

Wireless Roundup (July 2021)

June 30, 2021

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FCC Requests Comment on a Petition for Reconsideration of 2016

Updates to the Lifeline Program: The Federal Communications Commission (FCC or Commission) requests comment via a Public Notice to refresh the record on a Petition for Reconsideration filed by the National Association of State Utility Consumer Advocates. The Petition seeks reconsideration of the Commission's 2016 Third Report and Order, Further Report and Order, and Order on Reconsideration (FCC 16-38) that updated the Commission's Lifeline program by, among other things, removing support for voice-only service beginning on December 1, 2021, except in certain circumstances. Comments are due July 1 and reply comments are due by July 16.

FCC Seeks Further Comment on Repurposing the 5.9 GHz Band:

Reply comments are due by July 2 on the FCC's First Report and Order, Further Notice of Proposed Rulemaking (FNPRM), and Order of Proposed Modification (amended by an Erratum and a Second Erratum) that proposes to transition all intelligent transportation system (ITS) operations in the upper 30 megahertz of the 5.850-5.925 GHz band (5.9 GHz band) to cellular vehicle-to-everything (C-V2X)-based technology and adopt C-V2X technical parameters for operation in that upper 30 megahertz portion. This item also raises

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other issues related to full-power outdoor unlicensed operations across the 5.9 GHz band.

FCC Requests Further Comment on Expanding Flexible Use of the 12.2-12.7 GHz Band: The Commission's Wireless Telecommunications Bureau adopted an Order extending the deadline for reply comments to July 7 on a Notice of Proposed Rulemaking (NPRM) intended to maximize efficient use of 500 megahertz of mid-band spectrum between 12.2-12.7 GHz (12 GHz band). Specifically, the Commission requests comment on whether it is technically feasible to add a new or expanded terrestrial mobile allocation in the 12 GHz band without causing harmful interference to incumbent licensees, and whether to increase terrestrial use of the 12 GHz band or continue with the current framework.

FCC Seeks Comment on Accelerating Implementation of STIR/SHAKEN for Some Small Providers: The Commission requests comment on a Third FNPRM that shortens the deadline to implement the STIR/SHAKEN caller ID authentication governance system from two years to one year for a subset of small voice service providers that are at a heightened risk of originating an especially large amount of robocall traffic. The Commission seeks comment on, among other things, how to define small voice service providers that are at a heightened risk of being a source of unlawful robocalls. Comments are due by July 9.

NIST Requests Comment on its Cybersecurity Framework Profile for Ransomware Risk Management: The National Institute of Standards and Technology (NIST) seeks comment on Preliminary Draft NISTIR 8374, titled "Cybersecurity Framework Profile for Ransomware Risk Management." This draft report is intended to be used as a guide for managing the risk of ransomware events. Comments are due by July 9.

FCC Seeks Comment on Enabling Text Messaging to 988 to Reach the National Suicide Prevention Lifeline: The Commission requests comment on an FNPRM that requires covered text providers to support text messaging to 988, which the Commission designated as the 3-digit dialing code to reach the National Suicide Prevention Lifeline by telephone in a July 2020 Report and Order. Comments are due by July 12.

FCC Requests Comment on Commercial Space Launch Operations: The Commission seeks comment on a Report and Order and FNPRM intended to provide regulatory certainty and improved efficiency to promote innovation and investment in the commercial space launch industry. The FNPRM proposes to, among other things, add a non-Federal allocation in the 2025-2110 MHz band to support commercial space launch operations and adopt a licensing framework and technical rules to govern space launch operations services in the 2200-2290 MHz band. Comments are due by July 12.

Treasury Seeks Comment on Interim Final Rule Implementing Broadband Funding: In May 2021, the U.S. Department of Treasury (Treasury) issued an Interim Final Rule to implement the \$350 billion Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act. The funds can be used by eligible recipients for investments to provide unserved or underserved locations with new or expanded broadband access. Comments are due by July 16.

FCC Accepting Applications for the Auction of New Flexible-Use Licenses in the 3.45 GHz Service: The Commission announced via Public Notice that it is accepting applications to participate in Auction 110, the auction of new flexible-use licenses in the 3.45-3.55 GHz band (the 3.45 GHz Service). Auction 110 is intended

to further the deployment of 5G, the Internet of Things (IoT), and other advanced spectrum-based services across the country. Short-form applications are due by July 21.

NIST Requests Comment on its Artificial Intelligence and User Trust Publication: NIST seeks comment on Draft NISTIR 8332, titled "Trust and Artificial Intelligence." The goal of this publication is to stimulate a discussion about how humans trust artificial intelligence systems. Comments are due by July 30.

Upcoming Meetings and Events

IWG-4 Regulatory Issues Meetings: The World Radiocommunication Conference Advisory Committee's (WAC) Informal Working Group 4 (IWG-4) on regulatory issues (WAC23) will hold its fifth meeting on July 7. Additional information is available [here](#). IWG-4 will then hold its sixth meeting on July 29, additional information for which may be accessed [here](#).

IWG-3 Space Services Meetings: The WAC's IWG-3 on space services (WAC23) will hold its sixth meeting on July 7. Additional information is accessible [here](#). IWG-3 will then hold its seventh meeting on July 29, additional information for which may be accessed [here](#).

Precision Ag Connectivity Task Force Meeting: The next meeting of the Task Force for Reviewing the Connectivity and Technology Needs of Precision Agriculture in the United States (Precision Ag Connectivity Task Force) will be held on July 8. Additional information is available [here](#).

FCC Open Meeting: The next FCC Open Meeting is scheduled for July 13. The tentative agenda for this meeting is accessible [here](#).

Region 28 700 MHz and 800 MHz Public Safety Planning Committee Meeting: The next Region 28 (Eastern Pennsylvania, Southern New Jersey and Delaware Area) 700 MHz and 800 MHz Regional Public Safety Planning Committee Meeting will be held on July 13. The public notice and agenda are available [here](#).

FCC Open RAN Solutions Showcase: The FCC's Open Radio Access Network (Open RAN) Solutions showcase will take place on July 14-15. Additional information is available [here](#) and [here](#).

Preventing and Recovering from Ransomware and other Destructive Cyber Events Workshop: NIST's National Cybersecurity Center of Excellence (NCCoE) will host a virtual workshop on preventing and recovering from ransomware and other destructive cyber events on July 14. Additional information, including registration, is available [here](#).

FTC PrivacyCon 2021: The Federal Trade Commission (FTC) will host its sixth annual PrivacyCon on July 27. Additional information on the event is available [here](#).

Did You Know?

Congratulations to the Wiley lawyers from our Telecom, Media & Technology (TMT) practice that are recognized in *The Legal 500 US*. Wiley Chairman Emeritus and TMT partner Richard E. Wiley is named in the “Hall of Fame.” Additionally, TMT Practice co-chair Kathleen A. Kirby is a “Leading Lawyer” for Telecoms and Broadcast: Regulatory and has been recognized for Telecoms and Broadcast: Transactional, while Partner Henry Gola has been named “Next Generation Lawyer” for Telecoms and Broadcast: Regulatory. Claire J. Evans, Anna M. Gomez, Amb. David A. Gross, Jennifer D. Hindin, Christopher S. Huther, Ari Meltzer, and Eve Klindera Reed were also recognized. View all of Wiley’s rankings here.

Partner Antonio Reynolds launched a podcast series: ***Fintech Noir***. Listen to the first episode—“From Tulsa to Now: Dismantling Systemic Racism in Our Financial Systems”—for a discussion about the intersection between financial services and technology and diversity, equity and inclusion.

Check Out Our Consumer Protection and Privacy Newsletters

The latest edition of the *Wiley Consumer Protection Download* is available here.

You can read Wiley’s June 2021 *Privacy in Focus* here.

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FCC Releases Proposal to Tackle Security in Equipment Authorizations, Spectrum Auction Certifications, and Beyond

Biden Administration Revokes Trump EOs Targeting TikTok, WeChat, and Other Chinese Software Apps; Initiates Broader Investigations into Software Apps by Foreign Adversaries

Industry Implications of EO on Improving the Nation’s Cybersecurity

Podcast: National Security and the FCC with Brendan Carr

Cyber Proposals Should Reject Impractical Obligations and Victim Shaming

Above and Beyond: FAA Administrator Announces Formation of Beyond Visual Line of Sight Rulemaking Committee for Drones

The White House Launches Supply Chain Initiatives on Essential Items

New FCC Proceeding to Tackle Security in Equipment, Auctions, and Beyond

Roundup Disclaimer: Information in the Wireless Roundup is current as of June 30, 2021. 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.