UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF SPECIAL EDUCATION AND REHABILITATIVE SERVICES
NATIONAL INSTITUTE ON DISABILITY AND REHABILITATION RESEARCH

August 11, 2009

BY ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554

Re: Amendment of Parts 2 and 95 of the Commission's Rules to Provide Additional Spectrum for the Medical Device Radiocommunication Service in the 413-457 MHz Band (ET Dkt. No. 09-36; RM-11404)

Dear Ms. Dortch:

This letter is written in regard to the Commission's proposal to allocate spectrum in the 413-457 MHz band and adopt service and technical rules for use by medical micro-power network ("MMN") devices.

The National Institute on Disability and Rehabilitation Research (NIDRR), as the largest federal agency supporting disability research, is interested in encouraging technology that will assist people with disabilities to achieve improved functioning. We support the oldest network of spinal cord injury (SCI) centers in the world, through which we encourage the development and utilization of a variety of assistive technologies. We hear from our grantees, including those who work with spinal cord injury and stroke, that the MMN is such a technology that would benefit those whom they, and through their work, we, support. There are multiple applications that can be facilitated through this effort, including improved mobility for those who have sustained central nervous system injuries (spinal cord injury, stroke, traumatic brain injury, etc.). Others have sought to use these devices to build muscle bulk to protect against skin breakdown.

We understand that significant progress has been made in developing innovative MMN equipment designed to restore function to paralyzed limbs and organs. This equipment can provide an important tool in the medical treatment and care of millions of disabled Americans, including U.S. service men and women who suffered spinal cord, brain, and other severe injuries during their military service in Afghanistan, Iraq, and elsewhere.

We believe that MMN technology represents a true medical breakthrough and can offer incalculable benefits not available through any other medical treatment option. As the

Commission correctly noted in its notice of proposed rulemaking, MMN devices can provide a safer, less invasive, and more effective treatment option than other therapeutic approaches.

Without adequate spectrum and service rules to permit MMN use, millions of Americans will be deprived of a safe, convenient, and effective medical treatment for their serious neuromuscular injuries and conditions. Commission action to permit MMN operation will serve the public interest and is fully consistent with the Commission's established practice and policy of nurturing nascent technologies, particularly those offering significant medical benefits. We urge the Commission to allocate sufficient spectrum and establish appropriate rules to accommodate MMN operation in the 413-457 MHz band.

Sincerely,

Arthur M. Sherwood, P.E., Ph.D.
Science and Technology Advisor
National Institute on Disability and Rehabilitation Research