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THE COUNCIL OF ORGANIZATIONAL REPRESENTATIVES  
ON NATIONAL ISSUES CONCERNING PEOPLE WHO ARE DEAF OR HARD OF HEARING

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FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

March 8, 2001

Magalie Roman Salas  
Secretary of the Commission  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W., TW-A325  
Washington, DC 20554

Re: In the Matter of Reallocation of the 216-217 MHz, ET Docket Nos. 00-221; RM-9267; RM-9692; RM-9797; Rm-9854

Dear Members of the Commission:

The members of the Council of Organizational Representatives on National Issues Concerning People who are Deaf or Hard of Hearing (COR)<sup>1</sup> hereby submit the following comments In the Matter of Reallocation of the 216-217 MHz, ET Docket Nos. 00-221; RM-9267; RM-9692; RM-9797; Rm-9854. COR urges that the Commission not authorize additional services in this band. The introduction of additional services would create a high likelihood of harmful interference to Assistive Listening Devices (ALDs), causing significant problems to adults and children who rely on ALDs to communicate and learn. In addition, such a decision would reverse more than fifteen years of progress by the FCC.

COR is a coalition of national organizations committed to improving the lives of 28 million Americans who are deaf or hard of hearing. Constituencies of COR organizations provide a variety of services, including technological and telecommunications services; educational programs; medical, audiological, and speech-language pathology assessment and rehabilitation services; information on assistive devices and technology; and general information on other services for deaf and hard of hearing consumers. Among other things, COR serves as a bridge among interested organizations, the general public and the community of people with disabilities on matters concerning deaf or hard of hearing individuals.

The proposed reallocation of the spectrum at 216-217 MHz is in conflict with statutory provisions that encourage and protect services for persons with hearing loss. Reallocation of this spectrum to

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<sup>1</sup> The following organizations of COR support this position: Alexander Graham Bell Association for the Deaf and Hard of Hearing, American Academy of Audiology, American Society for Deaf Children, Conference of Educational Administrators of Schools and Programs for the Deaf, American Speech-Language-Hearing Association, Auditory-Verbal International, Inc., Convention of American Instructors for the Deaf, National Association of the Deaf, National Court Reporters Association, Registry of Interpreters for the Deaf, Self Help For Hard of Hearing People, League for the Hard of Hearing, and Telecommunications for the Deaf, Inc.

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other uses would remove a service intended to assist people with hearing loss and would seriously impact their lives.

FM systems which operate in the 216-217 MHz spectrum can be manufactured small enough to fit on a hearing aid, which makes them extremely convenient and attractive to hearing aid users, especially people of working age and teenagers. Many families, school districts, and state agencies have purchased FM equipment that operates in this band. The proposed frequency reallocation by the FCC for other uses would create such significant interference as to render these investments useless. It is undisputed that ALDs are a necessary and beneficial accommodation for people with hearing loss, both those who use hearing aids and those who do not.

FM ALDs are mandated by the Americans with Disabilities Act (ADA) of 1990, the Rehabilitation Act of 1973, and the Individuals with Disabilities Education Act (IDEA) as a means of providing communication access in the workplace, schools, federally funded agencies, courtrooms, state and local government facilities and public accommodations. They allow millions of adults and children to remain independent and function in the mainstream of society.

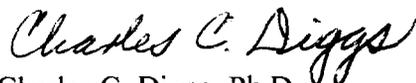
The FCC has stated that its primary objective in reallocation of this formerly government spectrum is to ensure that the best and most valued use is made and that the greatest benefit is achieved for the public. The FCC also noted that a flexible approach to allocation might not be appropriate where market forces would fail to provide for the operation of important services, such as public safety communications, or to achieve important public policy goals regarding the allocations of the spectrum. Here, the public interest in the continued use of ALDs in this band outweighs the benefits to be derived from allocating this band to other uses.

For the above reasons, COR urges that 216-217 MHz not be reallocated for other uses and that ALDs remain the primary users of this frequency allocation.

Respectfully submitted,



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