



PUBLIC NOTICE

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DA 18-302

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PARTIES ASKED TO REFRESH THE RECORD ON FACILITATING MULTIMEDIA CONTENT IN WIRELESS EMERGENCY ALERTS

PS Docket Nos. 15-91 and 15-94

Comment Date: [30 days after date of publication in the Federal Register]

Reply Comment Date: [45 days after date of publication in the Federal Register]

By this Public Notice, the Public Safety and Homeland Security Bureau (Bureau) of the Federal Communications Commission (Commission) invites interested parties to update the record on the feasibility of including multimedia content in Wireless Emergency Alert (WEA) messages.¹

Currently, the Commission's rules do not specify technical requirements for enabling multimedia content in WEA alert messages. In the 2016 *WEA Report and Order and Further Notice of Proposed Rulemaking (WEA R&O and FNPRM)*, the Commission recognized that additional standards development remains necessary.² Accordingly, the Commission sought comment regarding the establishment of an appropriate regulatory framework and timeframe for incorporating multimedia capability into WEA alert messages.³ Numerous stakeholders responded to that request.⁴

¹ See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Second Report and Order and Second Order on Reconsideration, FCC 18-4, para 4. at n.19 (rel. Jan. 31, 2018) (*WEA Second R&O*) (directing the Bureau "to issue a Public Notice within one month of the *Second Report and Order's* publication to further develop the record on multimedia alerting") (*WEA Second R&O*).

² *Wireless Emergency Alerts; Amendments to Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order and Further Notice of Proposed Rulemaking, 31 FCC Rcd 11112, 11132 para. 29 (2016) (*WEA R&O and FNPRM*).

³ *Id.* at 11132 para. 29.

⁴ See, e.g., Comments of APCO; Comments of Calhoun County Emergency Management Agency; Comments of Darren P. Wilson; Comments of the Lower Colorado River Authority, et al.; Comments of the Department of Emergency Management, Nassau County; Comments of New York City Emergency Management Department Comments; Comments of ATIS; Comments of AT&T; Comments of CTIA; Comments of Verizon; Comments of T-Mobile; Reply Comments of Telecommunications for the Deaf and Hard of Hearing, Inc., et al.; Reply Comments of CTIA; Letter from Francisco Sanchez, Liaison to the Director and Public Information Officer for Harris County Texas Homeland Security and Emergency Management, to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 (filed July 10, 2017); Letter from Commissioner James P. O'Neill, New York City Police Department to Chairman Ajit Pai, FCC, PS Docket No. 15-91 (filed Jan. 16, 2018); Letter from Benjamin Krakauer, Assistant Commissioner, New York City Emergency Management to Marlene H. Dortch, Secretary, FCC, PS Docket No. 15-91 (filed Mar. 15, 2018).

Since the release of the *WEA R&O and FNPRM*, the Commission has taken measures to strengthen WEA as a tool for emergency managers to communicate with the public.⁵ For example, the Commission revised its rules to ensure that emergency managers can geographically target alerts to only those phones located in areas affected by an emergency. When the WEA program launched in 2012, Participating Commercial Mobile Service (CMS) Providers were generally required to send alerts to a geographic area no larger than the county or counties affected by the emergency situation.⁶ As of November 1, 2017, all Participating CMS Providers must transmit alerts to a geographic area that “best approximates” the area affected by the emergency situation,⁷ and by November 30, 2019, all Participating CMS Providers must match the target area of the alert.⁸ In addition to improving the accuracy with which WEA messages must be geo-targeted, the Commission has taken action to improve emergency managers’ ability to deliver more effective content in WEA messages. For example, as of November 1, 2017, nationwide Participating CMS Providers must support the inclusion of embedded references (*i.e.*, URLs and phone numbers) in WEA messages.⁹ By May 1, 2019, Participating CMS Providers also must support longer WEA alerts (with the maximum Alert Message length increasing from 90 to 360 characters for 4G LTE and future networks) and the transmission of Spanish-language alert messages.¹⁰ Also as of May 1, 2019, authorized State and local alert initiators will be able to conduct “end-to-end” WEA tests that can be received by members of their communities, in order to assess how WEA is working within their jurisdictions.¹¹

The Commission continues to consider the *WEA FNPRM*’s proposal regarding multimedia alerting, and the Bureau requests that interested commenters refresh the record with any new information or arguments. Commenters should address the technical feasibility for requiring multimedia content in WEA messages, including the current state of multimedia testing and standards development. Commenters should also address with particularity the potential costs and benefits to public safety and Participating CMS Providers for supporting the inclusion of multimedia content in WEA messages, given the other changes to WEA that are currently ongoing.

⁵ *WEA R&O and FNPRM*, 31 FCC Rcd 11112.

⁶ *The Commercial Mobile Alert System*, First Report and Order, 23 FCC Rcd 6144 para. 48 (2008) (requiring Participating CMS Providers to target alerts at the county-level).

⁷ 47 CFR § 10.450(a). Nationwide providers were required to comply with the “best approximates” geo-targeting requirement by January 3, 2017.

⁸ *WEA Second Report and Order*, FCC 18-4, para. 6 (amending 47 CFR § 10.450(a)). See 83 FR 8619 (Feb. 28, 2018) and 83 FR 10800 (Mar. 2018) (announcing that the amendments to 47 CFR § 10.450 will become effective on November 30, 2019). In the *WEA Second Report and Order*, the Commission declined to grant non-nationwide Participating CMS Providers additional time to meet the enhanced geographic area targeting requirements in 47 CFR § 10.450. See *WEA Second Report and Order*, FCC 18-4, para. 14.

⁹ 47 CFR § 10.441. Non-nationwide providers must support the inclusion of embedded references in WEA messages by May 1, 2019. See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, Order on Reconsideration, 32 FCC Rcd 9621, 9625 para. 10 (2017).

¹⁰ *WEA R&O and FNPRM*, 31 FCC Rcd at 11120, 11140 (increasing the message character limit in 47 CFR § 10.430 and requiring support for Spanish language alert messages in 47 CFR § 10.480). In the *WEA Second Report and Order*, the Commission extended the compliance deadline for supporting Spanish language Alert Messages to May 1, 2019. See *WEA Second Report and Order*, FCC 18-4, para. 49.

¹¹ *WEA R&O and FNPRM*, 31 FCC Rcd at 11154-55 para. 65 (amending 47 CFR § 10.350(c)).

Comment Filing Procedures. Pursuant to sections 1.415 and 1.419 of the Commission’s rules, 47 CFR §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. Comments may be filed using the Commission’s Electronic Comment Filing System (ECFS). *See Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://apps.fcc.gov/ecfs/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission’s Secretary, Office of the Secretary, Federal Communications Commission.

- All hand-delivered or messenger-delivered paper filings for the Commission’s Secretary must be delivered to FCC Headquarters at 445 12th St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9050 Junction Drive, Annapolis Junction, MD 20701.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12th Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to fcc504@fcc.gov or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

“Permit-but-disclose” proceeding. This proceeding shall be treated as a “permit-but-disclose” proceeding in accordance with the Commission’s *ex parte* rules.¹² Persons making *ex parte* presentations must file a copy of any written presentation or a memorandum summarizing any oral presentation within two business days after the presentation (unless a different deadline applicable to the Sunshine period applies). Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentation must (1) list all persons attending or otherwise participating in the meeting at which the *ex parte* presentation was made, and (2) summarize all data presented and arguments made during the presentation. If the presentation consisted in whole or in part of the presentation of data or arguments already reflected in the presenter’s written comments, memoranda or other filings in the proceeding, the presenter may provide citations to such data or arguments in his or her prior comments, memoranda, or other filings (specifying the relevant page and/or paragraph numbers where such data or arguments can be found) in lieu of summarizing them in the memorandum. Documents shown or given to Commission

¹² 47 CFR §§ 1.1200 *et seq.*

staff during *ex parte* meetings are deemed to be written *ex parte* presentations and must be filed consistent with rule 1.1206(b). In proceedings governed by rule 1.49(f) or for which the Commission has made available a method of electronic filing, written *ex parte* presentations and memoranda summarizing oral *ex parte* presentations, and all attachments thereto, must be filed through the electronic comment filing system available for that proceeding, and must be filed in their native format (*e.g.*, .doc, .xml, .ppt, searchable .pdf). Participants in this proceeding should familiarize themselves with the Commission's *ex parte* rules.

For further information, please contact John A. Evanoff, Attorney-Advisor, Policy and Licensing Division, Public Safety and Homeland Security Bureau at 202-418-0848 or john.evanoff@fcc.gov.

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