

**STATEMENT OF
COMMISSIONER AJIT PAI**

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

The Wireless Emergency Alert (WEA) system has a simple purpose: to send public safety information to Americans on their mobile devices during emergencies.

The implementation of the WEA system has been a little more complicated. Last year, I noted the importance of allowing public safety officials to target wireless alerts to more specific geographic locations.¹ That's because of a phenomenon sometimes referred to as "over-alerting." This happens (and has happened to me) when you get an alert that has no real connection to your location. Instead, the alert is about a storm or other event that will only impact a neighboring or even distant community. Receiving an irrelevant message isn't just an annoyance. It undermines the effectiveness of the entire WEA system by causing people to tune out all alerts.

This has serious public safety consequences, as we've seen over the past weeks and months. For instance, as Louisiana was drenched by catastrophic floods this August, officials used WEA to send out at least six flash flood alerts. But as the FCC's Communications Security, Reliability and Interoperability Council (CSRIC) determined, the alerts "went un-heeded by tens of thousands" of people.² Residents ignored the messages because they had previously received flood alerts that only applied to homes located within a traditional flood zone. According to CSRIC, this time around people "assumed the alert was not for them since their home had never flooded before."³ In the end, over 30,000 people had to be rescued.

The need for enhanced geo-targeting was brought home again less than two weeks ago during the bombings in New York and New Jersey. Public safety officials activated the WEA system three times in response to the bombing in Manhattan on September 17. When they found a suspicious package in the Chelsea neighborhood, for example, they attempted to send targeted alerts to residents in the immediate vicinity, directing them to stay away from their windows. But those messages were broadcast far beyond that neighborhood. To ensure that this kind of overshoot doesn't happen in the future, New York City's public safety officials urged the FCC to adopt a device-assisted, geo-fencing approach, which would ensure that EAS messages are delivered only to areas where they're relevant.⁴

But the problem with over-alerting is not limited to cases where too many people are receiving messages. The opposite is also true. Citizens and public safety officials alike are opting out of the system altogether. The City of Seattle says that it "doesn't use WEA because" of over-alerting.⁵ The City of Houston says that it has "shied away from using WEA" because of "the high-likelihood of over-alerting."⁶ Harris County, Texas reports that it chose not to use WEA during four recent disasters "solely

¹ *Improving Wireless Emergency Alerts and Community-Initiated Alerting*, PS Docket No. 15-91, Notice of Proposed Rulemaking, 30 FCC Rcd 13781, 13843 (2015) (Statement of Commissioner Ajit Pai), available at <http://go.usa.gov/xKtnC>.

² CSRIC V, Working Group 2, Emergency Alerting Platforms, *Wireless Emergency Alerts – Recommendations to Improve Geo-Targeting and Offer Many-to-One Capabilities*, Final Report & Recommendations at 10 (Sept. 2016) (CSRIC V WEA Geo-targeting Report), available at <http://go.usa.gov/xKtnx>.

³ *Id.*

⁴ *See, e.g.*, Letter from Benjamin J. Krakauer, MPA, Director, Watch Command, New York City Emergency Management, to Marlene H. Dortch, Secretary, FCC (Sept. 20, 2016), <http://go.usa.gov/xKtnj>.

⁵ Letter from Barb Graff, Director, Seattle Office of Emergency Management, City of Seattle, to Hon. Tom Wheeler, Chairman, FCC (Sept. 22, 2016) (Seattle Emergency Management Letter), <http://go.usa.gov/xKtnK>.

⁶ Letter from Dennis Storemski, Director, Mayor's Office of Public Safety & Homeland Security, City of Houston, to Marlene H. Dortch, Secretary, FCC (Sept. 22, 2016), <http://go.usa.gov/xKtnk>.

due to significant concerns over [the] granularity” of alerts.⁷ Millions of people who live in these communities could miss out on potentially life-saving information because WEA’s current brushstroke is too broad.⁸ This is why the public safety community has said that “[e]nabling more precise alerting is the single most important action the FCC can take to make WEA relevant for first responders.”⁹

After studying the record and speaking with public safety officials, including in New York City, I agreed that we need to do more than just codify the status quo. So I proposed that we be more forward-leaning, that we commit in this *Order* to moving ahead with a device-based approach to geo-targeting. By enabling devices to screen emergency messages and only allow the relevant ones through, this approach would allow public safety officials to target information to specific geographic areas. And it would advance WEA as a platform by reducing “alert fatigue.” I’m happy to report that the *Order* incorporates this approach in addition to adopting other enhancements to our geo-targeting rules. Moreover, the *Further Notice* now seeks additional comment on ways we can implement our commitment to device-assisted geo-targeting.

These are major steps toward promoting a public safety solution as advanced as wireless services themselves. And so, because today’s *Order* moves us in the right direction, it has my support.¹⁰

⁷ Letter from Francisco Sanchez, Jr., Liaison to the Director & Public Information Officer, Harris County Office of Homeland Security, Harris County, Texas, to Hon. Tom Wheeler, Chairman, FCC (Sept. 15, 2016), <http://go.usa.gov/xKtnE>.

⁸ These examples demonstrate why CSRIC reached the conclusion that “the effectiveness of WEA alert messages may remain suppressed until they can be distributed to finer geospatial areas, so that messages only reach the people who are at risk.” CSRIC IV, Working Group 2, Geographic Targeting, Message Content and Character Limitation Subgroup Report at 59 (Oct. 2014), *available at* <http://go.usa.gov/xKtny>; *see also* CSRIC V WEA Geo-targeting Report at 8. A Carnegie Mellon study also found that public safety officials didn’t think WEA was adequate due to the “lack of sufficiently fine-grained geo-targeting.” Carnegie Mellon University, Silicon Valley, *Opportunities, Options and Enhancements for the Wireless Emergency Alerting System* at 14 (Dec. 2015), *available at* <http://go.usa.gov/xKtnd>. The CSRIC and Carnegie Mellon reports also found that public safety officials would be more likely to use WEA if the system targeted recipients more precisely and that the public would be more likely to respond to those more targeted warnings. *See id.* at 18, *see also* CSRIC V WEA Geo-targeting Report at 11.

⁹ Seattle Emergency Management Letter at 1.

¹⁰ I recognize that there’s a decent distance between where we are and where we want to go—between the current system and a device-based approach to geo-targeting. There are technical challenges, standards-setting processes, and network considerations that we need to work through. But that’s the core purpose of the *Further Notice*—to work through them. The WEA system will be much stronger and more effective once we do that.