

SCR 26

**REQUESTING THE FEDERAL
COMMUNICATIONS COMMISSION
TO ESTABLISH REGULATIONS TO
REQUIRE ALL CELLULAR PHONES TO
RECEIVE EMERGENCY ALERTS
WITHOUT AN OPTION TO OPT OUT
OF RECEIVING EMERGENCY ALERT
MESSAGES AND WITHOUT ANY
ADDED COSTS TO SERVICE PLANS**

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STATE OF HAWAII
DEPARTMENT OF DEFENSE
HAWAII EMERGENCY MANAGEMENT AGENCY

TESTIMONY ON SENATE CONCURRENT RESOLUTION 26
**REQUESTING THE FEDERAL COMMUNICATIONS COMMISSION TO ESTABLISH
REGULATIONS TO REQUIRE ALL CELLULAR PHONES TO RECEIVE EMERGENCY
ALERTS WITHOUT AN OPTION TO OPT OUT OF RECEIVING EMERGENCY ALERT
MESSAGES AND WITHOUT ANY ADDED COSTS TO SERVICE PLANS.**

BY

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Before the Senate Committees on
PUBLIC SAFETY, INTERGOVERNMENTAL AND MILITARY AFFAIRS (PSM)
and
ECONOMIC DEVELOPMENT, TOURISM, AND TECHNOLOGY (ETT)

Chairs Nishihara and Wakai, Vice-Chair Taniguchi, and Members of the Committees:

The Hawaii Emergency Management Agency (HI-EMA) provides the following testimony *in support* of Senate Concurrent Resolution 26.

SCR26 requests that the Federal Communications (FCC) require all cellular telephones to receive emergency alerts without an option to opt out of the alerts.

HI-EMA issues emergency alerts in three forms: siren tones, Emergency Alert System (EAS) messages via television and radio, and Wireless Emergency Alert (WEA) mobile phone alerts. That redundancy is vital as it helps ensure that the public is exposed to at least one form of warning, particularly when the time to prepare for the emergency is limited.

Under current usage, WEA messages delivered to cellular phones fall into three general categories: Presidential messages, imminent threats to life and safety, and Amber alerts. The FCC allows phone users to opt out of the latter two categories; one cannot opt out of Presidential messages.

Recent experience has shown HI-EMA that a number of cell phone users have unknowingly opted out of receiving WEA messages. Anecdotal reports reveal that in some cases the decision to opt out was made at the time the phone was activated, without a full understanding of what WEAs were or their uses, or in other cases by third parties setting up the phones and opting out without the owners' knowledge.

At the same time, FCC regulations have prevented the testing of the WEA system, leaving many customers with limited experience of the system. In other words, in the case of a serious emergency many users may learn too late that they opted out of lifesaving WEA messages.

Consequently, HI-EMA supports SCR26's request that the FCC no longer allow cell phone users to opt out of WEA messages. Any inconvenience a user may experience for receiving a WEA alert that he or she feels is unwarranted is insignificant compared to the margin of safety such an alert would provide in a situation threatening serious and imminent harm.

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Similarly, while FEMA reports that, “More than 100 carriers, including all of the largest carriers” carry WEA messagesⁱ, the service is not universal. Given the importance of informing the public of impending emergencies, the FCC should mandate that *all* carriers provide WEA service at no charge to the consumer.ⁱⁱ

Thank you for the opportunity to **SUPPORT** SCR26.

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ⁱ <https://www.fema.gov/frequently-asked-questions-wireless-emergency-alerts>

ⁱⁱ Carriers offer WEA service for free, and WEA messages will not count towards texting limits on wireless plans. <https://www.fema.gov/frequently-asked-questions-wireless-emergency-alerts>

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Testimony for PSM on 2/27/2018 1:20:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments: