



PUBLIC NOTICE

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DA 19-706
Released: July 25, 2019

OFFICE OF ENGINEERING AND TECHNOLOGY SEEKS COMMENT ON LIBERTY DEFENSE HOLDINGS, LTD. REQUEST FOR WAIVER OF CERTAIN PART 15 ULTRA-WIDEBAND (UWB) RULES

ET Docket No. 19-217

Comment Date: August 14, 2019

Reply Comment Date: August 29, 2019

On May 8, 2019, Liberty Defense Holdings, LTD (Liberty) filed a request for waiver of the Commission's Part 15 ultra-wideband (UWB) rules to allow the marketing and operations of its swept frequency UWB surveillance system known as the HEXWAVE.¹ Liberty states that the system uses active three-dimensional imaging to detect weapons, explosives, and other threats using a UWB surveillance technology operating in the 6.0-10.6 GHz band.²

Liberty seeks waivers of the bandwidth requirements of Section 15.503(d), which requires that a UWB transmitter at any point in time have a fractional bandwidth equal to or greater than 0.20 or a UWB bandwidth equal to or greater than 500 megahertz, regardless of the fractional bandwidth; of Section 15.31(c), which requires measurements to be made with the frequency sweep stopped; and of Section 15.521(d), which requires that if pulse gating is employed where the transmitter is quiescent for intervals that are long compared to the nominal pulse repetition interval, measurements shall be made with the pulse train gated on.³ Liberty seeks these waivers to account for the HEXWAVE's design, which sweeps through its full operating range in a series of 200 megahertz blocks, each lasting from 350 to 910 nanoseconds, and to allow it to make compliance measurements while the system is operating in its normal transmission mode.⁴

Liberty also requests a waiver of Section 15.511(b), which limits operations of fixed surveillance UWB systems to those that are operated by law enforcement, fire or emergency rescue organizations or by manufacturers licensees, petroleum licensees or power licensees, and Section 15.511(f) which requires UWB surveillance systems to bear a statement of that limitation.⁵ Liberty seeks these waivers because it intends the HEXWAVE to be used by private security professionals.⁶

¹ Liberty Defense Holdings, LTD., Request for Waiver, ET Docket No. 19-217 (filed May 8, 2019), [https://ecfsapi.fcc.gov/file/10508225300540/Liberty%20Defense%20Waiver%20Request%20\(5-8-19\).pdf](https://ecfsapi.fcc.gov/file/10508225300540/Liberty%20Defense%20Waiver%20Request%20(5-8-19).pdf) (Liberty Waiver Request).

² *Id.* at 5 and 7.

³ 47 C.F.R. §§ 15.503(d), 15.31(c), and 15.521(d).

⁴ Liberty Waiver Request at 7-8.

⁵ 47 C.F.R. § 15.511(b) and (f).

Lastly, Liberty proposes a series of conditions that could be associated with the waiver, including limiting use of the device to law enforcement and private security personnel, restricting equipment resale, and creating a record of all installations operating under the waiver.⁷

The FCC's Office of Engineering and Technology (OET) is reviewing the waiver request. OET has concluded that to develop a complete record on the issues presented by this request, this proceeding will be treated, for *ex parte* purposes, as "permit-but-disclose" in accordance with Section 1.1200(a) of the Commission's rules, subject to the requirements under Section 1.1206(b).

Interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Parties should also send a copy of their filings to Aole Wilkins El, Office of Engineering and Technology, Federal Communications Commission, Room 7-A345, 445 12th Street, S.W., Washington, D.C. 20554, or by e-mail to Aole.Wilkinsel@fcc.gov.

Documents are available for viewing on ECFS, <http://www.fcc.gov/ecfs>, by entering the docket number. These documents are available for public inspection and copying during business hours at the

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⁶ Liberty Waiver Request at 9 and 12.

⁷ *Id.* at Exhibit A.

FCC Reference Information Center, Portals II, 445 12th Street, S.W., Room CY-A257, Washington, D.C. 20554.

Office of Engineering and Technology contact: Aole Wilkins El at 202-418-2406.

By the Chief, Office of Engineering and Technology

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