

**STATEMENT OF
COMMISSIONER JONATHAN S. ADELSTEIN**

Re: *Review of the Emergency Alert System, EB Docket No. 04-296, Second Report and Order and Further Notice of Proposed Rulemaking (FCC 07-109).*

I support today's *Report and Order* mindful of two essential facts. First, one of the central purposes for the very creation of the FCC is to promote the safety of life and property of all – and I mean *all* – Americans, without discrimination on the basis of race, color, religion, national origin, or sex. And second, the Atlantic hurricane season officially begins tomorrow, June 1st. The National Oceanic and Atmospheric Administration's 2007 Atlantic hurricane season outlook indicates a very high 75 percent chance of an above-normal hurricane season, a 20 percent chance of a near-normal season, and only a five percent chance of a below-normal season. Taken together, this means that the Commission should not be bashful about using its authority to execute our public safety mandate because it is just a matter of time before we experience another emergency and people's lives literally depend upon our actions.

Today's *Report and Order* primarily addresses the requirements for broadcast, cable and satellite entities participating in the Emergency Alert System (EAS) to receive and disseminate federal and state messages using Common Alerting Protocol or CAP – the next-generation EAS messaging protocol – six months after FEMA formally adopts the new protocol. In *First Report and Order*, we expanded the EAS rules to include digital broadcast and cable TV, digital audio broadcasting, satellite radio, and direct broadcast satellite services. Today's *Second Report and Order* takes the modest step to include wireline video providers in EAS, irrespective of their regulatory classification as video or information service providers. We also specifically permit the transmission of state-level EAS alerts and warnings that are originated by state governors.

While these are all modest steps, they are nevertheless important to ensure that the current and next generation EAS network facilitates prompt and accurate delivery of national, state and local messages to ensure the safety and security of the American people during natural or man-made disasters. The Commission has an important role in prescribing rules that establish technical standards for EAS, procedures for participating entities, and EAS testing protocol.

CAP will enable us develop a more secure, reliable, interoperable and integrated multi-platform EAS network that better serves the needs of the originating source, public safety, EAS participating entities and, perhaps more importantly, the targeted communities who may be in the path of danger. Even more hopeful is the potential for CAP to develop a digital alert system which would better serve the needs of people with disabilities. For instance, CAP-formatted messages could provide the same alert in text, aural, and video formats. EAS message originators and participants should remember that everyone deserves the same information. Therefore, the exact transcription of an audio alert should be the standard once CAP is adopted.

I am, however, disappointed that this *Report* does not resolve EAS and general emergency information access concerns of non-English speaking and multi-lingual communities. But at least today's item and the *Further Notice* provide a framework for the Commission, for the first time, to assemble all stakeholders – broadcasters, state officials, FCC Public Safety staff and representatives of non-English speaking communities. According to the Census Bureau, there are over 14 million U.S. households in which people speak a language other than English. One in five people over age five speaks a language other than English. Access to multi-lingual emergency information should have been a priority issue fully addressed and resolved in today's item. I am hopeful that, once and for all, the Commission will pay serious attention to this important concern.

It is worth remembering, though, that Commission could impose countless mandates and requirements, but the effectiveness of EAS still rests on the good-faith of all participating entities and governmental agencies involved in our national, state and local alert system. Accordingly, collaboration, communication and cooperation must be routine – not a single event. I strongly encourage the FCC's Public Safety and Homeland Security Bureau to remain sincerely engaged, and to encourage collaboration among all stakeholders to develop policies, plans, and procedures to address the emergency readiness needs of all communities.

Thus far, I am heartened by the efforts of the National Association of Broadcasters and the Minority Media and Telecommunications Council for acting on my request to begin talking about a multi-lingual EAS solution in advance of the meetings that the Bureau is required to facilitate in the coming weeks. It is my firm belief that these leaders, who are trying to reach agreement in good-faith, should be able to find common ground on an issue of this importance.