

Ethics Officer in the Office of the General Counsel:

- (i) The name of the person or organization offering the gift;
- (ii) A description of the gift;
- (iii) The estimated value of the gift;
- (iv) Any restrictions on the gift placed by the donor; and
- (v) A signed statement that the gift is unsolicited.

(2) The Director, after consultation with the Agency's Ethics Officer, shall determine whether to accept or reject the gift.

(3) CSOSA staff shall advise the person offering the gift of the Agency's determination, including, if applicable, the reason for rejection. Reasons for rejecting a gift include findings that:

- (i) There is a conflict of interest in accepting the gift;
- (ii) Acceptance of the gift is otherwise unlawful or would create the appearance of impropriety;
- (iii) Acceptance of the gift would obligate the Agency to an unbudgeted expenditure of funds; or
- (iv) Operation of the program, equipment, or vocational training services would not be practicable.

(b) *Defendant programs and equipment and vocational training services.* (1) Any person or organization wishing to donate as a gift in-kind contributions of space or hospitality to support defendant programs, or equipment or vocational training services to educate and train defendants may submit the following information in writing to the Agency's Ethics Officer in the Office of the General Counsel:

- (i) The name of the person or organization offering the gift;
- (ii) A description of the gift;
- (iii) The estimated value of the gift;
- (iv) Any restrictions on the gift placed by the donor; and
- (v) A signed statement that the gift is unsolicited.

(2) The General Counsel shall forward the request to PSA's Director with a recommendation whether to accept or reject the gift.

(3) PSA staff shall advise the person offering the gift of the Agency's determination, including the reason for rejection. Reasons for rejecting a gift include findings that:

- (i) There is a conflict of interest in accepting the gift;
- (ii) Acceptance of the gift is otherwise unlawful or would create the appearance of impropriety;
- (iii) Acceptance of the gift would obligate the Agency to an unbudgeted expenditure of funds; or
- (iv) Operation of the program, equipment, or vocational training services would not be practicable.

§ 804.5 Audit and public inspection.

(a) Records regarding the acceptance and use of gifts shall be made available for Federal Government audit.

(b) Public inspection of records regarding the acceptance and use of gifts shall be afforded through Freedom of Information Act requests (*see* 28 CFR part 802).

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FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 15

[ET Docket No. 98-153; FCC 03-33]

Ultra-Wideband Transmission Systems

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: Fourteen petitions for reconsideration were filed in response to the regulations for unlicensed ultra-wideband ("UWB") operation. Some of the petitions addressed matters that were outside of the scope of this proceeding, resulting in the Commission issuing a Further Notice of Proposed Rule Making to address the issues raised.

DATES: Comments due July 21, 2003. Reply Comments due August 20, 2003.

ADDRESSES: All filings must be sent to the Commission's Secretary, Marlene H. Dortch, Office of Secretary, Federal Communications Commission, 445 12th Street, SW., TW-B204, Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: John Reed (202) 418-2455, Policy and Rules Division, Office of Engineering and Technology.

SUPPLEMENTARY INFORMATION: This is a summary of the Further Notice of Proposed Rule Making portion of the Commission's *Memorandum Opinion and Order and Further Notice of Proposed Rule Making*, FCC 03-33, adopted February 13, 2003, and released March 12, 2003. The full text of this document is available for inspection and copying during regular business hours in the FCC Reference Center (Room CY-A257), 445 12th Street, SW., Washington, DC 20554. The complete text of this document also may be purchased from the Commission's copy contractor, Qualex International, 445 12th Street, SW., Room, CY-B402, Washington, DC 20554. The full text may also be downloaded at: <http://www.fcc.gov>. Alternative formats are

available to persons with disabilities by contacting Brian Millin at (202) 418-7426 or TTY (202) 418-7365.

Summary of Further Notice of Proposed Rule Making

1. On February 14, 2002, the Commission adopted a *First Report and Order* implementing regulations to permit the unlicensed operation of ultra-wideband transmission systems. Fourteen petitions for reconsideration were filed in response to that Order. New rules were proposed to address issues raised by MSSSI and by Siemens regarding the operation of low pulse repetition frequency (PRF) UWB systems, including vehicular radars, in the 3.1-10.6 GHz band; and the operation of frequency hopping vehicular radars in the 22-29 GHz band as UWB devices. The Commission also proposed new rules that would establish new peak power limits for wideband Part 15 devices that do not operate as UWB devices and proposed to eliminate the definition of a UWB device.

2. *Proposed changes to the UWB standards to accommodate the MSSSI radar system.* Comments are requested on allowing UWB systems that employ a pulse repetition frequency (PRF) no greater than 200 kHz to be used for any type of application in the 3.1 GHz to 10.6 GHz band. MSSSI specifically mentioned vehicular radar systems as an example of such equipment. The emission standards limit the interference potential of low PRF emitters. As the PRF decreases below a certain level, depending on the RBW used to measure the peak emission, the peak limit becomes the defining standard and the average emission level generated in a 1 MHz RBW decreases below the limit specified in the regulations. Accordingly, UWB devices employing a low PRF are limited in their output levels by the standard on peak emission levels, not by the standard on average emission levels. Comments are requested on whether a different PRF limit should be employed, if any other changes to the standards, including changes to the emission limits, are necessary to incorporate this addition to the type of UWB devices permitted to operate outdoors, or if the addition to the operation of outdoor UWB devices should be expanded only to include low PRF vehicular radar systems. Specific technical analyses supporting the comments are requested.

3. *Proposed changes to the UWB standards to accommodate the Siemens VDO radar system.* Siemens requested an amendment of the rules to permit the operation vehicular radar systems in the 22-29 GHz band using frequency