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Mr. John Kennedy
Electronics Engineer
445 12th Street, SW
Washington, DC 20554

Lockheed Martin requests that the document GPR_EMISSIONS_FCC.doc be considered company confidential. Below are responses to C.F.R 47 section 0.459 b that establish the basis for confidentiality.

(1) Identification of the specific information for which confidential treatment is sought;

Lockheed Martin requests that the document titled gpr_emissions_fcc.doc be considered confidential.

(2) Identification of the Commission proceeding in which the information was submitted or a description of the circumstances giving rise to the submission;

The document was submitted to the FCC at the request of the FCC. Specifically, Lockheed Martin is attempting to obtain an experimental license for testing an ultra-wideband ground penetrating radar system. During the licensing process, the FCC requested that Lockheed Martin provide the following:

Please submit an exhibit comprising the entire emissions mask from 3 MHz to 66 MHz, a complete interference analysis to all services, an analysis of the harmonics that will be generated by this experiment and a separate showing of the emissions relative to the GPS bands.

This document provides the emission mask analysis requested by the FCC.

(3) Explanation of the degree to which the information is commercial or financial, or contains a trade secret or is privileged

The analysis presented in the document provides direct information concerning the type of system being deployed and the waveforms being used for ground penetrating radar research. Competitors can use this information to estimate the state of ground penetrating research at Lockheed Martin, as well as evaluate waveforms used by Lockheed Martin in ground penetrating radar systems. This will provide a competitive advantage to those companies over Lockheed Martin in future bid and proposal efforts. Potentially, legal contestations could result if Lockheed Martin lost future contract awards due to the posting. Furthermore, given that the system is to be used primarily by the military, public posting of the information can give critical

information to enemy states allowing them to develop counter measures that can defeat the detection system.

(4) Explanation of the degree to which the information concerns a service that is subject to competition

The military has a significant interest in this technology. Applications of the technology stem from the military's desire to detect and identify subsurface structures such as underground command and control posts, tunnels, bunkers for conventional / nuclear weapons, and facilities for the manufacture and storage of weapons of mass destruction. The existence of these facilities in 'unfriendly' nations, compounded by the military's current inability to locate them effectively, represents a significant threat to the national security of the United States. A ground penetrating radar may also provide the means for bomb damage assessment of underground targets, possibly reducing the number of follow-on reconnaissance or attack sorties necessary to ensure target destruction. These benefits vary from saving both time and money to possibly saving lives. The uses identified herein only 'scratch the surface' of potential applications for which this technology may be employed by the armed forces.

Given the numerous military applications, multiple companies will undoubtedly attempt to capture some share of the ground penetrating market. Exposing this information to competitors will certainly make it more difficult for Lockheed Martin to maintain a competitive advantage.

(5) Explanation of how disclosure of the information could result in substantial competitive harm

The document contains explicit information on the waveforms employed in the Lockheed Martin ground penetrating radar system. Given the likelihood of other companies trying to establish a share of the ground penetrating radar marketplace, any information disclosure may make it difficult for Lockheed Martin to maintain its competitive advantage. It is certain that other companies will take advantage of Lockheed Martins experiences to expedite their own system development – allowing them to develop a comparable system with much less research time and development cost.

(6) Identification of any measures taken by the submitting party to prevent unauthorized disclosure

Lockheed Martin notified the FCC about the confidentiality of the posting as soon as it realized the information was subject to public inspection. Lockheed Martin immediately requested that the information be removed from the exhibit list for the license application.

(7) Identification of whether the information is available to the public and the extent of any previous disclosure of the information to third parties;

None of the information in the document is available to the public for analysis. It is considered company proprietary. Only the co-sponsors of the research, specifically, the Air Force Research Laboratory in Rome, N.Y. has access to the information and analysis.

(8) Justification of the period during which the submitting party asserts that material should not be available for public disclosure;

Due to the business and military sensitive nature of the information, this material should remain unavailable for public disclosure for at least 10 years or until such time as the company deems it appropriate to publish the information in a journal or company brochure.

(9) Any other information that the party seeking confidential treatment believes may be useful in assessing whether its request for confidentiality should be granted.

The FCC should consider ground penetrating radar to be an emerging military capability. Given the state of the world it is imperative that the United States maintains its military advantage. Posting future military weapon's technology for public record makes it impossible for the military to do so and potentially endangers the lives of American soldiers in the battlefield.