

Wireless Roundup (April 2020)

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Upcoming Filing and Comment Deadlines

FCC Requests Input on New Technical Rules for Hearing Aid-Compatible Wireless Handsets: Comments are due April 6 on the Federal Communications Commission's (FCC or Commission) Notice of Proposed Rulemaking soliciting feedback on its proposal to implement a new technical standard for whether wireless handsets are hearing aid-compatible. Specifically, the Commission's proposal requires providers and manufacturers to adopt the 2019 American National Standards Institute's evaluation for hearing aid compatibility following a two-year period for equipment transition. Reply comments are due April 20.

BRETSA Petition for Reconsideration on Improving E911 Vertical Location Accuracy: The Commission requests comment through a Public Notice on a petition for reconsideration filed by the Boulder Emergency Telephone Service Authority (BRETSA). BRETSA's petition asks the FCC to reconsider aspects of its Fifth Report and Order on wireless E911 location accuracy requirements. Replies to oppositions are due April 6.

Petitions for Reconsideration on E-Rate Funding for Internal Connections: Oppositions are due April 8 in response to an FCC Public Notice soliciting feedback on (1) the State E-Rate Coordinator's Alliance (SECA) petition for reconsideration and (2) the Infinity Communications & Consulting, Inc. petition for reconsideration and/or clarification. Both petitions ask the Commission to reconsider aspects of the December 2019 E-Rate Report and Order on funding for internal connections. Replies to oppositions are due April 20.

FCC Seeks Comment on Rural Digital Opportunity Fund Bidding Procedures: The Commission seeks comment on a Public Notice proposing auction application procedures and competitive bidding rules for Phase 1 of the Rural Digital Opportunity Fund auction (Auction 904). Among other aspects of the auction, the FCC is considering a potential bidding start date of October 22, 2020, and what the appropriate minimum bidding area should be. The technical guide for the proposed application and bidding procedures can be found [here](#). Reply comments are due April 10.

Input Requested for the 2020 Communications Marketplace Report: Comments are due April 13 on the FCC's Public Notice seeking input on its second Communications Marketplace Report. The Communications Marketplace Report is a biennial report on the state of competition in the U.S. communications market. Under Title IV of RAY BAUM'S Act of 2018 (a Wiley summary of Title IV can be found [here](#)), Congress requires the Commission to publish this report in the final quarter of each even-numbered year. Reply comments are due May 13.

FCC Solicits Feedback on Report to Congress Under the CVAA: The Commission requests comments via Public Notice for preparation of its fifth biennial report to Congress mandated by the Twenty-First Century Communications and Video Accessibility Act of 2010 (CVAA). The FCC's report includes status updates on accessibility-related issues such as the level of CVAA compliance with accessibility obligations nationwide and the existing compliance challenges presented by new communications technologies. Comments are due April 14 (extended from March 30).

NIST Requests Comment on Zero-Trust Architecture Draft Project Description: Comments are due April 14 on the National Institute of Standards and Technology (NIST) Special Publication (SP) 800-207. This draft project description envisions a standards-based deployment of a zero-trust architecture. A zero-trust approach to cybersecurity removes trust assumptions from all users and networks and identifies all users as potential threats until they can be authenticated.

NIST Solicits Feedback on Tool for Identifying Cyber Supply Chain Risks: NIST seeks input on NISTIR 8272, a draft document describing how federal agencies can use the Cyber Supply Chain Risk Management Interdependency Tool to identify the impact of cybersecurity incidents in supply chains. NIST anticipates that the tool will be used in conjunction with third-party management, enterprise resource planning, and other supply chain management mechanisms. Comments are due April 17.

FCC Seeks to Refresh the Record on Remand of Open Internet Rules: The FCC seeks comments to refresh the record through a Public Notice on three issues related to the Commission's 2018 Restoring Internet Freedom Order (a Wiley summary of the rule can be found [here](#)) – public safety, pole attachments, and the

Lifeline Program. The D.C. Circuit remanded these issues back to the FCC for further proceedings in *Mozilla Corp. v. FCC* in October 2019 (a Wiley recap of that decision is available [here](#)). Comments are due April 20 (extended from March 30) and reply comments are due May 20.

NIST Requests Comment on Cybersecurity and Enterprise Risk Management Integration: Comments are due April 20 on NISTIR 8286, a draft document that seeks to increase public understanding regarding the relationship between cybersecurity risk management practices and enterprise risk management. Moreover, it aims to highlight the purported benefits of integrating these practices.

FCC Requests Supply Chain Information from ETCs: Submissions are due April 22 on an FCC Public Notice seeking information about the extent to which Eligible Telecommunications Carriers (ETCs) have potentially prohibited equipment or services provided by Huawei and ZTE in their networks (a Wiley summary of the information collection can be found [here](#)). ETCs that have potentially prohibited equipment must submit estimates regarding the cost of removing and replacing such equipment. The FCC launched a portal for submissions that contains filing instructions for ETCs.

FCC Seeks Comment on Use of the 5.9 GHz Band: Reply comments are due April 27 (extended from April 6) on the Commission's Notice of Proposed Rulemaking which suggests splitting the 5.850-5.925 GHz (5.9 GHz) band between Dedicated Short Range Communications (DSRC) systems, Cellular Vehicle to Everything (C-V2X), and unlicensed operations. The 75-megahertz channel is currently reserved exclusively for DSRC, which operates in the Intelligent Transportation System (ITS) radio service.

Upcoming Effective Dates

FCC Launches Rural Digital Opportunity Fund: The Report and Order establishes the Rural Digital Opportunity Fund to support the deployment of high-speed broadband in rural America, effective April 9. The FCC will commit up to \$20.4 billion over the next 10 years and will allocate the funding through a multi-round, reverse, descending clock auction. The FCC will target support to areas that lack access to both fixed voice and 25/3 Mbps broadband services in two stages. For Phase I, the FCC will target census blocks that are wholly unserved with broadband at speeds of 25/3 Mbps. For Phase II, the FCC will target census blocks that they later determine through the Digital Opportunity Data Collection, or suitable alternative data source, are only partially served, as well as census blocks unawarded in the Phase I auction. Sections 54.313(e), 54.316(a)(8), (b)(5), (c)(1), 54.804 (a) through (c), and 54.806 are delayed and the Commission will publish a document in the Federal Register announcing the effective date of these sections.

FCC Amends Regulatory Framework Governing the 2.5 GHz band: The Report and Order amends the regulatory framework for the 2.5 GHz (2496-2690 MHz) band effective April 27 (note, Sections 27.14(u) and (v) and 27.1204 went into effect on November 25, 2019). The Order eliminates restrictions on the types of entities that can hold licenses, as well as educational use requirements. Further, the Order removes limitations on leases entered into on a going-forward basis under the Commission's secondary markets rules in an effort to create incentives to build out in rural areas. The Order adopts county-sized overlay licenses, a three-part band plan (two roughly 50-megahertz blocks and one 16.5-megahertz block), and adopts small business, rural

service provider, and Tribal lands bidding credits.

Upcoming Meetings and Events

Process on Promoting Software Component Transparency Meeting: On April 15, the National Telecommunications and Information Administration (NTIA) will hold a virtual meeting of a multistakeholder process on promoting software component transparency. More information is available [here](#).

SSCA Forum: The next Software and Supply Chain Assurance (SSCA) forum was originally scheduled for April 22-23. It has now been postponed, with a tentative date set for June 30-July 1. More information is available [here](#).

FCC Open Meeting: The next FCC Open Meeting is scheduled for April 23. When available, the meeting agenda will be posted [here](#).

ACDDE Meeting: The FCC's Advisory Committee on Diversity and Digital Empowerment (ACDDE) will hold an electronic-only meeting on April 28. Meeting details, including conference call and Internet streaming information, is available [here](#).

New Items on Circulation

The following items of interest went on circulation before the full Commission in the past month and remain pending as of publication of this Wireless Roundup.

- In the Matter of American Broadband & Telecommunications Company, Jeffrey S. Ansted (circulated March 6 by the Enforcement Bureau and Office of General Counsel)

Coming Up Next...

Comments are due May 1 on the FCC's proposed bidding procedures for the 3.7-3.98 GHz band auction (Auction 107).

Additionally, comments are due May 1 on nominations for membership to the Hospital Robocall Protection Group.

The next Open Commission Meeting is scheduled for May 13. The meeting agenda, once posted, will be available [here](#).

Did You Know?

Wiley Launched a Multidisciplinary Coronavirus Task Force and Resource Center to Help Clients with Emerging Issues. [Click here](#) to learn more.

April 1: Wiley will host the “Employee Rights and Privacy During the Coronavirus Pandemic: A Review of Key Laws and Best Practices (Part 2)” webinar at 12 p.m. EDT. Listen to Part 1 [here](#) and RSVP for Part 2 [here](#).

April 21: Associate Kat Scott will moderate the FCBA “Government and Industry Efforts to Combat Illegal Robocalls” webinar. Learn more [here](#).

April 29: Partners Wayne Johnsen and Rick Sofield will host a Wiley Webinar on “Team Telecom National Security Reviews in a 5G World” at 12 p.m. EDT. Learn more and RSVP [here](#).

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Coronavirus Shows the Value of Advanced Communications and the Role of the FCC

Security and Privacy in our 5G Future: A Discussion with CTIA Experts

Telecom and National Security in a 5G World: A Conversation with the Chair of Team Telecom

The Future of 5G with Samsung’s John Godfrey

Map a Policy Path with Oriana Senatore and Megan Brown

Track, Trace, and Quarantine: the Role of Wireless Networks in Managing the COVID-19 Pandemic

A (New?) National Strategy to Secure 5G

California AG Modifies Draft CCPA Regulations – Again!

Significant Changes to Section 230 are on the Horizon

The FCC Will Consider a Caller ID Authentication Mandate at Upcoming Open Meeting, Continuing Ongoing Efforts to Stop Illegal Robocalls

Highly Anticipated Cyberspace Solarium Commission Report Recommends Major Overhaul in the Nation’s Approach to Cybersecurity

Wash Your Hands, and Avoid Bogus COVID-19 Claims

Time to Gear Up For The 3.5 GHz Auction

Bill Requiring the “Rip and Replace” of Huawei and ZTE Equipment Heads to the President’s Desk

Congress and Regulators Focusing on COVID-19 Robocall Scams

DHS Issues Guidance on “Essential Workers” During the COVID-19 Pandemic

Draft Executive Order Would Tighten Limitations on Chinese Drones; COVID May Spur Other, Similar Measures
Satellites and 5G

Privacy in Focus (March 2020)

***Roundup Disclaimer:** Information in the Wireless Roundup is current as of March 31, 2020. This document is for informational purposes only and does not intend to be a comprehensive review of all proceedings and deadlines. Deadlines and dates are subject to change. Please contact your relevant Wiley attorney for further information on the content of this document.