

# Wireless Roundup (June 2021)

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Wireless

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## Key Wireless Deadlines

### **Treasury Seeks Comment on Interim Final Rule Implementing**

**Broadband Funding:** Last month, 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.

**NTIA Issues Broadband Notice of Funding Opportunity:** On May 19, the National Telecommunications and Information Administration (NTIA) issued a Notice of Funding Opportunity under which it will award grants for the Broadband Infrastructure Program, authorized by the Consolidated Appropriations Act. The Act authorizes grants to covered partnerships for covered broadband projects, defined as competitively and technologically neutral projects for the deployment of fixed broadband service that provides qualifying broadband service in an eligible service area. Applications are due by August 17.

**FCC Requests Comment on Repurposing the 5.9 GHz Band:** The Federal Communications Commission (FCC or Commission) seeks comment on a First Report and Order, Further Notice of Proposed Rulemaking, 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 other issues related to full-power outdoor unlicensed operations across the 5.9 GHz band. Comments are due by June 2.

**FCC Seeks Comment on a Protective Order for Robocall Mitigation Database Collection:** The FCC requests comment via Public Notice on the adoption of a protective order concerning the treatment of confidential and highly confidential information included in certifications from voice service providers to the FCC regarding their efforts to stem the origination of illegal robocalls on their networks. The certifications will be publicly available in a database called the Robocall Mitigation Database. Comments are due by June 3 and reply comments are due by June 8.

**FCC Requests Comment on Calculating Regulatory Fees for Commercial Mobile Radio Services:** The FCC is seeking comment on a Report and Order and Notice of Proposed Rulemaking (NPRM) in which the Commission proposes to collect \$374 million in regulatory fees for fiscal year 2021. Among other things, the Commission proposes to include non-geographic numbers in the calculation of the number of subscribers for each commercial mobile radio service (CMRS) provider and to adopt new regulatory fees for “less complex” non-geostationary orbit (NGSO) satellite systems and “other” NGSO systems. Comments are due by June 3 and reply comments are due by June 18.

**FCC Seeks Comment on a Petition for Reconsideration of the Implementation of the TRACED Act:** The Commission requests comment via Public Notice on a Petition for Reconsideration (Petition) filed by USTelecom – The Broadband Association. The Petition seeks reconsideration of the Commission’s Fourth Report and Order to implement the 2019 Pallone-Thune Telephone Robocall Abuse Criminal Enforcement and Deterrence Act (TRACED Act), which, among other things, requires terminating voice service providers that block calls to immediately notify callers of such blocking. Oppositions are due by June 4 and replies to an opposition are due by June 14.

**FCC Requests Comment on Petition for Reconsideration of the Implementation of the Digital Opportunity Data Collection:** The FCC seeks comment via Public Notice on a Petition for Reconsideration filed by CTIA of the FCC’s Third Report and Order implementing the Digital Opportunity Data Collection. The Third Report and Order was intended to allow the Commission to collect geographically precise and detailed data on broadband service deployment that would yield a robust and reliable data resource for stakeholders to evaluate the status of broadband deployment throughout the United States. Oppositions are due by June 4 and replies to an opposition are due by June 14.

**FCC Seeks Further Comment on Expanding Flexible Use of the 12.2-12.7 GHz Band:** Reply comments are due by June 7 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.

**NTIA Requests Comment in Preparation for the ITU WTDC-2021:** NTIA seeks comment on activities, priorities, and policies that advance telecommunications and information and communications technology (ICT) development worldwide to assist the U.S. government in the development of its position for the International Telecommunications Union's (ITU) 2021 World Telecommunication Development Conference (WTDC-2021), which is scheduled for November 8-19, 2021, in Addis Ababa, Ethiopia. Comments are due by June 7.

**FCC Seeks Comment on the Impact of the Semi-Conductor Shortage on the Communications Sector:** The Commission requests comment via Public Notice on the potential impacts of a continuing global shortage of semiconductors on the U.S. communications industry and on the Commission's priorities and initiatives. Comments are due by June 10 and reply comments are due by June 25.

**FCC Requests Further Comment on Implementation of Section 9201 of the NDAA Regarding Changes to EAS:** Reply comments are due by June 14 on a 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 NOI seeks comment on whether it is technically feasible to deliver Emergency Alert System (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.

**NIST Seeks Comment on an IoT Device Security White Paper:** The National Institute of Standards and Technology (NIST) requests comment on a White Paper titled "Establishing Confidence in IoT Device Security: How Do We Get There?" The White Paper discusses the current landscape of confidence mechanisms concerning the security of Internet of Things (IoT) devices. Comments are due by June 14.

**NIST Requests Comment on a Revision to Cyber Supply Chain Risk Management Practices for Systems and Organizations (SP 800-161 Rev. 1):** NIST seeks comment on a draft major revision to SP 800-161, "Cyber Supply Chain Risk Management Practices for Systems and Organizations." The revision was designed to better help organizations identify, assess, and respond to cyber supply chain risks while still aligning with other fundamental NIST cybersecurity risk management guidance. Comments are due by June 14.

**FCC Seeks Comment on Secure and Trusted Communications Networks Reimbursement Program Application Filing Process:** The Commission requests comment via Public Notice on the proposed application filing process for the \$1.9 billion Secure and Trusted Communications Networks Reimbursement Program (Reimbursement Program). The Commission also seeks comment on the proposed information fields to be collected on forms that eligible providers of advanced communications services would be required to submit to request funding allocations and disbursements from the Reimbursement Program. Comments are due by June 23.

## Upcoming Meetings and Events

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**Enhancing Software Supply Chain Workshop:** NIST will host a virtual workshop focused on enhancing the security of the software supply chain on June 2-3. Additional information, including registration, is available [here](#).

**911 Strike Force:** The FCC will host its first meeting of the Ending 9-1-1 Fee Diversion Now Strike Force on June 3. The meeting will be open to the public via live stream. Additional information is available [here](#).

**FirstNet Hurricane and Tornado Response Webinar:** As part of its emergency management webinar series, the First Responder Network Authority (FirstNet) will host a hurricane and tornado response webinar on June 9. Registration information is available [here](#).

**FCC Open Meeting:** The next FCC Open Meeting is scheduled for June 17. When available, the agenda will be posted [here](#).

**NANC Meeting:** The North American Numbering Council (NANC) will hold its next meeting on June 23. The meeting will be open to the public via live stream. When it is made available, the agenda will be accessible [here](#).

**FCC ACDDE Final Meeting:** The FCC's Advisory Committee on Diversity and Digital Empowerment (ACDDE) will hold its final meeting on June 24, 2021. The Committee, which is chaired by Anna M. Gomez of Wiley's Telecom, Media & Technology practice, will consider reports and recommendations to the Commission on how to empower disadvantaged communities and accelerate the entry of small businesses, including those owned by women and minorities, into the media, digital news and information, and audio and video programming industries, including as owners, suppliers, and employees. When available, the agenda will be posted on the ACCDE's website.

## Did You Know?

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*Chambers USA* recognizes 35 Wiley attorneys across 10 practice areas—including our Telecom, Media & Technology (TMT) practice—as among the best in the country. Congratulations to our ranked TMT attorneys: Anna M. Gomez, Amb. David A. Gross, Kathleen A. Kirby, Ari Meltzer, and Joshua S. Turner. **View all of Wiley's rankings [here](#).**

Charles McKee, veteran telecom and government affairs lawyer, recently joined Wiley's TMT Practice.

**June 10:** TMT Partner Anna M. Gomez will be giving remarks during the National Hispanic Caucus of State Legislators policy session on "Federal Infrastructure Investments and Latino Communities: Broadband." Learn more about the organization [here](#).

## 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 May 2021 *Privacy in Focus* [here](#).

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The New Administration and D&O Risks (a Podcast Series): 100 Days In

**Roundup Disclaimer:** Information in the Wireless Roundup is current as of May 27, 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.