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Wireless Roundup (September 2024)

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August 30, 2024

Key Wireless Deadlines
Upcoming Meetings and Events
Cyber Corner
Did You Know?
Recent Wiley Client Alerts, IoT Blog Posts, and Podcasts

Practice Areas

—

Telecom, Media & Technology
Telecommunications & Broadband Service
Wireless

Key Wireless Deadlines

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FCC Seeks Comment on Promoting the Integrity and Security of Telecommunications Certification Bodies, Measurement Facilities, and the Equipment Authorization Program: In this Notice of Proposed Rulemaking (NPRM), the Federal Communications Commission (FCC or Commission) welcomes comment on its proposal to prohibit recognition of telecommunications certification bodies (TCBs) and measurement facilities (test labs) that are directly or indirectly owned or controlled by a foreign adversary or other entity that could pose a national security risk. The FCC also seeks comment on its potential consideration of other Executive branch agency lists in determining eligibility requirements for TCBs or test labs as part of its equipment authorization program. The FCC asserts that these proposed rules would bolster national security and help foster a secure and resilient communications supply chain. Comments are due September 3, 2024. Reply comments are due October 3, 2024.

FCC Requests Comment on Handset Unlocking Requirement and Policies: In this NPRM, the FCC seeks comment on its proposal to use handset unlocking policies to improve consumer choice and enhance competition in the wireless marketplace. Specifically, the Commission proposes to require mobile wireless service providers to unlock handsets 60 days after activation with the provider, absent a determination by the provider within that time period that the handset

was purchased through fraud. Comments are due September 9, 2024. Reply comments are due September 23, 2024.

FCC Seeks to Further Develop the Record on Sharing the Lower 37 GHz Band in Connection with the National Spectrum Strategy Implementation Plan: In this Public Notice, the FCC Wireless Telecommunications Bureau aims to further develop the record for the 37.0-37.6 GHz band (Lower 37 GHz band) to inform the upcoming National Spectrum Strategy (NSS) Implementation Plan report, which is expected to be completed by November 2024. The NSS designated the Lower 37 GHz band for study "to implement a co-equal, shared-use framework" with deployments by both federal and non-federal users. Comments are due September 9, 2024.

FCC Requests Comment on Proposed Changes to the Availability Data Filing and Validation Processes: In this Fourth NPRM, the FCC welcomes comment on proposed changes to the Broadband Data Collection (BDC) availability data filing process, which would limit data publication on "grandfathered" services, collect terrestrial fixed wireless spectrum authorization information, and require additional certifications and supporting data from satellite providers. Additionally, the Commission solicits comment on amendments and clarifications to several BDC data validation rules. Comments are due September 16, 2024, and reply comments are due October 15, 2024.

Upcoming Meetings and Events

- **FCC Open Meeting:** The next FCC Open Meeting is scheduled for September 26. When available, the meeting agenda will be posted here.
- **Precision Ag Connectivity Task Force Meeting:** The Precision Ag Connectivity Task Force will meet virtually on September 18. More information can be found here.
- **Consumer Advisory Committee Meeting:** The Consumer Advisory Committee (CAC) will meet in person on September 24 to discuss a report on the implication of emerging artificial intelligence technologies on consumer privacy and protection. The agenda and link to the webcast can be found here.
- **CSRIC IX Meeting:** The Communications Security, Reliability, and Interoperability Council (CSRIC IX) will meet in person at the FCC on September 27 to provide recommendations to the Commission regarding best practices and actions to ensure the security, reliability, and interoperability of communications systems. More information and the link to the webcast can be found here.

Cyber Corner

FCC Seeks Comment on Implementation of the Cybersecurity Labeling for Internet of Things Program: In this Public Notice, the FCC Public Safety and Homeland Security Bureau invites comment on several items to facilitate the IoT Labeling program rollout. Specifically, the FCC requests comment on the format of Cybersecurity Label Administrator (CLA) and Lead Administrator applications; filing fees for CLA applications; criteria for selecting CLAs and the Lead Administrator; CLA sharing of Lead Administrator expenses; Lead

Administrator neutrality; processes for withdrawal of CLA and Lead Administrator approvals; recognition of CyberLABs outside the United States; complaint processes; confidentiality and security requirements; and the IoT registry. Reply comments are due September 3, 2024.

CISA Incident Response Webinar: The Cybersecurity and Infrastructure Security Agency (CISA) will host a webinar titled "Using the CISA Incident Response Playbook at your Organization (IR211)" on September 10. The webinar is open to government employees and contractors across federal, state, local, tribal, and territorial government, educational partners, and critical infrastructure partners. More information can be found here.

DHS Public-Private Analytic Exchange Program Virtual Concluding Summit: The U.S. Department of Homeland Security Office of Intelligence and Analysis Analytic Exchange Program will meet virtually from September 17 to September 18. The first day of programming can be found here. The second day of programming will include a discussion of "5G Impacts on Cybersecurity," among other topics. More details can be found here.

NIST Releases Fourth Preliminary Draft of SP 1800-35: **Implementing a Zero Trust Architecture:** In this publication, the National Institute of Standards and Technology (NIST) released for public comment Special Publication (SP) 1800-35: Implementing a Zero Trust Architecture. The updates add a series of "takeaway" recommendations and new vendor equipment build configurations. Comments are due September 30, 2024.

NIST Releases 5G Cybersecurity White Paper on SUCI: NIST has released two new documents in its planned series on 5G cybersecurity and privacy capabilities. The series will present National Cybersecurity Center of Excellence (NCCOE)'s 5G cybersecurity project findings and associated guidance. Comments on the first technical white paper, as well as a brief introductory paper describing the forthcoming series, Protecting Subscriber Identifiers with Subscription Concealed Identifier (SUCI), are due September 16, 2024.

Did You Know?

Wiley partners Dorthula H. Powell-Woodson and Diane Holland have been named to Savoy Magazine's 2024 "Most Influential Lawyers" list. Savoy is a leading publication that recognizes some of the nation's most influential lawyers and business executives, and serves as a critical platform in driving positive dialogue on and about Black culture.

Wiley attorneys Kathryne C. Dickerson, Jillian M. Quigley, and Crystal Tully authored a *Law360* article titled Pros And Cons Of 2025 NDAA's Space Contracting Proposal.

Wiley created an artificial intelligence (AI) hub, All Things AI, to showcase thought leadership and insights on AI legal and regulatory matters.

Wiley launched a Federal Infrastructure Resource Center, highlighting the federal government's initiative to invest in our nation's infrastructure, including the $42 billion Broadband Equity Access and Deployment (BEAD) Program.

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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Failing to Properly Conduct On-Air Contest Results in $14K Fine for Broadcaster

Standard Team Telecom Questions Take Effect, Completing FCC's Modernization Effort

Readily Accessible Closed Captioning Requirements Take Effect on September 16, 2024

Podcast: Crypto & Politics: Insights from Former Congressman David McIntosh

The FCC Seeks Comment on Proposed Changes to the 3.5 GHz Band Framework

Podcast: Duane Pozza on the Chevron Doctrine

Wiley Consumer Protection Download (August 20, 2024)

Policy Patches: An Update on Software Security Regulation

El Salvador's Bitcoin Nation: A Government Insider's View

Annual Update to ETRS Form One Due By October 4, 2024

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