FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 9

[PS Docket Nos. 21-479 and 13-75, FCC 26-39; FR ID 355739]

Facilitating Implementation of Next Generation 911 Services (NG911); Improving 911 Reliability

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: In this document, the Federal Communications Commission (the FCC or Commission) proposes rules to enhance Next Generation 911 (NG911) interoperability and improve NG911 accessibility. Specifically, the Further Notice of Proposed Rulemaking proposes requiring NG911 service providers to conduct multi-party interstate interoperability testing of 911 traffic. The Further Notice of Proposed Rulemaking also seeks comment about how 911 Authorities can integrate advanced technology such as Direct Video Calling into NG911 networks to improve accessibility.

DATES: Comments are due on or before **[INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**, and reply comments are due on or before **[INSERT DATE 60 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]**.

ADDRESSES: Pursuant to §§ 1.415 and 1.419 of the Commission's rules, 47 CFR 1.415, 1.419, interested parties may file comments and reply comments identified by PS Docket Nos. 21-479 and 13-75 by any of the following methods:

- *Electronic Filers*: Comments may be filed electronically using the Internet by accessing the ECFS: https://www.fcc.gov/ecfs.
- *Paper Filers*: Parties who choose to file by paper must file an original and one copy of each filing.

- Filings can be sent by hand or messenger delivery, by commercial courier, or by the U.S. Postal Service. **All filings must be addressed to the Secretary, Federal Communications Commission.**
- Hand-delivered or messenger-delivered paper filings for the Commission's Secretary are accepted between 8:00 a.m. and 4:00 p.m. by the FCC's mailing contractor at 9050 Junction Drive, Annapolis Junction, MD 20701. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial courier deliveries (any deliveries not by the U.S. Postal Service) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- Filings sent by U.S. Postal Service First-Class Mail, Priority Mail, and Priority Mail Express must be sent to 45 L Street NE, Washington, DC 20554.

- *People with Disabilities*. To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530.

FOR FURTHER INFORMATION CONTACT: Rachel Waxman, Deputy Division Chief, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418-1138 or Rachel.Waxman@fcc.gov.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Second Further Notice of Proposed Rulemaking (*Second FNPRM*), in PS Docket Nos. 21-479 and 13-75, FCC 26-39, adopted on June 25, 2026, and released on June 26, 2026. The full text of this document is available at https://www.fcc.gov/document/fcc-modernizes-next-generation-911-reliability-and-interoperability-0.

Ex Parte Presentations – Permit-But-Disclose. The proceeding this *Second FNPRM* initiates shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. Persons making *ex parte* presentations must file a copy of any written presentation

or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must: (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter's written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

Providing Accountability Through Transparency Act. Consistent with the Providing Accountability Through Transparency Act, Public Law 118-9, a summary of this *Second FNPRM* will be available on https://www.fcc.gov/proposed-rulemakings.

Synopsis

INTRODUCTION

We adopt this Second Further Notice of Proposed Rulemaking (*Second FNPRM*) to seek comment on more detailed interoperability requirements based on commenters' proposals in the record, as well as on the implementation of video technologies to improve accessibility for 911

in NG911 jurisdictions.

NG911 Interoperability

In today's companion *Second Report and Order*, we adopt a definition of interoperability and reporting requirements to support the ongoing work of 911 Authorities and their industry partners as they strive toward implementing seamlessly interoperable NG911 systems. We require NG911 Core Service (NGCS) providers and Emergency Services IP Network (ESInet) providers to report on a one-time basis the steps they have taken or plan to take to facilitate interoperability on their networks. Given the mixed nature of comments we received, we defer for future consideration the issues of interoperability standards, certifications, testing requirements, and annual reporting. Nevertheless, we continue to regard NG911 interoperability as a foundational and essential element to full completion of the NG911 transition nationwide. Therefore, in this *Second FNPRM*, we seek comment on proposals to promote and accelerate the implementation of interoperability across the NG911 ecosystem.

Specifically, we propose requiring NGCS and ESInet providers, within three years of the effective date of any interoperability requirements adopted in the future, to test the transfer of 911 traffic (including voice, video, data, and text) with necessary metadata to facilities in at least two other states and with three similar but different NGCS and ESInet providers. We propose this testing requirement because, as noted above, although the record does not reflect consensus amongst the various stakeholders, the disagreements concern the details of a testing regime as opposed to the concept of testing itself. We propose to develop testing criteria reflecting comments in the record that advocate for objective interoperability criteria[1] as well as a requirement that covered 911 providers test the ability to interoperate with multiple entities across different jurisdictions.[2] We propose to define a "successful transfer" as one which, at a minimum, uses: SIP-based call handoff capability; preservation of caller location and media

[1] National Association of State 911 Administrators (NASNA) Comments at 8 (advocating for clarity).
[2] Sam Gaither Comments on behalf of the South Carolina Coastal Area Cooperative (SCCAC) at 2; Association of Public-Safety Communications Officials, International (APCO) Comments at 4.

metadata; compliance with commonly accepted standards (such as i3); operational testing; and cross-jurisdictional validation. We seek comment on the estimated costs and benefits of this approach. We also seek comment on the role of "connectivity testing," "NG911 production testing," "NG911 interoperability testing," conformance with commonly accepted standards, and 911 Authorities' preferences in the development of successful interoperability between ESInets.[3]

We propose allowing 911 Authorities to play a significant role in the design and evaluation of the interoperability testing regime. This is advocated by commenters who argue that the most efficient way to achieve interoperability is to allow providers and the local jurisdictions they serve to collaborate in identifying what interoperability solutions works best for those jurisdictions. We propose that the governing 911 Authority for a given jurisdiction would designate the two states and three facilities with which it wishes its ESInet and NGCS providers to interoperate. We seek comment on whether this is the appropriate number of states and providers and on alternative numbers of states and providers. We also seek comment on allowing 911 Authorities discretion to impose additional interoperability requirements, including additional requirements for a "successful transfer" certification, provided these requirements are mutually agreed upon after negotiations with the providers. We also seek comment on requiring such interoperability only if requested by a 911 Authority.

We propose a three-year timetable for testing to allow time for NG911 stakeholders to develop a comprehensive interoperability certification regime that meets the above criteria.[4] At the end of the three-year period, NGCS and ESInet providers would certify that they have successfully completed the required testing. We seek comment on whether three years is an appropriate time period to allow for developing the testing regime while also ensuring that testing occurs in a timely manner. We seek comment on whether additional interoperability reporting is needed beyond the one-time interoperability report we adopt in the *Order*. Should

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[3] *See* Letter from Susan C. Ornstein, Senior Director, Legal & Regulatory Affairs, Comtech, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 21-479 at 4-14 (filed May 29, 2026).
[4] NENA: The 9-1-1 Association (NENA) Comments at 6-7.

covered 911 service providers periodically report on their progress to implement interoperability on an annual basis, semi-annual basis, or some other period of time? Should covered 911 service providers update their interoperability reports any time there is a material change, as with reliability certifications? What are examples of material changes pertaining to interoperability?

Direct Video Calling Framework

In the 2024 *NG911 Transition Order*, the Commission adopted a definition of Next Generation 911 that references the ability for Public Safety Answering Points (PSAPs) to receive, process, and analyze "all types" of 911 requests for emergency assistance.[5] The Commission emphasized that this language incorporates an accessibility component into the NG911 definition and reflects a belief that NG911 must support accessible technologies.[6] Several commenters in the proceeding urged the Commission to consider additional measures to enhance NG911 accessibility. The Commission declined to address those proposals at the time because they were outside the scope of that proceeding, but resolved to "continue to monitor the development of NG911 systems and technologies" and "to take steps as necessary to ensure that NG911 is fully accessible to all," consistent with our authority under the Twenty-First Century Communications and Video Accessibility Act (CVAA).[7]

In the *NG911 Reliability FNPRM*, the Commission sought more detailed comment on measures to promote interoperability between ESInets for people with disabilities as well as the feasibility of Direct Video Calling (DVC) or three-way video 911 calling that includes video relay service (VRS).[8] The Commission also sought comment on the status of current IP-based relay services providers' capabilities and how to expand them.[9] The comment record reflects strong consumer support for expanding access to 911 via DVC as 911 Authorities transition to

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[5] 47 CFR 9.28.
[6] *Facilitating Implementation of Next Generation 911 Services (NG911)*, PS Docket No. 21-479, PS Docket No. 18-64, Report and Order, 39 FCC Rcd 8137, 8161, para. 43 (2024) (*2024 NG911 Transition Order*).
[7] *Id.* at 8218-19, para. 179.
[8] *Facilitating Implementation of Next Generation 911 Services (NG911)*, PS Docket Nos. 21-479 and 13-75, Further Notice of Proposed Rulemaking, 40 FCC Rcd 2668, 2700-01, para. 85 (2025) (*NG911 Reliability FNPRM*).
[9] *Id.* at 2702, para. 87.

NG911.[10] At this time, however, we are not aware of any 911 Authorities that are using DVC to answer calls, although DVC is available for 988 calls to the Suicide and Crisis Lifeline.[11] We believe further information is needed in the record to develop a clear path forward before deciding whether to include DVC capabilities in the NG911 ecosystem, and therefore seek comment in this *Second FNPRM* to develop such a record.

First, we seek comment on a framework that would allow 911 Authorities to signal their readiness to accept DVC-to-911 calls in their jurisdictions and on the network routing information necessary to identify such calls. DVC allows sign language users to engage in direct, rather than interpreted communication (including unfiltered communication of visual cues, which are particularly important to persons with hearing and speech disabilities), where each call participant has native fluency in American Sign Language (ASL).[12] This is another step in our long-running endeavor to enable and support the deployment and use of DVC by enterprises and governmental entities.[13] We seek information that will help us to better understand how 911 Authorities and their partners would integrate DVC into their NG911 transition. In seeking this information in this public forum, we hope to generate discussions between the stakeholders that will identify lessons learned, best practices, potential roadblocks, and avoid duplication of effort.

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[10] *See* AccesSOS Comments at 1; Accessibility and Research Organizations Comments at 2; Intrado Life & Safety, Inc. (Intrado) Comments at 27; City of Coconut Creek, FL April 28, 2025 Comments at 1. In addition, 80 individuals filed express comments supporting Direct Video Calling with American Sign Language (ASL) and/or enhanced NG911 multi-modal emergency services for the deaf/hard of hearing. *See, e.g.,* Express Comment of Greg Pollock, ASL Now (filed Apr. 1, 2025); Express Comment of Sonny Wasilowski (filed Apr. 9, 2025).

[11] Substance Abuse and Mental Health Services Administration (SAMHSA), "988 Suicide & Crisis Lifeline Adds American Sign Language Services for Deaf and Hard of Hearing Callers," Press Announcement (Sept. 8, 2023). At a FCC Public Forum, a representative stated that in the first 10 months after DVC became available, the 988 line served about 30,000 DVC callers, demonstrating the practicability and benefits of offering DVC as a means of accessing emergency services. *DVC Public Notice,* 39 FCC Rcd at 13630.

[12] *See* FCC, *Direct Video Calling (DVC)* (Dec. 17, 2025), www.fcc.gov/DVC (providing information about DVC technology). *See also* Intrado Comments at 27.

[13] DVC, an Internet-based communication service, enables direct video conversations between two or more callers using ASL without the need for an interpreter. *See Direct Video Calling Can Enhance Accessibility of Consumer Call Centers*, CG Docket Nos. 03-123 and 10-51, Public Notice, 39 FCC Rcd 13628, 13631 (CGB 2024) (*DVC Public Notice*). We currently are seeking comment on the use of DVC in modernizing the Telecommunications Relay Services. *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Speech-to-Speech and Internet Protocol (IP) Speech-to-Speech Telecommunications Relay Services,* CG Docket Nos. 03-123 and 08-15, Notice of Proposed Rulemaking, FCC 25-79, at 14, para. 37.

Benefits and costs of DVC. We seek comment on the benefits and costs of DVC implementation specific to 911.[14] Additionally, while the record reflects support from individual deaf consumers for DVC, we specifically ask the deaf community and organizations representing this community to provide a more holistic picture of the preferences and opinions of the deaf community on the various technologies that can currently be used to contact 911, including TTY, text-to-911 (which includes RTT), VRS, IP Relay, and IP CTS. Would a significant portion of the deaf community who use ASL across various age ranges and socioeconomic groups prefer to speak with an individual trained in both ASL and 911 call dispatch? What are the costs associated with facilities, training, and operation of DVC to 911 Authorities, covered 911 service providers (CSPs), and originating service providers (OSPs)? Should we convene a new DVC Technical Working Group to create recommendations on issues around the deployment of DVC-to-911, or can this be addressed through the CSRIC X working group on 911 accessibility?[15]

Some parties have suggested that the Commission should sponsor a pilot program to obtain data on the feasibility of DVC-to-911.[16] What would be the parameters of such a pilot, including length of time and costs? How would the Commission identify the communities and PSAPs that would participate? The record indicates that 911 Authorities in various jurisdictions are trialing advanced forms of communication for 911 calls.[17] Do such trials include DVC-to-911? How would the results of such a pilot program be used by the Commission or 911 Authorities?

Many individual commenters note that one shortcoming of VRS is that interpreters, or communications assistants (CAs), are often not trained to respond and communicate in

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[14] *See* FCC, *Direct Video Calling (DVC)* (Dec. 17, 2025), https://www.fcc.gov/direct-video-calling-dvc (discussing that the general implementation of DVC provides improved communications, career opportunities, security, and cost savings and shows a commitment to accessibility).

[15] Accessibility and Research Organizations Comments at 2, 15-17 (recommending the FCC to convene a DVC Technical Working Group); FCC Announces Intent to Re-Charter the Communications Security, Reliability, and Interoperability Council, and Seeks Nominations for Membership, DA 26-134 (Feb. 9, 2026) (including topic on Expanding NG911's Multimedia Availability and Increasing 911 Accessibility).

[16] *See* Accessibility and Research Organizations Comments at 18; Intrado Comments at 27.

[17] *See* Accessibility and Research Organizations Comments at 16-17.

emergency situations. Lack of training for VRS interpreters may result in miscommunications and delays in receiving aid.[18] Advocates argue that DVC will address this shortcoming by allowing "Deaf callers to skip the VRS queue and be connected directly to 911 call takers fluent in ASL."[19] We ask whether improved training for VRS interpreters would be more cost-effective to address callers' needs, as opposed to the implementation of DVC. On the other hand, what would such training for VRS interpreters entail? The Commission has analogized TRS as the conduit through which communication can happen and explained that CAs have a limited role in ensuring a conversation can happen by providing an interpretation service from one format of communication (*e.g.,* sign language) to another format (*e.g.*, spoken English).[20] Is any shortcoming in access to 911 overcome only by ASL users reaching a trained 911 telecommunicator who also knows ASL?

Technical considerations. Comments indicate that the next version of NENA's i3 standard will support DVC-to-911, including transfer of DVC calls to non-DVC PSAPs with VRS.[21] We seek comment on the lifecycle and availability of this standard. What other current or future technical standards could support the implementation of DVC-to-911? What types of consumer devices can initiate DVC calls, and what location capabilities do these devices have for 911? To what extent would these devices rely on user-entered registered locations for 911? From a technical perspective, how do DVC calls differ from calls to 911 over mobile-native video applications like FaceTime, or from other types of video technologies like VRS? Do these calls proceed over specialized platforms, browsers, or native video capabilities on devices? What types of OSP data connections (VoIP, LTE, etc.) do these calls use? Can CSPs and OSPs currently identify a DVC-to-911 call as such? If not, what is the anticipated timeline for such a

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[18] Letter from Karen Peltz Strauss, Esq. to Marlene Dortch, Secretary, FCC, PS Docket 21-475 and CG Docket 03-123 at 2 (filed Apr. 1, 2026) (Peltz Strauss *Ex Parte);* Accessibility and Research Organizations Comments at 8-12; Express Comment of Sonny Wasilowski.

[19] Peltz Strauss *Ex Parte* at 2; *see also* Accessibility and Research Organizations Comments at 12-13.

[20] *See Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, CG Docket No. 03-123, 19 FCC Rcd 12475, 12534-35, paras. 154-55 (2004) (describing limited role of TRS CA as a "transparent conduit between two people communicating through disparate modes").

[21] Brian Rosen Reply at 9-10.

network feature and what are the estimated development and implementation costs? What technical capabilities and facilities must an OSP or CSP put in place to originate, route, and transmit a DVC call to 911?[22] Can OSPs and CSPs transmit location and callback information from the originating device with the 911 call to ensure proper routing and emergency response? What are routing considerations for OSPs and CSPs in processing these calls? What differences in information and routing arise from the originating device or application used by the person initiating a video call to 911? What technical capabilities and facilities must a PSAP or 911 Authority put in place to accept a DVC call to 911?[23] How are these technical capabilities and facilities similar to or different from the implementation of DVC for ten-digit telephone numbers?

Operational considerations. A key operational issue in expanding DVC access is connecting DVC to 911 callers with trained 911 telecommunicators that are 1) fluent in ASL, and 2) familiar with and able to dispatch 911 resources local to the caller.[24] What current or planned future operational standards relate to the implementation of DVC-to-911? What are the minimum operational requirements necessary for a PSAP to accept DVC-to-911 calls? What is the estimated cost of implementing these changes? How many (or what percentage) of the current telecommunicator community are ASL-fluent? What plans exist to increase this percentage? Are there existing mechanisms that can augment or enhance the ASL ability of a non-ASL fluent telecommunicator? Given the size of the ASL-fluent telecommunicator pool and its non-uniform distribution, what is the most efficient deployment strategy, i.e., do 911 Authorities envision initially handling DVC-to-911 calls at a local, regional, state (or national) level? If ASL-fluent telecommunicators are only available at the regional, state, or national

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[22] *See* FCC, *Direct Video Calling (DVC)* (Dec. 17, 2025), https://www.fcc.gov/direct-video-calling-dvc ("To establish DVC, businesses, government agencies, and other organizations can install a DVC call center platform and have their customer service telephone numbers entered into the TRS Numbering Directory by Qualified Direct Video Entities. The DVC call center platform will automatically direct video calls to a videophone and voice calls to a standard telephone in the call center.").

[23] *Id.*

[24] Brian Rosen Reply at 9-10; Accessibility and Research Organizations Comments at 12.

levels, how would those telecommunicators coordinate dispatch with the local PSAP or first responders? How do we ensure that such calls are answered if, due to staffing shortages or other temporary operational challenges, no ASL-fluent telecommunicator is available? If a PSAP is not fully capable of handling a DVC-to-911 call, is using a three-way call via VRS operator who can interpret a sufficient method of resolving the call?[25] What accredited training exists such that DVC interpreters would be specifically trained in accepting emergency calls and dispatching aid? Should VRS providers also pursue implementing this training for their interpreters?

How should 911 Authorities signal their readiness to accept DVC-to-911 calls? Should it be via an approach similar to how we handle NG911 valid requests and Text-to-911/Real-Time-Text readiness certifications?[26] Can it be solely a communication to the relevant CSP or OSP? What technical and operational showings or commitments should a 911 Authority need to make to signal readiness to accept DVC-to-911 calls? How should a 911 Authority specify which (if any) of its facilities are DVC-to-911 call capable and provide CSPs with a roadmap that details how to ensure that DVC-to-911 calls are routed to facilities (or jurisdictions) that can handle such calls and dispatching aid?

Current Department of Justice (DOJ) regulations for communication between the public and 911 Authorities only explicitly mention the use of TTYs for the purpose of "direct access" for emergency calls.[27] However, DOJ explanations of its Title II regulations also indicate that text-capable 911 Authorities can comply with the requirement to provide "effective communication" with the public with the availability of text-to-911.[28] Would the availability of DVC comply with the "effective communication" requirement? Is meeting that requirement a prerequisite for advancement of DVC in 911 call centers? If so, what steps can the Commission

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[25] *See* Accessibility and Research Organizations Comments at 19-20.
[26] *See* 47 CFR 9.31.
[27] *See* 28 CFR 35.162 ("Telephone emergency services, including 911 services, shall provide direct access to individuals who use TDD's and computer modems.").
[28] *See* U.S. Department of Justice, Civil Rights Division, PS Docket Nos. 11-153 and 10-255, Comments, at 2-3 (filed Mar. 8, 2013); 28 CFR 35.161(a).

take to have DOJ recognize that, where and when available, DVC can provide "effective communication" between ASL users and 911 Authorities?[29]

PROCEDURAL MATTERS

Regulatory Flexibility Act. The Regulatory Flexibility Act of 1980, as amended (RFA),[30] requires that an agency prepare a regulatory flexibility analysis for notice and comment rulemakings, unless the agency certifies that "the rule will not, if promulgated, have a significant economic impact on a substantial number of small entities."[31] Accordingly, the Commission has prepared an Initial Regulatory Flexibility Analysis (IRFA) concerning the potential impact of rule and policy change proposals on small entities in the *Second FNPRM*. The Commission invites the general public, in particular small businesses, to comment on the IRFA. Comments must be filed by the deadlines for comments on the *Second FNPRM* indicated on the first page of this document and must have a separate and distinct heading designating them as responses to the IRFA.

Paperwork Reduction Act Analysis. This *Second FNPRM* may contain potential new or revised information collection requirements subject to the Paperwork Reduction Act of 1995.[32] All such new or modified information collection requirements will be submitted to OMB for review under section 3507(d) of the PRA. OMB, the general public, and other federal agencies are invited to comment on any new or modified information collection requirements contained in this proceeding. In addition, pursuant to the Small Business Paperwork Relief Act of 2002, Public Law 107-198, see 44 U.S.C. 3506(c)(4)), we seek specific comment on how we might further reduce the information collection burden for small business concerns with fewer than 25 employees.

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[29] *See, e.g.,* Letter from Zainab Alkebsi, Deaf Equality, et al., to Marlene H. Dortch, Secretary, FCC, CG Docket Nos. 03-123, et al., PS Docket Nos. 13-75 and 21-479, at 1-2 (filed April 9, 2026) (asking FCC to coordinate with DOJ to modernize 911 communication requirements for PSAPs).
[30] 5 U.S.C. 601-612. The RFA has been amended by the Small Business Regulatory Enforcement Fairness Act of 1996 (SBREFA), Pub. L. 104-121, Title II, 110 Stat. 857 (1996).
[31] 5 U.S.C. 605(b).
[32] Paperwork Reduction Act of 1995, Pub. L. 104-13, 109 Stat. 163 (1995) (codified at 44 U.S.C. 3501 *et seq.*).

INITIAL REGULATORY FLEXIBILITY ANALYSIS

As required by the Regulatory Flexibility Act of 1980, as amended (RFA), the Federal Communications Commission (Commission) has prepared this Initial Regulatory Flexibility Analysis (IRFA) of the policies and rules proposed in the Second Further Notice of Proposed Rulemaking (*Second FNPRM*) assessing the possible significant economic impact on a substantial number of small entities. The Commission requests written public comments on this IRFA. Comments must be identified as responses to the IRFA and must be filed by the deadlines for comments specified on the first page of the *Second FNPRM*. The Commission will send a copy of the *Second FNPRM*, including this IRFA, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy. In addition, the *Second FNPRM* and IRFA (or summaries thereof) will be published in the *Federal Register*.

A. Need for, and Objectives of, the Proposed Rules

In the *Second FNPRM*, the Commission builds on the interoperability reporting requirements established in the *Second Report and Order*. With these proposed rules, the Commission is taking steps to ensure that NG911 networks have the requisite reliability and interoperability to seamlessly transfer NG911 calls and data. It also continues its efforts to ensure that NG911 is fully accessible to all Americans, including 911 users with disabilities.

Interoperability Certification and Testing Requirement. In the *Second FNPRM*, the Commission proposes rules that will take effect within three years. These proposed rules would require NGCS and ESInet providers to begin certifying that they have successfully tested the transfer of multimedia NG911 traffic with necessary metadata to facilities in at least two other states and with three similar providers. The Commission also proposes a definition of what a "successful transfer" would be. Further, the Commission is proposing that a governing 911 Authority for any particular jurisdiction would designate the two states and three facilities that the ESInet and NGCS providers would interoperate with as well as allow the 911 Authority to impose additional interoperability requirements provided they are mutually agreed upon by the

providers. The Commission proposes this certification requirement with the objective of ensuring that the NG911 stakeholder community remains focused on improving interoperability. The Commission also proposes that the governing 911 Authority in any given jurisdiction play a significant role in the development and evaluation of the interoperability testing regime in collaboration with the providers to ensure that the 911 Authority can help design an interoperability solution that works best for its locality. Finally, the Commission proposes to defer application of the rules for a period of three years to allow the NG911 community time to develop a meaningful interoperability certification program.

Direct Video Calling. In the *Second FNPRM*, the Commission seeks comment on a framework that would allow 911 Authorities to signal readiness to accept DVC-to-911 calls in their jurisdictions and on the network routing information necessary to identify such calls. The Commission is seeking more information regarding all aspects of this framework and DVC in general. The information sought includes benefits, costs of implementation, technical considerations, and operational considerations. The *Second FNPRM* explores whether and how to enable and support the deployment and use of DVC by enterprises and governmental entities. However, the Commission is not proposing rules for DVC implementation at this time.

B. Legal Basis

The proposed action is authorized pursuant to sections 1, 2, 4(i), 201, 214, 222, 225, 251(e), 301, 303, 316, and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 201, 214, 222, 225, 251(e), 301, 303, 316, 332; the Wireless Communications and Public Safety Act of 1999, Pub. L. 106-81, 47 U.S.C. 615 note, 615, 615a, 615a-1, 615b; and section 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. 111-260, 47 U.S.C. 615c.

C. Description and Estimate of the Number of Small Entities To Which the Proposed 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. The RFA generally defines the term "small entity" as having the same meaning as the terms "small business," "small organization," and "small governmental jurisdiction." In addition, the term "small business" has the same meaning as the term "small business concern" under the Small Business Act. 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. 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. In general, a small business is an independent business having fewer than 500 employees. These types of small businesses represent 99.9% of all businesses in the United States, which translates to 34.75 million businesses. Next, "small organizations" are not-for-profit enterprises that are independently owned and operated and are not dominant in their field. While we do not have data regarding the number of non-profits that meet that criteria, over 99 percent of nonprofits have fewer than 500 employees. Finally, "small governmental jurisdictions" are defined as cities, counties, towns, townships, villages, school districts, or special districts with populations of less than fifty thousand. 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.

The rules proposed in the *Second FNPRM* will apply to small entities in the industries identified in the chart below by their six-digit North American Industry Classification System (NAICS) codes and corresponding SBA size standard. Where available, we also provide additional information regarding the number of potentially affected entities in the identified industries 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
Radio and Television Broadcasting and Wireless Communications Equip Manufacturing	334220	1,250 employees	155	136	87.74%
Semiconductor and Related Device Manufacturing	334413	1,250 employees	675	610	90.37%
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%

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**
Competitive Local Exchange Carriers (CLECs)	3,729	3,576	95.90
Incumbent Local Exchange Carriers (Incumbent LECs)	1,175	917	78.04
Interexchange Carriers (IXCs)	113	95	84.07
Wired Telecommunications Carriers	4,682	4,276	91.33

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**
Wireless Telecommunications Carriers (except Satellite)	585	498	85.13
Wireless Telephony	326	247	75.77

Table 3. Cable Entities Data

Cable Entities	Size Standard	Total Firms	Small Firms	% Small Firms in Industry
Cable System Operators (Telecom Act Standard) Small Cable Operator	Serves fewer than 498,000 subscribers, either directly or through affiliates	530	524	98.87%
Cable Companies and Systems (Rate Regulation) Small Cable Company	Serves 400,000 or fewer subscribers nationwide	530	523	98.51%
Cable Companies and Systems (Rate Regulation) Small Cable System (headends)	Serves 15,000 or fewer subscribers	4,545	3,965	87.24%

D. Description of Projected Reporting, Recordkeeping, and Other Compliance Requirements for Small Entities

The RFA directs agencies to describe the economic impact of proposed 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 requirements and the type of professional skills necessary for preparation of the report or record.

911 Interoperability Requirements. In the *Second FNPRM*, the Commission proposes giving NGCS and ESInet providers three years to test the transfer of 911 traffic to facilities in at

least two other states and with three similar but different NGCS and ESInet providers. At the end of the three year period, NGCS and ESInet providers would certify that they have successfully completed the required testing. This proposal is an expansion of the existing 911 reliability report requirement.

The *Second FNPRM* also seeks specific comment on developing a framework that will allow jurisdictions to signal readiness to deploy DVC-to-911 calling. This will not create any reporting, recordkeeping or other compliance requirements.

E. Discussion of Significant Alternatives Considered That Minimize the Significant Economic Impact on Small Entities

The RFA directs agencies to provide a description of any significant alternatives to the proposed rules that would accomplish the stated objectives of applicable statutes, and minimize any significant economic impact on small entities. The discussion is required to include alternatives such as: "(1) the establishment of differing compliance or reporting requirements or timetables that take into account the resources available to small entities; (2) the clarification, consolidation, or simplification of compliance and reporting requirements under the rule for such small entities; (3) the use of performance rather than design standards; and (4) an exemption from coverage of the rule, or any part thereof, for such small entities."

The Commission believes that the limited measures proposed in the *Second FNPRM* will ultimately protect public safety and national security objectives in a way that is tailored to avoid any significant burdens on small entities. The rule changes proposed in the *Second FNPRM* were carefully considered to impose little cost on state and local governments or industry, including small entities. The Commission recognizes that developing the interoperability report will impose some research and legal costs on 911 Authorities; however, the Commission anticipates that these proposed changes will be modest and will not disproportionately affect small entities. Similarly, the Commission believes the costs to NGCS and ESInet providers would be limited, because these providers would be required to test and report on their

interoperability with only three similar providers in two states and because the costs would be spread over three or more years. The Commission does not anticipate any disproportionate impact on small entities. We seek comment on the impacts of these proposals on small entities, and we will consider any alternatives raised in comments before taking final action.

F. Federal Rules that May Duplicate, Overlap, or Conflict with the Proposed Rules

None.

ORDERING CLAUSES

Accordingly, IT IS ORDERED, pursuant to sections 1, 2, 4(i), 201, 214, 225, 251(e), 301, 303, 316, and 332 of the Communications Act of 1934, as amended, 47 U.S.C. 151, 152, 154(i), 201, 214, 225, 251(e), 301, 303, 316, 332; the Wireless Communications and Public Safety Act of 1999, Pub. L. 106-81, as amended, 47 U.S.C. 615 note, 615, 615a, 615a-1, 615b; and section 106 of the Twenty-First Century Communications and Video Accessibility Act of 2010, Pub. L. 111-260, 47 U.S.C. 615c, that this *Second FNPRM* IS ADOPTED.[33]

IT IS FURTHER ORDERED that the Commission's Office of the Secretary SHALL SEND a copy of this *Second FNPRM*, including the Initial Regulatory Flexibility Analysis, to the Chief Counsel for the Small Business Administration (SBA) Office of Advocacy.

Federal Communications Commission

Marlene Dortch,
Secretary.
[FR Doc. 2026-13999 Filed: 7/9/2026 8:45 am; Publication Date: 7/10/2026]

[33] Pursuant to Executive Order 14215, 90 FR 10447 (Feb. 24, 2025), this regulatory action has been determined to be not significant under Executive Order 12866, 58 FR 51735 (Oct. 4, 1993).