



# Press Statement

**Contacts:**

Paloma Zuleta, LULAC Director of Communications  
pzuleta@lulac.org (202) 833-6130

Marcella Gadson, MMTC Director of Communications  
[mgadson@mmtconline.org](mailto:mgadson@mmtconline.org) (202) 332-0500

## **STATEMENT OF LULAC AND MMTC ON THE D.C. CIRCUIT’S REFUSAL TO REQUIRE THE FCC TO MANDATE MULTILINGUAL ALERTS IN EMERGENCIES**

**WASHINGTON, D.C. (October 17, 2017):** The League of United Latin American Citizens (LULAC) and the Multicultural Media, Telecom and Internet Council (MMTC), petitioners in *MMTC and LULAC v. FCC* (D.C. Cir. No. 16-1222, decided today), expressed their deep displeasure that the panel majority (Judges Brett Kavanaugh and Karen Henderson) was unwilling to require the Federal Communications Commission (FCC) to grant MMTC’s 2005 petition to require broadcasters to offer life-saving emergency information in Spanish and other widely spoken languages during and immediately after emergencies such as hurricanes.

The “Katrina Petition” was filed in 2005 after 100,000 Spanish-speaking individuals in New Orleans were left with no sources of information for eight days in the wake of Hurricane Katrina, one of the most life-threatening natural disasters in American history. Rather than requiring the FCC to mandate that at least one broadcaster in a market make advance plans to offer multilingual information, the FCC chose to order a “survey” of broadcasters’ almost non-existent voluntary efforts to offer multilingual alerts – the third of such surveys the FCC performed, even though the agency candidly admitted that such surveys would yield no useful information.

One point of agreement by all three judges is that the FCC has taken far too long to act. Calling the FCC’s delay “bureaucracy standard time,” the panel majority called on the FCC to “move expeditiously in finally deciding whether to impose a multilingual requirement on broadcasters.” Dissenting Judge Patricia Millett called the FCC’s delay “the regulatory equivalent of fiddling while Rome burns,” adding that “[w]ith lives on the line, a decade of study would seem to have been ample time to decide *something*. Or at the very least to provide *some explanation* as to why potentially viable options before it were cast aside, while the Commission chose to spin its wheels” (emphasis in original). Even in upholding the FCC, Judge Kavanaugh stressed that the FCC cannot and should not continue to avoid the issue. The very last words of the opinion are “[a]t some point, the FCC should fish or cut bait.”

LULAC Executive Director Brent Wilkes stated that the court decision “means that while the FCC *may* require multilingual alerts, it is not *obligated* to do so, and its virtually irrational, cursory, and heartless refusal to do so will be allowed to stand. One look at what the federal government is doing – or not doing – for Puerto Rico in the wake of Hurricane Maria should tell us what this court decision really means: it means that if you speak only Spanish, and a hurricane hits, you are on your own. The events in Puerto Rico serve to highlight that justice delayed is truly justice denied.”

MMTC President and CEO Kim Keenan pointed out that “sixty national organizations and the FCC’s own Katrina Advisory Committee urged the FCC to act and act quickly to provide multilingual emergency relief. More than twelve years after Katrina, not only has the FCC not acted, but the court has refused to compel the FCC to act. Shortly, MMTC and LULAC will decide whether to appeal to the new FCC leadership, or to Congress, to take a stand and correct this deep moral injustice.”

\* \* \* \* \*

**About LULAC:**

With approximately 132,000 members throughout the United States and Puerto Rico, LULAC is the largest and oldest Hispanic organization in the United States. LULAC advances the economic condition, educational attainment, political influence, housing, health and civil rights of Hispanic Americans through community-based programs operating at more than 1,000 LULAC councils nationwide. The organization involves and serves all Hispanic nationality groups.

**About MMTC:**

The Multicultural Media, Telecom and Internet Council (MMTC) is a non-partisan, national nonprofit organization dedicated to promoting and preserving equal opportunity and civil rights in the mass media, telecom and broadband industries, and closing the digital divide. MMTC is generally recognized as the nation’s leading advocate for minority advancement in communications.