

Wireless Roundup (May 2021)

April 29, 2021

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Key Wireless Deadlines

Upcoming Meetings and Events

Did You Know?

Recent Wiley Client Alerts, IoT Blog Posts, and Podcasts

Key Wireless Deadlines

NIST Requests Comment on its Mobile Device Security Practice

Guide: The National Institute of Standards and Technology's (NIST) National Cybersecurity Center of Excellence (NCCoE) seeks comment on a draft of NIST Cybersecurity Practice Guide SP 1800-22, titled "Mobile Device Security: Bring Your Own Device (BYOD)." The goal of this Practice Guide was to provide an example solution to help organizations use both a standards-based approach and commercially available technologies to help meet their security and privacy needs when permitting personally owned mobile devices to access enterprise resources. Comments are due by May 3.

FCC Requests Comment on the Bidding Procedures for the Auction

of 2.5 GHz Band Licenses: The Federal Communications Commission (FCC or Commission) seeks comment via Public Notice on the proposed auction procedures for bidding to acquire licenses in Auction 108, which will offer approximately 8,300 geographic overlay licenses for unassigned spectrum in the 2496–2690 MHz band (2.5 GHz band). The FCC will offer up to three blocks of spectrum—a 49.5 megahertz block, a 50.5 megahertz block, and a 16.5 megahertz block—which will be licensed on a county basis. Comments are due by May 3, and reply comments are due by May 17.

Practice Areas

Internet of Things

Space and Satellite

Telecom, Media & Technology

The Telephone Consumer Protection Act (TCPA)

Wireless

FCC Requests Comment on Implementation of Section 9201 of the NDAA Regarding Changes to EAS and WEA: The FCC seeks comment on a Notice of Proposed Rulemaking (NPRM) and Notice of Inquiry (NOI) to implement Section 9201 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (2021 NDAA). Section 9201 of the 2021 NDAA is intended to improve the way the public receives emergency alerts on their mobile phones, televisions, and radios. To this end, the NPRM seeks comment on proposals to, among other things, ensure that mobile devices cannot opt-out of receiving the Wireless Emergency Alert (WEA) system's alerts and enable government officials to report false WEAs and Emergency Alert System (EAS) alerts. The NOI seeks comment on whether it is technically feasible to deliver EAS alerts through the Internet and whether and how to leverage the capabilities of the Internet to enhance the alerting capabilities of current EAS participants. Reply comments on the NPRM are due by May 4 and comments on the NOI are due by May 14.

FCC Requests Comment on Petitions for Reconsideration of its Report and Order Intended to Streamline Part 25 Rules Governing Satellite Services: The FCC seeks comment via Public Notice on three Petitions for Reconsideration of the FCC's Report and Order creating an optional framework for authorizing both the blanket-licensed earth stations and space stations of a satellite system through a unified license. The Petitions for Reconsideration were filed by: (1) The Satellite Industry Association; (2) Iridium Constellation LLC; and (3) Space Exploration Technologies Corp. Oppositions are due by May 6 and replies to an opposition are due by May 17.

FCC Requests Comment on Expanding Flexible Use of the 12.2-12.7 GHz Band: The FCC seeks comment on an 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. Comments are due by May 7.

FCC Requests Comment on Petitions for Reconsideration of its Report and Order Implementing Section 8 of the TRACED Act: On March 31, the FCC requested comments via Public Notice on two Petitions for Reconsideration of its December 29, 2020 Report and Order implementing Section 8 of the Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act of 2019 (TRACED Act). The Petitions for Reconsideration were filed by the Enterprise Communications Advocacy Coalition and ACA International et al. The Report and Order was intended to ensure that any exemption the Commission adopts under the Telephone Consumer Protection Act for calls to residential lines or calls to wireless numbers includes requirements with respect to the classes of parties that may make such calls, the classes of parties that may be called, and the number of such calls that may be made to a particular called party. Replies to an opposition to the Petitions for Reconsideration are due by May 7.

NIST Requests Comment on its IoT Cybersecurity Practice Guide for Distributed Energy Resources: NIST's NCCoE seeks comment on the preliminary drafts of SP 1800-32A (Volume A) and SP 1800-32B (Volume B) of NIST SP 1800-32—"Securing the Industrial Internet of Things: Cybersecurity for Distributed Energy Resources." Volume A is an executive summary and Volume B, titled "Approach, Architecture, and Security Characteristics",

is intended to assist technology or security program managers who are concerned with how to identify, understand, assess, and mitigate risk. Comments are due by May 24.

FCC Requests Comment on the Development and Deployment of 5G Open Radio Access Networks: The FCC is seeking replies to the comments filed in response to its NOI regarding the potential of Open Radio Access Networks (Open RAN) in securing America's communications networks and the communications supply chain, and in driving 5G innovation. Specifically, the Commission seeks comment on any steps it should take to accelerate the development and deployment of Open RAN, any challenges or other considerations related to the testing, deployment, and integration of Open RAN, and the costs and benefits associated with Open RAN development and deployment. Reply comments are due by May 28.

Upcoming Meetings and Events

FirstNet Authority Combined Board and Committee Meeting: The First Responder Network (FirstNet) Authority will convene an open public meeting of its Board and Board Committees on May 5. Additional information is available [here](#).

NSTAC Meeting: The National Security Telecommunications Advisory Committee (NSTAC) will hold its next meeting on May 6. The meeting will be open to the public via live stream. The agenda is available [here](#).

Water Data Forum Webinar: The NCCoE's Jim McCarthy is scheduled to speak on a panel entitled "Driving Digital Security Across the Water Sector" on May 12. Additional information, including registration, is available [here](#).

RSA Public Sector Day: The Cybersecurity and Infrastructure Security Agency's (CISA) Acting Deputy Director Nitin Natarajan is speaking at the virtual RSA Public Sector Day on May 17. His speech will highlight CISA's relationship with local governments and best practices moving forward. Alaina Clark, CISA's Assistant Director for Stakeholder Engagement, is also scheduled to speak on a panel at this event titled "Ransomware Aftershock: How to Recover and Stay Resilient." Additional information, including registration, is available [here](#).

FCC Open Meeting: The next FCC Open Meeting is scheduled for May 20. When available, the agenda will be posted [here](#).

Did You Know?

Wiley is pleased to announce that Thomas M. Johnson, Jr., former General Counsel of the FCC, has joined the firm as a partner, and will serve as co-chair of the firm's Appellate Practice.

Wiley recently helped persuade the Supreme Court to uphold FCC media ownership rules. [Read more here.](#)

May 25: Amb. David Gross will be speaking at the Joint USCIB, BIAC, & OECD Digital Economy Conference. Learn more about the event [here](#).

Congratulations to the six Wiley partners *Law360* has selected to serve on the publication's 2021 Editorial Advisory Boards, including our TMT partner, Anna Gomez. Read more [here](#).

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Roundup Disclaimer: Information in the Wireless Roundup is current as of April 29, 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.