

Respectfully submitted by Rodney V. Zeigler September 9th, 2018
Director of Engineering, Nebraska Rural Radio Assn.
Chairman, Nebraska State Emergency Communications Committee
Executive Director, National Emergency Broadcast Assn.

Regarding EAS R&O/FNPRM FCC PS Docket 15-94

RULE CHANGE: 11.45 Prohibition of false or deceptive EAS transmissions

I request that should the Commission intend to hold harmless the EAS participant if they are unaware that a transmitted alert is false, that it be codified in the Rules and Regulations. While the current Commission may very well have this intent it is quite possible future Commission's would not, unless it is so codified.

I would also request that guidance regarding what constitutes a "False Alert" be included in the rules as well. Multiple RWT's from an originating source in a single week? An unscheduled RMT sent instead of an RWT by an originating source? A malicious vs. accidental alert being sent? Should tests (RWT's and RMT's) be exempted as not actual alerts, but only system testing methods? My personal feeling is that tests should be exempted since problems such as those stated above are not uncommon, but are used as learning tools for both the originator and EAS participant.

I would also request that reporting the event be the only thing that EAS participants should have responsibility for, unless the participant themselves were the originator of the false alert. Should the latter be the case they, being the originator, are best suited to give an explanation. An EAS participant that only forwards an otherwise legitimate looking alert should not have to do any investigation into the cause or intent of the originator. That function is better left to agencies with authority over the originator.

I must reiterate that in general the station's engineer is the person that has to deal with EAS rules and regulations. These engineers are becoming fewer each day and the engineers still left in the field are being burdened with more responsibilities to overcome this shortage. In the Summer and Fall of 2018 alone these engineers are dealing with Forms 1, 2, & 3 for the NPT, upgrading EAS equipment security certificates, as well as the DIRS exercise. This is on top of the required weekly review of the EAS logs as well as their regular duties. You can see that multiplying the above activities 5, 10, or even 20 times becomes quite burdensome. Anything the Commission can do now, and in the future, to relieve some of the burden on these engineers would be greatly appreciated. To understand how critical this engineering shortage is, I would invite you to contact broadcast engineers in the Washington, D.C. area to get their input into the matter.

PROPOSED RULE CHANGE: 11.21 State and Local Area plans and FCC Mapbook

Since EAS participants themselves do not originate alerts, except for testing purposes and extremely rare exigent circumstances, including anything outside the scope of the EAS mission of relaying alert messages should not be in the State EAS Plans. The Federal, State, and Local agencies that originate alerts are the agencies best suited to deal with any issues stemming from alert origination.

Training and practice are the only activities that will mitigate future accidental false alerts. Including training and practice requirements into law enforcement and emergency management grant applications, by the agencies that oversee these grants, would be the best way to initiate these activities. Malicious false alerts can only be mitigated by increased security measures, with fines and criminal penalties levied against the perpetrator.