

Wireless Roundup (April 2022)

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Key Wireless Deadlines

FTC Seeks Comment on Petition for Rulemaking by NetChoice et al:

The Federal Trade Commission (FTC) requests comment on a petition for rulemaking filed by NetChoice, Americans for Prosperity, Hispanic Leadership Fund, Innovation Economy Institute, Institute for Policy Innovation, James Madison Institute, National Taxpayers Union, R Street Institute, and Young Voices. This petition requests that the FTC initiate rulemaking to revise the rule regarding disqualification of Commissioners (16 C.F.R. § 4.17) to establish procedures for disqualification of Commissioners in response to a request for recusal. Under the request, the current rule regarding disqualification of Commissioners would be amended to also apply to enforcement proceedings and include specific procedures on time to respond to petitions, review by the FTC Ethics Official and the Commissioners, and standards for determining recusal. Comments are due by April 4.

NIST Requests Comment on Draft Introduction to Cybersecurity for Commercial Satellite Operations: The National Institute of Standards and Technology (NIST) seeks comment on the second draft of NISTIR 8270, *Introduction to Cybersecurity for Commercial Satellite Operations*, which presents a specific method for applying the NIST Cybersecurity Framework (CSF) to commercial space business and

describes an abstracted set of cybersecurity outcomes, requirements, and suggested controls. The draft aims to clarify scope with an emphasis on the satellite itself, update examples for clarity, add more detailed steps for developing a current and target profile and risk analysis, and provide references for relevant regulations around commercial space. Reviewers are asked to provide feedback on additional threat models that might help in the development of organization profiles, informative references on the application of security controls to satellites, and standards or informative references that might benefit all readers. Comments are due by April 8.

FCC Requests Comment on Vulnerabilities Posed by Border Gateway Protocol: The Federal Communications Commission (FCC or Commission) seeks comment in a Notice of Inquiry (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. Comments are due by April 11.

FCC Seeks Comment on Affordable Connectivity Program: The Commission requests comment in a Further Notice of Proposed Rulemaking (FNPRM) on proposals for increasing awareness of and participation in the Affordable Connectivity Program, as well as an enhanced affordable connectivity benefit for consumers in certain high-cost areas. Reply comments are due by April 15.

NIST Seeks Comment on Zero Trust Guidance for Enterprise Mobility: The Cybersecurity and Infrastructure Security Agency (CISA) requests comment on its *Zero Trust Guidance for Enterprise Mobility* paper, which is part of CISA's efforts to develop guidance for federal agencies as they move towards the Zero Trust Architecture (ZTA) model called for in the May 12, 2021 Executive Order on Improving the Nation's Cybersecurity. The document focuses on mobile devices and associated enterprise security management capabilities and is intended to "guide federal civilian agencies and other organizations through the process of developing and implementing their specific cybersecurity capabilities for enterprise mobility toward adoption of their ZT goals." Comments are due April 20.

NIST Requests Information to Improve Cybersecurity Framework: On February 22, NIST published a Request for Information (RFI) on the NIST Cybersecurity Framework 2.0 (CSF). NIST states that it is seeking information to inform a potential revision to the CSF "to account for the changing landscape of cybersecurity risks, technologies, and resources." Among other things, NIST seeks information on "[c]hallenges that may prevent organizations from using the [CSF]" and whether any features of the CSF "should be changed, added, or removed." The RFI also addresses cybersecurity supply chain risk management, including NIST's new public-private partnership related to supply chain cybersecurity, called the National Initiative for Improving Cybersecurity in Supply Chains (NIICS). Comments are due by April 25.

FCC Seeks Comment on Proposed Rules Governing Spectrum Sharing Among NGSO FSS Systems: The Commission proposes in an NPRM to revise its rules governing spectrum sharing among non-geostationary satellite orbit, fixed-satellite service (NGSO FSS) systems. The FCC proposes that its existing spectrum sharing mechanism for NGSO FSS systems will be limited to those systems approved in the same processing round. The FCC also proposes to adopt a rule providing that later-round NGSO FSS systems will have to protect

earlier-round systems and invites comment on how to define such protection. In addition, the FCC seeks comment on whether to sunset, after a period of time, the interference protection afforded to an NGSO FSS system because of its processing round status. Reply comments are due by April 25.

FCC Requests Comment on Proposed Changes to E-Rate Program: The Commission proposes a change to the E-Rate program in an NPRM. Specifically, the Commission seeks comment on a proposal to implement a central document repository (i.e., bidding portal) through which service providers would be required to submit bids to the E-Rate program administrator, the Universal Service Administrative Company (USAC), instead of directly to applicants. Reply comments are due by April 27.

FCC Adopts Auction 108 (2.5 GHz) Procedures, Deadlines, and Inventory: The FCC has released a public notice announcing procedures, deadlines, minimum opening bid amounts, and revised inventory for the auction of geographic overlay licenses in the 2.5 GHz band (Auction 108) to begin on July 29, 2022. Auction 108 will consist of the auction of 8,000 new flexible-use geographic overlay licenses in the 2.5 GHz band, and “will offer the single largest contiguous portion of available mid-band spectrum below 3 GHz,” intended to “extend 5G service beyond the most populated areas.” The short-form application (FCC Form 175) filing window opens April 27 and closes May 10.

NIST Seeks Comment on Initial Draft of AI Risk Management Framework: On March 17, NIST released its AI Risk Management Framework: Initial Draft. This draft framework “is intended to improve understanding and help manage enterprise and societal risks related to AI systems” and “aims to provide a flexible, structured and measurable process to address AI risks throughout the AI lifecycle, and offers guidance for the development and use of trustworthy and responsible AI.” Comments are due April 29.

SEC Requests Comment on Proposed Cybersecurity Disclosure Rules: 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.” Specifically, the SEC is proposing amendments to require reporting of material cybersecurity incidents, periodic disclosures about a registrant’s policies and procedures to identify and manage cybersecurity risks, management’s role in implementing cybersecurity policies and procedures, and the board of directors’ cybersecurity expertise, if any, and its oversight of cybersecurity risk. Additionally, the proposed rules would require registrants to provide updates about previously reported cybersecurity incidents in their periodic reports, as well as require these cybersecurity disclosures to be presented in Inline eXtensible Business Reporting Language. Comments are due by May 9.

Upcoming Meetings and Events

FCC Open Meeting: The next FCC Open Meeting is scheduled for April 21. When available, the meeting agenda will be posted here.

NTIA IJJA Broadband Programs Webinars: On April 6 and April 27, NTIA will host pre-Notice of Funding Opportunity (NOFO) technical assistance webinars in connection with the five new broadband grant programs authorized and funded by the Infrastructure Investment and Jobs Act (IJJA): The Broadband Equity, Access, and Deployment Program; the Enabling Middle Mile Broadband Infrastructure Program; and the Digital Equity Act Programs. Additional information is available [here](#).

NIST Semiconductor Metrology R&D Workshops: On April 6-7 and April 20-21, NIST is convening two Semiconductor Metrology Research and Development virtual workshops. Additional information can be accessed [here](#).

IAPP Global Privacy Summit: On April 12, the International Association of Privacy Professionals (IAPP) will host a summit on global privacy featuring a speaker from NIST. Additional information is available [here](#).

NICE Webinar on Cybersecurity Considerations for QIST Workforce: On April 20, the National Initiative for Cybersecurity Education (NICE) will hold a webinar examining the cybersecurity implications of the Quantum Information Science Technology (QIST) Workforce. Additional information can be found [here](#).

NCCoE Supply Chain Assurance Project Update: On April 20, the National Cybersecurity Center of Excellence (NCCoE) will host a virtual project update meeting on supply chain assurance workflows. More information is available [here](#).

Federal Cybersecurity Workforce Summit: On April 26, NICE and the Office of Personnel Management will be holding a summit and webinar series on the federal cybersecurity workforce. More information can be found [here](#).

Did You Know?

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.

April 2: Wiley partner **Anna Gomez** will be speaking at the Federal Communications Bar Association (FCBA) Annual Seminar panel: "Connecting Communities: Digital Equity & Closing the Digital Divide." More information is available [here](#).

April 5: Wiley partner **Katy Milner** will be moderating an FCBA Lunch and Learn panel: "10 Digit Long Codes (10DLC): What's all the fuss?" Learn more [here](#).

April 6: Wiley partner **Duane Pozza** is speaking at the 2022 ABA Antitrust Law Spring Meeting panel: "Coin Bitten? Consumer Protection and Crypto." More information is available [here](#).

April 8: Wiley partner **Amb. David Gross** will be speaking at the 2022 Wilbur K. Woo Greater China Business Conference to discuss “A 360-Degree View on the State of Technology Today.” Learn more [here](#).

April 11: Wiley of counsel **Daniel Brooks** will be on a Thomson Reuters West LegalEdcenter webinar discussing, “Negotiable Hostilities - Part III: Doing Business with Russia in the Current Crisis.” More information is available [here](#).

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Roundup Disclaimer: Information in the Wireless Roundup is current as of March 31, 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.