



FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 1

[WC Docket Nos. 19-195 and 11-10; GN Docket No. 25-133; FCC 26-33; FR ID 351664]

Establishing the Digital Opportunity Data Collection; Modernizing the FCC Form 477 Data Program; Delete, Delete, Delete

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: In this document, the Federal Communications Commission (Commission) adopted an *Order* that takes steps to streamline the processes associated with the Broadband Data Collection (BDC) and the National Broadband Map and alleviates unnecessary regulatory burdens on service providers and challenge process participants. The *Order* aligns reporting requirements for broadband availability and subscription data, expressly declines to adopt a proposal to require satellite providers to submit additional certifications and supporting data, streamlines the Fabric challenge process, adopts a maximally-streamlined process by which the BDC system automatically removes areas or locations that fail a verification or audit without requiring the provider to update its availability data after receiving notice of the failed verification or audit, and makes certain ministerial changes.

DATES: Effective [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE FEDERAL REGISTER].

FOR FURTHER INFORMATION CONTACT: Jamile Kadre, Broadband Data Task Force, at jamile.kadre@fcc.gov or (202) 418-2245.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Sixth Report and Order (*Order*), in WC Docket Nos. 19-195, 11-10; GN Docket No. 25-133, FCC 26-33, adopted on May 20, 2026, and released on May 21, 2026. The full text of this document is available for public inspection and can be downloaded at

<https://docs.fcc.gov/public/attachments/FCC-26-33A1.pdf>. Alternative formats are available for people with disabilities (Braille, large print, electronic files, audio format) by sending an email to fcc504@fcc.gov or calling the Commission’s Consumer and Government Affairs Bureau at (202) 418–0503.

Final Paperwork Reduction Act of 1995 Analysis. The rulemaking required under the Broadband DATA Act is exempt from review by Office of Management and Budget (OMB) and from the requirements of the Paperwork Reduction Act of 1995 (PRA), Public Law 104-13. As a result, the Report and Order will not be submitted to OMB for review under Section 3507(d) of the PRA.

Congressional Review Act. The Commission will send a copy of this Report & Order and Further Notice of Proposed Rulemaking in a report to be sent to Congress and the Government Accountability Office pursuant to the Congressional Review Act, *see* 5 U.S.C. 801(a)(1)(A).

Synopsis

Biannual Data Collection Submissions

Aligning Reporting Requirements for Broadband Availability and Subscription Data. We adopt the Commission’s proposal from the *Fourth FNPRM* to modify our rules so that Form 477 uses the same definition of “broadband” as the BDC. We believe that this change clarifies reporting requirements and reduces confusion among providers without materially affecting the Form 477 data collection or the BDC. Our adoption of this proposal is also consistent with Congress’ mandate from the Broadband DATA Act to “harmonize reporting requirements and procedures regarding the deployment of broadband internet access service.” Specifically, we update the definition of “broadband connection” in 47 CFR 1.7001(a)(1) so that it refers to connections of a “broadband internet access service” as defined in 47 CFR 8.1(b).

Facilities-based providers of broadband services—both fixed and mobile—are required to report in their Form 477 filings the number of *broadband connections* in service (i.e., subscriptions) on the “as of” date of the filing. For Form 477 purposes, a broadband connection is currently

defined as “[a] wired line, wireless channel, or satellite service that terminates at an end user location or mobile device and enables the end user to receive information from and/or send information to the internet at information transfer rates exceeding 200 kilobits per second (kbps) in at least one direction.” Meanwhile, the BDC collects information on the availability of *broadband internet access service*, which is defined in the Broadband DATA Act as “a mass-market retail service by wire or radio that provides the capability to transmit data to and receive data from all or substantially all internet endpoints, including any capabilities that are incidental to and enable the operation of the communications service, but excluding dial-up internet access service.”

As discussed in the *Fourth FNPRM*, we believe the definition in the Broadband DATA Act is, on net, narrower than that used in the collection of connections in service through Form 477. Form 477 currently collects information on both mass-market retail connections and those sold on a customized basis, the latter of which are outside the scope of the BDC. At the same time, the BDC currently collects information on the availability of very low bandwidth, mass-market broadband services that are outside the scope of Form 477. Imposing a common definition of broadband on both data collections thus simultaneously narrows the scope of Form 477 by removing customized broadband services and expands the scope of Form 477 by including very low bandwidth, mass-market broadband. Specifically, Form 477 will now collect data on connections that do not exceed the “200 kbps in at least one direction” floor established in the prior definition. We believe, however, that there are very few connections that deliver a broadband internet access service at speeds that do not exceed 200 kbps in at least one direction that are also not delivered via a dial-up service. When taken together, we do not believe this change will have a material effect on the Form 477 data collection.

Several commenters supported our adoption of this proposal. We agree with NTCA—The Rural Broadband Association (NTCA) that better alignment of the collections will improve our data validation processes and allow better comparisons of BDC and FCC Form 477 data. We decline,

however, to adopt NTCA and Vantage Point Solutions' proposals to require providers of facilities-based fixed voice service to report locations where their services are available. Neither the Commission's existing rules nor the Broadband DATA Act require providers to report the availability of fixed voice services. Adopting such a requirement would impose new burdens on certain fixed voice service providers, and we find that the record does not offer sufficient justification for this additional reporting that falls beyond both the scope and the purpose of the BDC and the NBM.

No Additional Certifications and Supporting Data from Satellite Providers. We expressly decline to require the additional certifications and supporting data from satellite providers on which the Commission sought comment in the *Fourth FNPRM*. Next-generation satellite services continue to deploy and evolve at a rapid pace, resulting in reported service available to over 99.7% of all locations included on the NBM. A variety of circumstances, often unique to the individual location in question, may affect the availability of an otherwise broadly available satellite service offering at a specific location. For example, natural terrain such as mountains or trees could impact service availability if such terrain obstructs the view of the relevant satellite or satellite system in orbit.

In the Third Report and Order, the Commission determined that it would rely upon verification measures to help ensure the accuracy of satellite broadband availability data. The Commission reminded satellite providers that "the standards for availability reporting that apply to *all fixed services* require that satellite providers include only locations that they are currently serving or meet the broadband installation standard." The Commission also reminded satellite providers that they can only report an ability to serve an area upon a reasonable basis, "taking into account current and expected locations of spot beams, capacity constraints, and other relevant factors." Updated verification specifications were issued in 2024 to better assist staff in verifying availability data. Staff notified all providers, including satellite providers, that they must maintain supporting data for each reporting period and that the Commission may collect such

data in the context of the Commission's statutory obligations to verify broadband service availability data.

The *Fourth FNPRM* sought comment on whether to require satellite providers to include in their biannual submissions the infrastructure data set forth in Sections 2.3.1, 2.3.2, and 2.3.4 of the BDC Provider Infrastructure Data Specifications issued in 2024 and whether, in the event that such infrastructure data are required, the Commission should make the data available to the public. The information included in the satellite provider infrastructure portion of the data specifications is largely based upon categories of data that each provider is already required to submit as part of its FCC Form 312 (Application for Satellite Space and Earth Station Authorizations) and accompanying Schedule S (Technical and Operational Appendix). The *Fourth FNPRM* also sought comment on the burden that requiring such increased data reporting on a biannual basis would place upon satellite providers. In addition, the Commission sought comment on any other data from satellite providers that could be collected that would provide better insights into their broadband availability data.

The record developed in response is mixed, with some commenters opposing the proposal to require filing additional infrastructure data and supporting capacity information as part of providers' biannual submissions and some commenters supporting the proposal and arguing the collection would benefit the public. On balance, we find that any potential benefit in routinely collecting such information in satellite providers' biannual submissions is outweighed by the burden created in requiring a duplicative submission of the data in FCC Form 312 and Schedule S. We therefore decline to adopt the Commission's proposals from the *Fourth FNPRM*.

Fabric Challenge Process Improvements

Eliminating Requirement that Fabric Challenges be Shared with Service Providers. We adopt the proposals set forth in the *Fourth FNPRM* to eliminate the requirement to notify service providers of Fabric challenges and the requirement that service providers be afforded an

opportunity to respond to such challenges during the Fabric development cycle. Further, we clarify the Commission's interpretation that the language from the Infrastructure Investment and Jobs Act (IIJA) permitting provider responses and setting a deadline for the Commission to resolve challenges only applies to availability challenges and not to Fabric challenges. Service providers will continue to be notified of accepted Fabric challenges before the next version of the map is published and will then have an opportunity to challenge any results with which they disagree.

As currently implemented, the BDC system publishes information about in-progress and resolved Fabric challenges on a monthly basis as publicly available data downloads on the NBM. The BDC system does not separately alert providers of accepted Fabric challenges. The Commission has deemed the existence of the monthly data downloads that include information on Fabric challenges to be sufficient to meet the existing notice requirement and determined that any subsequent challenges submitted by a provider to these locations would constitute an opportunity to respond. This approach allows providers to identify which Fabric challenges are relevant to their current or future BDC filings, including areas where they plan to expand their networks. To date, exceedingly few locations that were previously the subject of a Fabric challenge have been subsequently challenged by another entity after resolution of the former challenge.

The *Fourth FNPRM* proposed to eliminate the requirement that the BDC system alert providers of accepted Fabric challenges, along with the related requirement that providers be afforded an opportunity to respond to Fabric challenges before the challenges are included for processing of the next version of the Fabric. WISPA – The Association for Broadband Without Boundaries (WISPA) states that it “does not oppose the Commission’s proposal to eliminate the requirement that the BDC system alert a provider of accepted Fabric challenges and that service providers be afforded an opportunity to directly respond to Fabric challenges in-cycle.” USTelecom – The Broadband Association (USTelecom) supports both the proposal to eliminate the requirement of

notifying a provider of Fabric challenges and the Commission continuing to notify the provider when changes are made to each version of the Fabric. Pew Charitable Trusts encourages “the Commission to create a tailored notification system to inform state broadband offices and local jurisdictions of relevant changes within their jurisdiction.” Other commenters oppose eliminating the requirements that providers be notified of and allowed to respond to challenges before the challenges are included for processing of the next version of the Fabric. These commenters argue notice is necessary to provide clarity about the challenges and an opportunity to learn the outcomes of their Fabric challenges.

We conclude that the adoption of these proposals to eliminate notice requirements and responses to challenges will clarify any ambiguity in the Commission’s rules and streamline the process for resolving Fabric challenges and incorporating challenge results into the next version of the Fabric. Conversely, implementing a more robust notification system and permitting additional time for service providers to respond to in-progress Fabric challenges would inherently add more complexity to the existing process by which the Commission updates the Fabric on a biannual basis and would substantially increase the amount of time it takes to resolve Fabric challenges and may impact Fabric data generation timelines. The Commission will continue to make data on Fabric challenges available in the data downloads published on the NBM, including the ability to download state-specific files. The Commission will also continue to provide challengers with responses to their Fabric challenges in advance of incorporation of these challenge data into the Fabric.

In the *Fourth FNPRM*, the Commission also proposed to interpret language in the IJA requiring it to resolve challenges within 90 days of a final response by the provider to be inapplicable as to Fabric challenges. In today’s *Order*, we clarify that the Commission’s interpretation that the IJA language permitting provider responses and setting a deadline for the Commission to resolve challenges is only applicable to availability challenges and not to Fabric challenges.

Adopting New Rule Subsection for Fabric Challenge Process. The *Fourth FNPRM* proposed to modify the Commission's rules to better distinguish between fixed availability and Fabric challenges by moving the rules pertinent to Fabric challenges into their own subsection. One commenter opined on this proposal and supported the change; none opposed the proposal. It is our view that the current language of § 1.7006 conflates availability and Fabric challenges and can be confusing to interpret given the differences between the two processes—for example, the functional difference between challenging availability data (i.e., claims of service by providers) and Fabric challenges (challenging the dataset of all BSLs across the country), different reasons for filing a challenge (availability of broadband versus the existence of a BSL on the map), etc.—and that having separate sections explaining the distinct challenge processes would improve and clarify the Commission's rules. Thus, we adopt the *Fourth FNPRM's* proposal to adopt a new rule subsection for the Fabric challenge process.

Streamlining Mobile and Fixed Verification and Audit Processes

Next, we adopt changes to § 1.7009(d) to remove the obligation of providers to update their BDC data based on adverse verification results and add § 1.7009(e) to require Commission staff to modify or remove the provider's BDC data from the NBM after the provider is notified of an adverse audit or verification finding. We adopt these changes in order to streamline the closeout process for a failed verification or audit, ensuring the NBM reflects corrected data in a timely fashion. This update to the rules will also clarify for providers the potential ramifications stemming specifically from an adverse finding in a verification or audit.

In the Fourth Report and Order, the Commission delegated authority to OEA, in coordination with WTB, the Wireline Competition Bureau (WCB), and the Space Bureau (SB), to continue to perform verifications and audits of the biannual data filed by providers in the BDC using the tools currently available, including the authority to establish methodologies and procedures for selecting providers and locations or areas subject to verification or audit. Pursuant to § 1.7009(d) of the Commission's rules, “[p]roviders must file corrected data when they discover

inaccuracy, omission, or significant reporting error in the original data that they submitted, whether through self-discovery, the crowdsource process, the challenge process, the Commission verification process, or otherwise.” Section 1.7009(d)(1) then states that “[p]roviders must file corrections within 30 days of their discovery of incorrect or incomplete data.” As the Commission noted in the *Fourth FNPRM*, “[i]n the case of mobile wireless coverage subject to a verification inquiry, we have also made clear that ‘we may treat any targeted [mobile wireless coverage] areas that . . . fail verification as a failure to file required data in a timely manner and that the Commission may make modifications to the data presented on the broadband map (i.e., by removing some or all of the targeted area from the provider’s coverage maps).’” The Commission added that it had “not been as explicit in announcing that similar procedures and remedies would apply in response to determinations made as a result of verification of fixed availability data or in the case of audits (of both fixed and mobile data).”

To create clarity for providers, in the *Fourth FNPRM*, the Commission sought comment on its tentative conclusion “that it would be beneficial to clarify in our rule that, in the event a provider’s response to a verification inquiry or an audit does not support its availability filing—whether due to an incomplete response or where the response demonstrates that service is not available” then the data must be updated accordingly after the provider is notified of the Commission’s finding. In response, commenters cited the need for staff to ensure the accuracy of the NBM and supported “the Commission’s proposed clarification of authority on the removal of locations from filings that are found to be inaccurate.” USTelecom stated “there is a need to remove locations without availability from the map” and that “it seems unnecessary for providers to be required to regenerate a new filing within 30 days of an audit if the [BDC] system has an automated way to perform the same function.” We agree with commenters and add § 1.7009(e) specifically to clarify that the Commission will update the NBM, which may include amending or removing some or all of a provider’s BDC data after an adverse verification or audit inquiry. We find that this clarification will streamline the outcome of verifications and audits, improve

the accuracy for the NBM, align with how the BDC system is designed to process the amendment or removal of locations or areas after adverse verification or audit findings, and eliminate the burden on providers to meet a 30-day correction window, particularly small business providers who may have limited staffing and monetary resources. Adoption of this rule change does not foreclose other Commission remedies for misreporting data, including enforcement action and/or other penalties as set forth in the Communications Act and other applicable laws.

Ministerial Changes

We amend §§ 1.7001(d)(4), 1.7003, and 1.7010 to modernize the BDC rules to reflect organizational changes to the Commission since 2023. In 2023, the Commission created two separate entities from the former International Bureau (IB)—the Space Bureau (SB) and the Office of International Affairs (OIA). Because satellite broadband providers are required to file in the BDC, the Space Bureau remains actively involved in BDC matters since the Space Bureau has regulatory responsibilities relating to satellite technology and space-based services. Sections 1.7001(d)(4), 1.7003, and 1.7010 were amended to replace the references to IB with references to OIA and SB for authority to disclose provider-specific data contained in FCC Form 477, update FCC Form 477, and update the Digital Opportunity Data Collection.

SB has explicit delegated authority, along with WTB and WCB, to coordinate with OEA on BDC matters. OIA is not named as an Office with delegated authority to update rules for the BDC. Therefore, the references in §§ 1.7001(d)(4), 1.7003, and 1.7010 to “Office of International Affairs” are removed.

We also amend § 1.7005(e) to clarify the rule’s purpose as requiring public release of all provider-specific broadband availability data without delineating the specific subcomponents of these data. This ministerial change increases clarity for providers by simplifying the rule language without substantively changing the scope of the current rule.

FINAL REGULATORY FLEXIBILITY ANALYSIS

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission (Commission) incorporated an Initial Regulatory Flexibility Analysis (IRFA) in the Establishing the Digital Opportunity Data Collection, et al., Fourth Further Notice of Proposed Rulemaking (*Fourth FNPRM*), released in July 2024. The Commission sought written public comment on the proposals in the *Fourth FNPRM*, including comment on the IRFA. No comments were filed addressing the IRFA.

A. Need for, and Objectives of, the Rules

In the Sixth Report and Order (*Order*), the Commission takes steps to improve the accuracy of its Broadband Data Collection (BDC) by streamlining processes while alleviating regulatory burdens on service providers and challenge process participants. The *Order* also includes edits to restructure or update references in the BDC rules. These revisions will reduce burdens on providers by harmonizing key definitions across filings, removing unnecessary notification processes, and streamlining responses to audits, which should result in cost savings for service providers, including small entities.

B. Summary of Significant Issues Raised by Public Comments in Response to the IRFA

No comments were filed addressing the impact of the proposed rules on small entities.

C. Response to Comments by the Chief Counsel for the Small Business Administration

Office of Advocacy

Pursuant to the Small Business Jobs Act of 2010, which amended the RFA,^[1] the Commission is required to respond to any comments filed by the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy, and also provide a detailed statement of any change made to the proposed rules as a result of those comments.^[2] The Chief Counsel did not file any comments in response to the proposed rules in this proceeding.

D. Description and Estimate of the Number of Small Entities to Which the Rules Will

Apply

The RFA directs agencies to provide a description of, and where feasible, an estimate of the number of small entities that may be affected by the adopted rules. ^[3] The RFA generally defines the term “small entity” as having the same meaning as the terms “small business,” “small organization,” and “small governmental jurisdiction.” ^[4] In addition, the term “small business” has the same meaning as the term “small business concern” under the Small Business Act. ^[5] A “small business concern” is one which: (1) is independently owned and operated; (2) is not dominant in its field of operation; and (3) satisfies any additional criteria established by the SBA. ^[6] The SBA establishes small business size standards that agencies are required to use when promulgating regulations relating to small businesses; agencies may establish alternative size standards for use in such programs, but must consult and obtain approval from SBA before doing so.

Our actions, over time, may affect small entities that are not easily categorized at present. We therefore describe three broad groups of small entities that could be directly affected by our actions. ^[8] In general, a small business is an independent business having fewer than 500 employees. ^[9] These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. ^[10] Next, “small organizations” are not-for-profit enterprises that are independently owned and operated and are not dominant in their field. ^[11] While we do not have data regarding the number of non-profits that meet that criteria, over 99% of nonprofits have fewer than 500 employees. ^[12] Finally, “small governmental jurisdictions” are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. ^[13] Based on the 2022 U.S. Census of Governments data, we estimate that at least 48,724 out of 90,835 local government jurisdictions have a population of less than 50,000. ^[14]

The rules adopted in the *Order* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS) ^[15] codes and corresponding SBA size standard. ^[16] Where available, we also provide additional information regarding the number of potentially affected entities in the industries identified below.

Table 1. 2022 U.S. Census Bureau Data by NAICS Code

Regulated Industry (Footnotes specify potentially affected entities within a regulated industry where applicable)	NAICS Code	SBA Size Standard	Total Firms	Total Small Firms	% Small Firms
Wired Telecommunications Carriers	517111	1,500 employees	3,403	3,027	88.95%
Wireless Telecommunications Carriers (except Satellite)	517112	1,500 employees	1,184	1,081	91.30%
Satellite Telecommunications	517410	\$44 million	332	195	58.73%
All Other Telecommunications	517810	\$40 million	1,673	1,007	60.19%
Electric Power Generators, Transmitters and Distributors	2211	250-1000	2,626	2,103	80.08%

Table 2. Telecommunications Service Provider Data

2024 Universal Service Monitoring Report Telecommunications Service Provider Data (Data as of December 2023)	SBA Size Standard (1500 Employees)		
Affected Entity	Total # FCC Form 499A Filers	Small Firms	% Small Entities
Wired Telecommunications Carriers	4,682	4,276	91.33
Wireless Telecommunications Carriers (except Satellite)	585	498	85.13

E. Description of Economic Impact and Projected Reporting, Recordkeeping and Other Compliance Requirements for Small Entities

The RFA directs agencies to describe the economic impact of adopted rules on small entities, as well as projected reporting, recordkeeping and other compliance requirements, including an estimate of the classes of small entities which will be subject to the requirement and the type of professional skills necessary for preparation of the report or record.

The rules adopted in the *Order* will reduce burdens on small and other service providers by harmonizing key definitions across filings, removing unnecessary notification processes, and streamlining responses to audits, which may result in cost savings for filers, including small entities. Specifically, we modify our rules so that Form 477 uses the definition of “broadband connection” found in § 1.7001(a)(1) of the Commission’s rules so that it refers to connections of a “broadband internet access service” as defined in § 8.1(b) of the Commission’s rules. We believe that this change clarifies reporting requirements and reduces confusion among small and other providers without materially affecting the Form 477 data collection or the BDC.

Additionally, the *Order* declined to adopt a proposal to require providers to report the availability of fixed voice services, which would impose new burdens on certain fixed voice service providers without sufficient justification for this additional reporting. The *Order* also declined to require additional certifications and supporting data from satellite providers.

The *Order* also adopts changes to § 1.7009(d) of the Commission’s rules to remove the obligation of providers to update their BDC data based on adverse verification results, and adds § 1.7009(e) to require Commission staff to modify or remove the provider’s BDC data from the National Broadband Map (NBM) after the provider is notified of an adverse audit or verification finding. These changes will eliminate the burden on providers to meet a 30-day correction window, particularly small business providers who may have limited staff and resources comply with such an obligation. We do not anticipate additional costs associated with complying with

the rules adopted in the *Order* because they do not create new or additional reporting, recordkeeping, or other compliance requirements for small service providers.

F. Discussion of Steps Taken to Minimize the Significant Economic Impact on Small Entities, and Significant Alternatives Considered

The RFA requires an agency to provide “a description of the steps the agency has taken to minimize the significant economic impact on small entities...including a statement of the factual, policy, and legal reasons for selecting the alternative adopted in the final rule and why each one of the other significant alternatives to the rule considered by the agency which affect the impact on small entities was rejected.”

In the *Order*, we take steps to streamline processes that serve as important checks on the accuracy of BDC data and consider alternatives to alleviate unnecessary regulatory burdens on small and other service providers and challenge process participants. We also make certain ministerial edits to restructure or update references in the BDC rules. For example, we adopt the Commission’s proposal from the *Fourth FNPRM* to modify our rules so that Form 477 uses the same definition of “broadband” as the BDC. This alternative clarifies reporting requirements and reduces confusion among providers without materially affecting the Form 477 data collection or the BDC. Additionally, the *Order* declines to adopt a proposal to require providers to report the availability of fixed voice services because such a requirement would impose additional reporting obligations on certain fixed voice service providers that are not supported by the record.

We also decline to adopt a proposal to require the additional certifications and supporting data from satellite providers about which the Commission sought comment in the *Fourth FNPRM*. On balance, we find that any potential benefit in routinely collecting such information in satellite providers’ biannual submissions is outweighed by the burden created in requiring a duplicative submission of the data in FCC Form 312 and Schedule S.

In addition, we considered the proposals set forth in the *Fourth FNPRM* to eliminate the requirement to notify service providers of Fabric challenges and the requirement that service providers be afforded an opportunity to respond to such challenges during the Fabric development cycle. Further, we clarify that the Commission's interpretation of the language from the Infrastructure Investment Jobs Act (IIJA) permitting provider responses and setting a deadline for the Commission to resolve challenges only applies to availability challenges and not to Fabric challenges. While some commenters argue notice is necessary to provide clarity about the challenges and an opportunity to learn the outcomes of their Fabric challenges, we conclude that the adoption of these proposals to eliminate notice requirements and responses to challenges will clarify any ambiguity in the Commission's rules and streamline the process for resolving Fabric challenges and incorporating challenge results into the next version of the Fabric. On the other hand, implementing a more robust notification system and permitting additional time for service providers to respond to in-progress Fabric challenges would inherently add more complexity to the existing process by which the Commission updates the Fabric on a biannual basis and would substantially increase the amount of time it takes to resolve Fabric challenges and may impact Fabric data generation timelines.

We also adopt the proposal from the *Fourth FNPRM* to modify the Commission's rules to better distinguish between fixed and Fabric challenges by moving the rules pertinent to Fabric challenges into their own subsection. Having separate sections explaining the distinct challenge processes would improve and clarify the Commission's rules.

G. Report to Congress

The Commission will send a copy of the *Sixth Report and Order*, including this Final Regulatory Flexibility Analysis, in a report to Congress pursuant to the Congressional Review Act. In addition, the Commission will send a copy of the *Sixth Report and Order*, including this Final Regulatory Flexibility Analysis, to the Chief Counsel for the SBA Office of Advocacy and will

publish a copy of the *Sixth Report and Order*, and this Final Regulatory Flexibility Analysis (or summaries thereof) in the *Federal Register*.

List of Subjects in 47 CFR Part 1

Administrative practice and procedure, Internet, Reporting and recordkeeping requirements, Telecommunications.

FEDERAL COMMUNICATIONS COMMISSION

Aleta Bowers,
Federal Register Liaison Officer
Office of the Secretary.

Final Rules

For the reasons discussed in the preamble, the Federal Communications Commission amends 47 CFR part 1 as follows:

PART 1 – PRACTICE AND PROCEDURE

1. The authority citation for part 1 continues to read as follows:

Authority: 47 U.S.C. chs. 2, 5, 9, 13; 28 U.S.C. 2461 note; 47 U.S.C. 1754, unless otherwise noted.

2. Amend § 1.7001 by revising paragraph (d)(4) to read as follows:

§ 1.7001 Scope and content of filed reports.

* * * * *

(d) * * *

(4) The Commission shall make all decisions regarding non-disclosure of provider-specific information, except that the Chiefs of the Space Bureau, Wireless Telecommunications Bureau, Wireline Competition Bureau, or Office of Economics and Analytics may release provider-specific information to:

* * * * *

3. Revise § 1.7003 to read as follows:

§ 1.7003 Authority to update FCC Form 477.

The Space Bureau, Wireless Telecommunications Bureau, Wireline Competition Bureau, and Office of Economics and Analytics may update the specific content of data to be submitted on FCC Form 477 as necessary to reflect changes over time in transmission technologies, spectrum usage, Geographical Information Systems (GIS) and other data storage and processing functionalities, and other related matters; and may implement any technical improvements or other clarifications to the filing mechanism and forms.

4. Amend § 1.7005 by removing paragraphs (e)(1) through (3) and revising paragraph (e) to read as follows:

§ 1.7005 Scope and content of filed reports.

* * * * *

(e) The Commission shall release provider-specific broadband availability data in Broadband Data Collection filings to the public, and providers may not request confidential treatment of such information.

5. Amend § 1.7006 by removing and reserving paragraphs (d)(1)(vii) and (9) and adding paragraph (g) to read as follows:

§ 1.7006 Data verification.

* * * * *

(g) *Fabric challenge process.* State, local, and Tribal governmental entities, consumers, and other entities or individuals may submit data in an online portal to challenge the accuracy of the Fabric. Challengers must provide in their submissions:

(1) Name and contact information (*e.g.*, address, phone number, email);

(2) The street address or geographic coordinates (latitude/longitude) of the location(s) at which the Fabric is being challenged;

(3) Category of dispute, selected from pre-established options on the portal;

(4) Details and evidence about the disputed Fabric location;

(5) A certification from an individual or an authorized officer or signatory of a challenger that the person examined the information contained in the challenge and that, to the best of the person's actual knowledge, information, and belief, all statements of fact contained in the challenge are true and correct.

6. Amend § 1.7009 by revising paragraph (d) and adding paragraph (e) to read as follows:

§ 1.7009 Enforcement.

* * * * *

(d) Providers must file corrected data when they discover inaccuracy, omission, or significant reporting error in the original data that they submitted, whether through self-discovery, the

crowdsource process, the challenge process, or otherwise (which does not include audits and verifications, which are specifically addressed in § 1.7009(e)).

(1) Providers must file corrections within 30 days of their discovery of incorrect or incomplete data;

(2) The corrected filings must be accompanied by the same types of certifications that accompany the original filings as set forth in § 1.7004(d);

(e) For adverse audit or verification findings, the Commission shall modify or remove some or all of the provider's location or area data from the National Broadband Map as needed to effectuate the adverse audit or verification findings after the provider is notified of an adverse audit or verification finding concerning such location or area data.

7. Revise § 1.7010 to read as follows:

§ 1.7010 Authority to update the Broadband Data Collection.

The Space Bureau, Wireless Telecommunications Bureau, Wireline Competition Bureau, and Office of Economics and Analytics may update the specific format of data to be submitted pursuant to the Broadband Data Collection to reflect changes over time in Geographical Information Systems (GIS) and other data storage and processing functionalities and may implement any technical improvements or other clarifications to the filing mechanism and forms.

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