

February 1, 2022

The Honorable Jerrold Nadler, Chairman  
The Honorable Jim Jordan, Ranking Member  
Committee on the Judiciary  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Chairman Nadler and Ranking Member Jordan:

Drawing upon my experience as former Administrator of the Federal Emergency Management Agency under President Obama and as former Director of the Florida Emergency Management Division under former Florida Governor Jeb Bush, I am writing to express serious concern about the strain on the financial resources of local radio broadcasters and its impact on public safety and national security. I believe these concerns to be relevant to the Committee's scheduled hearing on February 2, 2022.

Local broadcasters, from the smallest to the largest, are vital to maintaining public safety in times of emergency, be they hurricanes, tornadoes, floods, infrastructure collapses, mass shooting events or other terrorist attacks. Additionally, our local radio stations serve as the backbone of our nation's National Public Warning System, which is a critical national security communications infrastructure in the event of an attack or other cataclysmic event warranting a Presidential message to the American people. The indispensability of local broadcasters to the safety and security of the American public demands that Congress think long and hard before adopting measures, regardless of how they may be characterized, that diverts resources from local broadcasters' news, information, and weather coverage.

In the more than twenty years since I became Director of the Florida Emergency Management Division and then FEMA, I have witnessed a distressing trend in weather emergencies. They have increased markedly in severity with attendant increased risk of death and destruction to those in their path. Whether in connection with Hurricanes Katrina, Sandy or Harvey, the catastrophic flooding in Iowa, or the devastating wildfires in California and Colorado, we all have heard that these were once in a lifetime event, today they are the new normal. These emergencies do not know geographic boundaries; they occur across our great nation impacting large cities and small towns.

The Honorable Jerrold Nadler  
The Honorable Jim Jordan  
February 1, 2022  
Page 2

Local radio broadcast stations serve almost every community in the United States. It does not matter whether they are owned by large companies or sole proprietors or families. They have a responsibility to serve the public. They have met the challenge in times of emergency. The public relies upon local radio for news, information, and weather, both in the run up to an event when forecasting enables early warning, during an event when instructions about how and where to shelter are critical and indeed lifesaving, and in the aftermath of emergencies when power may be out for days, and people remain at the mercy of life-threatening conditions. Local radio broadcasters often mobilize the entirety of their staffs, not just their reporters, to assist in networking residents with first responders and food and shelter providers. These are 24/7 operations. Local broadcasters need to have adequate financial resources on an ongoing basis to be able to perform competently in these emergencies. You cannot ramp up this capability instantaneously. This is especially true when power and other means of communication, such as mobile phones or the Internet, are unavailable.

Local broadcast radio also is essential to national security. Since the 1995 Presidential Memorandum establishing Primary Entry Points (“PEP”) system as “the cornerstone for the national-level Emergency Alert System (EAS),” approximately 75 local radio stations have been equipped to serve as PEPs. Moreover, state EAS plans are interdependent with the PEPs, involving many smaller radio stations. Indeed, under both Democratic and Republican administrations, FEMA has invested millions of dollars in “hardening” these radio stations to permit their withstanding High Altitude Electromagnetic Pulse attacks as well as protecting staffs from chemical and biological agents. If the nation were to experience an attack requiring Presidential communication to the public, key radio stations will be there to enable this essential communication. Importantly, as the threat of cyberattack becomes a more prominent national security concern, the role of local broadcast radio assumes ever increased importance because it may be the only reliable communications service if the Internet goes down.

I have personally witnessed the suffering people endure when disasters strike. I know the importance of local broadcast radio in preventing and then easing that suffering. I urge the Committee to refrain from imposing unnecessary financial burdens on local radio broadcasters that could impede their critical public safety and national security role.

Respectfully,



W. Craig Fugate  
Former Administrator, FEMA