

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554**

In the Matter of)	
)	
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

COMMENTS OF CTIA

CTIA¹ respectfully submits these comments in response to the Notice of Proposed Rulemaking (“NPRM”) in the above-captioned proceedings proposing to adopt a new Emergency Alert System (“EAS”) event code to notify the public of missing and endangered persons (“MEP”) and seeking comment on Wireless Emergency Alert (“WEA”) implementation issues.²

I. INTRODUCTION AND SUMMARY.

The WEA system has become one of the most effective, efficient, and reliable alert and warning tools for public safety and consumers across the country. The success of this voluntary system is due in large part to the public-private partnership among Alert Originators, the Federal Communications Commission (“Commission”), the Federal Emergency Management Agency (“FEMA”) and participating Commercial Mobile Service Providers (“CMSPs”).

¹ CTIA – The Wireless Association® (“CTIA”) (www.ctia.org) represents the U.S. wireless communications industry and the companies throughout the mobile ecosystem that enable Americans to lead a 21st century connected life. The association’s members include wireless providers, device manufacturers, suppliers as well as apps and content companies. CTIA vigorously advocates at all levels of government for policies that foster continued wireless innovation and investment. The association also coordinates the industry’s voluntary best practices, hosts educational events that promote the wireless industry and co-produces the industry’s leading wireless tradeshow. CTIA was founded in 1984 and is based in Washington, D.C.

² *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91, 15-94, Notice of Proposed Rulemaking, FCC 24-30, ¶ 30 (rel. Mar. 15, 2024) (“NPRM”).

Nationwide wireless providers and dozens of regional providers serve more than 99 percent of all U.S. wireless subscribers,³ transmitting thousands of WEAs each year to help public safety professionals respond to emergencies and save lives. Participating CMSPs and equipment manufacturers have worked diligently to enhance the WEA system, including by improving geo-targeting capabilities (WEA 3.0), enabling embedded “clickable” links, adopting standards, deploying capabilities to expand WEA message lengths, enabling state and local test capabilities, and supporting Spanish language text.⁴ Additionally, the wireless industry will continue to engage with the Commission on implementation of multi-lingual alerting.⁵

CTIA supports the Commission’s efforts to enhance the WEA system to aid missing and endangered persons and encourages the agency to integrate any new alert into the existing WEA protocols and infrastructure, consistent with Commission precedent.⁶ As noted by the Commission, alert handling for the WEA system is different than that for EAS and requires mapping EAS alert codes onto WEA handling codes that correspond to one of four alert classes

³ 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 n.28 (2017).

⁴ See, e.g., *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 (2016) (adopting rules requiring Participating CMSPs to support longer WEA alerts, Spanish-language alerts, and State/Local WEA Tests); *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, 33 FCC Rcd 1320 (2018) (adopting an enhanced geotargeting requirement); ATIS, *Delivering Targeted Alerts - Advancing the Wireless Emergency Alerts (WEA) 3.0 System* (June 26, 2019), https://www.atis.org/wp-content/uploads/01_news_events/webinar-pptslides/ATIS_WEA3.0_webinar.pdf; Communications Security, Reliability, and Interoperability Council VIII, Working Group Six, *Report on WEA Application Programming Interface*, at 21 (Mar. 2023), <https://www.fcc.gov/file/25058/download> (discussing capability for embedded clickable links).

⁵ See *Wireless Emergency Alerts; Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91, 15-94, Public Notice, DA 24-137 (rel. Feb. 15, 2024).

⁶ See, e.g., *Amendment of Part 11 of the Commission’s Rules Regarding Emergency Alert System*, Report and Order, 32 FCC Rcd 10812 (2017) (“*Blue Alerts Order*”); *Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System; Wireless Emergency Alerts*, Report and Order and Further Notice of Proposed Rulemaking, 36 FCC Rcd 10694 (2021) (“*National Alerts Order*”).

for broadcast to mobile devices: National Alert; Imminent Threat Alert; Child Abduction Emergency/AMBER Alert; and Public Safety Message.⁷

If the Commission introduces an MEP alert, it should place the alert within the existing Public Safety Message alert class. Prior enhancements to the EAS and WEA systems, including introduction of Blue Alerts in the EAS system and accommodating their transmission as WEAs⁸ and the transition from Presidential Alerts to National Alerts in the WEA system,⁹ have leveraged the existing WEA architecture and protocols. Using an existing alert class to implement any MEP alert will help to avoid costly changes and potential backwards compatibility issues to handsets and Participating CMSP networks, as well as costly and time-consuming end-to-end testing and new device roll-out—all of which would delay the availability of the alert. Implementation of an MEP alert also should include secure Alert Originator authentication in the Integrated Public Alert and Warning System (“IPAWS”) and be accompanied by education for consumers and Alert Originators to support consistent alert handling and avoid alert fatigue and opt-outs by consumers.

II. THE WEA SYSTEM HAS A PROVEN TRACK RECORD OF SUCCESSFULLY INTEGRATING NEW ALERT TYPES INTO EXISTING ALERT CLASSES.

The WEA system is one of the most effective emergency alerting tools for federal, state, and local Alert Originators in the nation. Since the system launched in 2012, over 84,000 WEAs have been sent nationwide to warn and inform millions of wireless consumers about imminent

⁷ NPRM ¶ 30; 47 C.F.R. § 10.400.

⁸ See *Blue Alerts Order*, 32 FCC Rcd at 10821, ¶ 18.

⁹ See *National Alerts Order*, 36 FCC Rcd at 10699, ¶¶ 8-9.

threats (such as tornados, wildfires, and hurricanes), abducted children (AMBER alerts), and other emergencies.¹⁰

Historically, the Commission has implemented changes to alerts without changing the alert classes. In 2017, the Commission introduced Blue Alerts to EAS and provided for WEA delivery via the existing alert classes.¹¹ Likewise, the Commission leveraged existing capabilities when it re-named Presidential Alerts as a single National Alerts class, finding that doing so better utilized WEA stakeholder resources and would protect against diminished public response to alerts labeled as presidential.¹²

By preserving the existing handling codes, the Commission significantly reduced the time necessary to implement life-saving alerts and “avoid[ed] the significant, unnecessary, and therefore wasteful costs of creating a new alert class.”¹³ Like the prior changes to alert types, a dedicated MEP alert will not require special handling that necessitates a new alert class. Alert Originators already issue other alerts for missing persons, including Silver Alerts, using the existing alert classes.

Integration of a dedicated MEP code within an existing alert class would also avoid the costs and delays that would come with new testing requirements and modifications to handsets and Participating CMSP networks. It would allow seamless delivery of MEP alerts to all WEA-capable mobile devices, including legacy devices and devices roaming into the U.S. from Canada and other countries that support the global standard Public Warning System. Conversely,

¹⁰ See FCC, *Wireless Emergency Alerts (WEA)*, <https://www.fcc.gov/consumers/guides/wireless-emergency-alerts-wea>.

¹¹ See *Blue Alerts Order*, 32 FCC Rcd at 10821, ¶ 18.

¹² See *National Alerts Order*, 36 FCC Rcd at 10699, ¶¶ 8-9.

¹³ *Id.* at 10699, ¶ 8.

introduction of a new alert class would require potentially significant updates to ATIS and 3GPP standards, devices, and Participating CMSP networks, as well as extensive end-to-end testing. As noted in other WEA proceedings, the cost of substantial new WEA requirements disproportionately impacts regional and smaller, rural providers, threatening their ability to continue to participate in the WEA program.¹⁴ CTIA therefore recommends that the Commission leverage the existing WEA infrastructure and protocols for any new alerts to avoid burdensome or confusing requirements that could negatively impact the successful WEA system.

In considering which class is appropriate, CTIA agrees with the Commission that an MEP alert may not always align well with the requirements for an Imminent Threat Alert.¹⁵ Moreover, increased use of the Imminent Threat alert class to issue MEP alerts could confuse or endanger consumers. Specifically, adoption of MEP alerts within the Imminent Threat alert class could result in decreased consumer responsiveness to Imminent Threat Alerts or cause consumers to opt out of the alert class. The potential for opt-outs from the Imminent Threat alert class would undermine the goals of the WEA system to disseminate life-saving information to the public during widespread emergencies such as weather events.

Instead, CTIA recommends that the MEP Alert proposed by the Commission be accommodated within the Public Safety Message alert class.¹⁶ Consistent with that alert class, an

¹⁴ See Comments of Competitive Carriers Association, PS Docket Nos. 15-91, 15-94, at 10-12 (filed July 21, 2023).

¹⁵ See NPRM at ¶30, n.72 (“Imminent Threat Alerts must meet criteria for urgency, severity, and certainty that all missing endangered person alerts will not meet.”); 47 C.F.R. § 10.400(b).

¹⁶ Because MEP alerts can be integrated into the Public Safety Message alert class, the Commission does not need to separately consider suppression of the audio attention signal or vibration cadence. See NPRM at ¶ 30. However, to the extent the Commission considers suppression of the audio attention signal or vibration cadence, CTIA reiterates that suppression of these signals lacks consensus in the record in other WEA proceedings, would require extensive technological developments, and is inconsistent with the Commission’s goals to quickly and effectively alert the public to emergency situations. See Comments of Regional Disaster Preparedness Organization, PS Docket Nos. 15-91, 15-94, at 3 (filed July 21, 2023);

MEP alert would serve as a public safety advisory providing critical information to the public that could save lives.¹⁷ CTIA recognizes that Public Safety Messages are only eligible for issuance in connection with another alert class under the Commission’s rules.¹⁸ However, Alert Originators currently send numerous alerts, including Blue, Silver, and Boil Water alerts, exclusively under the Public Safety Message alert class, demonstrating that this alert class makes intuitive sense for an MEP code.¹⁹ Rather than use a different class, CTIA encourages the Commission to amend its rules to the extent necessary to allow Alert Originators to send MEP alerts exclusively using the Public Safety Message alert class.²⁰

III. INTRODUCTION OF ANY NEW ALERT SHOULD INCLUDE AUTHENTICATION OF ALERTS FROM ALERT ORIGINATORS BY FEMA AND EDUCATION FOR ALERT ORIGINATORS AND THE PUBLIC.

The efforts undertaken by FEMA to authenticate alerts from Alert Originators and provide training and educational resources for Alert Originators has contributed significantly to the success of the WEA system. If the Commission adopts an MEP alert, it should ensure that its use is integrated into FEMA’s existing Alert Originator authentication and training structure to protect against fraudulent, confusing, or inadvertent alerts. EAS alerts can be transmitted without using FEMA’s Alert Gateway, IPAWS, and many states do not use IPAWS for EAS

Comments of Several Colorado Agencies, PS Docket Nos. 15-91, 15-94, at 13 (filed July 21, 2023); Comments of New York City Emergency Management Department, PS Docket Nos. 15-91, 15-94, at ¶¶ 19-20 (filed July 20, 2023) (“NYCEM Comments”); Comments of National Weather Service, PS Docket Nos. 15-91, at 3-4 (filed July 21, 2023); Comments of Alliance for Telecommunications Industry Solutions, PS Docket Nos. 15-91, 15-94, at ii-iii (filed July 21, 2023); Comments of Verizon, PS Docket Nos. 15-91, 15-94, at 14-15 (filed July 21, 2023); Comments of CTIA, PS Docket Nos. 15-91, 15-94, at 6, 19-20 (filed July 21, 2023).

¹⁷ See 47 C.F.R. § 10.400(d).

¹⁸ See *id.*; NPRM at ¶ 30, n.72.

¹⁹ It further demonstrates the need for additional education about proper, consistent use of message classifications. See *infra* page 7.

²⁰ 47 C.F.R. § 10.400(d).

alerts. However, all WEA alerts must go through IPAWS to be transmitted to consumers.²¹ Accordingly, the Commission should require MEP Alert Originators to utilize IPAWS to authenticate and distribute MEP alerts using the WEA system.

The Commission and FEMA also should direct resources to provide education and training for Alert Originators to support adoption of any new MEP alert and ensure its consistent and accurate use. Despite the resources provided by FEMA, Alert Originators consistently request further clarification and resources to better understand and interact with the WEA system.²² CTIA members also continue to see examples of Alert Originators inconsistently mapping alerts to the existing alert classes, which can confuse consumers and cause certain alert types to be displayed on some devices but not others. For example, Alert Originators currently issue Blue Alerts and Silver Alerts under either the Imminent Threat alert class alone, the Public Safety alert class alone, or both alert classes. Inappropriate use of a new alert code and increased inconsistent use of alert classes may lead to consumer confusion, alert fatigue, and opt-outs.

CTIA also continues to support Commission and FEMA education for the public to enhance understanding and use of the WEA system,²³ which will be particularly important when implementing a new alert.

²¹ See *National Alerts Order*, 36 FCC Rcd at 10695-96, ¶ 2; FEMA, *IPAWS 101*, at 1 (Jan. 2024), https://www.fema.gov/sites/default/files/documents/fema_ipaws_101-slicksheet_042024.pdf.

²² See, e.g., Comments of APCO International, PS Docket Nos. 15-91, 15-94, at 2-6 (filed July 21, 2023); Comments of King County Emergency Management, PS Docket Nos. 15-91, 15-94, at 2-5 (filed July 21, 2023); NYCEM Comments at ¶ 2; Comments of FEMA Integrated Public Alert and Warning System (“IPAWS”) Program Office, PS Docket Nos. 15-91, 15-94, at 8 (filed July 19, 2023).

²³ See, e.g., Comments of CTIA, PS Docket Nos. 15-91, 15-94, at 25 (filed July 21, 2023).

IV. CONCLUSION.

If the Commission adopts a new MEP alert, CTIA encourages the Commission to incorporate the alert into the existing WEA protocols and infrastructure as a Public Safety Message by: (1) adjusting the Commission’s rule governing a Public Safety Message, (2) requiring secure Alert Originator authentication in IPAWS, and (3) providing education for Alert Originators and the public.

Respectfully submitted,

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