



DEPUTY SECRETARY OF DEFENSE
1010 DEFENSE PENTAGON
WASHINGTON, DC 20301-1010

NOV 20 2001

Honorable Donald L. Evans
Secretary of Commerce
U.S. Department of Commerce
14th & Constitution Ave. NW
Washington, DC 20230

Dear Secretary Evans:

I am writing to convey the Department of Defense position on the Federal Communications Commission's preliminary draft Report and Order regulating mass-marketed public use of ultra wideband (UWB) technology.

DoD has been working with the National Telecommunications and Information Administration (NTIA) staff and other Federal agencies for several months to develop regulations and technical criteria that will allow this technology to move forward while protecting existing authorized Federal Government systems. These efforts have included consideration of the results of NTIA, Department of Transportation (DoT), and industry tests that have shown that these devices have significant potential for causing harmful interference to the Global Positioning System (GPS) and other critical DoD systems.

Our review of the preliminary draft Federal Communications Commission (FCC) UWB rules indicates they will not provide adequate protection for GPS and other critical DoD systems. They also raise significant national spectrum management policy issues such as the intentional operation of non-licensed devices in nationally restricted bands and in internationally designated passive-only bands.

We have provided your staff an initial list of technical and regulatory limitations that are essential to protect existing DoD systems. These recommended limitations generally agree with those recently proposed by NTIA. We are also conducting a full review of the preliminary draft Federal Communications Commission (FCC) Report and Order and will provide the results to NTIA upon completion.

Additionally, the FCC has stated that all significant Federal agency comments be provided by the end of November in order to place this proceeding on the December Commissioners' agenda. This short deadline, and the lack of a complete and final draft, impedes our efforts to provide a thorough review, and makes it very unlikely that existing differences can be resolved in a reasonable manner. We therefore ask that you engage on our behalf to extend this deadline at least an additional 60 days from receipt of a



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complete draft Report and Order, and defer Commissioners' action until at least February. Should the FCC need to provide some commercial UWB capability prior to February, such capability must be provided on a provisional basis only, subject to a full review by Federal Government agencies at a later date, and subject to NTIA limitations that incorporate recommendations of this Department. These limitations can be easily achieved by requiring a hard limiting high-pass filter at the transmitting antenna of UWB devices. The filter characteristics should include at least 35 dB attenuation of the transmitted signal power spectral density (PSD) below that required for Part 15 devices for all frequencies at or below 4.2 GHz.

I would like to stress that the draft FCC rules, and the DoD recommended limitations provided to NTIA, would apply only to non-licensed and uncoordinated use of UWB devices. The FCC should promulgate separate rules as needed that permit licensed and coordinated UWB use to operate at higher power levels with appropriate operational restrictions if required by the application.

It is our understanding that NTIA must concur on any Rulemaking that involves Federal Government spectrum. Therefore, we urge you to take immediate action to work closely and firmly with the Federal Communications Commission (FCC) to ensure that the proposed rules are modified to provide more protective technical and regulatory limitations on the non-licensed use of this technology.

Your cooperation and support in this important matter is very much appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Paul Wolfowitz", with a long horizontal flourish extending to the right.

cc:

Honorable Condoleezza Rice
Honorable Michael Powell