

Chair Eleanor Holmes Norton
Subcommittee on Economic Development, Public Buildings and Emergency
Management
A Hearing on “Assuring Public Alert Systems Work to Warn American Citizens of
Natural and Terrorist Disasters”

Almost every American is familiar with this scenario – You are watching television and suddenly the television program is interrupted, a beeping sound comes, you see the multi-colored stripes across the screen and then you hear “This is a test of the Emergency Alert System (EAS) . . .” You breathe a sigh of relief because it is only a test, but during any given year, thousands of citizens across the nation hear an emergency broadcast on their radios or on television advising them that they have a few minutes to seek appropriate shelter because a tornado is approaching or to evacuate the area because a hurricane is arriving in a few hours.

The Federal Emergency Management Agency (FEMA) is responsible for administering the national EAS with assistance from the Federal Communications Commission (FCC) for ensuring compliance of regulations. Broadcast radio and television stations and satellite radio operators are required to participate in national-level EAS alerts and state, and local governments may use the EAS on an as-available basis. Broadcast station participation is voluntary.

Given the high number of natural disasters in this country each and every year probably 90% of all messages and 100% of all Federal messages are disseminated by the EAS as generated by the National Oceanic Atmospheric Administration’s (NOAA) Weather Radio All-Hazards (NWR) and the National Weather Service (NWS).

Two years ago, President Bush issued Executive Order 13407, directing the Department of Homeland Security to modernize and integrate the nation’s public warning systems. FEMA then created the Integrated Public Alert and Warning System (IPAWS) and is working with the public and private sectors to integrate warning systems so that authorized officials can effectively warn the public through an upgraded version of the EAS system.

EAS messages will continue to be transmitted but in addition today, must also include the modern technology conveniences that almost every American owns today, including pagers, cell phones, computers and other personal communication devices. FEMA began working on a plan to update the EAS system in part by conducting pilot programs nationwide.

With IPAWS pilot projects coming to an end, however, many stakeholders are expressing frustration that the IPAWS program does not have a clear plan and timeline for finishing the various tasks that still need to be completed. Several states and localities have begun modernizing their own systems in the absence of federal guidance and consensus.

Stakeholders, include State and local governments, and various private sector groups. The Government Accountability Office (GAO) has suggested that FEMA hold some stakeholder forums on the challenges of integrating the system and various other issues. At the meetings the stakeholders could produce some clearly defined deliverables, such as, for example, Common Alerting Protocol (CAP), a standardized format for use in all types of message alerts. The public also is entitled to a clear timetable as to when a final decision or action must be completed.

Many stakeholders point to the Commercial Mobile Service Alert Advisory Committee (CMSAAC), a process set out in the “Warning, Alert and Response Network Act (WARN Act) signed into law as Title VI of P.L. 109-3478, the Security and Accountability For Every Port Act of 2006. CMSAAC members include federal, state, local and tribal governments, members of the private sector and people with disabilities. They are charged with providing recommendations on technical requirements, standards, regulations and other matters needed to support the transmittal of emergency alerts by commercial mobile providers to their subscribers on a voluntary basis. They meet deadlines, make decisions and produce reports. The Advisory Committee has produced results.

We are pleased that after some reluctance and delay, FEMA announced on May 30, 2008 that once the system is in place, that agency will now serve as the federal aggregator and gateway for the nationwide Commercial Mobile Alert System. I appreciate the meetings between FEMA’s staff and the Committee staff regarding their expansive legislative authority for public alerts and warnings in the Stafford Act.

We must remember that we are modernizing and integrating the public alerts and warning system that can make the difference between living and dying for the nation’s citizens. When a parent hears an alert on the radio and has a few minutes to get her children into cellar before a tornado strikes, we are reminded that this alert and warning system must be more robust, more readily available, and truly modern. This Subcommittee is committed to assisting FEMA in making the public alert and warning system much better and indeed the very best, no less will do. I would like to welcome the witnesses and I look forward to hearing from them.