

# **Telecom Alert: Emergency Connectivity Fund Second Filing Window; New NTIA Broadband Offices; \$5 Million Robocalling Fine Proposed; Unmanned Aircraft Systems in the 5 GHz Band [Vol. XVIII, Issue 35]**

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## **Emergency Connectivity Fund Second Filing Window**

The FCC issued a [Public Notice](#) last week announcing a second application filing window for eligible schools and libraries to apply for financial support through the Emergency Connectivity Fund ([Vol. XVIII, Issue 27](#)). During the initial application filing window, which ran from June 29 to August 13, the Commission received requests for \$5.137 billion to fund 9.1 million connected devices and 5.4 million broadband connections. In light of this strong demand, the FCC will open a second filing window from September 28 to October 13 to provide support for the current school year, including applications that were filed after the close of the initial filing window.

## **New NTIA Broadband Offices**

The National Telecommunications and Information Administration (“NTIA”) [announced](#) the establishment of two new offices to handle the additional broadband work attributable to recently expanded government funding supporting broadband access in unserved and underserved markets (see our recent blog post on these programs [here](#) and [here](#)). The Office of Internet Connectivity and Growth (“OICG”), established by the Consolidated Appropriations Act of 2021, will house NTIA’s broadband activities, including three grant programs: the Broadband Infrastructure Program, the Tribal Broadband Connectivity Program, and the Connecting Minority Communities Pilot Program. The OICG will be led by Douglas Kinkoph, who headed NTIA’s broadband program since 2015. The Office of Minority Broadband Initiatives (“OMBI”), established within the OICG, will work with federal agencies, state, local, and tribal governments, Historically Black Colleges and Universities, and minority serving institutions to promote initiatives related to expanding connectivity and digital opportunities for anchor communities.

## **\$5 Million Robocalling Fine Proposed**

Last week, the FCC issued a [Notice of Apparent Liability for Forfeiture](#) proposing a \$5,134,500 forfeiture against a lobbying firm, J.M. Burkman & Associates LLC, and two individuals for making unlawful robocalls to wireless phones in violation of the Telephone Consumer Protection Act (“TCPA”). The TCPA prohibits making prerecorded voice calls to wireless phones without consent, except for emergency purposes. According to the NAL, the individuals placed 1,141 prerecorded calls to wireless phones without the required prior consent. This is the largest fine ever proposed by the FCC for TCPA violations and the first action where the Commission proposed a forfeiture without first issuing a citation.

## **Comment Sought on Unmanned Aircraft Systems Use in 5 GHz Band**

The Wireless Telecommunications Bureau issued a [Public Notice](#) on August 20 seeking additional information on the operational, technical, and regulatory developments in the use of unmanned aircraft systems (“UAS”), aka drones. In February 2018, the Aerospace Industries Association (“AIA”) filed a petition asking the FCC to adopt licensing and service rules for Control and Non-Payload Spectrum in the 5 GHz band to support UAS operations. UAS communications primarily rely on unlicensed spectrum, but proponents assert that licensed spectrum will be needed to provide the capacity and reliability needed to support such systems. The Public Notice seeks to update the record on new developments that have occurred in the past three years on the use of UAS operations and requests additional comments on AIA’s proposal.

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National Law Review, Volume XI, Number 242

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