

Federal Communications Commission

§ 10.510

A Participating CMS Provider must deliver any Alert Message that is specified by a circle or polygon to an area that matches the specified circle or polygon. A Participating CMS Provider is considered to have matched the target area when they deliver an Alert Message to 100 percent of the target area with no more than 0.1 of a mile overshoot. If some or all of a Participating CMS Provider's network infrastructure is technically incapable of matching the specified target area, then that Participating CMS Provider must deliver the Alert Message to an area that best approximates the specified target area on and only on those aspects of its network infrastructure that are incapable of matching the target area. A Participating CMS Provider's network infrastructure may be considered technically incapable of matching the target area in limited circumstances, including when the target area is outside of the Participating CMS Provider's network coverage area, when mobile devices have location services disabled, and when legacy networks or devices cannot be updated to support this functionality.

(b) Upon request from an emergency management agency, a Participating CMS Provider will disclose information regarding their capabilities for geo-targeting Alert Messages. A Participating CMS Provider is only required to disclose this information to an emergency management agency insofar as it would pertain to Alert Messages initiated by that emergency management agency, and only so long as the emergency management agency offers confidentiality protection at least equal to that provided by the federal FOIA.

(c) In matching the target area, Participating CMS Providers may not limit the availability of 360 characters for the Alert Message text.

[81 FR 75726, Nov. 1, 2016, as amended at 83 FR 8623, Feb. 28, 2018]

§ 10.460 Retransmission frequency. [Reserved]

§ 10.470 Roaming.

When, pursuant to a roaming agreement (see § 20.12 of this chapter), a subscriber receives services from a roamed-upon network of a Participating

CMS Provider, the Participating CMS Provider must support WEA alerts to the roaming subscriber to the extent the subscriber's mobile device is configured for and technically capable of receiving WEA alerts.

[78 FR 16808, Mar. 19, 2013]

§ 10.480 Language support.

Participating CMS Providers are required to transmit WEA Alert Messages that are issued in the Spanish language or that contain Spanish-language characters.

[81 FR 75726, Nov. 1, 2016]

Subpart E—Equipment Requirements

§ 10.500 General requirements.

WEA mobile device functionality is dependent on the capabilities of a Participating CMS Provider's delivery technologies. Mobile devices are required to perform the following functions:

(a) Authentication of interactions with CMS Provider infrastructure.

(b) Monitoring for Alert Messages.

(c) Maintaining subscriber alert opt-out selections, if any.

(d) Maintaining subscriber alert language preferences, if any.

(e) Extraction of alert content in English or the subscriber's preferred language, if applicable.

(f) Presentation of alert content to the device, consistent with subscriber opt-out selections. Presidential Alerts must always be presented.

(g) Detection and suppression of presentation of duplicate alerts.

(h) Preservation of Alert Messages in a consumer-accessible format and location for at least 24 hours or until deleted by the subscriber.

[73 FR 43117, July 24, 2008, as amended at 78 FR 16808, Mar. 19, 2013; 83 FR 8623, Feb. 28, 2018]

§ 10.510 Call preemption prohibition.

Devices marketed for public use under part 10 must present an Alert Message as soon as they receive it, but may not enable an Alert Message to preempt an active voice or data session. If a mobile device receives a WEA Alert Message during an active voice or