

August 26, 2015

Hon. Tom E. Wheeler, Chairman
Federal Communications Commission
445 12th St. S.W.
Washington, D.C. 20554

RE: Review of the Emergency Alert System (EB Docket No. 04-296); Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (EB Docket 06-119)

Dear Chairman Wheeler:

The 10th anniversary of Hurricane Katrina will be August 29, 2015. The days leading up to, during, and after this natural disaster demonstrated the importance of multilingual emergency communications. For the over 100,000 Louisianans not proficient in English, their world went dark that day and remained that way for many days. These residents were unable to get answers to questions such as, “Where do I go to find shelter?” “How can I find my children?” and “Is the water safe to drink?” For the terrified multitude taking refuge on rooftops as the water rose, there was often little hope for survival.

The penalty for an adult’s or child’s lack of English proficiency must never be death.

In many cities with large Latino, Korean, Chinese and Vietnamese communities, few or no stations are broadcasting in those languages. When Hurricane Katrina decimated New Orleans in 2005, the city’s only Spanish language station was damaged and could not return to the air for eight critical days. During those eight days, over 100,000 Latinos had no landline service, no cellular telephony, no television, no radio, and no print media in their language. The city’s Vietnamese communities also went dark and many of these residents had no means to communicate their need for medical assistance. In a time of desperate need, finding medical facilities, shelter, food, and potable water was a matter of life and death for tens of thousands who were not fluent in English.

In response to this structural breakdown in our emergency communications, on September 20, 2005, three civil rights organizations filed the “Katrina Petition.” Its paradigm was a simple adaptation of the “designated hitter” system used by United States Army platoons when taking a hill in battle: in each radio market, the state EAS plan would designate which station(s) would fill in and provide multilingual information if no other station in that language remained on the air during or in the wake of the emergency.

In the ten years since Katrina, the Commission issued the National Broadband Plan. The agency has also resolved interoperability, intercarrier compensation, parts of universal service reform, and completed the open Internet proceeding. But after seven rounds of pleadings on the Katrina Petition, the Commission still has not yet acted to protect the lives and well-being of our 25,000,000 adults and children who are not proficient in English.

The Commission’s 2006 Katrina Independent Panel concluded that the agency must mandate multilingual emergency alerts. There is a clear consensus that only 100 percent ubiquitous, free local radio can always be counted upon to provide life-saving information at the most critical of times.

It is profoundly unfortunate that the Commission cannot rely on voluntary action to solve this problem. Since the Katrina Petition was filed, not a single state broadcast association – not one – has come up with a plan to ensure emergency service to non-English language minorities. The issue here is not

whether there will be another Katrina; it is will we be prepared when it happens again. The lives of our fellow Americans should not hang in the balance. That is why life-saving emergency broadcasting obligations must be enforceable with teeth through a certification at license renewal time. Stations that declare that they “will not transmit, or even help other stations transmit, life-saving information in an emergency” should have their fitness to hold an FCC license formally reviewed.

The Commission should also bear in mind that among the greatest beneficiaries of multilingual emergency communications are first responders – as well as the taxpayers who underwrite their operations. The cost of rescuing and providing emergency health care is much less when the public has access to essential information in an emergency.

The 26 undersigned groups, representing thousands of consumers, people of color and other vulnerable groups, believe that the relief sought in the Petition is not burdensome. No elaborate new structure is needed: state EAS plans can easily be amended to incorporate reasonable methods of ensuring that life-saving information finds its way to the public in an emergency.

Therefore, the undersigned organizations respectfully urge the Commission to grant the Katrina Petition in its entirety, and do it now as the 10th anniversary and recollection of the wrath of Hurricane Katrina approaches.

Sincerely,

Asian Americans Advancing Justice (AAJC)
Asian Pacific American Labor Alliance
Asian Pacific American Institute for Congressional Studies (APAICS)
Consumer Action
Dialogue on Diversity
Hmong National Development, Inc.
The Japanese American Citizens League
Latinos in Tech Innovation & Social Media (#LATISM)
League of United Latin American Citizens (LULAC)
LGBT Technology Partnership and Institute
MANA, a Latina Organization
Multicultural Media, Telecom and Internet Council (MMTC)
NAACP
National Association of Multicultural Digital Entrepreneurs (NAMDE)
National Action Network
National Black Caucus of State Legislators (NBCSL)
National Coalition on Black Civic Participation and the Black Women's Roundtable
National Hispanic Caucus of State Legislators (NHCSL)
National Organization of Black Elected Legislative (NOBEL) Women
National Puerto Rican Chamber of Commerce
National Urban League
OCA – Asian Pacific American Advocates
Public Knowledge
Rainbow PUSH Coalition
The Center for Asian Pacific American Women
U.S. Black Chambers, Inc.

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cc: Hon. Mignon Clyburn
Hon. Ajit Pai
Hon. Jessica Rosenworcel
Hon. Michael O'Rielly
Admiral David Simpson
Lisa Fowlkes

[The contact for this letter is MMTC President Emeritus and Senior Advisor David Honig;
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