TO: Federal Communications Commission April 25, 2016
RE: EAS Rule, NPRM Proposed New Language Proceeding Number 15-94

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11.18(b) EAS Designations:

FCC NPRM: "A National Primary (NP) is the entity tasked with the primary responsibility of delivering the Presidential alert to a state's EAS Participants. Thus, for a state that has a FEMA-designated PEP, that station would be designated as that state's National Primary. For a state that does not have a PEP, another station would act as National Primary."

TAB Comment: In Tennessee, we have four (4) designated PEP's statewide. This statement seems to presume a PEP covers the entire state and only a single NP source is needed? That will not work for Tennessee. For Tennessee to successfully transmit a statewide signal from the central point of entry like our state Capital in Nashville, going both east and west, we must utilized a private state network like iheartmedia's Tennessee Radio Network, which is uplinked and simultaneously sent across our state to participating network stations via their satellite. The Relay Stations pick up the signal from those stations and the "daisy chain" completes the statewide coverage and signal retransmission. The more primary entry points, the better for Tennessee. Public Radio, satellite networks, the National Weather Service would all be welcome. We do not trust the reliability, or capability of the current phone or internet sources. The language also seems to presume that the National Primary is a "station", which is not true in Tennessee.

11.18(d) EAS Designations:

FCC NPRM: "A Relay Station (RS) retransmits EAS messages, including the Presidential Alert and state and local alerts, to Local Primary (LP) sources for distribution to Participation National sources, and the public, as necessary."

TAB Comments: In discussion paragraph 17 of the NPRM, the FCC proposes to eliminate the State Relay (SR) designation and replace it with the Relay Station (RS) designation. In the rule language proposed here, they say the RS sends messages to the LP, but in paragraph 17 they say the RS feeds messages from the LP to the PN – these two statements are in conflict. We do not agree that the State Relay (SR) designation should be eliminated and there is no need for a relay source designation that relays messages from the LP to the PN. The more links, the worse the system operates. This section should be rewritten.

11.21(a)(2) State and Local Area plans and FCC Mapbook:

FCC NPRM: "The plans include the following elements…procedures for state emergency management officials, the National Weather Service, and EAS Participant personnel to transmit emergency information to the public during an emergency using regulated alerting tools as well as any non-

regulated alerting mechanisms, including the extent to which the state's dissemination strategy for state and local emergency alerts differs from their Presidential Alerting strategy;"

TAB Comments: This proposed rule adds that State EAS Plans include procedures for alerting via WEA, highway signs, and social media. We do not agree that the State EAS Plan should include mandated procedures for alerting via WEA, highway signs, social media or secondary and additional sources.

11.21(a)(5) State and Local Area plans and FCC Mapbook:

FCC NPRM: "The plans include the following elements… state procedures for special EAS tests, Required Monthly Tests (RMTs), Required Weekly Tests (RWTs) and national tests designed to ensure that the system will function as designed when needed for a Presidential Alert, including a description of the extent to which State and Local WEA Tests are utilized by alert originators as a complement to the Presidential Alert distribution system to verify that WEA is capable of informing the public that a Presidential Alert is presently being delivered over EAS;"

TAB Comments: This proposed rule adds that State EAS Plans include procedures for national tests and Local WEA Tests. We agree that State EAS Plans should include procedures for national tests, although due to the fact that each testing procedure could be a different and unavailable time zone, geography, feed, etc. Our Tennessee State EAS Plan should not include procedures for Local WEA Tests. A Local WEA Test to verify that WEA is capable of informing the public that a Presidential Alert is presently being delivered over EAS can never be a measure of its success.

11.21(a)(6) State and Local Area plans and FCC Mapbook:

FCC NPRM: "The plans include the following elements… the extent to which alert originators coordinate "one-to-many" alerts with "many-to-one" community feedback mechanisms, such as 9-1-1, to make full use of public safety resources;"

TAB Comments: This rule proposes a totally new concept for State EAS Plans and will create huge difficulties for a "volunteer" based SECC and committee of stakeholders. One-to-many is a typical originator sending an alert out to many citizens, and many-to-one is a concept where those many citizens could respond back to the one originator with information to aid first responders in responding to the emergency. The one-to-many/many-to-one additional concept does not have a place in State EAS Plans. Our one-to-many, broadcasted backbone simply cannot be diluted with the many other platforms and formats available now and in the future. The 9-1-1 feedback mechanisms also do not have a place in State EAS Plan.

11.21(a)(7) State and Local Area plans and FCC Mapbook:

FCC NPRM: "The plans include the following elements…specific and detailed information describing the procedures for ensuring EAS Participants can authenticate the current assigned state, local and tribal originators, if the state initiates EAS messages formatted in the Common Alerting Protocol (CAP) signed with a digital signature as specified in the Organization for the Advancement of Structured Information Standards (OASIS) Common Alerting Protocol Version 1.2 (July 1, 2010), its EAS State Plan;"

TAB Comments: In the NPRM discussion, the FCC suggests maintaining a list of CAP alert originators as a security measure for EAS Participants to verify alert originators. This rule proposes that such a list be in the State EAS Plan which will be an administrative nightmare delegated to historically small staffs and personnel. We believe this is a function of FEMA's responsibility, as it maintains the current IPAWS alert originator database. TN could be capable of keeping a state list.

11.21(a)(8) State and Local Area plans and FCC Mapbook:

FCC NPRM: "The plans include the following elements…the SECC governance structure utilized by the state in order to organize state and local resources to ensure the efficient and effective delivery of a Presidential Alert, including the duties of SECCs, the membership selection process utilized by the SECC, and the proposed administration of the SECCs." This rule proposes that State EAS Plans include details of the SECC governance."

TAB Comments: TAB agrees that the State EAS Plan should list the SECC duties, membership selection process, and SECC administration in general terms. We are firmly convinced however, that each state is different and must be administered as such.

11.33(a)(10) EAS Decoder:

FCC NPRM: "Message Validity. An EAS Decoder must provide error detection and validation of the header codes of each message to ascertain if the message is valid. Header code comparisons may be accomplished through the use of a bit-by-bit compare or any other error detection and validation protocol. A header code must only be considered valid when two of the three headers match exactly, the Station ID header code matches one of the assigned monitoring sources as specified in the state plan and the expiration time is in the future. Duplicate messages must not be relayed automatically."

TAB Comments: This rule proposes in the validation of header codes, that "… the Station ID header code matches one of the assigned monitoring sources as specified in the state plan…" We believe it would it be an undue burden to require SECCs to list the Station ID (L-Code) used by all assigned monitoring sources in the State EAS Plan.

11.56© Obligation to process CAP-formatted EAS messages:

FCC NPRM: "EAS Participants shall configure their systems to treat as invalid all CAP-formatted EAS messages that include a digital signature that does not match an authorized source from FEMA or from a designated source as specified in the state EAS plan."

TAB Comments: Similar to 11.21(a)(7) above, this rule proposes that the State EAS Plan should maintain a list of CAP-alert originators in the state that is used for validating messages which could be ongoing and problematic for a small volunteer staff, but agree that this should be done.

11.61(a)(5) Live Code Tests:

FCC NPRM: "Live Code Tests may be conducted to exercise the EAS and raise public awareness, provided that the entity conducting the test: (i) Provides notification in accessible formats during the test (e.g., audio voiceovers, video crawls as described in 47 C.F.R. § 11.51) to make sure the public understands that the test is not, in fact, warning about an actual emergency; (ii) Engages in outreach pre-test to coordinates among EAS Participants and with state and local emergency authorities, as well as first responder organizations (e.g., Public Safety Answering Points (PSAPs), police and fire agencies, and the public in order to notify them that live event codes will be used, but that no emergency is in fact occurring."

TAB Comments: This is a new proposed rule to codify the Live Code Test procedures that the FCC has previously handled via individual waivers issued to states for each test. With adoption of this rule, the waivers would no longer be required. TAB is concerned that this new rule meets all the needs for enabling states to conduct Live Code Tests and feel strongly that the viewers and listeners will be confused. Previously, TAB has opposed Live Testing during Tornado Week in Tennessee by the National Weather Service.

TABLE 2: NPRM

¶25 State EAS Plan Filing Interface (SEPFI): FCC states: We propose to convert the paper-based filing process for State EAS Plans into a secure, online process using a State EAS Plan Filing Interface (SEPFI) that would be designed to interoperate with the ETRS. The data collected in SEPFI would complement the monitoring assignment data already collected by ETRS. The data collected via ETRS and SEPFI would provide an end-to-end picture of the EAS distribution architecture for each state that could be used to populate an EAS Mapbook. We propose that the entry format for State EAS Plan data into SEPFI would be a pre-configured online template to be designed by the Bureau in collaboration with SECCs and other stakeholders, using a similar to process to the one we directed the Bureau to use when designing the templates for ETRS. CSRIC IV observes that State EAS Plans are inconsistent in both structure and content, and that "[t]his lack of consistency makes it difficult for the FCC to determine if a proper distribution network exists for . . . distribution [of the Presidential Alert] in each state."

TAB Comments: Moving the plans online would make it easier for the stations to follow the rules and also post their results from tests. It will also make it easier for some stations to get caught not following the rules which means those stations will be against these changes likely.

¶26 State EAS Plan Filing Interface (SEPFI): Efficiencies: SEPFI will be prepopulated with CBDS and LMS data (says LMS will be replacing CBDS). "We also seek comment on any legal fees that SECCs may incur in order to ensure compliance with our proposed State EAS Plan requirements."

TAB Comments: Prepopulating the fields will make it easier for stations. Legal fees are possible for several reasons and should be kept in mind. It appears to us that the plan will be a boiler plate plan which means all states will be basically the same. It will make it easier for the FCC to review the plans as they are turned in and will likely be a timely process.

¶27 State EAS Plan Filing Interface (SEPFI) (con'd) SEPFI would help FCC in reviewing plans, which can be partially automated.

¶28 State EAS Plan Filing Interface (SEPFI) (con'd) Would adopting a standardized online template dramatically increase the consistency and thoroughness of State EAS Plans?

¶29 State EAS Plan Filing Interface (SEPFI) (con'd) Should FCC base the SEPFI template on the Washington State EAS Plan documentation in the CSRIC IV report?

TAB Comments: We think this is a bad idea. So many states simply do things differently that having a standard plan would be a huge mistake in my book. We believe each state should have their own plan. All states are different and it will be nearly impossible to base this around one state's plan.

¶30 State EAS Plan Filing Interface (SEPFI): (con'd) Who should have access to SEPFI? What data? Should FCC use the DIRS two-layer security model of an SECC ID and individual User ID?

¶31 State EAS Plan Filing Interface (SEPFI): (con'd) How should FCC protect potentially sensitive data in State EAS Plans?

TAB Comments: Anyone that is entering data should have access. It should be limited to only those involved in the data entry including backup personnel. I agree that a login name and password as well as an ID be used to log into the site. Our concern is for whoever is responsible for creating and making this ID system work. Protecting the system can be done in any number of ways, but as we all know in this day and age nothing is truly secure or safe.

¶32 Reestablishing the EAS National Advisory Council (NAC). Should the FCC reestablish the National Advisory Council (NAC)? Should the NAC be charged with initial State EAS Plan approvals? Should the NAC perform outreach to SECCs? What should the NAC membership be?

TAB Comments: We don't see reestablishing the NAC as a bad thing. The NAC could be in charge of Plan approval. The FCC is also a good source of being in charge of approval. If the NAC is put back in place then it should be directly involved with the SECC's. Limiting or removing their power would be a mistake in our opinion. The NAC should be made up of all the SECC's, SBE and possibly even the NWS. It might also consider the state bureaus of investigations.

¶34 State EAS Plans CSRIC IV says the role of SECCs should be strengthened.

TAB Comments: We agree that it should be strengthened and allowed to enforce the rulings of the state plan at a minimum. We believe the system would be stronger if NPR and PBS satellites were used along with the other sources. Internet and phone feeds will be the first to go down under duress. We believe NWS will also stay up in our opinion.

¶36 State EAS Plans: FCC says, "We propose to… include new elements designed to enhance the value of State EAS Plans as community alerting tools…"

TAB Comments: A State EAS Plan should be used to alert anything in the list available for EAS. EAN should have highest priority but the rest should be available to the community.

¶39 State EAS Plans: FCC asks, "Is it reasonable to require that all entities authorized to activate the EAS should be included in State EAS Plans?

TAB Comments: We believe that is a fair request. Anyone who has access to send an alert should be on a list and be trackable

¶40 State EAS Plans: In proposed rule 11.21(a)(8), FCC proposes that State EAS Plans include description of SECC governance structure: Duties, member selection process, and administrative structure.

¶41 State EAS Plans:

TAB Comments: If the FCC is going to govern the SECC's then shouldn't they just do the job themselves? As a serious question, does that not make more sense? We have no problem with the FCC and guidance, but think final control should be in the hands of the SECC's. We believe the state plan is all that is needed to cover everything. A local plan will just make a mess of things in my opinion.

¶48 State EAS Plans FCC asks Operational Area questions:

TAB Comments: Our operational areas are defined based on coverage and reception capability. All our stations including our PEP's are CAP capable. We believe they should all remain that way for added backup and coverage. We do not have different areas for EAN and state alerts. We do not believe we need operational areas. We don't believe an operational area as definition is needed.

¶49 State EAS Plans. FCC proposes to remove current restriction that State EAS Plan monitoring assignments be legacy-only to allow CAP and future technologies for delivery of Presidential message.

TAB Comments: We believe removing any coverage that is already in place is a mistake on the FCC's part. It's well known that the internet and similar sources are unreliable and will only hurt rather than help the cause.

¶50 State EAS Plans. FCC seeks comment on setting the condition that two monitoring assignments can't monitor the same source. CSRIC says need to eliminate single point of failure.

TAB Comments: In several cases in our state multiple stations must monitor a single source. It is that or, monitors none at all.

¶51 State EAS Plans. FCC states: We further propose that State EAS Plans should include the extent to which monitoring assignments for state and local alerts differ from monitoring assignments for the Presidential Alert. To what extent do states' Presidential and local alerting strategies differ?

TAB Comments: As stated earlier, in the state of Tennessee monitoring multiple sources for different reasons simply isn't possible. If the FCC cares to fund the stations to send and receive these sources it might be different, but this is a completely bad idea our opinion.

¶52 State EAS Plans. Proposes moving parts of 11.52 and 11.55 into 11.21 to consolidate State EAS Plan info.

TAB Comments: The State EAS Plan should not be removed from the system. If we understand the question correctly, states will be allowed to opt out of the state EAS plan and only be a part of the national plan for the presidential relay? That simply asks for trouble if you ask us.

¶179 Timelines. FCC Proposed Rules Implementation Timelines: EAS Designation changes: Rules would be effective within 30 days of publication in the Federal Register. State EAS Plan content changes: Within six months of release of a Public Notice announcing OMB approval of related information collection requirements, or within 60 days of release of a Public Notice announcing the availability of SEPFI to receive State EAS Plans, whichever is later?

TAB Comments: We don't see how you can gather all the input and come to a conclusion in that short of a window. We would suggest a minimum 120 days and to leave time of up to a year for states to put everything together before turning in their plans.

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