

SUPPORTING STATEMENT

A. Justification:

1. The Warning, Alert and Response Network Act, Title VI of the Security and Accountability for Every Port Act of 2006 (120 Stat. 1884, section 602(a), codified at 47 U.S.C. 1201, et seq., 1202(a)) (WARN Act) gives the Federal Communications Commission (Commission) authority to adopt relevant technical standards, protocols, procedures and other technical requirements governing Wireless Emergency Alerts (WEA). The Commission created the WEA system (previously known as the Commercial Mobile Service Alert System) pursuant to the WARN Act to satisfy the Commission’s mandate to promote the safety of life and property through the use of wire and radio communication.

In 2018, the Commission issued a Report & Order to enhance the public safety benefits of WEA by improving the ability of alert originators (*e.g.*, local emergency management offices) to “geo-target” a WEA alert, *i.e.*, direct a WEA alert to a given geographic area (*e.g.*, where there is imminent threat of the loss of life or property).¹ The Commission amended its geo-targeting rules based on the Report & Order to require that Participating Commercial Mobile Service Providers (providers) implement functionality to deliver a WEA alert to 100% of the target geographic area specified by an alert originator with no more than a 0.1 mile overshoot by November 30, 2019, later extending this deadline to December 13, 2019 and again to December 19, 2019.² The Commission found that there are urgent public safety benefits associated with providers’ expedient compliance with the Commission’s enhanced geo-targeting requirements.³

Non-Substantive Change Request:

The FCC is proposing non-substantive updates to the previously approved collection (3060-1269). The proposed updates to the collection’s methodology are designed to adapt the approved collection methodology for a nationwide test of WEA that will be conducted by the Federal Emergency Management Agency (FEMA), in coordination with the FCC, on August 11, 2021, at 2:20 p.m. Eastern Daylight Time (EDT), with a backup date of August 25, 2021 at 2:20 p.m. EDT.⁴ While the nationwide nature of the test will make it difficult for the Commission to identify how WEA performs outside of a targeted area, it will still enable the

¹ See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91 and 15-94, Second Report and Order and Second Order on Reconsideration, 33 FCC Rcd 1320, 1324-25, para. 6 (2018); see also Federal Communications Commission, *Wireless Emergency Alerts; Emergency Alert System*, 83 Fed. Reg. 8619, 8623 (Feb. 28, 2018) (announcing a Nov. 30, 2019 amendment to 47 CFR § 10.450); see also *New Enhancements to Wireless Emergency Alerts Will Be Available on December 13, 2019*, Public Notice, DA 19-1208 (PSHSB November 25, 2019) (extending the deadline for compliance from Nov. 30, 2019 to Dec. 13, 2019); see also *Public Safety and Homeland Security Bureau Announces New Enhancements to Wireless Emergency Alerts Are Now Available*, Public Notice, DA 19-1297 (PSHSB December 19, 2019) (extending the deadline again to Dec. 19, 2019).

² See *id.*

³ See *id.*

Commission to better understand WEA performance, particularly with respect to whether WEA alerts are delivered to 100% of the target geographic area specified by an alert originator.

The Commission's proposed updated methodology would continue to collect test results from a control group of respondents by using a voluntary live test survey, which would remain unchanged from the version approved by the Office of Management and Budget. The Commission proposes to update the control group by identifying volunteers affiliated with several organizations, rather than only two alert originations in specific geographic areas. The Commission also proposes to update the collection to reduce the burden on respondents by only collecting test results through the live test survey (i.e. eliminating the preliminary survey) and only collecting test results from the control group (i.e. not collect information from the general public). The Commission expects that these proposed modifications will enable it to use the nationwide WEA test to further its public safety mission by informing the public of the state of WEA delivery and identifying any current shortfalls in WEA performance that warrant additional efforts.

The updates to this collection will reduce the burden estimates and reporting and record keeping requirements that the Commission submitted (and which OMB subsequently approved) in 2020.

Current Information Collection Requirements Previously Approved by OMB:

The Commission submitted an information collection request to support a planned test to evaluate the accuracy and performance of providers' geo-targeting capabilities based on its December 19, 2019 requirements. The test was designed to be conducted in two geographic areas with two alert originating partners of the Commission. The Commission planned to use surveys to collect information to evaluate performance during the test. This collection of information was voluntary. In each of the geographic areas, respondents affiliated with the area's alert originator (control group) would be asked to complete a preliminary survey delivered via e-mail or text message. This preliminary survey would improve the utility of a subsequent live test survey, which respondents, the control group and other members of the public, would receive via a hyperlink. The Commission developed survey templates, which are available at <https://www.fcc.gov/files/preliminarysurvey0720pdf> and <https://www.fcc.gov/files/livetestsurvey0720pdf>, that are representative of how the surveys will appear as hosted on the Commission's website. The Commission estimated that the total annual hours burden would be \$105,000. This figure was based upon the following costs: 2,000 responses (preliminary survey) × 0.25 hr./response + 12,000 responses (live test survey) × 0.25 hr./response × \$30/hr. = \$105,000. The information sought in this collection is necessary and vital to ensuring that WEA is effective at protecting the life and property of the public.

⁴ *Public Safety and Homeland Security Bureau Announces Nationwide Test of the Emergency Alert System and Wireless Emergency Alert System On August 11, 2021 and Opens the EAS Test Reporting System for Filings*, Public Notice, DA 21-680 at 1 (PSHSB June 11, 2021).

The collection is authorized under the WARN Act and 47 U.S.C. 151, 154(i), 154(j), 154(o), 218, 219, 230, 256, 301, 302(a), 303(f), 303(g), 303(j), 303(r) and 403.

This information collection affects individuals or households. The Commission has revised the Privacy Impact Assessment (PIA) and has modified the existing System of Records Notice (SORN), FCC/PSHSB-1 to address the personally identifiable information (PII) that will be collected, used, and stored as part of the information collection requirements.

2. The proposed collection will be used by Commission staff to better understand WEA performance, particularly with respect to the accuracy of providers' geo-targeting capabilities (i.e., the extent to which WEA alerts are reliably received at eligible mobile devices within a target geographic area). The Commission will use this information to further its public safety mission by informing the public of the state of WEA geo-targeting and identifying any current shortfalls in WEA performance that warrant additional efforts. These steps will enhance public safety by encouraging alert originators to use WEA alerts, motivate consumers to act based on alerts, and reduce the potential for subscriber opt-out from, and desensitization to, received alerts.
3. The Commission will collect survey information electronically using a web-based survey platform that the Commission has found to be efficient, user-friendly, and minimally burdensome to respondents in prior collections. Respondents will use their electronic mobile devices to provide information to the Commission efficiently, through the use of selectable answers wherever possible, and without the need for any handwritten responses.
4. This information collection is unique to the geo-targeting aspects of WEA and is not duplicated elsewhere. The Commission is not aware of any already available information collections that capture the extent to which enhanced geo-targeting is effective, particularly based on tests occurring or scheduled to occur after the Commission's December 19, 2019 deadline. WEA collection OMB Control No. 3060-1113 ("Election Whether to Participate in the Commercial Mobile Alert System") relates solely to elections by mobile service providers to participate in WEA, and does not relate to geo-targeting performance. The current proposed collection is not duplicative of OMB Control No. 3060-1113.
5. The collection has been carefully designed to minimize the time and amount of data needed for the Commission to achieve its objectives. The Commission's partners will make their employees and other interested participants in its jurisdiction available to serve in the control group, and the Commission will allow the partners to specify the resources (*e.g.*, number of employees) that can participate in the collection without significant economic impact. Moreover, the collection surveys have been designed to include a small number of questions and selectable choices (*e.g.*, using drop-down menus and radio button selection) wherever possible. The Commission also proposes modifying this collection to solely collect information from the control group and not from the general public. This will reduce the burden on participants and the economic impact on the Commission's alert originating partners and other respondents.

6. This collection is a one-time collection spread across the nation, which has different terrain types, population densities and wireless propagation characteristics, and thus that provide diverse performance information. The collection cannot be conducted less frequently. By modifying the collection to collect information from partners nationwide, rather than in two geographic areas as originally approved by the Office of Management and Budget, the Commission expects to obtain more useful test results with regard to delivering a WEA alert to 100% of the target geographic area specified by an alert originator. Namely, it expects to benefit from a larger overall set of responses collected across a more diverse set of testing conditions than would be possible if the collection were performed in two geographic locations only. If this collection were not performed, the Commission would not have reliable information on the effectiveness of the Commission's enhanced geo-targeting requirements on the delivery of WEA messages to targeted areas. This would frustrate the Commission's mandate to promote the safety of life and property.
7. This collection of information is consistent with the guidelines in 5 CFR 1320.5(d)(2). The Commission does not expect this collection to proceed in a manner inconsistent with the specified criteria because the Commission has structured the proposed surveys to limit the frequency and scope of the data requested. Respondents will provide information electronically via a web interface and not through any other written means.
8. The Commission published a 60-day notice in the Federal Register seeking comments from the public on August 20, 2019 (84 FR 43128). Comments were received from The Rehabilitation Engineering Research Center for Wireless Inclusive Technologies (Wireless RERC) and CTIA. Our revisions based on those comments were included in the revised preliminary and live test survey template previously approved by the Office and Management and Budget. None of these revisions impacted the burden estimates disclosed in our initial supporting statement.
9. The Commission will not provide any payment or gift to respondents.
10. As noted in Question 1, this information collection affects individuals or households. The Commission has revised the Privacy Impact Assessment (PIA) and has modified the existing System of Records Notice (SORN), FCC/PSHSB-1 to address the personally identifiable information (PII) that will be collected, used, and stored as part of the information collection requirements.
11. There are no questions of a sensitive nature involved with this collection of information. Moreover, as noted in Question 1, the Commission has revised the Privacy Impact Assessment (PIA) and has modified the existing System of Records Notice (SORN), FCC/PSHSB-1 to address the personally identifiable information (PII) that will be collected, used, and stored as part of the information collection requirements.
12. Burden estimates are as follows:
 - Live Test Survey**
 - Number of Respondents: 2,000.
 - Frequency of response: One-time reporting requirement.

- Total Number of Responses: 2,000 respondents x 1 response/respondent = 2,000 total responses.
- Average response time per response: 0.25 hours.
- Total Burden Hours: 2,000 responses × 0.25 hours/response = 500 hours.

Method of estimation of burden: We estimate that the total number of control group participants will be 2,000. We believe that this represents the largest size of the control group that the Commission’s alert originating partners would make available based on the Commission’s experience working with alert originators and information received in response to the 7/11/19 Public Notice.

The time estimate is based on sub-estimates that the time needed for data entry and submission is 10 minutes and the time needed to gather the associated information is five minutes (for a total of 15 minutes or 0.25 hours). In making this time estimate, we have considered that respondents will enter information electronically and that any information to be gathered is available directly on the mobile device that will be used by the respondent to provide his or her response.

Live Test Survey “In-House” Costs: The Commission estimates the hourly wage of a full-time employee (and other control group members) who will be submitting this information as \$30/hour, inclusive of overhead and fringe benefit costs. This estimate is based the Commission’s analysis of 2018 Bureau of Labor Statistics nationwide average hourly wages and salaries for technicians and other professionals engaged in field work. Therefore, the in-house costs to the respondents are as follows: 500 total burden hours × \$30/hour = \$15,000 total annual “in-house” costs.

13. There is no outside cost to the respondents.
14. The Commission does not expect to incur costs beyond the normal labor costs for staff.
15. This non-substantive change request, which eliminates the preliminary survey and non-control group respondents, would significantly reduce the burden on respondents. The number of annual burden hours and in-house costs previously approved by the Office and Management and Budget were 3,500 and \$105,000, respectively. The proposed non-substantive changes would reduce the annual burden hours and in-house costs by nearly 86%, while still providing the Commission with valuable data about WEA performance within the area targeted by the nationwide test.
16. The Commission may elect to publish a summary of results from its tests. If it does so, the Commission expects that the published results will be accessible from the Commission’s website, including in the dockets of related proceedings, PS Docket Nos. 15-91 and 15-94. A Commission summary may include some or all of (a) tabulations indicating the number of survey results received by provider, device operating system, geographic area and sub-area and participant type (control group and non-control group), (b) cumulative information categorizing the responses received to individual survey questions, (c) success rates and measures of Bayesian statistical significance, and (d) key trends affecting providers’ geo-

targeting performance. Additional details on the Commission's data collection and analysis are provided in section B of this Supporting Statement, below.

The Commission expects that FEMA's nationwide test of WEA will occur on August 11, 2021, at 2:20 p.m. EDT, with a backup date of August 25, 2021 at 2:20 p.m. EDT. The Commission will determine any publication dates after the testing is complete.

17. The Commission is requesting a waiver of the requirement to display the OMB expiration date on the surveys because that would require updating each time this collection was submitted to OMB for review and approval. The Commission displays the OMB expiration date, title and OMB control number in 47 CFR 0.408 of the Commission's rules.
18. There are no exceptions to the Certification Statement.

B. Collections of Information Employing Statistical Methods:

The collections of information does employ Statistical Methods. The Commission has attached the Statistical Methodology - Part B in this submission to OMB.