

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 (FCC or 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

On August 11, 2021, the Commission, in coordination with the Federal Emergency Management Agency (FEMA), conducted a nationwide live test of the WEA system.⁴ In preparation for this test, the Commission submitted the required paperwork for an information collection. The paperwork was approved (3060-1269). Before the test took place, the Commission proposed a non-substantive update to the previously approved

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.*

⁴ See *Report: August 11, 2021 Nationwide WEA Test, Wireless Emergency Alerts*, PS Docket No. 15-91, Report, <https://docs.fcc.gov/public/attachments/DOC-378907A1.pdf> (PSHSB, Dec. 31, 2021).

collection. The changes included increasing the number of respondents from 2,000 to 12,000. After notice and comment, the update was approved.

In April 2022, the FCC again sought partners to help conduct a second WEA performance test.⁵ In preparation for this test, the Commission proposed a non-substantive update to collect the remainder of the responses already approved, an additional 9,710 responses. In the end, 37 partners participated in the test and the Commission received 11,834 additional responses, totaling 14,124 responses (2,290 in 2021 and 11,834 in 2022).

Renewal Request:

The Commission proposes a renewal of this approved collection to build upon the non-substantive change request concluded on June 27, 2022, and to capture additional data received from the previously approved collection (OMB Control ID: 3060-1269) by eliciting additional responses under the total amount of burden hours previously approved. OMB previously approved the Commission to elicit 12,000 responses with an estimated survey completion time of 15 minutes per response, totaling 3,000 burden hours (12,000 responses x 15 minutes per response = 3,000 total burden hours). The Commission proposes that OMB authorize it to elicit an additional 11,580 responses with an estimated survey completion time of 7 minutes per response (14,143 responses collected + 11,580 additional responses = 25,723 responses, which, at 7 minutes per response = approximately 3,000 total burden hours), which would not result in any changes to previous burden estimates and would, therefore, fall under the previously approved collection.

In 2021, the Commission received 2,290 responses. In 2022, OMB approved the Commission to receive the remaining 9,710 responses previously approved, but the Commission received 11,834 responses. Together, the 2021 and 2022 tests resulted in 14,124 responses. However, the Commission discovered that the actual average time that respondents took to complete a survey response was only 6 minutes and 50 seconds, far less than previous survey response estimates of 15 minutes.⁶ For purposes of calculating the total burden hours throughout this statement, we round the average response time to 7 minutes. As a result, 14,124 responses required a total of only 1,659 burden hours, less than the burden hours OMB approved for this collection.

Accordingly, the Commission has 1,341 burden hours remaining in this collection (3,000 approved burden hours – 1,659 burden hours used in the 2021 and 2022 tests = 1,341 burden

⁵ See *Public Safety and Homeland Security Bureau Seeks Partners to Help With WEA Performance Testing*, Public Notice, DA 22-445 (PSHSB April 21, 2022) (seeking partners to conduct WEA performance testing)

⁶ The exact response times were discovered as a result of using a new survey hosting platform, which automatically captures the time that respondents take to complete the survey.

hours remaining). The burden hours remaining would allow the Commission to collect an additional 11,580 responses at 7 minutes a response, totaling 25,714 responses.

The proposed renewal and non-substantive change would allow the Commission to build upon the findings of the 2021 and 2022 tests by conducting further testing and eliciting additional responses. The Commission also expects to remove and streamline certain questions in the survey, which would further reduce the burden on respondents.

Current Information Collection Requirements Previously Approved by OMB:

In 2022, the Commission updated this information collection to adapt the approved collection methodology for localized, end-to-end WEA tests conducted on September 12, 13, 19, and 20, 2022. The Commission used a survey available here, <https://www.fcc.gov/wea>. The Commission also made available a Spanish-language version of the test message at, <https://www.fcc.gov/wea-es>. The Commission estimated that the revised total annual hours burden in-house cost would be \$90,000. This figure was based upon the following: 12,000 responses × 0.25 hr. (15 mins.)/response × \$30/hr. = \$90,000.

In June 2021, the Commission updated this information collection 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.⁷ The Commission used a survey available here, https://fccprod.servicenowservices.com/assessment_take2.do?sysparm_assessable_type=7a7948bc1b61f050b38eeb96bc4bcbfc. The Commission updated the control group by identifying volunteers affiliated with several organizations, rather than only two alert originations in specific geographic areas. The Commission also updated 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 estimated that the revised total annual hours burden cost would be \$15,000. This figure was based upon the following costs: 2,000 responses × 0.25 hr. (15 mins.)/response × \$30/hr. = \$15,000.

In 2019, 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

⁷ *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).

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 estimated that the total annual hours burden cost would be \$105,000. This figure was based upon the following costs: 2,000 responses (preliminary survey) \times 0.25 hr. (15 mins.)/response \times \$30/hr. + 12,000 responses (live test survey) \times 0.25 hr. (15 mins.)/response \times \$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.

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 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. Commission staff has used this collection 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 has used 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 have enhanced public safety by encouraging alert originators to use WEA alerts, motivated consumers to act based on alerts, and reduced 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.

This information collection also is not duplicative of the information collected from the August 2021 WEA test, which collected data from a nationwide test that did not have enhanced WEA geo-targeting enabled. The information collected from this test will come from a localized, end-to-end WEA performance test designed to measure WEA's capabilities with enhanced WEA geo-targeting enabled.

5. The proposed 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 modified this collection to solely collect information from the control group and not from the general public. This reduces the burden on participants and the economic impact on the Commission's alert originating partners and other respondents.
6. This 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 collecting information from partners across the nation, the Commission expects to obtain useful test results with regard to WEA's performance. 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 December 19, 2022 (87 FR 77609). The Commission received no PRA comments a result of this notice.
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 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 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:

The initial burden estimates were as follows:

Live Test Survey

- Number of respondents: 12,000.
- Frequency of response: One-time reporting requirement.
- Total number of responses: 12,000 respondents x 1 response/respondent = 12,000 total responses.
- Average response time per response: 0.25 hours (15 mins.).
- Total burden hours: 12,000 responses × 0.25 hours (15 mins.) /response = 3,000 hours.

As mentioned in response to question 1 of this document, data from the 2022 test indicates that the hours per response is 7 minutes. The updated burden estimates are as follows:

Live Test Survey

- Number of Respondents: 25,723
- Frequency of Response: One-time reporting requirement.
- Total Number of Responses: 25,723 respondents x 1 response/respondent = 25,723 responses.
- Average response time per response: 0.1167 hours (7 mins.).
- Total burden hours: 25,723 x 0.1167 hours (7 mins.) /response = 3,000 hours.

Method of estimation of burden: We estimate that the total number of respondents will be 25,723. We believe that this represents the largest number of respondents needed to conduct this continued testing.

The time estimate is based on the time needed for data entry and submission being 7 minutes (or about 0.1167 hours) and the time needed to gather the associated information being integrated into that total. 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 2021 Bureau of Labor Statistics nationwide average hourly wages and salaries for Communications Equipment Operators in the DC-VA-MD-WV metropolitan area,⁸ and Public Safety Telecommunicators.⁹ Therefore, the in-house costs to the respondents are as follows: 3,000 total burden hours × \$30/hour = \$90,000 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. The Commission is reporting adjustments/increases to this information collection. We re-evaluated our previous burden estimates and conducted more surveys to understand WEA’s performance in a different context by conducting additional testing using an updated WEA test survey to make it more concise and simpler for respondents to complete in order to improve WEA performance.

The Commission is reporting that, while the total annual burden hours remain the same, there is an increase to the requested total number of respondents/total annual responses from 12,000 to 25,723 considering observational data that suggests that the Commission should change the estimated time from 15 minutes to 7 minutes per response.

There are no program changes.

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. 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.

⁸ See U.S. Bureau of Labor Statistics, *Occupational Employment and Wages, May 2021*, <https://www.bls.gov/oes/current/oes432099.htm> (last visited November 28, 2022) (The hourly mean wage for Communications Equipment Operators working in the DC-VA-MD-WV metropolitan area is \$30.65.).

⁹ See U.S. Bureau of Labor Statistics, *Occupational Employment and Wages, May 2021*, <https://www.bls.gov/oes/current/oes432099.htm> (last visited November 28, 2022) (The hourly mean wage for Public Safety Telecommunicators working in the DC-VA-MD-WV metropolitan area is \$25.48.).

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:

No statistical methods are employed.