

**STATEMENT OF
CHAIRWOMAN JESSICA ROSENWORCEL**

Re: *Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System; Wireless Emergency Alerts*, PS Docket Nos. 15-94, Notice of Proposed Rulemaking and Notice of Inquiry (December 14, 2021)

Late last week, a tornado tore through Arkansas, Illinois, Kentucky, Mississippi, Missouri, and Tennessee. It ripped through whole communities, downing trees, flattening homes, and razing businesses. The images are a stark reminder of just what devastating weather can do. But the words about the storm sting, too. Just yesterday, Governor Andy Beshear of Kentucky announced that it may be a week or more before the state has a final count of the deceased. The ages of those who died, he said, ranged from five months to 86 years. Six were younger than 18.

It is hard to know what kind of warning is adequate when freak weather like this comes along. But we do know that we are seeing these kinds of storms with greater frequency. And I think we have a responsibility to improve the warning systems we have, to get people the news they need in an emergency.

For more than half a century, the public has relied on the Emergency Alert System or its predecessor for the broadcast of timely information in disaster. Today, along with Wireless Emergency Alerts, EAS is a critical part of our communications alerting infrastructure. EAS alerts can be generated by a wide range of authorities—from state and local officials to the President of the United States. The National Weather Service can generate these alerts, too. In fact, they issued dozens of them in the six states affected by the tornado.

In disaster, many of us instinctively turn on the television. When EAS alerts are displayed on the screen, they have both an audio component and a visual component. In other words, they feature both a recorded message and a text crawl. But because of the legacy television architecture of EAS, the audio component may not always match the visual text. This can mean that in some circumstances, less information may be conveyed to either those individuals who have access only to the visual component or to those who have access only to the audio component. It can cause real confusion. This is especially true for those with disabilities, who it has been demonstrated have greater difficulty preparing for and recovering from emergency and disaster.

Today's rulemaking and inquiry is an effort to fix this problem and deliver more consistent EAS alerts in disaster. For starters, we propose to improve the script for visual text during nationwide tests of the legacy system. We also propose changes to our rules that would bring similar clarity to nationwide tests using the newer, internet-based common alerting protocol, or CAP. Then, because there is greater ability to include enhanced text with CAP alerts, we propose to require broadcasters to check to see if a CAP version of an alert is available when they receive an emergency alert over the legacy system. Finally, we ask what additional steps can be taken to rethink the architecture of EAS and improve the functionality of the system as a whole.

We're looking for all the good ideas here, both big and small, because we know first-hand

they can make a difference. In fact, the agency's Public Safety and Homeland Security Bureau has been in close contact with FEMA, state and local emergency managers, carriers, and broadcasters in the states the tornado visited last week. We know that improving outreach is vital and that keeping our alerting practices up-to-date is essential—and that is what we seek to do here.

Thank you to the staff who worked on this effort, including Steve Carpenter, Chris Fedeli, Lisa Fowlkes, Nicole McGinnis, Dave Munson, and Renee Roland from the Public Safety and Homeland Security Bureau; David Horowitz, Bill Richardson, and Anjali Singh from the Office of General Counsel; Michelle Schaefer and Emily Talaga from the Office of Economics and Analytics; Kari Hicks and Charles Mathias from the Wireless Telecommunications Bureau; Debra Patkin and Suzy Singleton from the Consumer and Governmental Affairs Bureau; Hillary DeNigro and Evan Morris from the Media Bureau; Shannon Lipp, Jeremy Marcus, and Ashley Tyson from the Enforcement Bureau; and Chana Wilkerson from the Office of Communications Business Opportunities.