

## Wireless Roundup (May 2022)

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April 29, 2022

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### Key Wireless Deadlines

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#### **SEC Requests Comment on Cybersecurity Reporting Requirements:**

The Securities and Exchange Commission (SEC) is proposing rules to enhance and standardize disclosures regarding cybersecurity risk management, strategy, governance, and cybersecurity incident reporting by public companies that are subject to the reporting requirements of the Securities Exchange Act of 1934. Specifically, publicly traded companies would be required to disclose information about a material cybersecurity incident within four business days after the company determines that it has experienced a material cybersecurity incident. The proposed rule would also impose disclosure requirements for public companies related to cybersecurity risk management, strategy, and governance. Comments are due by May 9.

**FCC Seeks Comment on Emergency Alert System:** In a Notice of Proposed Rulemaking (NPRM), the Federal Communications Commission (the FCC or the Commission) proposes action to improve the clarity and accessibility of visual Emergency Alert System messages to the public, particularly to people who are deaf or hard of hearing. In addition, in the included Notice of Inquiry (NOI), the Commission launches an examination of broader measures to

### Practice Areas

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Telecom, Media & Technology  
Wireless

enhance the Emergency Alert System's overall functionality and accessibility. Reply comments on the NOI are due on or before May 10.

**FCC Requests Comment on Vulnerabilities Posed by Border Gateway Protocol:** The FCC seeks comment in an NOI on vulnerabilities threatening the security and integrity of the Border Gateway Protocol (BGP); its impact on the transmission of data from email, e-commerce, and bank transactions to interconnected Voice-over Internet Protocol (VoIP) and 9-1-1 calls; and how best to address them. Reply comments are due by May 10.

**NTIA Seeks Comment on Competition in the Mobile App Ecosystem:** The National Telecommunications and Information Administration (NTIA) published a Request for Comment (RFC) on the state of competition in the mobile app ecosystem, the factors affecting app development and distribution, and active ways to increase competition, through government or private sector action. Specifically, NTIA is interested in understanding what shapes the competitive marketplace for apps for mobile phones and tablets, and how the dynamics are different from the market for apps for home computers or game consoles. The data gathered through this process will be used to inform the Biden-Harris Administration's competition initiatives, including, but not limited to, the Department of Commerce's work developing a report to submit to the Chair of the White House Competition Council regarding the mobile application ecosystem. Comments are due by May 23.

**Department of Commerce Bureau of Industry and Security Seeks Comment on Supply Chain Resilience:** The Department of Commerce published an RFC on advancing supply chain resilience and security in certain sectors. Specifically, the Department seeks comments on how to advance supply chain resilience and security in certain sectors—(1) semiconductors; (2) solar photovoltaics; (3) critical minerals and materials including rare earth magnets, lithium-ion batteries, and material inputs to semiconductors; and (4) pharmaceuticals—to inform the work of the United States-European Union Trade and Technology Council's (TTC) Secure Supply Chains Working Group. The TTC was launched in June 2021 and seeks to promote U.S. and EU competitiveness and prosperity and the spread of democratic, market-oriented values. Comments are due by May 23.

**State Department Requests Comment on National Action Plan on Responsible Business Conduct (NAP RBC):** The State Department published a notice on February 28, 2022 seeking comment concerning the NAP RBC for U.S. businesses operating and investing abroad. Comments may concern issues addressed in the prior (2016) NAP RBC or other issues suggested as priorities. The Administration is updating the NAP RBC to show how the U.S. Government encourages businesses to achieve high standards of responsible business conduct and champions U.S. businesses that demonstrate best practices regarding the same. It will also highlight what the U.S. Government is doing, including with partners, to encourage responsible business conduct by U.S. businesses operating and investing abroad. Comments are due by May 31.

**NCCoE Seeks Comment on 5G NIST Cybersecurity Practice Guide:** The National Institute of Standards and Technology's (NIST) National Cybersecurity Center of Excellence (NCCoE) is collaborating with technology providers to develop example approaches for securing 5G networks. NCCoE has released a preliminary draft of NIST Cybersecurity Practice Guide SP 1800-33B, *5G Cybersecurity, Volume B: Approach, Architecture, and*

*Security Characteristics*, and is seeking public comment on the document. This NIST Cybersecurity Practice Guide aims to explain how 5G security features and third-party security controls could be used to implement organizational security capabilities for securing 5G network usage. Comments are due by June 27, 2022.

## Upcoming Meetings and Events

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**NAIAC Open Meeting:** On May 4, the National Artificial Intelligence Advisory Committee (NAIAC) will hold an open meeting to address the state of artificial intelligence (AI) and the potential for AI integration in the U.S. workforce. More details are available [here](#).

**FirstNet Authority Board Meeting:** FirstNet will convene an open public Board meeting on May 4. More information can be found [here](#).

**NIST Lightweight Cryptography Workshop 2022:** On May 9-11, NIST will host the Fifth Lightweight Cryptography Workshop. More details are available [here](#).

**FTC and DOJ Listening Forum on Technology Mergers and Acquisitions:** On May 12, the Federal Trade Commission (FTC) and Department of Justice (DOJ) will host a listening forum on the effect of mergers and acquisitions on industries related to technology. More information can be found [here](#).

**FISSEA Spring Forum:** On May 17, The Federal Information Security Educators (FISSEA) will hold its Spring Forum. More details are available [here](#).

**NCCoE Virtual Workshop:** On May 18-19, NCCoE will host a virtual workshop on Exploring Solutions for the Cybersecurity of Genomic Data. More information can be found [here](#).

**FCC Open Meeting:** The next FCC Open Meeting is scheduled for May 19. When posted, meeting details will be available [here](#).

**Forum on Geolocation for 988:** On May 24, the FCC, along with the U.S. Department of Health and Human Services and the U.S. Department of Veterans Affairs, will convene a forum on geolocation for 988, the number designated for the National Suicide Prevention Lifeline. More details are available [here](#).

**Cybersecurity for the LNG Industry Webinar:** On May 24, NCCoE will host a webinar on developing a Cybersecurity Framework Profile for the liquified natural gas (LNG) industry. More information can be found [here](#).

## Did You Know?

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**May 19:** Wiley partners **Megan Brown** and **Ted Brown** and special counsel **Lyn Brown** will be presenting an Association of Corporate Counsel CLE discussing "Cyber Risk in a Changing Environment: Emerging Regulations and Lessons from the Front Lines." Learn more [here](#).

**May 25:** Wiley partners **Megan Brown, Duane Pozza, Jerita Salley, and Kat Scott** will be hosting a webinar discussing “Transactional Due Diligence Related to Privacy & Cybersecurity.” RSVP [here](#).

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.

### **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 latest *Privacy in Focus* monthly newsletter [here](#).

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FCC Opens Inquiry into Potential Receiver Standards

New FCC Equipment Marketing Rules Allow Pre-Sale of Radio Frequency Devices to Consumers

Industry Beware! Key Conditions Apply To The FCC's New Pre-Sale Equipment Authorization Rules

Podcast: Mandatory Cyber Incident Reporting: Pros, Cons, and Next Steps

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