

PUBLIC INTEREST AND NATIONAL SECURITY STATEMENT

NIITEK INC. APPLICATION FOR SPECIAL TEMPORARY AUTHORITY 0527-EX-ST-2010 NOVEMBER 1, 2010

NIITEK requests expeditious grant of its STA application for a period of six months to test and develop its GPR for use by the U.S. Army deployed for combat in the Middle East. Expeditious grant of the STA application is in the public interest and essential to national security because the GPR is the critical component of the system used to detect landmines, IEDs, and other explosive devices, ensuring the continued safety of U.S. soldiers. The FCC has recognized the important public interest in supporting the critical needs of U.S. military forces, and has granted STAs on that basis. *See In the Matter of Request for Special Temporary Authority, Iridium Constellation, LLC*, Order, 19 FCC Rcd. 10404 ¶¶ 1, 15 (2004) (granting STA to operate mobile satellite service outside applicant's initial authorization to "further[] important public interest requirements by supporting the critical communications needs of U.S. forces in Iraq and the Middle East region" and "[i]n light of serious national interests at stake").

As reported by numerous news outlets, landmines and IEDs cause substantial injury and death to foreign civilians and U.S. soldiers (as well as military forces from other countries).¹ The United States' concerns about the dangers of landmines to its soldiers, relief workers and innocent civilians are well documented. According to the most recent report on the United States' Commitment to Conventional Weapons Destruction,² the U.S. leads the world in providing mine-action assistance. Since 1993, the U.S. has provided \$1.8 billion for landmine removal (as well as conventional weapons destruction and stockpile security and management) in more than 80 countries.

Expeditious grant of NIITEK's STA application will further the United States' efforts in detecting and removing landmines, IEDs and other explosive devices in the Middle East due to the GPR's unique ability to detect, recognize and precisely locate buried explosive devices.

Grant of NIITEK's STA application is also consistent with the FCC's goal of accommodating new UWB devices. As recognized by the FCC, UWB devices can operate in "extremely wide bandwidths."³ In late 2004, the FCC amended Part 15 to "provide greater flexibility for the introduction of new wide-bandwidth devices and systems" and "better

¹ See, e.g., Lindsay Wise, *A Version of Hurt Locker-Texas Guard unit takes on risks of disabling roadside bombs*, Houston Chronicle, Aug. 15, 2010 (reporting that underground IEDs (improvised explosive devices) cause about 75 percent of casualties to NATO troops in Afghanistan).

² See *To Walk The Earth In Safety*, United States Department of State, Office of Weapons Removal and Abatement (9th ed., July 2010).

³ *Revision of Part 15 of the Commission's Rules Regarding Ultra-Wideband Transmission Systems*, Third Memorandum Opinion and Order and Memorandum Opinion and Order, ET Docket Nos. 04-352, 98-153, FCC 10-151, ¶ 3 (rel. Aug. 11, 2010).

accommodate devices and systems that use wide bandwidths.”⁴ This is especially important where the device in question will be used to save the lives of U.S. forces deployed in the Middle East.

Moreover, as noted above, NIITEK’s STA request is limited to testing the GPR in no more than three specific locations within the United States, thereby minimizing the potential for interference, if any, to other devices. Actual operational use will be performed by the U.S. Army outside the United States only.

The FCC’s prompt and expedient consideration of NIITEK’s STA application will allow NIITEK to immediately proceed with testing and deployment of its GPR. In light of the serious national interests at stake, expeditious grant of NIITEK’s STA application will further important public interest requirements by ensuring the safety and security of U.S. forces in the Middle East.

⁴ *Revision of Part 15 of the Commission’s Rules Regarding Ultra-Wideband Transmission Systems*, Second Report and Order and Second Memorandum Opinion and Order, 20 FCC Rcd. 12130, ¶ 1(2004).