

PUBLIC NOTICE

Federal Communications Commission
45 L Street, NE
Washington, DC 20554

News Media Information 202 / 418-0500
Internet: <https://www.fcc.gov>

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PUBLIC SAFETY AND HOMELAND SECURITY BUREAU REMINDS EAS AND WEA PARTICIPANTS OF REQUIREMENT TO TRANSMIT ACCESSIBLE ALERTS DURING NATIONWIDE ALERTING TEST ON OCTOBER 4, 2023, AND COMPLY WITH ETRS REPORTING REQUIREMENTS

PS Docket Nos. 15-91 and 15-94

The Public Safety and Homeland Security Bureau (PSHSB) of the Federal Communications Commission (Commission or FCC) reminds all Emergency Alert System (EAS) Participants,¹ Participating Commercial Mobile Service (CMS) Providers,² and the public that the Federal Emergency Management Agency (FEMA), in coordination with the FCC, will conduct a nationwide Emergency Alert System (EAS) and Wireless Emergency Alert (WEA) test on October 4, 2023, with a back-up date of October 11, 2023.³

WEA Nationwide Test. FEMA will initiate the WEA test at 2:18 pm EDT on October 4, 2023, using the National Alert classification of Alert Message.⁴ While subscribers can opt out of receiving many types of WEA messages, they cannot opt out of receiving a National Alert.⁵ As a result, all subscribers with WEA-capable devices should receive the test message, which will be accompanied by the WEA attention signal and vibration cadence.⁶ The WEA test message will read as follows:

“THIS IS A TEST of the National Wireless Emergency Alert System. No action is needed.”

Participating CMS Providers and equipment manufacturers should take the necessary steps to ensure accessibility of WEA messages to individuals with disabilities, in compliance with sections 10.520

¹ EAS Participants are those entities that are required to comply with the Commission’s EAS rules, including analog radio and television stations, wired and wireless cable television systems, digital broadcast systems, digital television broadcast stations, Satellite Digital Audio Radio Service, digital cable and digital audio broadcasting systems, and wireline video systems. 47 CFR §§ 11.2(b), 11.11(a).

² Participating CMS Providers are commercial mobile service providers that have elected voluntarily to transmit WEA alert messages. See 47 CFR §§ 10.10(d), (f).

³ *Public Safety and Homeland Security Bureau Announces Nationwide Tests of the Emergency Alert System (EAS) and Wireless Emergency Alerts on October 4, 2023*, Public Notice, PS Docket Nos. 15-91, 15-94, DA 23-653 (PSHSB August 3, 2023) (*Test Announcement Public Notice*). In the event FEMA, in consultation with the National Weather Service, identifies severe weather conditions in some parts of the nation that may require activation of the EAS, the test will be conducted on October 11, 2023.

⁴ See 47 CFR § 10.400(a).

⁵ See 47 U.S.C. § 1201(b)(2)(E).

⁶ 47 CFR §§ 10.520, 10.530.

and 10.530 of the Commission's rules,⁷ by enabling their WEA-capable devices to include unique audio and vibration attention signals. Further, WEA messages should be preserved in a consumer-accessible format and location for at least 24 hours or until deleted by the subscriber.⁸

Nationwide EAS Test. FEMA will transmit the nationwide EAS test at 2:20 pm EDT on October 4, 2023 using the Integrated Public Alert and Warning System (IPAWS). EAS Participants must file ETRS Form Two on or before October 5, 2023,⁹ and ETRS Form Three on or before November 20, 2023.¹⁰ Additional information, including instructional videos and answers to frequently asked questions about entering data into the ETRS forms, can be found at <https://www.fcc.gov/general/eas-test-reporting-system>.

The Bureau reminds EAS Participants to take steps, in coordination with their State Emergency Communication Committees, to make this test accessible.¹¹ This preparation includes upgrading EAS equipment software and firmware to the most recent version and ensuring that EAS equipment can receive and process the National Periodic Test code, the "six zeroes" national location code, and otherwise operate in compliance with the Commission's rules. EAS Participants are also reminded to review their State EAS Plans for monitoring assignments and ensure that EAS equipment is accurately configured to monitor those sources.

The EAS test message will be transmitted as follows:

"This is a nationwide test of the Emergency Alert System, issued by the Federal Emergency Management Agency, covering the United States from 14:20 to 14:50 hours ET. This is only a test. No action is required by the public."

EAS Participants should take necessary steps, in compliance with section 11.51 of the Commission's rules,¹² to ensure that individuals who are deaf or hard of hearing and individuals who are blind or visually impaired have full access to EAS messages. Section 11.51 requires analog and digital television broadcast stations, analog and digital cable systems, wireless cable systems, wireline video systems, and direct broadcast satellite providers to broadcast national-level alerts in a manner that allows individuals with and without disabilities to access the full content.

⁷ *Id.*

⁸ 47 CFR § 10.500(h).

⁹ EAS Participants are required to file "day of test" data within 24 hours of any nationwide EAS test or as otherwise required by the Bureau. 47 CFR § 11.61(a)(3)(iv)(B).

¹⁰ EAS Participants are required to file detailed post-test data within 45 days following a nationwide EAS test. 47 CFR § 11.61(a)(3)(iv)(C).

¹¹ *See Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order, FCC 22-75, 2022 WL 4927401 at *10, paras. 30-42 (2022) (amending rules prescribing the language to be used in audible and viewable messages generated from three national EAS alert codes). *See also Public Safety and Homeland Security Bureau Announces Effective Date and Compliance Dates for Certain Emergency Alert System (EAS) Rules*, Public Notice, DA 22-1189, 2022 WL 16918837 (PSHSB 2022) (notifying EAS Participants that they, *inter alia*, will be required to display a standard script for nationwide EAS test alerts issued in legacy format by December 12, 2023).

¹² 47 CFR § 11.51 *passim*.

The EAS text must be displayed as follows:

- At the top of the television screen or where it will not interfere with other visual messages (e.g., closed captioning),
- In a manner (i.e., font size, color, contrast, location, and speed) that is readily readable and understandable,
- Without overlapping lines or extending beyond the viewable display (except for video crawls that intentionally scroll on and off of the screen), and
- In full at least once during any EAS message.¹³

The audio portion of an EAS message must be played in full at least once to ensure it is accessible to viewers who are blind or have low vision.¹⁴ The test message audio and text elements will be designed to be identical and will state: “This is a nationwide test of the Emergency Alert System, issued by the Federal Emergency Management Agency, covering the United States from 14:20 to 14:50 hours ET. This is only a test. No action is required by the public.”¹⁵

What steps should EAS Participants take to ensure their compliance with the visual and audio requirements?¹⁶

EAS Participants should take necessary steps, in compliance with Section 11.51 of the Commission’s rules, to ensure that individuals who are deaf or hard of hearing and individuals who are blind or visually impaired have full access to EAS messages. For example:

- Visual messages must be readily readable. Text should scroll at a speed that allows the viewer to read and understand the message. For example, to the extent possible, the crawl speed should allow viewers to read the crawl as if they were going to read it aloud.
- The background and text colors should sufficiently contrast to allow for readability. For example, a bright green background with white text may not provide sufficient contrast. Green and red should also be avoided as viewers who are color blind have difficulty seeing these colors.
- Audio messages should be spoken at a pace that allows for a listener to understand the content.

To learn more about the Commission’s accessibility requirements for EAS, please visit: <https://www.fcc.gov/eas-faq-accessibility>. To learn more about WEA, please visit: <https://www.fcc.gov/consumers/guides/wireless-emergency-alerts-wea>, and <https://www.fcc.gov/wea-accessibility>.

¹³ *Id.*

¹⁴ *Id.*

¹⁵ See *Test Announcement Public Notice* at 3.

¹⁶ See *Enforcement Bureau Reminds EAS Participants of the Obligation to Ensure That Emergency Alerts Are Accessible to Persons with Disabilities*, Public Notice, 36 FCC Rcd 11276, 11277 (EB 2021).

Public Feedback and Complaints. For accessibility questions regarding the emergency alerting tests, please contact the FCC by e-mail at dro@fcc.gov, 202-418-2517 (voice) or 844-432-2275 (videophone). To file an accessibility complaint regarding the EAS Test, please visit www.fcc.gov/accessibilitycomplaintsform. General feedback about the test should be directed to the FCC's Public Safety Support Center at <https://www.fcc.gov/general/public-safety-support-center> and submitted through the "Alerting Test Feedback" form.

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