

Wireless Roundup (November 2023)

October 31, 2023

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Key Wireless Deadlines

FCC Requests Comment on Proposal to Set Final Deadlines for Submission of Reimbursement Claims for C-band Transition: In this Public Notice, the Federal Communications Commission (FCC or Commission) seeks comment on the C-band Relocation Payment Clearinghouse (RPC) proposal for the Wireless Telecommunications Bureau to establish deadlines by which eligible incumbents and other stakeholders would be required to submit any C-band transition-related reimbursement claims to the RPC for processing. The FCC seeks comment on the proposed final claims submission deadlines and whether there are other steps the Bureau should take to facilitate the conclusion of the C-band transition reimbursement program and wind down the RPC's operations in a timely manner. Comments are due November 8.

FCC Invites Comment on its IoT Cybersecurity Labeling Program: In this Notice of Proposed Rulemaking (NPRM), the Commission seeks comment on its proposed voluntary cybersecurity labeling program that would provide information to consumers on the relative security of an Internet of Things (IoT) device or product. The Commission proposes to limit the program eligibility to IoT devices that intentionally emit radio frequency (RF) energy, but asks whether the Commission should also include other devices such as products that connect to Wi-Fi as an intermediary. The NPRM also asks for input on

oversight and management via its proposal to create Cybersecurity Labeling Authorization Bodies, the development of criteria and standards stemming from the National Institute of Standards and Technology's (NIST) proposal, and program administration issues. Per an extension of the comment deadlines, reply comments are due November 10.

FCC Seeks Comment on the 5G Fund for Rural America Implementation: In this Further Notice of Proposed Rulemaking (FNPRM), the Commission requests comment on various issues related to implementing the 5G Fund for Rural America. Specifically, the FCC asks for updated comments on defining the areas eligible for 5G Fund support, the budget for the 5G Fund, and what metrics and geographic areas to use for bidding and identifying winning bids in the 5G Fund Auction. The FNPRM also invites comment on how to measure 5G Fund support recipient's compliance with its public interest obligations and performance requirements, and whether the proceeding could create an opportunity to support additional deployment of Open Radio Access Network technologies, among other inquiries. Reply comments are due November 21.

FCC Requests Comment on Possible Revision or Elimination of Rules Adopted in 2007-2012: In this Public Notice, the Commission seeks comment on whether certain Commission rules adopted in 2007 through 2012 that have or will have a significant economic impact on a substantial number of small entities should be revised or eliminated pursuant to Section 610 of the Regulatory Flexibility Act. The Commission asks whether various wireless rules should be revised or eliminated including rules related to spectrum leasing arrangements; the allocation, assignment, and use of radio frequencies; and Wireless Emergency Alerts. Comments are due November 27.

Upcoming Meetings and Events

- **FCC Open Meeting:** The next FCC Open Meeting is scheduled for November 15. Meeting details and agenda can be found [here](#). The agenda includes:
 - Preventing Digital Discrimination Report and Order (R&O) and FNPRM
 - Empowering Survivors of Domestic Violence R&O
 - Understanding Impacts of Artificial Intelligence on Robocalls and Robotexts Notice of Inquiry (NOI)
 - Protecting Consumers from SIM Swapping and Port-Out Fraud R&O and FNPRM
 - Amending Amateur Radio Rules for Greater Flexibility in Data Communications R&O and FNPRM
 - Reducing Regulatory Requirements for Rural Provider of Long-Distance Access Service Declaratory Ruling and Memorandum Opinion and Order
- **FCC Space Bureau's Transparency Initiative Open House:** The FCC's Space Bureau will be hosting an open house on space station licensing on November 1. More details can be found [here](#).

Cyber Corner

NIST Seeks Comments on Draft NIST SP 800-92 Rev. 1: Cybersecurity Log Management Planning Guide:

NIST is seeking comment on its draft of SP 800-92 Rev. 1: Cybersecurity Log Management Planning Guide. The publication provides guidance for organizations to plan improvements to their cybersecurity log management practices in support of regulatory requirements and recommended practices. It does not define recommended practices or requirements. Comments are due November 29.

Federal Acquisition Regulation (FAR) Incident Reporting NPRM: The Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA) are seeking comment on the Cyber Threat and Incident Reporting and Information Sharing NPRM. The NPRM proposes requiring federal contractors, including those selling commercial off the shelf ICT products, to, among other things: (1) report cyber incidents to the Cybersecurity & Infrastructure Security Agency (CISA) within eight hours of discovery; (2) include a software bill of materials for all software used in the performance of a contract; and (3) permit CISA to conduct threat hunting engagements on their networks. Comments are due December 4.

NPRM on Standardizing Cybersecurity Requirements for Unclassified Federal Information Systems: DOD, GSA, and NASA are also seeking comment on the Standardizing Cybersecurity Requirements for Unclassified Federal Information Systems NPRM. Comments will be due December 4.

Did You Know?

November 2-3: Duane Pozza, Joan Stewart, Kathleen Scott, Lauren Johnson, and Tyler Bridegan will be attending the IAPP AI Governance Global 2023 Conference in Boston, MA.

Interested in learning more about the FCC's new NPRM seeking to restore Title II net neutrality regulations for internet access providers? Read Wiley's client alert [here](#), and read insights from Wiley partners Diane Holland and Tom Johnson—both of whom held key roles at the agency—in recent articles published by Bloomberg, IEEE Spectrum, Ars Technica, Washington Examiner, and Fast Company.

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 Download Newsletter, the latest edition is available [here](#).

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Podcast: Hosted Payload Episode 8: Priya Venkat / A Million Miles Away

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GAO Calls for Better Info-Sharing by ONCD and CISA After Cyberattacks; May be Inconsistent with New Mandates

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Reminder: Nationwide EAS and WEA Tests Coming October 4, 2023

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