



PUBLIC NOTICE

Federal Communications Commission

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ADVISORY REGARDING MAY 1 DEADLINE FOR IMPROVEMENTS TO WIRELESS EMERGENCY ALERTS AND GUIDANCE FOR STATE/LOCAL ALERT ORIGINATORS

PS Docket Nos. 15-91, 15-94

The Public Safety and Homeland Security Bureau (Bureau) advises Commercial Mobile Service providers (CMS Providers) participating in Wireless Emergency Alerts (WEA)¹ of their obligation to support the following WEA improvements **by May 1, 2019**:

- longer WEA messages (from 90 to 360 characters) for 4G LTE and future networks;²
- a new class of alerts (“Public Safety Messages”) to convey recommended actions for saving lives or property (e.g., emergency shelter locations after a disaster);³
- Spanish-language alert messages;⁴
- presentation of WEA messages on the mobile device as soon as they are received;⁵ and
- State/Local WEA Tests, with the ability for consumers to opt in to receive such tests.⁶

¹ Participating CMS Providers are commercial mobile service providers that have elected voluntarily to transmit WEA alert messages. 47 CFR § 10.10(d), (f).

² See *id.* at § 10.430.

³ A Public Safety Message is defined as “an essential public safety advisory that prescribes one or more actions likely to save lives and/or safeguard property.” *Id.* at § 10.400(d). Public Safety Messages may only be issued in connection with an Imminent Threat Alert, an AMBER Alert, or a Presidential Alert. *Id.*

⁴ See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Second Report and Order and Second Order on Reconsideration, 33 FCC Rcd 1320, 1347-48, paras. 49-50 (2018) (extending the deadline for compliance for Spanish language alerts).

⁵ See 47 CFR § 10.510. Devices engaged in active voice or data sessions on 4G LTE networks must receive and prominently present WEA messages as soon as they are available. Legacy WEA-capable mobile devices that cannot receive the Alert Message during an active voice or data session must present the WEA message prominently as soon as it is received, upon the conclusion of the active voice or data session. *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 11112, 11152, para. 60 (2016) (*WEA R&O*).

⁶ See *WEA R&O*, para. 65. In addition, smaller, regional Participating CMS Providers must be able to support “clickable” embedded references (i.e., URLs and phone numbers) in WEA messages by May 1, 2019. See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Order on Reconsideration, 32 FCC Rcd 9621 (2017) (extending the deadline to May 1, 2019 for smaller providers to support “clickable” embedded references). IPAWS currently supports the inclusion of embedded references in WEA messages.

The Federal Communications Commission (Commission) adopted these improvements to help communities communicate clearly and effectively about imminent threats and local crises, and to create a framework that would allow emergency managers to test, exercise, and raise public awareness about WEA.

The Department of Homeland Security's Federal Emergency Management Agency (FEMA), which administers the Integrated Public Alert and Warning System (IPAWS) infrastructure through which all alerts are authenticated, validated, and delivered to Participating CMS Providers, has recently informed the Bureau that IPAWS will not be ready to support these additional features until June 10, 2019.⁷ Notwithstanding this development, we expect Participating CMS Providers to have taken all necessary steps to ensure that their networks and deployed WEA-capable handsets are able to support these improvements by the May 1 deadline as required by the Commission's rules.⁸

Guidance for State and Local Alert Originators on State/Local WEA Testing

Alert originators wishing to conduct end-to-end WEA tests prior to IPAWS' readiness to support State/Local WEA Tests must continue to use existing WEA message classifications to permit the alerts to be transmitted to the public.⁹ During this brief interim period—until June 10, 2019 or until such time as IPAWS is ready to support State/Local Tests—the Bureau finds good cause to extend the effective date of the obligation that entities request a waiver of the Commission's rules to conduct end-to-end WEA tests to the public.¹⁰

Following completion of IPAWS readiness to support State/Local WEA Tests, alerting officials may use State/Local Tests to conduct end-to-end WEA tests to the public without the need for a waiver of the Commission's rules. State/Local WEA Test messages will differ from actual alert messages to minimize any chance that they might be misconstrued as actual alerts. Consumers will not receive State/Local WEA Tests by default; instead, they must affirmatively opt in to receive these test messages.¹¹ Further, State/Local WEA Tests must include conspicuous language sufficient to make clear to the public

⁷ Phone call from Elizabeth Cuttner, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, FCC, et al., to Mark Lucero, Chief, IPAWS Engineering, FEMA, et al. (Apr. 26, 2019) (FCC Public Safety and Homeland Security Bureau staff and FEMA IPAWS staff conference call). In addition to IPAWS' readiness to support these features, alert originators' ability to use these capabilities depends upon completion of any necessary upgrades to alert origination software. Alert originators should reach out to their alert origination software providers to determine their preparedness to support these WEA enhancements. Testing in IPAWS is already available for alert origination software providers. FEMA's IPAWS Program Management Office offers webinars to provide information to alert origination software providers on how to incorporate the new features into their products. To receive information about upcoming webinar topics, dates and times, subscribe to email notifications at <https://www.fema.gov/integrated-public-alert-warning-system-program-management-office-get-involved>. Recordings of past webinars are available. See www.fema.gov/ipaws for more information.

⁸ See Letter from Matthew B. Gerst, Vice President, Regulatory Affairs, CTIA, to Marlene H. Dortch, Secretary, Federal Communications Commission, PS Docket Nos. 15-91, 15-94, at 2 (filed Apr. 24, 2019) (stating that Participating CMS Providers and handset manufacturers "have taken steps within their control to support WEA 2.0 features by the May 1, 2019 deadline, including updating the relevant standards, implementing WEA 2.0 capabilities into their networks and deploying WEA-capable wireless handsets"). CTIA notes that Participating CMS Providers cannot deploy the May 1 WEA enhancements until IPAWS has the capability in place to support and complete required testing of those features. *Id.* at 1-2. However, CTIA reports, once FEMA's IPAWS gateway is capable of testing the May 1 WEA enhancements, CTIA's participating member companies stand ready to test as soon as is practicable and deploy the capability in coordination with FEMA. *Id.* at 2.

⁹ See 47 CFR § 10.400. The Commission's rules prohibit the use of the WEA Attention Signal except during actual emergencies, authorized tests, and certain public service announcements. *Id.* at § 10.520(d).

¹⁰ See *id.* at §§ 0.5(c) ("Pursuant to section 5(c) of the Communications Act, the Commission has delegated authority to its staff to act on matters which are minor or routine or settled in nature and those in which *immediate* (continued....)

that the message is, in fact, only a test.¹² The Commission encourages emergency management agencies to engage in proficiency training exercises using the State/Local WEA Testing framework where appropriate.¹³

For further information, please contact Linda M. Pintro, Attorney Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau, at (202) 418-7490 or linda.pintro@fcc.gov.

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action may be necessary.”) (emphasis added), 1.3 (“The provisions of this chapter may be suspended, revoked, amended, or waived for good cause shown, in whole or in part, at any time by the Commission, subject to the provisions of the Administrative Procedure Act and the provisions of this chapter.”). We will coordinate closely with FEMA to get updates on its progress and issue a further Public Notice confirming when the new functionality in IPAWS is operational.

¹¹ *WEA R&O*, 31 FCC Rcd at 11154-55, para. 65 (requiring Participating CMS Providers to provide their subscribers with the option to receive State/Local WEA Tests, whereby subscribers must affirmatively select the option to receive State/Local WEA Test messages).

¹² *Id.* (requiring State/Local WEA Tests to include conspicuous language sufficient to make clear to the public that the message is only a test).

¹³ *Id.*, 31 FCC Rcd at 11155-56, para. 67.