

Wireless Roundup (August 2022)

July 28, 2022

*Published on July 28, 2022

Key Wireless Deadlines

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Key Wireless Deadlines

FTC Requests Comment on .com Disclosures: On June 3, the Federal Trade Commission (FTC) issued a Request for Information (RFI) regarding a potential update and revision to its .com disclosures guidance document. Among other things, the FTC seeks comment on whether a revised document should address: (1) new issues raised by current or emerging online technologies, activities, or features, such as sponsored and promoted advertising; and (2) issues raised by new laws or regulations. Comments are due by August 2.

FTC Seeks Comment on Telemarketing Sales Rule: The FTC requests comment on its Notice of Proposed Rulemaking (NPRM) and Advance Notice of Proposed Rulemaking (ANPRM) on the Telemarketing Sales Rule (TSR), both of which would amend the TSR to address business-to-business (B2B) telemarketing. The NPRM proposes to: (1) amend the TSR to prohibit B2B telemarketing calls that qualify as deceptive under the rule; and (2) modify the TSR's current recordkeeping provisions to, among other things, require telemarketers to retain robocall recordings, telemarketing scripts, and audio files from telemarketing calls. The ANPRM solicits public feedback on broader TSR amendments, such as whether: (1) the B2B telemarketing exemption should be maintained, modified, or eliminated altogether;

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(2) the B2B telemarketing exemption disproportionately impacts minority and marginalized communities; (3) certain inbound calls should be covered by the TSR; and (4) the TSR should require sellers using “negative option” marketing to give consumers a simple notice and way to cancel negative option programs. Comments are due by August 2.

NIST Requests Comment on Implementing a Zero Trust Architecture: Draft SP 1800-35B: The National Institute of Standards and Technology (NIST) released Draft SP 1800-35B, Implementing a Zero Trust Architecture. This draft publication “summarizes how the [National Cybersecurity Center of Excellence] and its collaborators are using commercially available technology to build interoperable, open standards-based ZTA example implementations that align to the concepts and principles in [NIST SP 800-207].” Comments are due by August 8.

CISA Issues Draft Cross-Sector Performance Goals 2.0 Common Baseline: The Cybersecurity Infrastructure Agency (CISA) has issued its Draft Cross-Sector Performance Goals Common Baseline Version 2.0 Controls List. CISA states that it will be posting the full text of the Common Baseline Version 2.0 in late July 2022. The Cross-Sector Cybersecurity Performance Goals are intended to be a “baseline set of cybersecurity practices broadly applicable across critical infrastructure with known risk-reduction value,” a “benchmark for critical infrastructure operators to measure and improve their cybersecurity maturity,” a “combination of best practices for IT and OT owners, including a prioritized set of security controls,” and “[u]nique from other control frameworks as they consider not only the practices that address risk to individual entities, but also the aggregate risk to the nation.” Comments on the Draft Common Baseline Version 2.0 are due by August 10.

NIST Requests Comment on Hybrid Satellite Networks Cybersecurity: NIST seeks comment on its Hybrid Satellite Networks (HSN) Cybersecurity Draft Annotated Outline. The objective of this Cybersecurity Framework Profile is to identify an approach to assess the cybersecurity posture of Hybrid Satellite Networks (HSN) systems that provide services, such as satellite-based systems for communications; position, navigation, and timing (PNT); remote sensing; weather monitoring; and imaging. This item “will consider the cybersecurity of all the interacting systems that form the HSN rather than the traditional approach of the government acquiring the entire satellite system that includes the satellite bus, payloads, and ground system.” Comments are due by August 9. Comments will be addressed during a live adjudication session on August 11.

NIST Seeks Comment on Cybersecurity Framework for Positioning, Navigation, and Timing Devices: NIST requests comment on its Draft NISTIR 8323, Foundational PNT Profile: Applying the Cybersecurity Framework for the Responsible Use of Positioning, Navigation, and Timing (PNT) Services. Changes from the original version include the addition of five new Cybersecurity Framework (CSF) Subcategories and two new appendices. The PNT Profile is “designed to be used as part of a risk management program in order to help organizations manage risks to systems, networks, and assets that use PNT services.” The PNT Profile “provides guidance for establishing risk management approaches to achieve the desired outcomes commensurate with acceptable and responsible levels of risk that result from the disruption or manipulation of PNT data.” Comments are due by August 12.

FCC Seeks Comment on Methods to Target and Eliminate Unlawful Robocalls: In this Further Notice of Proposed Rulemaking (FNPRM), the Federal Communications Commission (Commission or FCC) proposes and seeks comment on a number of actions aimed at protecting consumers from illegal calls. The document “proposes and seeks comment on a number of steps to protect American consumers from all illegal calls, whether they originate domestically or abroad.” Specifically, this document proposes “to require domestic intermediate providers that are not gateway providers in the call path to apply STIR/SHAKEN caller ID authentication to calls.” It also seeks comment on “a number of robocall mitigation requirements, enhancements to enforcement, clarifications on certain aspects of STIR/SHAKEN, and limitations on the use of U.S. North American Numbering Plan (NANP) numbers for foreign-originated calls and indirect number access.” Comments are due by August 17, and reply comments are due by September 16.

UK’s Ofcom Seeks Comment on Extending Satellite Spectrum in Ku-band: The UK’s Ofcom has opened a proceeding to enable satellite operators to access additional capacity for a range of broadband services in hard-to-reach areas, and states that “[a]ccess to both Ku and Ka band is needed to meet growing demand for satellite services in these sectors.” Ofcom proposes “to extend access to satellite services under a Satellite (Earth Station Network) [license] ... in the 14.25-14.5 GHz band to support the deployment of large numbers of terminals connecting to geostationary orbit and non-geostationary orbit satellite services.” Comments are due by 12 p.m. EST on August 31.

Upcoming Meetings and Events

IWG-1 Meetings: The FCC’s 11th Informal Working Group (IWG-1) Maritime, Aeronautical and Radar Services (WAC23) meeting will be held on August 2 and its 12th meeting will be held on August 9. More information can be found [here](#) and [here](#).

IWG-2 Meetings: The FCC’s 11th Informal Working Group (IWG-2) Terrestrial Services (WAC23) meeting will be held on August 2 and its 12th meeting will be held on August 9. More information is available [here](#) and [here](#).

FCC Open Meeting: The next FCC Open Meeting is scheduled for August 5. Meeting details are available [here](#). The agenda includes:

- Affordable Connectivity Outreach Grant Program
- ‘Your Home, Your Internet’ Pilot Program
- Space Innovation; Facilitating Capabilities for In-Space Servicing, Assembly, and Manufacturing
- Freeing Up 17 GHz Spectrum to Support Satellite Broadband Service

Cherokee Nation Tribal Workshop: On August 9, FCC staff will provide presentations on FCC programs and policies that support the deployment of communications infrastructure and services in Tribal communities. Additional details can be found [here](#).

IWG-3 Meetings: The FCC's 14th Informal Working Group (IWG-3) Space Services (WAC23) meeting will be held on August 11, and the 15th meeting will be held on August 30. More details are available [here](#) and [here](#).

IWG-4 Meetings: The FCC's 12th Informal Working Group (IWG-4) Regulatory Issues meeting will be held on August 11 and its 13th meeting will be held on August 30. More information can be found [here](#) and [here](#).

FirstNet Authority Board Meeting: On August 17, the FirstNet Authority Board will convene an open public meeting. More information is available [here](#).

NIST Cybersecurity Framework Workshop: On August 17, NIST will be holding a workshop on Version 2.0 of the Cybersecurity Framework. More information can be found [here](#).

Did You Know?

TMT partner Amb. David Gross, associate Sara Baxenberg, and summer associate Stephanie Rigizadeh spoke with NTIA Administrator Alan Davidson on several key areas of focus at the agency. Listen on-demand [here](#).

TMT associate Tyler Bridegan wrote an article for *Law360* on the rise of sophisticated cyberattacks and their implications titled "How Complex Cyberattack Tools Raise The Stakes For Cos."

Wiley created a **Sanctions and Export Controls Resource Center**, which hosts our latest insights related to sanctions, export controls, digital currency, cybersecurity and privacy, and other issues surrounding Russia's invasion of Ukraine.

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Roundup Disclaimer: Information in the Wireless Roundup is current as of July 28, 2022. 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.