

ATTORNEYS GENERAL OF NEW YORK, ARIZONA, CONNECTICUT,
DELAWARE, HAWAII, ILLINOIS, MAINE, MARYLAND, MASSACHUSETTS,
MICHIGAN, MINNESOTA, NEW JERSEY, NEW MEXICO, NEVADA, OREGON,
RHODE ISLAND, VERMONT, WASHINGTON, WISCONSIN, AND THE
CORPORATION COUNSEL OF THE CITY OF NEW YORK

November 7, 2025

Via Federal Express, E-Mail &
Via Electronic Submission to FCC on <https://www.fcc.gov/ecfs/>

Brendan Carr, Chairman
Anna M. Gomez, Commissioner
Olivia Trusty, Commissioner
Adam Candeub, General Counsel
Federal Communications Commission
45 L Street NE
Washington, DC 20554

**Re: Letter Demanding Publication in the Federal Register of
January 8, 2025 FCC Report and Order on Implementation of
Multilingual Wireless Emergency Alerts (DA/FCC #: DA-25-12)
Docket Nos.: 15-91, 15-94**

Dear Chairman, Commissioners and Mr. Candeub:

The undersigned attorneys general of New York, Arizona, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, Washington, Wisconsin, and the Corporation Counsel of the City of New York write to demand that the Federal Communications Commission (FCC or the Commission) comply with its legal obligations and submit for publication the January 8, 2025 Report and Order by the FCC's Public Safety and Homeland Security Bureau (the "Multilingual Alerts Order")¹ to the Office of the Federal Register. The Multilingual Alerts Order substantially expands multilingual access to life-saving Wireless Emergency Alerts (Alerts), and the Commission's failure to publish it for nearly ten months is both misguided and unlawful.

Accordingly, if the FCC does not submit the Multilingual Alerts Order to the Office of the Federal Register within thirty (30) days of your receipt of this letter, we are prepared to take appropriate legal action.

The Multilingual Alerts Order implements the Commission's October 2023 order, which approved a template-based system to make Alerts available in the 13 most commonly spoken languages in the U.S. besides English as of 2019, as well as

¹ https://docs.fcc.gov/public/attachments/DA-25-12A1_Rcd.pdf.

in American Sign Language.² Publication triggers a 30-month period for the U.S. wireless industry to make critical updates to support multilingual alerts.

The Commission is bound by the Administrative Procedure Act and the Freedom of Information Act (FOIA) as codified in the Administrative Procedure Act. FOIA requires that “[e]ach agency shall separately state and currently publish in the Federal Register for the guidance of the public . . . substantive rules of general applicability adopted as authorized by law” as well as “each amendment, revision, or repeal of the foregoing.” 5 U.S.C. § 552(a)(1)(D), (E). The Commission’s own regulations indicate that a report and order concluding an FCC notice-and-comment rulemaking is to be published in the Federal Register. 47 C.F.R. § 1.427(a).

The Multilingual Alerts Order is a “substantive rule[] of general applicability adopted as authorized by law” and modifies existing FCC regulations at 47 C.F.R. § 10.480 codifying requirements for Alerts. *See* 5 U.S.C. § 552(a)(1)(D). Its publication “currently” in the Federal Register is thus mandatory. 5 U.S.C. § 552(a)(1)(D) and (E). Indeed, one of the “ordering clauses” of the Multilingual Alerts Order states: “As provided in the 2023 WEA Report and Order, the adopted rule is effective 30 months *from the date of the rule’s publication in the Federal Register*.”³ It is therefore unlawful under federal law, and FCC’s regulations and adopted directives, for the agency to obstruct or delay publication of the Multilingual Alerts Order.⁴

Although most federal government operations are currently shut down, the submission for publication of the Multilingual Alerts Order—a ministerial but legally required action—falls well within the ambit of the Commission’s presently authorized operations. The agency’s September 30, 2025 *Plan for Orderly Shutdown Due to Lapse of Congressional Appropriation* directs that certain retained FCC employees perform activities either “expressly authorized by law” or “necessarily implied by law,” while many other core functions of the Commission are continuing because they are “funded through a source other than lapsed annual appropriations.”⁵ The submission of the Order for publication falls within one or more of these categories. As one example, the FCC submitted a Report and Order

² 88 Fed. Reg. 86824 (Final Rule adopted Oct. 19, 2023, published Dec. 15, 2023); <https://docs.fcc.gov/public/attachments/FCC-23-88A1.pdf>.

³ https://docs.fcc.gov/public/attachments/DA-25-12A1_Rcd.pdf. Page 65 ¶ 53 (emphasis added).

⁴ Guidance posted to the FCC website in July 2025 is inadequate because it fails to direct the U.S. wireless industry, in coordination with FEMA, to support transmission of Alerts in multiple languages, and merely encourages alert-originating public agencies—which the FCC does not regulate—to publish multilingual alerts on their websites. Commissioner Gomez noted this same concern at the August 7, 2025 Open Commission Meeting. *See* <https://docs.fcc.gov/public/attachments/FCC-25-50A1.pdf> at 38 (Statement of Commissioner Anna M. Gomez).

⁵ <https://www.fcc.gov/document/fcc-shutdown-plan-september-2025>. See page 2.

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adopted in August 2025 to the Office of the Federal Register, which duly published it on October 27, 2025.⁶

Accordingly, if the FCC fails to submit the Multilingual Alerts Order for publication within 30 days, we are prepared to take legal action.

Sincerely,



Letitia James
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⁶ *Review of Submarine Cable Landing License Rules and Procedures*, 90 Fed. Reg. 48,648 (Oct. 27, 2025).

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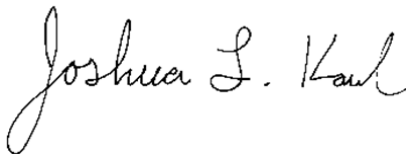
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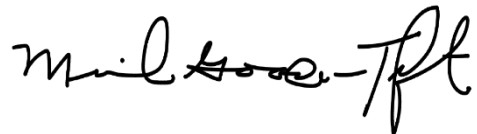
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