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One Hundred Fifteenth Congress  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, DC 20515

January 17, 2018

The Honorable Ajit Pai  
Chairman  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Dear Chairman Pai,

I write today in support of an item being considered at the Federal Communications Commission's (FCC's) January 30<sup>th</sup> meeting that will enhance the geographic accuracy of Wireless Emergency Alerts (WEAs). This important enhancement encompassed in PS Docket No. 15-91 will ensure that impacted populations receive timely and accurate alerts, and it will deter the warning fatigue that leads some individuals to opt out of potentially lifesaving messages.

During the Chelsea, Manhattan bombing in 2016, the New York City Emergency Management Department (NYCEM) sent out two messages to the Chelsea neighborhood to alert individuals to shelter in place and then when the situation was cleared. While these essential messages were targeted, there were reports that they were received far outside the target area.<sup>1</sup> I am concerned that should this occur too often, recipients may become numb to receiving alerts and warnings, or even worse, they may opt out of such messages that may help them respond to future disasters or attacks.

I am therefore encouraged by recent discussions held between the NYCEM along with Harris County, Texas, Office of Homeland Security and Emergency Services; the National Weather Service; and the wireless industry where industry stated its interest and ability to improve geo-targeting for WEAs. While it is difficult to obtain 100 percent accuracy, I am glad to see that the FCC has proposed to require the delivery of alerts to 100 percent of the target area identified by the alert originator with no more than 1/10<sup>th</sup> of a mile overshoot. By using

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<sup>1</sup> New York City Emergency Management Department, *Notice of Ex Parte Filed in PS Docket 15-91 Improving Wireless Emergency Alerts and Community Initiated Alerting*, 10 July 2017, available at: [https://ecfsapi.fcc.gov/file/107102359020014/071017\\_NYCEMExParteFiling\\_FINAL.pdf](https://ecfsapi.fcc.gov/file/107102359020014/071017_NYCEMExParteFiling_FINAL.pdf)

existing network-level capabilities and device-based improvements, I am hoping that the implementation can occur much earlier than the suggested deadline of November 30, 2019, however, especially for larger wireless carriers.

In addition, it would be helpful for there to be additional clarity on what the FCC will require, including how to ensure that wireless providers will be capable of matching the specified target area. Further, while not on the schedule for discussion on January 30<sup>th</sup>, I encourage the FCC to take action on multimedia alerts, "many to one" feedback, and multilingual messaging for WEAs in order to further the effectiveness of alerts and warnings. For example, if NYCEM was able to send out a picture of the suspect directly to recipients' phones during the Chelsea bombing, or if recipients were able to respond to the message to report that they saw the Chelsea bombing suspect, it may have led to a faster apprehension.

Considering the current threat environment in the United States evidenced by many incidents over the past few months, including two terrorist attacks in New York City in October and December of 2017, WEA enhancements for local emergency management and public safety officials are overdue and necessary. While I am glad to see the FCC take these steps, it is clear that more can and should be done.

Thank you for your time on this important matter. I look forward to your upcoming meeting on January 30<sup>th</sup>, and I hope to see additional action taken to continue the enhancement of WEAs to ensure the most effective, reliable, and accurate alerts and warnings. I also look forward to testimony from the FCC before the Subcommittee on Emergency Preparedness, Response, and Communications on February 6<sup>th</sup>, where I hope to learn more about the FCC's investigation into the incident that occurred in Hawaii this past weekend.

Sincerely,

A handwritten signature in blue ink that reads "D.M. Donovan, Jr." with a stylized flourish at the end.

DANIEL M. DONOVAN, JR.  
Chairman  
Subcommittee on Emergency Preparedness,  
Response, and Communications





FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON

OFFICE OF  
THE CHAIRMAN

June 7, 2018

The Honorable Dan Donovan  
U.S. House of Representatives  
1541 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Donovan:

Thank you for your letter regarding the Commission's efforts to enhance the efficacy of the Wireless Emergency Alert (WEA) system. WEA messages are one of several key tools to warn the public of imminent danger when disaster strikes. As you write, WEA messages were used twice by the New York City Emergency Management Department (NYCEM) during the Chelsea, Manhattan bombing in 2016.

Since 2008, consistent with the Warning, Alert, and Response Network (WARN) Act, the Federal Communications Commission has been working to improve the WEA system and increase the precision of geo-targeted alerts. Nonetheless, we've heard from many jurisdictions like NYCEM that WEA lacks granularity—that is, people may receive the alert even though they're located well outside of an intended target area. That's why the Commission in January adopted new rules to require participating wireless providers to deliver alerts to match 100% of the target area that overlaps with the wireless provider's network coverage area, with an overshoot of no more than one-tenth of a mile. And we require them to do so by November 2019—a timetable that all stakeholders agree is aggressive, and one that the evidence before us showed was achievable. I also agree with you that I hope at least the larger wireless carriers will beat that deadline.

This rule, coupled with the other improvements we have adopted for WEA—enabling consumers to retrieve alerts for 24 hours after they are received, clarifying the difference between providers participating in WEA “in part” versus “in whole,” affirming the deadline for implementing longer, 360-character length messages, and allowing WEAs to include embedded URLs—will strengthen the WEA system and keep Americans safer. I should note as well that support for Spanish-language alerts is on its way, and the FCC's Public Safety and Homeland Security Bureau recently sought to refresh the record on the inclusion of multimedia in WEA messages.

We share a goal of giving our public safety officials the best tools available to carry out their mission. Thank you for your interest, and let me know if I can be of further assistance.

Sincerely,

Ajit V. Pai