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February 23, 2016

**Via ECFS**

Marlene H. Dortch, Secretary  
Federal Communications Commission  
Office of the Secretary  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Amendment of Part 11 of the Commission's Rules Regarding the  
Emergency Alert System (PS Docket No. 15-94) and Wireless  
Emergency Alerts (PS Docket No. 15-91)

On Monday, February 22, 2016, the National Alliance of State Broadcasters Associations (NASBA) sponsored a 2016 Emergency Alert System (EAS) Forum at the National Press Club that included the FCC personnel listed below.

This EAS Forum was convened primarily as an update on EAS for NASBA members; however, some attendees raised comments related to the currently open Notice of Proposed Rulemaking, *In the matters of the Emergency Alert System and Wireless Emergency Alerts*, PS Docket Nos. 15-94 and 15-91, FCC 16-5 (rel. Jan. 29, 2016).

Pursuant to 47 C.F.R. § 1.1202, "communications which are inadvertently or casually made, inquiries concerning compliance with procedural requirements if the procedural matter is not an area of controversy in the proceeding, statements by decisionmakers that are limited to publicly available information about pending proceedings, and inquiries relating solely to the status of a proceeding" are exempt from the FCC Rules requiring Notice of an Ex Parte Presentation. In the interest of full disclosure, however, Gary Timm, an attendee of the EAS Forum, prepared the following summary of the meeting, which we are submitting on behalf of NASBA as the sponsor of the forum.

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Sincerely,

/s/  
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Richard R. Zaragoza

*Counsel for the National Alliance of  
State Broadcasters Associations*

cc:  
David Simpson  
Gregory Cooke  
James Wiley  
Austin Randazzo

2016 Emergency Alert System Forum  
Monday, February 22, 2016 2:00 to 4:00 p.m.  
National Press Club

	<b><u>Attendee</u></b>	<b><u>Agency or Organization</u></b>
1	David Simpson	FCC – PSHSB
2	Gregory Cooke	FCC - PSHSB
3	James Wiley	FCC – PSHSB
4	Austin Randazzo	FCC – PSHSB
5	Wade Witmer	FEMA IPAWS Division
6	Manny Centeno	FEMA IPAWS Division
7	Al Kenyon	FEMA IPAWS Division
8	Pam Holstein-Wallace	FEMA IPAWS Division
9	Michael Gerber	NOAA / National Weather Service
10	Robert Bunge	NOAA / National Weather Service
11	Timothy Schott	NOAA / National Weather Service
12	Craig Hodan	NOAA / National Weather Service
13	Robert Hoever	National Center for Missing and Exploited Children (NCMEC)
14	Suzanne Goucher	Maine Association of Broadcasters / SECC Chair
15	Dave Arland	Indiana Broadcasters Association
16	Sam Klemet	Indiana Broadcasters Association
17	Michael Ryan	Connecticut Broadcasters Association
18	Ed Brouder	New Hampshire Association of Broadcasters / SECC Chair
19	Keith Shipman	Washington State Association of Broadcasters Oregon Association of Broadcasters
20	Henry G. Lackey	Kentucky Broadcasters Association
21	Jordan Walton	Massachusetts Broadcasters Association
22	Larry Walke	National Association of Broadcasters
23	Kelly Williams	National Association of Broadcasters
24	Lori Needham	Rhode Island Broadcasters Association
25	Sharon Tinsley	Alabama Broadcasters Association
26	Art Brooks	Arizona Broadcasters Association
27	Karole L. White	Michigan Association of Broadcasters
28	Oscar Rodriguez	Texas Association of Broadcasters
29	Jim du Bois	Minnesota Broadcasters Association
30	Gary Timm	Wisconsin SECC / SECC Chair
31	Michelle Vetterkind	Wisconsin Broadcasters Association

32	Jim Timm	Nebraska Broadcasters Association
33	Cathy Hiebert	Alaska Broadcasters Association
34	Dewey Bruce	Montana Broadcasters Association
35	R. Dale Gehman	Gehman Compliance & Consulting
36	Jonathan Shields	Blueberry Broadcasting LLC & Maine Association of Broadcasters
37	Polly Prince Johnson	Louisiana Association of Broadcasters
38	Whit Adamson	Tennessee Association of Broadcasters
39	Frank Jazzo	Fletcher, Heald & Hildreth
40	Chris Leonard	New West Broadcasting / Hawaii Association of Broadcasters
41	Phyllis Kihara	Hawaii Association of Broadcasters
42	Edward Czarnecki	Monroe Electronics
43	John George	South Carolina Broadcasters Association / SECC Chair
44	Margaret Wallace	South Carolina Broadcasters Association
45	Susan Wrons	New Mexico Broadcasters Association
46	Laura Cole	Kentucky Broadcasters Association
47	Niki Thomas	Alabama Broadcasters Association
48	Mary Beth Sewald	Nevada Broadcasters Association
49	Sue Toma	Iowa Broadcasters Association
50	Beth Helfrich	North Dakota Broadcasters Association
51	Michael Zabriskie	Utah Broadcasters Association
52	Michelle Crist	West Virginia Broadcasters Association

### **Introductions**

Al Kenyon informed the group that the next Regional NPT test would occur on Wednesday (2:20 Eastern). He stated that this test was very important because Members of Congress would be watching. He also stated that FEMA/IPAWS was working toward a National Test, to take place after July 30 when the rules go into effect. The National Test will be on Wednesday, September 28 at 2:20 Eastern.

The moderator asked Admiral Simpson if the FCC wants states to continue to submit updated State EAS Plans for FCC approval. Admiral Simpson said yes, continue to submit them, and when the Electronic Test Reporting System (ETRS) comes online the FCC will ingest the plan files already submitted and approved. He expects ETRS to be up in the late Summer 2016 timeframe.

Admiral Simpson also commented on the current EAS/WEA Notice of Proposed Rulemaking (NPRM), saying that the NPRM was supported by all the FCC

Commissioners. Putting State EAS Plans online will give more visibility for communities. He said the FCC wants EAS tests to be a part of community preparedness, so it is proposing to eliminate the need for FCC waivers by putting the requirements into the rules. There have been numerous requests to use the EAS tones in public service announcements, so the FCC is proposing that be put into the rules as well. He also stated that the FCC is proposing that the four CSRIC security best practices become mandatory for EAS Participants through a certification requirement, and that the FCC has asked whether EAS should be extended to other platforms, such as OTT and online video services. The FCC also seeks comments on how to implement multilingual EAS.

Bob Hoever, Director of Special Programs, Missing Children Division, discussed the “Teamwork” approach with EAS (800 children safe - 25 from Wireless Alerts).

Craig Hodan of the National Weather Service (NWS) said the NWS is on the verge of implementing HazCollect—i.e., the ability to receive non-weather emergency alerts. The new NWS software for controlling NOAA Weather Radio transmitters, Broadcast Message Handler (BMH) has completed Operational Testing and is now being deployed at all NWS WFOs.

Mike Gerber of the NWS stated that they could do NWS alerts over the IPAWS EAS feed right now, but were concerned about duplicate EAS activations. They cannot detect duplicate messages from CAP and SAME. Mr. Gerber noted that what is not in the current FCC NPRM is that the March 2013 – CSRIC III Working Group 9 had a proposal to fix this issue by adding tag date to identify messages, and offered 4 different methods to do it; so he said that NWS will likely file NPRM comments to propose this. He added that Alerts.weather.gov is still doing alerts in CAP 1.1, but has a beta of CAP 1.2 that is currently under review, (with the hope of putting out a notification for public review next month). This webpage features more query capabilities.

Gary Timm stated that the EAS Security subgroup’s report is completed and will be presented at the March full CSRIC meeting. The EAS Operating Handbook Update subgroup has completed a first draft of an updated EAS Operating Handbook, and is now drafting instructions for completing the customizable sections of the Handbook. This sub-group’s report is due at the June 2016 CSRIC full meeting. The Multilingual sub-group’s report is also due at the June CSRIC meeting.

Jim Du Bois discussed efforts related to the multilingual pilots started in Minnesota in 2008 during the DTV Transition. ECHO Minnesota merged with Twin Cities Public Television (TPT) recently. They did soft-test language (English and Spanish). Now

and are adding to those two Hmong and Somali. ECHO also does other languages. In 2011 – in prep for national test – they did those languages plus Lao. ECHO Ambassadors are the foreign-language speakers who write the messages. ECHO is currently testing via EAS/IPAWS, and ECHO maintains social media outreach, as well. This effort takes a lot of community education; for example, there is no word for “tornado” in Hmong. The initiative is on-going. Original funding came from a Corporation for Public Broadcasting (CPB) Grant to TPT. Now that the CPB Grant has run out, they are going to the Minnesota Legislature to request additional funding.

**Questions from the audience:**

Jim du Bois asked Admiral Simpson which language comes first, noting that, because this could be based on population %, broadcasters have to pick and choose. Admiral Simpson answered that, for WEA, consumers select the language when they set up their phones. He stated that it would be nice to just get English and the language selected, and to get away from how many you can send in sequence.

Sharon Tinsley asked Al Kenyon if FEMA was looking for informal input on Wednesday’s test (as no formal reporting system is in place). Mr. Kenyon answered that the agency was just looking for information, however broadcasters want to provide it. They primarily want to hear about problems, so they can be solved. Mr. Kenyon added that the system seems quite reliable. Sending an alert thru IPAWS, one receives it from two additional sources on average (redundancy).

Suzanne Goucher asked what changes and/or improvements is the FCC looking at for the Electronic Test Reporting System? Greg Cooke answered that he knows FEMA is shooting for a September National Test, so the FCC hopes to have ETRS all up and running by June so that all EAS Participants can input initial data and be ready for a national test. Goucher followed up by asking whether there will be a return receipt, to which Mr. Cooke responded yes, adding that they hope to have authorization e-mail response.

Gary Timm: With the new NWS BMH software deploying, might NOAA Weather Radio now be capable of carrying the EAN message? Craig Hodan: BMH is a stepping stone, but not a full solution. NWS has no EAN connection, and then would still need routing to the NWR transmitters. BMH deployment will take 1 year, so that needs to occur first.

Kelly Williams commented that message duplication has been a problem for 5 years, and asked if the FCC is testing it and what will be the path forward/solution(s)? Wade Witmer responded that it has been tested at JITC, and ECIG worked on it as

well. It is a translation CAP/EAS issue. Craig Hodan added that BMH helps, but not across the board; NWS pathways still create differences and messages generated at the WFOs are re-done within the NWS systems.

Jim Timm asked, with respect to the State EAS Plan online submission portal, if this will be a template so they can address specific criteria or will they just upload the plan they've designed? Admiral Simpson responded that it is not the FCC's intent to constrain state innovation, but to recognize that it would be useful to have common fields. The FCC's intent is to support both. Gregory Cooke advised to comment on this in the NPRM comments.

Manny Centeno explained that some new PEP stations were added over the last 2 years, and the focus now is on modernizing the legacy stations. It is a slow process due to funding. The next to break ground on modernization will be in Detroit, which will begin this calendar year. There is a need to modernize approximately 30 legacy stations, and they're trying to modernize components of these older stations. The satellite network is currently active: All PEP stations can receive/transmit via satellite to FEMA center. It is possible to do a satellite-delivered EAN if needed today. Admiral Simpson asked whether the FCC should evolve to new platforms so as not to leave anyone out (Netflix, Spotify, etc.)? Chris Leonard responded that the FCC should stay focused on broadcast, because, for example, during hurricane in Hawaii, all cell phones were down and the broadcasters were the only information source.

Whit Adamson raised the issue of cable systems locking up during actual tests. He said that Comcast in Tennessee finally upgraded to not interrupt broadcasters with cable EAS messages, so now the problem has pretty much gone away. He noted that the problem can be fixed but that it takes time and attention. Admiral Simpson stated that the FCC seeks comment on this in the current NPRM.

Suzanne Goucher expressed appreciation for the FCC's willingness to tackle this in the NPRM.

Dale Gehman stated that he has noticed other information in top 1/3 of the screen, where the EAS crawl is supposed to go. Syndicators have jumped closed-captioning to the top so "talent" is not covered up. As a result, the EAS activation may be a jumbled mess. Mr. Gehman asked if the Commission do anything about this. Admiral Simpson asked whether the third-party set top boxes proposed might put even more on top of the screen. Mr. Cooke noted that last June, the FCC released an Operational Order that the rules say the EAS crawl goes at the top of the screen and must be legible. Complaints can be filed with the FCC if this text is blocked.

Larry Walke asked about the annual certification approach: What happens if an EAS Participant cannot certify they have addressed issues; or, if they have, but still get hacked? Admiral Simpson answered that the FCC would enforce a failure to certify, but the FCC would rather get a certification that says you have 3 measures in place and are working on the 4<sup>th</sup> than no certification at all. The FCC is open to hearing from all interested parties on what they think is appropriate. Larry noted that he hopes “Certified ‘as is’” is what it turns out to be.

Suzanne Goucher asked the NWS representatives how many local NWS meteorologists serve on State EAS Committees? Tim Schott answered that there is usually at least one.

Suzanne Goucher asked FEMA how the IPAWS COG sign-ups are going, and if they are close to all 50 states? Wade Witmer responded that Montana is the only state government that has not signed up for IPAWS. Duplication is a big issue there with only two NWS offices. Sign-ups so far are at about 600 state/local entities. Many states have more than one authority.

Admiral Simpson stated that he has heard that most SECC’s do not have cable representation, and that this “cable gap” is an FCC concern.

Suzanne Goucher stated that she wants to see “The SECC writes the State EAS Plan” put into the rules, but of course, the FCC can’t “make” states do anything. She recommended in the next CSRIC to do a subcommittee on what carrots/sticks to use with local folks to make sure the right people are at the table and to make sure we’re having the right conversations. Admiral Simpson commented that this was a great recommendation, and that there are significant differences state-to-state.

Gary Timm commented that the NPRM adds a lot of things into the State EAS Plan, such as WEA, highway sign use, and social media, and asked why the FCC believes these things belong in a State EAS Plan. Admiral Simpson answered that the FCC knows SECCs with limited resources may want to stay on EAS in the Plan, but that some states want to bring in innovation. So this information may just be fields in the template that states can answer to the degree that they wish. But the FCC wants to leave room for innovation. Wade Witmer noted, as an example, that during the Boston bombing, authorities used WEA to direct public attention to Media. Manny Centeno commented that something that works in one state may not work in another.