

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Wireless Emergency Alerts*, PS Docket No. 15-91; *Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, PS Docket No. 15-94

Remember 2008? The smartphone era was just getting going. We were readying ourselves for the digital television transition. We had high hopes for social media. It was also the year that the Warning Alert and Response Network Act became the law of the land. The WARN Act, as it is known, kicked off an experiment. It took the traditional emergency alerts from radio and television and set up a similar system for wireless devices. This was just an idea; smartphones were relatively new and the law made participation totally voluntary.

But Congress was on to something. Because in the intervening years, mobile devices have moved from the periphery to the core of our lives. They are in our palms, pockets, and purses—they are with us always. They are also now a fundamental feature of public safety communications.

It took the Federal Communications Commission four years after the WARN Act to really get the Wireless Emergency Alerts system up and running. After all, it was not required and getting wireless providers and device manufacturers to align their efforts took some time. But here we are now, marking the tenth anniversary of this program. What's become clear is that these alerts are no longer strictly an adjunct to the traditional radio and television alert system. They are a powerful tool in their own right. During the last decade, Wireless Emergency Alerts have been used more than 62,000 times to warn the public about everything from missing children to devastating storms. And during the last two years, they have been used to even provide essential information about local government response to the pandemic.

While our reliance on Wireless Emergency Alerts has grown, our rules have not always kept pace. Right now, there's still a big disparity when it comes to the information we collect about how the nation's two emergency alerting platforms perform. For radio and television systems, we require participating broadcasters to file detailed reports after each nationwide test disclosing specifics about performance. But for Wireless Emergency Alerts, we don't have any standard reporting. Under the law participation may remain voluntary, but this system is now central to our emergency alerting efforts and we lack a full understanding of when it works and when it does not.

I am not the only one who thinks so. Two years ago, the Government Accountability Office recommended that the FCC develop performance measures to better monitor the performance of Wireless Emergency Alerts. Just yesterday, Senator Bennet and Senator Hickenlooper wrote us noting that many public safety officials have expressed interest in getting better data about the reliability and accuracy of these alerts so that they can make more informed decisions about its use.

This pandemic has made crystal clear how important it is to have good data in emergency. Accurate information is essential if we want to know what we need to do next. That is also true with Wireless Emergency Alerts. If we want to know where to go with this system next, we need to better understand it.

That is why today we seek comment on how we can develop better data about the effectiveness of Wireless Emergency Alerts. We propose performance reporting that would, for the first time, give increased transparency into reliability, speed, and accuracy. We seek comment on how we can improve consistency, speed-up the pace of alert receipt, and prevent unintentional duplicate alerts.

Our proposals are based in part on data we collected coming out of the Nationwide Test of the Emergency Alert System and Wireless Emergency Alerts that was conducted on August 11, 2021. This test, as contemplated in the WARN Act, was led by the Federal Emergency Management Agency. But

while they chose the test parameters, we did something we never have done before. We partnered with a broad mix of emergency management agencies to get a better look at Wireless Emergency Alert performance, including the National Weather Service, the Alabama Emergency Management Authority, the Harris County Office of Homeland Security and Emergency Management in Texas; the City of Los Angeles Emergency Management Department; the New York City Emergency Management; the Mendocino County Office of Emergency Services in California; the Ohio Emergency Management Agency; the Oklahoma Department of Emergency Management and Homeland Security; the City of Philadelphia Office of Emergency Management; and the Utah Department of Public Safety.

As a result of this work, for the first time we had on-the-ground insights into what issues need attention and broader study. We learned that while most respondents received the test message, some went undelivered. There were also reports of duplicate messages, which could be confusing in a real emergency. So the proposals in the rulemaking we adopt here build on what we learned and provide a pathway for better data and monitoring in the future.

Consistent with that effort, today we are also issuing a Public Notice seeking more public safety agency partnerships for additional end-to-end Wireless Emergency Alert performance testing that we hope to have this summer. These tests will be designed to measure the performance of local alerts with enhanced geo-targeting. I look forward to expanding the range of public safety authorities we work with on this initiative while this rulemaking is pending.

Thank you to the staff working to improve Wireless Emergency Alerts and responsible for this rulemaking, including Rochelle Cohen, David Kirschner, Nicole McGinnis, Erika Olsen, Austin Randazzo, and James Wiley of the Public Safety and Homeland Security Bureau; Doug Klein, Bill Richardson, and Anjali Singh of the Office of General Counsel; Ed Cureg, Yongping Hao, and Rachel Kazan of the Office of Economics and Analytics; Charles Mathias and Catherine Schroeder of the Wireless Telecommunications Bureau; Jeremy Marcus of the Enforcement Bureau; and Chana Wilkerson of the Office of Communications Business Opportunities.