

DOCKET FILE COPY ORIGINAL

From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A4.A4(FCCINFO)  
Date: 7/5/98 1:07pm  
Subject: ?

RM-9242

THIS IS YOU BE PROUD YOU HAVE AND CONTINUE TO PERSECUTE  
INNOCENT PEOPLE WHO WANT A LEGAL LPFM STATION;

PASS LPFM RADIO RULE RM-9242

RECEIVED

JUL - 6 1998

Mr.D'Alessandro  
94 Angola Estates  
Lewes,Delaware 19958

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

Don't Let Them  
N.A.B.

Our Airwaves Americans believe our constitution guarantees our rights of free speech and press. Without access to the means of mass communication, these rights exist in name only. Our so-called free press is not free. It is owned by powerful corporate interests who use the public airwaves to enrich themselves at our expense. These interests are represented by the N.A.B. - The National Association of Broadcasters.

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The NAB versus Free Radio: Who's the "pirate" here?  
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The NAB may well be the most powerful lobby in the US. The US Congress dares not cross them. The Federal Communications Commission (FCC) which is supposed to regulate the equitable use of the public airwaves, serves as their police force. In 1996, Congress passed the Telecommunications Act which legalized the theft of the public airwaves by the NAB. The Act lifted restrictions which severely limited the number of radio and television stations any one entity could own. The FCC, whose officials often get lucrative employment in the industry upon leaving government service, was told by the NAB that if it opposed the 1996 legislation, the NAB would see to it that the FCC would be disbanded. Campaign finance reform provisions which would have mandated free airtime for political candidates, and thus benefitted candidates not backed by big money, were also squashed by pressure from the N.A.B.

Americans are resisting this stranglehold on our ability to communicate freely. In the forefront of this battle is the Free Radio movement which works to put low-powered and inexpensive radio transmitters in the hands of local communities broadcasting in the public interest. These radio stations are presently illegal as the FCC will not license them. However, as recently as the 1978, it was possible to get a low cost license for a non-commercial stations under 100 watts. Pressure from the N.A.B. and from National Public Radio, which wanted to control the non-commerical band, resulted in the FCC eliminating these low-power licenses. Now, licensing costs are in the neighborhood of \$250,000 dollars, even for non-profit broadcasters, and frequencies are selling for millions of dollars, beyond the reach of all but the wealthy.

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Who are the real pirates here?

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The NAB Declares War on Free Radio

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This resolution was passed on January 12th, 1998 by the NAB Radio Board:

The Radio Board of Directors of the National Association of Broadcasters is concerned about the continued proliferation of unlicensed, illegal "pirate" radio stations throughout the country. These unlicensed broadcast facilities undermine the Communications Act of 1934 and often cause interference to broadcast and other radio services, such as air navigation. We commend the enforcement efforts of the FCC and Department of Justice and urge additional enforcement activities including the creation of a task force within the D.O.J. We stand ready to support the government's effort to eliminate unlicensed radio broadcast stations in the United States.

The government's "effort" has consisted of seizing the property of broadcasters, levying of five-figure fines, armed raids and in some cases, imprisonment for exercising our constitutional rights to free speech on "our" airwaves. In spite of this, the number of Free Radio stations continues to increase.

In the face of this mass civil disobedience, the FCC is now considering re-legalizing low-power broadcasting. The NAB is fighting legalization every step of the way. Below is a FAX from the Minnesota Broadcasters Association, outlining the NAB's plan of attack.

---

MINNESOTA BROADCASTERS ASSOCIATION

3517 Raleigh Avenue, P.O. Box 10630 - St. Louis Park, MN 55416-0030  
(612) 926-8123 - fax (612) 926-9761  
MN Toll Free 1-800-245-5838

TO: Station Managers  
FR: Jim du Bois  
DT: April 27, 1998  
RE: Microbroadcasting Comments

\*\*\*\*\*Important: Please Read Immediately\*\*\*\*\*

The FCC is currently accepting comments on several proposals to establish a low-power "microbroadcasting" radio service. Under the guise of the First Amendment, proponents of this service argue that current licensing procedures deny free speech rights to the thousands of individuals who desire a broadcasting station but cannot acquire one. Many of the individuals also argue that consolidation in the radio industry is severely limiting the diversity of programming and is contrary to the public interest.

The Washington, DC-based law firm of Fisher Wayland Cooper Leader & Zaragoza has drafted comments opposing

microbroadcasting on behalf of several state broadcasting associations, including the MBA. These comments are being filed with the FCC today.

Attacking the arguments of the microbroadcasting advocates, the comments warn of the danger of creating a vast new category of hobby 'broadcasters' who would jam the airwaves and potentially cause interference to full-power broadcasters and aviation frequencies. Creating a microbroadcasting service would, according to the comments, amount to the "CB-ization" of radio and would create a regulatory nightmare for the FCC.

Broadcasters need to watch this issue closely. FCC Chairman Bill Kennard is sympathetic to the would-be microbroadcasters' cause, and he may have an ally in Commissioner Harold Furchtgott-Roth. You may wish to file your own comments regarding this proposal. Correspondence sent to the FCC after today should be labeled [sic] as "reply comments" in reference to FCC File RM-9208 and RM-9242. Send your comments to FCC, Room 222, 1919 M Street, NW, Washington, DC 20554.

You may also want to educate your members of Congress on this issue. Consult the MBA's March and April newsletters for more information on the various microbroadcasting proposals. You should avoid arguments suggesting that the proposed new service would create more competition; rather, you should emphasize the interference and regulatory problems microbroadcasting would certainly generate. Please forward your FCC comments or any correspondence with your congressional delegation to the MBA office.

Thank you for your cooperation.

[Note\* - we have learned that since writing this message above, the author Jim Du Bois lost his job -- as a result of media consolidation! Media workers, make no mistake, your bosses don't give a damn about you, and will throw you out in a heartbeat if it profits them to do so. No matter how loyal you are, they have no loyalty to you.]

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Greed meets Arrogance :  
National Public Radio Joins the NAB  
in Opposing the Legalization of Micro-broadcasting  
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"Microradio Proposals at FCC Opposed by NPR and NAB"  
PUBLIC BROADCASTING REPORT  
May 8, 1998

Citing a crowded spectrum and possible adoption of In-Band, On-Channel (IBOC) digital radio, broadcasters such as NPR and NAB opposed 2 petitions for rulemaking at FCC. The petitions promote microradio and low-power radio, respectively, but both involve low-watt broadcasting that might cover mile or so of ground. FCC Chmn. Kennard has expressed enthusiasm for the idea and is seen by some to be promoting it as way to increase diversity in mass media. That position was echoed by many who filed in favor of petitions, but NPR challenged the notion that microradio automatically would mean increase in diversity.



\* Identify major advertisers on the NAB member station near you, educate them about the NAB's opposition to free speech and tell them to withhold their advertising dollars from NAB member stations. If they don't, then organize boycotts of those advertisers and demonstrate in front of their facilities until they do. \*If you subscribe to a National Public Radio station, cancel your subscription and tell them why -- and that you won't subscribe until NPR takes a stand in support of legalization of micro-radio. If your local community radio station takes NPR programs, tell them you want them to boycott NPR until NPR supports Free Radio. Ask your local station to endorse Free Radio. Try to get on the air and talk to the listeners about supporting boycotts of NAB and NPR. \*Demonstrate at stockholder's meetings of your nearest media conglomerate. Put pressure on stockholders to divest their holdings. Cause embarrassment by mounting a public picket outside. Let the listeners of NAB member stations know that the station they listen to doesn't support free speech.

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 Fight Back! Help Build the Free Radio Movement  
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\*Support the Committee for Democratic Communications proposal for the legalization of a low-power, non-commercial FM frequency allocation -- contact the FCC and your members of Congress. \*Support your local micro-power station or start your own. Encourage your local elected officials to support free radio in your community. \*Give the FCC hell every time they act against a free radio station. Support the micropower bust response network. Come out to demonstrations in support of free radio. \* File legal challenges to the broadcasting licenses of NAB member stations based upon their lack of public access and community service

Watch this page: we will be publishing resources to help you target NAB broadcast chains. Coming soon -- a campaign to target the 300+ station Capstar chain, which is buying local stations, downsizing workers and turning formerly locally operated stations into robot-controlled profit machines. Capstar = Fake Radio. Their expressed goal, to buy up as many stations as possible so they can offer more lucrative advertising packages. Please be clear, these people are NOT broadcasters, they are advertising sellers, and couldn't care less about you and your community, except as a "market." We are targeting Capstar for a particular reason other than their "broadcasting" practices -- they have recently purchased the frequency which is being used by Micro KIND Radio in San Marcos, Texas. KIND is the only station providing local service to the town of San Marcos. The FCC, of course, would not grant a license to KIND (though they applied), but it did grant a license to Capstar, which will beam 50,000 watts of computerized, mass-produced garbage from 60 miles away, wiping out KIND's signal. This is a great example of the contemptible practices of the FCC, and it makes clear once again that they have violated their charter to regulate the airwaves in the public interest. We are planning a many-pronged attack on Capstar nationwide -- an injury to KIND is an injury to all. We need your help

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*Rm-9242*

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Our Airwaves Americans believe our constitution guarantees our rights of free speech and press. Without access to the means of mass communication, these rights exist in name only. Our so-called free press is not free. It is owned by powerful corporate interests who use the public airwaves to enrich themselves at our expense. These interests are represented by the National Association of Broadcasters.

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NPR and its stations support "fostering a diversity of broadcast voices," it said in April 27 filing. However, it said "it is neither self-evident nor established" in the 2 petitions that "diversity of media voices" will result from low-power radio. What is clear, NPR argued, is that "the broadcast spectrum in many portions of the country is now severely congested," and squeezing in microradio broadcasters undoubtedly would cause even more interference than already occurs. The problem would be exacerbated with the adoption of IBOC, it said, and would "undermine the transition to digital radio broadcasting." Microbroadcasters would be occupying the very spectrum radio licensees would need to provide their IBOC digital signal, it said. The FCC also would also be undertaking burdensome regulatory duty with microradio, NPR said. The FCC not only would have to register untold numbers of licensees, then monitor how those licenses changed hands, but microradio would have "profound implications" for agency's content regulations. Content regulation would be required for every microbroadcaster, it said, as "it makes no practical

difference to the listener whether the source of the content is a low-power station transmitting from a mile away or a full-service station transmitting from 5 or 10 miles away." The filing suggested that if the goal is to provide a means for broadcasting diverse content, that function already is being served by Internet.

NAB argued in filing that the FCC has "firmly established" that low-power radio isn't efficient use of the spectrum and that microradio would "create small islands of usable coverage in an ocean of interference." Assn. said that allocating "hundreds -- or even thousands -- of new low-power stations" would undermine digital transition. Another drawback, it said, is that micro-radio wouldn't be available in most instances to mobile audiences, and, "more importantly, the FCC should not establish a new service...in order to curb the proliferation of pirate broadcasters." At NAB conference last month, FCC Comr. Furchtgott-Roth said that while pirate radio "is simply illegal and must be dealt with," microradio rulemaking "does not in any way, shape or form compromise" rights of licensees. Kennard made similar remarks there: "Let's not confuse pirate radio with microbroadcasting... We are going to... make sure that anything we do does not undermine the technical integrity of the broadcast airwaves."

Some 2 dozen individuals filed comments, all but 2 in favor of microradio proposals. Some cited consolidation in commercial radio following the Telecom Act as reason to promote microradio, with many echoing diversity arguments. InterNet Assn. said outdated interference protections for full-power stations no longer are needed because of technical advances.

The joint filing by 42 state broadcaster associations and P.R. said microradio "is so technically inferior that the proposed service makes a mockery of the word broadcast... This 'CB-ization' of radio broadcasting stands the Communications Act on its head." States also cited enforcement problems, which would be "catastrophic for the FCC and the nation's courts."

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Fight Back! Ways to hit them where it hurts, in their wallets  
|||||

\* Identify major advertisers on the NAB member station near you, educate them about the NAB's opposition to free speech and tell them to withhold their advertising dollars from NAB member stations. If they don't, then organize boycotts of those advertisers and demonstrate in front of their facilities until they do. \*If you subscribe to a National Public Radio station, cancel your subscription and tell them why -- and that you won't subscribe until NPR takes a stand in support of legalization of micro-radio.

If your local community radio station takes NPR programs, tell them you want them to boycott NPR until NPR supports Free Radio. Ask your local station to endorse Free Radio. Try to get on the air and talk to the listeners about supporting boycotts of NAB and NPR.

\*Demonstrate at stockholder's meetings of your nearest media conglomerate. Put pressure on stockholders to divest their holdings.

Cause embarrassment by mounting a public picket outside. Let the listeners of NAB member stations know that the station they listen to doesn't support free speech.

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From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A4.A4(FCCINFO)  
Date: 7/4/98 9:52am  
Subject: ?

*RM-9242*

Dear Chairman Kennard, and Commissioner, s

how come you the FCC can break your own rules and regulation in the State of Alaska, you are Discriminating, against Olga, Blacks, and Minoritys. by issueing license for LPFM RADIO 10 WATTS , then you break the law by takeing the Class D and , Raiseing the Value to a Class A Station, you are breaking the LAW. This law breaking act is a DISCRIMINATORY ACT AGANIST THE PEOPLE OF THESE UNITED STATES, who operate LPFM STATIONS WITHOUT A LICENSE.

SEE YOU IN COURT

Mr.D'Alessandro

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OFFICE OF THE SECRETARY

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*Rm- 9242*

**From:** "Joseph D'Alessandro" <jdman@magpage.com>  
**To:** A4.A4(FCCINFO)  
**Date:** 7/4/98 8:28am  
**Subject:** ?

Dear Chairman and Commissioners;

Precedent set in The Stste of Alaska:  
also i noticed when a Party applys for Class D License 10 watts you go aganist the rules and regulations you want  
me to live by  
which are a Civil Rights Violation;  
you upgrade those Class D 's to Class A something wrong here.  
will all come up in court'

Mr.D'Alessandro

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DOCKET FILE COPY ORIGINAL

From: "Joseph D'Alessandro" <jdman@magpage.com>  
To: A4.A4(FCCINFO)  
Date: 7/2/98 6:14pm  
Subject: ?

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JUL - 6 1998  
FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY  
RM-9242

Chairman and Commissioners:  
Dear Senators and Congressman :

I am sending you all at the FCC certified true accurate,statement,to advise you i am going to Broadcast within several weeks,and this E-Mail will be Certified to you,You The FCC have my Application,I as a citizen of the United States can not File For a FCC application under your RULES AND REGULATIONS ,which are a abuse of my CIVIL RIGHTS AS NOTED in my application,i can not FINANCE AND AFFORD YOUR FASCIST TYPE RULES AND REGULATIONS.but i can afford a LPFM STATION,and also it will be LEGAL AS any Conglomerate Station.Plus mine will be for the people in my COMMUNITY,i have free air time all day and night long.

Please note the Following:

Senator's and Congressman,and Lady's:

Need you to Support LPFM RADIO AND RULE RM-9242

i am on internet every day and i will keep tract of who supports LPFM RADIO remember it is not over in November there are more Elections in years to come,my wife woulde like to go on air by end of this year react now not 4 years from now

Mr.D'Alessandro

COMMENTS RULE RM -9242 PASS LPFM RADIO:

Dear Senators,Congressman,and Lady's:

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2

Chairman Kennard, and Commissioners:

I have applied for a 50 Watt License i am still Waiting.

This Rule Rule Needs to be Revised, Are you Blind and or Not Logically Connected, this rule Removes, Leaves Out For Consideration, Olga, Woman, Blacks, and Other Minority's, plus 99.9% of the American Public from ever Applying For A Broadcast License, This is a Human And Civil Rights Violation, it Does Not have to do with free Speech ,if all of the Above can not Apply then you have no Problem, we can not even get to free Speech Issue, I Suggest you READ THIS RULE VERY CAREFULLY AND YOU TELL ME, IF IT IS NOT RACIST, FASCISM, AND DISCRIMINATION, AT ITS BLINDNESS, YOU SHUT 99.9% OF AMERICANS OUT OF THEIR RIGHTS TO OWN A COMMUNITY RADIO STATION.

HERE IS YOUR RULE

1934, as amended, which sets up certain basic requirements. In general, applicants must satisfy the Commission that they are legally, technically, and financially qualified, and that operation of the proposed station would be in the public interest.

CONGLOMERATES  
CAN APPLY. """"""[

YOU FORGET TO AMEND TO THIS RULE """"ONLY THE NAB, THE RICH, AND RADIO

YOU OTHER LESSER, PART OF AMERICA NEED NOT APPLY.;

SOONER OR LATER A PERSON LIKE ME IS GOING TO BEAT YOU IN COURT  
THEN YOUR WHOLE WORLD WITH YOUR PIMP NAB ETC. WILL FALL TO PIECES

HERE IS MY APPLICATION FOR THE 5TH. TIME

Application for Broadcast License  
To Chairman Kennard, and The FCC Commissioner's

Mr. & Mrs. Joseph L. D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958  
Phone 302-945-1554

We exercise and or put in to action our Legal, and Civil Rights, and abide by the Law Of a free Democracy, Governed by and for the people, with fair, responsible, and, accountable representation by our Elected Officials, and Independent Government Branches as noted  
The FCC, .:

1. From the Bill of Rights: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech, or of the press..."

2. Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

We Request a Immediate FM frequency Broadcast License  
and or, Freedom to deviate from abuse of liberty, .:, and civil rights, under the Democracy that we live in and under.

1. License A.88.3 FM Frequency, 24 hours per day 50 Watts.  
to be Non-Commercial, and Educational, to play music, and teach about, Black American Rhythm & Blues Doo-WOP Music, which is an American Cultural, A Music Art Form, and A Part of American Heritage, which was abused and Denied Air Play During the 1950's because the Boys and Girls and I mean Pre-Teenagers and Teenagers, where Black, and the Radio Station back then where Predominately White, you know what it is 1998 and it still the same as a matter of knowledge it is worse extent.:

2. License B.88.3 FM Frequency. Special Event License 6 Hours per-week 24 hours per-month for 1 year. Non-Commercial, Educational same As Above for License A.

please send License .

thank you sincerely  
Mr. & Mrs. D'Alessandro

U.S. Department of Justice

Americans with Disabilities Act

ADA HOME PAGE

<Picture: bar>

I Also file for a License through the ADA

The ADA prohibits discrimination on the basis of disability in employment, programs and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities.

The ADA was signed into law on July 26, 1990. It contains requirements for new construction, for alterations or renovations to buildings and facilities, and for improving access to existing facilities of private companies providing goods or services to the public. It also requires that State and local governments provide access to programs offered to the public. The ADA also covers effective communication with people with disabilities, eligibility criteria that may restrict or prevent access, and requires reasonable modifications of policies and practices that may be discriminatory.

The ADA gives the Department of Justice (DOJ) authority to issue regulations for title II and III of the ADA and to provide technical assistance and enforcement. The Department also has authority to certify that a State or local accessibility code is equivalent to the ADA's requirements for new construction and alterations.

Mr.D'Alessandro

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*Pass RM 9242*

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FCC MAIL ROOM

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*This Rule Rule Needs to be Revised, Are you Blind and or Not Logically Connected, this rule Removes, Leaves Out For Consideration, Olga, Woman, Blacks, and Other Minority's, plus 99.9% of the American Public from ever Applying For A Broadcast License, This is a Human And Civil Rights Violation, it Does Not have to do with free Speech, if all of the Above can not Apply then you have no Problem, we can not even get to free Speech Issue. I Suggest you READ THIS RULE VERY CAREFULLY AND YOU TELL ME. IF IT IS NOT RACIST, FASCISM, AND DISCRIMINATION, AT ITS BLINDNESS, YOU SHUT 99.9% OF AMERICANS OUT OF THERE RIGHTS TO OWN A COMMUNITY RADIO STATION.*

**HERE IS YOUR RULE**

1934, as amended, which sets up certain basic requirements. In general, applicants must satisfy the Commission that they are legally, technically, and financially qualified, and that operation of the proposed station would be in the public interest.

YOU FORGET TO AMEND TO THIS RULE ""ONLY THE NAB, THE RICH, AND RADIO CONGLOMERATES CAN APPLY ""[

YOU OTHER LESSER, PART OF AMERICA NEED NOT APPLY.;

SOONER OR LATER A PERSON LIKE ME IS GOING TO BEAT YOU IN COURT THEN YOUR WHOLE WORLD WITH YOUR PIMP NAB ETC. WILL FALL TO PIECES

**HERE IS MY APPLICATION FOR THE 5TH. TIME**

Application for Broadcast License

To Chairman Kennard, and The FCC Commissioner's

Mr. & Mrs. Joseph L. D'Alessandro  
94 Angola Estates  
Lewes, Delaware 19958  
Phone 302-945-1554

We exercise and or put in to action our Legal, and Civil Rights, and abide by the Law Of a free Democracy, Governed by and for the people, with fair, responsible, and, accountable representation by our Elected Officials, and Independent Government Branches as noted The FCC, ..

1. From the Bill of Rights: "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press..."

2. Article 19: "Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers."

We Request a Immediate FM frequency Broadcast License and or, Freedom to deviate from abuse of liberty., and civil rights, under the Democracy that we live in and under.

1. License A.88.3 FM Frequency, 24 hours per day 50 Watts.  
to be Non-Commercial, and Educational, to play music, and teach about, Black American Rythem & Blues Doo-WOP Music, which is an American Cultural, A Music Art Form, and A Part of American Culture, which was abused

List ABCDE *MMB*

and Denied Air Play During the 1950's because the Boys and Girls and i mean Pre-Teenagers and Teenagers,where Black,and the Radio Station back then where Predominately White,you know what it is 1998 and it still the same as a matter of knowlege it is worse extent.:

2.License B.88.3 FM Frequencey.Special Event License 6 Hours per-week 24 hours per-month for 1 year.Non-Commercial,Educational same As Above for License A.

please send License .

thank you sincerely  
Mr.& Mrs. D'Alessandro

U.S. Department of Justice

Americans with Disabilities Act

ADA HOME PAGE

<Picture: bar>

I Also file for a Livense threw the ADA

The ADA prohibits discrimination on the basis of disability in employment, programs and services provided by state and local governments, goods and services provided by private companies, and in commercial facilities.

The ADA was signed into law on July 26, 1990. It contains requirements for new construction, for alterations or renovations to buildings and facilities, and for improving access to existing facilities of private companies providing goods or services to the public. It also requires that State and local governments provide access to programs offered to the public. The ADA also covers effective communication with people with disabilities, eligibility criteria that may restrict or prevent access, and requires reasonable modifications of policies and practices that may be discriminatory.

The ADA gives the Department of Justice (DOJ) authority to issue regulations for title II and III of the ADA and to provide technical assistance and enforcement. The Department also has authority to certify that a State or local accessibility code is equivalent to the ADA's requirements for new construction and alterations.

Mr.D'Alessandro

RECEIVED

JUL 6 1998

FCC MAIL ROOM