the Federal Communications Commission regarding frequency use.

I am retired and derive many hours of pleasure from building and operating radio controlled airplanes. I am active in our local club. I own 3 pieces of radio equipment that would be unusable if this frequency assignment is adopted. The models I build weigh as much as 7 pounds and operate at 60 MPH.

Will you please take action on this.

Sincerely,
E. G. Cedrone
8524 E. 32nd St.

Route 4, Box 188A
Wagoner, Oklahoma 74467

SENATOR BOREN
WASHINGTON, D.C.

00 FEB -2 PM 4:22

RECEIVED

The Honorable David Boren
United States Senate
Washington, DC 25015

MAR - 8 1993

Dear Senator Boren:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

I am very concerned about FCC proposals (Proceeding PR Docket 92-235) which would greatly reduce the usability of frequencies in the 72-76 MHz band currently assigned for model use.

I am a resident of Oklahoma and I am a model plane builder who has enjoyed the hobby since I was 12. As a result of model building in my youth, I became interested in Science and Engineering and went on to earn a degree in engineering at the University of Oklahoma. In my engineering career I contributed many designs to our space program.

In addition I am the president of a local model club with 72 members. One of our activities is flying radio controlled model planes. Radio controlled flying is attracting many young people and stimulating them to pursue science and engineering related careers.

In 1991, at great expense our members and other Radio Controlled Model Flyers converted our equipment to narrow band transmitters and receivers. This was done as a safety measure to assure that our control frequencies would not be interfered with. We did this to prevent accidents which would cause property and personal damage.

The 72-76 MHz band has been primarily used for private land mobile dispatch operations. However our radio controlled frequencies in this band are far enough away from the land mobile frequencies that we have been able to coexist there without interfering with each other.

However, the FCC now wants to create more land mobile frequencies by splitting the bands into narrower bandwidths and rearranging the band plan. I understand that if the plan is carried out only 19 of the current 50 bands will be available for the control of model airplanes.

Please understand that model planes under radio control may span 10 feet and weight up to 40 pounds. Many of our safety precautions involve the careful coordination of bands-in-use to avoid interference resulting in accidents. We often fly our models at organized events in the close proximity of other modelers and spectators. We need the full complement of our current radio frequencies in order to assure a safe flying environment.

I am opposed to the FCC proposal improving the land mobile operating conditions at the expense of radio control modelers. We have a considerable investment in our planes and equipment (About \$700.00 per modeler) and the hobby attracts young people to the exploration of science and technology.

Please help me and my fellow modelers to continue our hobby by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,


George C. Calvert