Before the

Federal Communications Commission

Washington, D.C. 20554

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

COMMENTS OF THE WASHINGTON STATE SECC

NOTE: The following comments reference those sections of the Docket which we wish to address

SECTION 2

a) Unified designations certainly have value, however, with much of today's distribution architecture there are issues that need to be resolved.
b) The use of an on-line filing system will be a significant step forward in the Commission's plan review efforts.

c) Having a standardized template for State Plans is considerably overdue.
d) The lack of guidance from the FCC regarding the structure and composition of SECC's and LECC's has resulted in un-necessary variations in the manner that these Committees are constituted and operate. We encourage the FCC to formulate specific rules, within Part 11, dealing with the responsibilities and structure of EAS steering committees and not leave this matter to footnotes and discussion comments.

SECTION 3

We are pleased with the Commissions interest in resolving the matter of 'Cable Over-ride' . This issue has been the subject of a number of discussions within the Washington State SECC with the result of considerable frustration. This is another example of a complex issue where the time has come for resolution.

SECTION 4

The matter of security is a subject for the experts that deal with these issues. It is certain that greater emphasis must be placed on security of all public warning systems. With the ever increasing number of 'hackers' looking for targets, efforts at enhancing the security of these systems must be fast-tracked, especially those systems that are IP based.

SECTION 6

The Washington State EAS Plan recognizes that there are often two methods of distributing public warning messages via the EAS –

1- Legacy Analog systems using SAME technology
2- Newer Digital system using CAP/IP technology.

Our EAS plan makes these two, often parallel, methods abundantly clear. We encourage The Commission to recognize the fact that we now have multiple methods of message generation and distribution and that these two methods function as redundant systems.

a) Regarding the 'Daisy Chain', the Washington State SECC, in writing our first State EAS plan, recognized that the Daisy-Chain was famous for being a 'lightning rod' for comments critical of the EBS. Having a public warning system that is reliant on a daisy-chain-based relay system is, in our view, an exercise in very poor planning and should be discouraged at the highest level.

b) Another weak-link in the Daisy Chain method of Public Warning Message Distribution is the fact that Local Primary stations can simply elect to not participate thereby rendering a severe blow to the functionality of EAS for anything other than FCC required message relaying.

c) Washington State still uses the concept of Local Primary (LP's) for National Message distribution where the SECC can control these stations Monitoring Assignments , however, we feel the mission is better served through the use of Point-Multi- Point or One to Many systems.

d) Washington State feels, strongly, that Broadcast Stations role in EAS should NOT be as relay stations but rather a means of reaching the public with messages that are targeted to citizens in their coverage areas. We feel all relaying or distribution from EAS message sources to those systems that reach the public (Radio, TV, Cable etc.) should be handled using 'back-ground' channels only.

SECTION 7

Washington State was fortunate to have operated a pilot project that was the basis of much of what has become FEMA/IPAWS or IPAWS/Open. In our case My State USA, now known as Alert Sense, continues to serve as the State's CAP aggregator (or CAP Server). This system was made operational several years prior to FEMA/IPAWS and remains operational today. Many States, like Washington, have their own system of public warning message distribution that support CAP. At the broadcast station or cable-system level, most of these systems are polling both CAP distribution systems. Our wish is that the Commission would continue to recognize these configurations.

It should be noted that this area of message distribution is evolving at a rapid pace with a number of commercial providers in the market place providing states, counties and cities with integrated services in addition to the role of supporting and providing connectivity for EAS related systems.

SECTION 8

Washington States EAS committee structure includes an SECC that functions as a steering committee for all EAS and related public warning systems in the State. The SECC provides guidance for the LECC's. Each LECC is to designate a representative that serves on the SECC.

a. The role of the LECC is critical to the mission of EAS for a number of reasons –

b. Washington is a 'Home-Rule State', therefore, the State has limited authority over the counties.

c. Washington State is divided into multiple 'Operational Areas'. Operational areas are comprised of one or more counties. Operational areas include portions of adjacent states. Each Operational Area has an LECC

d. As has been stated so many times – 'All emergencies are local' therefore, local areas are best suited to handle public warning systems administration for their areas.

e. LECC's must include all the stakeholders involved with systems and organizations within their area.

f. Each LECC has a representative that serves on the SECC.

In the past, parties working within the State of Washington Emergency Management Division (EMD) asked the SECC for supporting documents that showed the FCC's intended structure and role for the SECC's and LECC's. Unfortunately the amount of material within Part 11 is vague or lacking. Granted, a lot of what these Committee's do is based on historic performance and tradition. We respectively submit that the time is overdue for the Commission to establish something more formal that can be used in cases like this. There is nothing like being able to reference a specific rule.

We caution the Commission on the use of 'State EAS Plans'. The role of the EAS over the years has increased to include many issues that are well beyond those related to the distribution of National Level EAS messages (EAN's etc.) and the testing of those systems (RMT's and RWT's) to include such warnings as – Child Abductions, Volcano Warnings etc. Most progressive State Plans (such as the one in use in Washington State) go well beyond the interests of the Commission. The issue is that the term 'State EAS Plan' means different things to different organizations. We recommend that the Commission consider a naming convention to deal with this issue by giving those portions of a State EAS Plan that deals with FCC regulated matters a unique name.

SECTION 9

a) Since the introduction of WEA to the public warning 'tool-box' it has become increasingly clear that the differences between EAS and WEA are not always in the best interest of the originators of public warning messages.

b) Many SECC's (Washington State among them) have expressed the desire to oversee the utilization of WEA as well to the point that there is a 'Tab' in the Washington State EAS Plan dealing with WEA.
c) It should be pointed out that many of the popular software interfaces for issuing public warnings have seperate provisions for message generation using both EAS and WEA at the same time. The limitation in terms of number of characters as well as event codes is not helpful.
d) It is not in the public interest to have one public warning system able to issue a broad range of public warnings while the other does not.
e) Research has shown that when a public warning is received on two systems, the validity in the mind of the citizen is enhanced.
f) We feel the Commission should be working to make these two systems as consistent as possible.

SECTION 11

We agree with the Commission that Social Media has rapidly become part of the fabric of our world of communications. The use of Social Media for the distribution of 'official' and 'verified' warnings can be quite useful in that it fulfills one of the goals of IPAWS (by all possible means). However, we are very concerned about the use of Social Media as information sources for messages. Certainly there are legal issues that need to be resolved. The opportunities for abuse or false reporting is of significant concern at this time. This is a matter that should be thoroughly investigated by Emergency Management organizations. We feel that any decisions regarding the use of Social Media may well be premature.

SECTION 15

We agree with the Commission that having unified designations are important so that the various systems in use in the States can be evaluated as to their role using common language. We would like to offer some thoughts in this area based on our existing systems in use here in Washington State.

Primary Entry Point (PEP) System.

a) We understand the role of the historic PEP facility (Such as KIRO-AM in Seattle) and feel that it should still be designated PEP. We submit that other facilities are also distributors of Presidential Alerts, such as affiliated NPR Stations, as well as those stations that are affiliated with the Premier Radio Network.

b) It is commonly understood that the PEP stations – do not –cover the CONUS, especially at night and that only through the use of these other participants can true national coverage be realized.

National Primary (NP) Stations

a) There are differences between PEP and NPR or Premier Stations in that these stations participation is voluntary and their satellite receivers must be connected to their respective EAS encoders for the station to be useful for this mission.
c) The State of Washington uses all three of these facilities in addition to the State Relay Network to ensure that presidential messages are available to all stations and cable operations within the State.
d) Should all sources of presidential messages be designated NP Stations?

Various means for the distribution of National Level EAS Messages

a) Since the outset of EAS, Washington State has been receiving the PEP (KIRO-AM) at the State EOC and relaying it, state-wide, via our State Relay Network (SRN) This network consists of a Microwave backbone connected to a number of mountain-top VHF (155 MHz) transmitters. Thereby providing not only a means for the State EOC to distribute Pubic Warning Messages, State-wide, but also provide a vehicle for the distribution of EAN's etc. (NOTE: The SRN or SR is a 'background channel)
b) In areas where KIRO-AM is not directly receivable, we 'assign' those stations the SRN or a participating NPR or Premiere station.
c) Used in combination with affiliated NPR or Premier Stations we are able to provide redundant means of receiving National Level EAS to just about every facility in the state.
d) It should be noted that these 155 MHz transmitters are not 'stations' in the conventional sense (they are not broadcast stations) therefore we use the term 'facilities'.
e) In Washington State the SRN, due to its configuration, could be considered an NP facility (dropping the word Station) as well as a State Primary or SP (again dropping the word Station) or it could be classified as an SR.

The importance of relay designation

The Washington State EAS system uses specific terms to describe the priority of facilities to be monitored. For example –

PRIMARY - This designates a facility that receives national level messages directly from the source of those messages. This would include PEP, NPR and Premier.

SECONDARY – This designates a facility that received national level messages from a Primary Source. In Washington State this includes such facilities as the State Relay Network, and LP1 or LP2 Station (or in the case of Seattle, NOAA Weather Radio)

TERTIARY – This designates a facility that is receiving messages from a SECONDARY facility. In this case, this could be thought of as a daisy chain arrangement. It should be noted that we highly discourage this arrangement through the use of unified monitoring assignments. When possible all EAS participants should monitor the same sources as do the LP's. This eliminates a lot of relaying and yields a much more robust system.

Local Primary Stations

a) The concept of the Local Primary or LP Station grew out of the EBS/ CPCS concept. Unfortunately it was assumed that CPCS-1 facilities could be re-named LP-1's, CPCS-2's became LP-2's. LP's monitored the PEP, everyone else monitored the LP's and that was about it. In fact, in the early days of EAS many State Plans were minimally edited EBS plans.

b) Washington State rejected a number of aspects of this thinking, for example, early on it became clear that a robust EAS system could not be constructed with the then requirement that stations only monitor two sources. The manufacturers quickly responded with equipment that was capable of monitoring 4 or more. If LP's and other stations were going to have redundant means of receiving Presidential Messages that consumed the two inputs on their endec they would have no capability for monitoring State, Local or NWS. Clearly this was not going to work. Unfortunately the Commission did not respond with adjustments to their rules. We sincerely hope, with the Commissions expanded vision for EAS, that these parameters will be re-examined.

c) We cannot understand why it is not a requirement for all stations (and cable systems) to monitor NOAA Weather Radio (NWR) directly. We fail to understand why an LP Station should be monitored for weather-warnings when that station may elect not to forward any!

d) The bottom line is simply the fact that if every station, within a local area, monitored the same sources as the LP's –
   - The need for LP's would be eliminated
   - The result would be a much more robust EAS system

e) We resolved this issue by assigning – every- station two sources for Presidential Messages, one for NWR and one for State and/or Local messages. We encourage the Commission to follow our lead and do the same thing, nationally.

The Local Relay Network

a) Washington State considered various message distribution systems and found that PEP, NWR, State Relay's, etc. employed a method known as Point-Multi-Point –or – one to many distribution. The same can be said about Radio or TV stations.
b) Rather than having Local governments sending their public warning messages to the LP (again a carry-over from the days of EBS) and run the risk that the LP may (legally) decline to relay them, we created the LOCAL Relay Network. These systems were not Broadcast Stations but rather background channels using VHF or UHF FM radio systems, often existing radio systems owned by local governments
c) We then 'assigned' these frequencies to be monitored by Broadcast Stations and Cable systems within that local area.
d) This concept ended the need for the Daisy Chain as well as the Local Primary Station for other than national message, and resulted in a superior system configuration.

CONCLUSION –

We fully understand and appreciate the Commissions goal to simplify and unify these various EAS components names. However, we urge the Commission take into consideration areas, such as Washington State, that have gone beyond the expected in order to create a more robust and versatile system.

SECTION 19

We agree with the Commission that there are times where component designations can and will overlap. There are a number of reasons for this, not the least of which is how these systems have evolved over the years. Each State has been left to its own devices and imagination to create systems that will address the issues as they see them. Due to lack of Federal guidance in the past this is to be expected. The question now is whether it is necessary to create a specific designation for an EAS message distribution component. The approach taken by the Washington State EAS plan is to provide all the EAS participants with a Matrix that lists the sources of messages without attempting to attach a two letter label to each source. We question

whether or not this provides an enhancement or increases clutter in state plans. Our feeling is that determining what to monitor should be as simple as possible. We have sufficient complication in trying to comprehend today's EAS.

SECTIONS 19-21

In these sections the Commission appears to feel the need to attach a label for each source and type of message. We submit that this is not practical from a number of perspectives. For example, Amber messages (CAE's) can originate at a multitude of local law enforcement agencies and be distributed by State or Local systems such as the Washington Amber Alert Portal, an Internet based system, or, as with WEA can come via NCMEC. We feel the day for this type of labeling has past.

(Analog) EAS messages typically come in 4 different forms

- National (Presidential Messages)
- Local (Counties, Cities, Operational areas)
- States (or multiple states)
- National Weather Service

In many cases the systems that are used to distribute these messages overlap and duplicate each other. In the beginning, the Commission used the term 'Web Architecture" to describe how messages would be arriving from various sources thereby providing redundancy. In most states this is exactly what takes place complicating the goal of attaching names to specific elements of components of the Web.

CONCLUSION

Perhaps, as viewed from 15 or 20 years ago, it appears that some aspects of EAS have drifted away from the naming conventions that were established at the outset. We feel that the Commission would be wise to not to attempt to provide a solution for a problem that we are not sure really exists. SECC's should be free to develop and install systems that increase the robustness of all facets of EAS without the constraints of labels from the past.

In practice, it is preferable to have all inputs to an EAS decoder receive the same message from various sources letting the EAS decoder handle the duplication. It will automatically forward the first message and ignore the redundant ones that follow and, in the process, provide the best service. EAS decoders don't recognize, nor care, what the designation of the up-stream component is.

SECTION 22

We are concerned that the Commission is overly concerned with 'designations'. There are systems that source single Event Codes, for example, NCMIC only sources CAE. Other Sources, like USGS may only be sources for Earthquakes or Lahars, while NWS is a source for multiple Event Codes. Then there is the case where in Seattle the NWR systems are configured like a broadcast station and are sources for National, State and Local events.. Washington's State Relay Network can be a source for National (Presidential messages), State Messages, or it may provide back up for a local jurisdiction and be a local government source.

The Commission wondered about the extent that non-broadcasters participate in SECC's. At the outset SECC's were conceived having a Broadcast and a Cable Chair. This was understandable at the time because the EAS was new and these two types of entities were licensed by the FCC. Today's EAS has evolved into an 'inclusive' alerting system from an exclusive one. to the point that EAS is no longer just a 'Broadcast Thing'. What is vital for the composition of SECC's is that they be inclusive whereby all stakeholders involved with public warning systems can have a voice. One of the best ways the FCC can assist SECC's is by providing guidance that directs the SECC's to be Inclusive. At the present time there is nothing we are aware of that prevents an SECC from being one person and that person being a broadcaster. There is nothing in the Rules preventing an SECC from being structured like a dictatorship as opposed to an inclusive democracy. The Commission can help correct this situation by providing: leadership, vision, education, guidelines and rules. Today we have a checkerboard pattern of functional and dysfunctional SECC'S. The Commission's rules have clearly not been up to the task of correcting this condition. With that being said, there are clearly States and SECC's where this is not the case. Examination will show that these areas determined that they could improve their EAS systems by having an Inclusive SECC operating in a cooperative and collaborative manner. The challenge to the Commission is how to achieve this level of functionality in all states.

We again remind the Commission, when dealing with revisions to Part 11, to recognize that we have two types of message distribution systems (Analog/SAME and Digital/IP based CAP) and these two can duplicate and over- lap distribution functions. Clearly the old lines of designations are now blurred to the point they become meaningless or overly complicated. As an example, you could have a source that could contain all of the historic component labels. Our question is – what purpose would be served?

SECTIONS 23 & 24

Regarding the compatibility of state EAS Plans, we wonder if the purposes of the Commission could be more adequately served by the use of a questionnaire. The basis of this line of thought is that the FCC has basic requirements that must be met to insure that each plan has the necessary

ingredients for the proper functionality. An example of this is the EAS Check List that is used to determine whether or not a licensee is EAS Compliant. Could there not be created a 'Check List' for EAS Plans to insure the Commission that EAS Plans are compliant? The mechanics of this approach would have the SECC respond to the Commission's EAS Plan Check List- in writing. Perhaps by providing examples.

There are several advantages to this approach –

a) The Commission would have a common measurement tool for compliance determination
b) The SECC's would have a reduction in the amount of time and labor necessary to convey the information.
c) This process could be accomplished on-line.

SECTION 25 & 26

Regarding the creation of a Map Book. It is our understanding that the Commission will create this document from the information obtained via ETRS. This is good news because the SECC's would need to know the operational status of every licensee within a state to be able to prescribe monitoring assignments for each FCC Licensed participant, almost an impossible task.

We would like to point out –Just because an SECC were to produce a list of specific monitoring assignments for every broadcast and cable system within a state …

- There is absolutely no mechanism that can assure the Commission or the SECC's that those 'assignments' are actually implemented.
- SECC's lack the ability to monitor for compliance and the authority to require it.

Washington State has long used a method of providing a matrix that, simply, enables any EAS participant in the State to determine what they should be monitoring. This method was discussed, at great length by CSRIC.

We recommend that the Commission share the findings from ETRS with the appropriate SECC to aid in the cooperative approach we have long advocated. SECC's would benefit from knowing what is being monitored for national level EAS messages. SECC's may wish to create a means of determining what participants are monitoring for Non-FCC Required events

SECTION 27

We understand, and appreciate, the Commissions desire to be able to verify that State Plans are providing proper and adequate instructions to EAS participants and that some standardization may well be helpful. Again, we wish to point out that just because you address and describe

how a distribution system is to work (Daisy Chain or other improved mechanisms) it should be viewed as only 'half a solution' The part that MUST be implemented is verification that all parties are not only reading the instructions, but that those instructions are producing the desired results. Cost savings for the sake of saving money should not be our goal, but rather it should be functionality.

SECTION 28

We again applaud the Commission for seeking standardization of State Plans - At least in areas dealing with the Federal aspect of EAS – We feel those portions of State Plans where the FCC has no specific interest should be left up to the states. We submit that standardizing how EAN's, NPT's, RMT's and other Part 11 requirements are addressed by State Plans is desirable. Following a similar format would be helpful to the Commission in their review of the 'instruction side' of these plans. We also feel that those areas that are beyond the FCC's area of interest be left to the SECC's to determine their format and structures.

RECOMMENDATION

In the past, the Washington State SECC Chair has been asked to submit to the Commission their EAS Plan for review. The Washington State Plan is a comprehensive document of many pages contained in a binder with portions that are continuously updated. Our response to the request was something to the effect of 'Do you want all of it?'. During the following discussion it was determined that, no, the FCC did not want to review all of the plan for the simple reason that the plan addresses matters that are clearly beyond the areas of interest of the Commission.

The problem is, the term 'State EAS Plan' does not always mean the same thing. To an SECC it means every facet of a state EAS/Public Warning plan including such matters as Amber, SECC Structures, bylaws etc. Today a State EAS Plan may well include details about public warning systems that are clearly beyond the scope and interest of the FCC. The issue is that the Commission is likely only interested in a portion of a State EAS plan – and not all of it!

To help with this terminology issue we submit that the Commission seriously consider creating a unique name that would describe those portions of State plans where the Commission has oversight and that this new term be used by all states and SECC's. It could be titled 'Part 11 Requirements' etc.

SECTION 29

We are pleased that the Commission agrees with the concept employed by the Washington State SECC whereby a matrix is used to guide EAS Participants to the proper sources of EAS Messages in each operational area. We have found that this method to be very adequate in providing monitoring instructions to participants. The alternative method of providing specific instructions to each participant, listing specific frequencies for each facility would be a huge undertaking yielding results that are not superior to the matrix method.

The Commission's recommendation to utilize Facility Identification Numbers as well as Call Letters in dealing with Monitoring Assignments is helpful, but only if the FCC expects SECC's to keep a list of every participant within a state with specific sources to monitor. The Facility ID's will help with dealing with ever changing call letters, however it does nothing to assist the SECC's in dealing with new participants or the status of existing ones. Today we are seeing a rapid increase in the number of stations and yet there is – no mechanism – to provide information about these facilities to the SECC's so that they can determine specific monitoring assignments for voluntary participants. The Commission has no mechanism to inform the SECC's of new facilities or those that have gone dark or moved etc. And the Commission does not require EAS Participants to work with the SECC's. We call this to the Commissions attention because some of the solutions proposed in this NPRM clearly fall short of addressing some of the foundational problems that SECC's are faced with. In short – The SECC's need the data, otherwise many of these proposed changes may fall short of everyone's desired end result. Until such time as these matters are corrected, we submit that the only 'reasonable' approach is to utilize the Washington State Matrix system.

SECTION 30

Certainly security is a concern, especially considering the history of cyber-attacks to EAS systems. We feel that this is an issue that is best addressed by the experts. We point out that EAS and SECC operations within certain states may well be governed by state regulations. For instance, some portions of SECC operations and state EAS plans may come under open-meeting and public right to document laws within a state.

SECTION 31

In Washington State the SECC operates in concert with the State Emergency Management Division and as such is subject to a number of disclosure requirements that may well prevent the State EAS Plan from being made confidential. Perhaps other SECC's do not have this constraint.

SECTION 32

We believe that a great deal of good can be accomplished by having a national organization that can come together to share best practices and act as an interface to the Federal Agencies involved with EAS. The present CSRIC process is helpful to be sure, however it is lacking in that not all SECC's have representation therefore the results and recommendations are skewed in the direction favored by the participants. This may well not provide the degree of input that a group including all SECC's would provide. Today our EAS system can be viewed as a checkerboard of SECC's and resulting state plans that vary considerably and this is a condition that can be improved by having a national organization.

As to the composition of an NAC, certainly all SECC's should be represented as well as other federal stakeholders, such as FEMA and NWS and most certainly the Cable Industry whose participation level with SECC's is, in many cases, lacking.

SECTION 33

We wish to underscore our recommendation that all State EAS Plans be constructed in a uniform manner and that FCC requirements be separated from other issues addressed by these plans.

Regarding item 3) - We wish to again state that the format of Monitoring Assignments not list each broadcast and cable system for the simple reason that the status of all required participants is not made known to the SECC's, further, there is no requirement that participants cooperate with SECC's and provide updated information. The lack of requirements and the SECC's lack of authority to obtain information from participants automatically limits what can be accomplished. Our contention is, at this point, the only viable recourse for SECC's is to provide a list of information sources to the operational area level. (Reference the Washington State Matrix System, Tabs # 5 and 6)

Again we applaud the FCC's efforts to encourage greater participation by cable systems. It is our understanding that the primary reason for this is that many cable entities are large, perhaps nation-wide operations that have policies that limit what their employees within a state can say and do within SECC's. In general, many are told to not speak to any entity, government or otherwise, until the company has provided legal review etc. This structural limitation, perhaps, can best be handled within a future NAC.

SECTION 34

Hopefully it is understood that the reason for the differences in many state plans is due to a number of issues, for example, lack of specific defining regulations and lack of structural requirements for SECC's. In order to provide uniformity there must be clear expectations as to outcomes as well as to who is to participate. Hopefully these shortcomings are now being addressed. SECC's, in some cases, are not democratically operated cooperative and collaborative organizations, but rather operate with one person who felt led to step forward and offer to 'handle EAS' In one case we know of, a state has no SECC or EAS leadership. The fact is that there is no requirement for them to have this entity. The Commission must recognize that creating an effective organization of volunteers who are supposed to operate without any formal guidelines and only vague references to them in FCC regulations is very difficult. In summary, the FCC is on the right track with this NPRM in dealing with long over-due matters.

SECTION 35

We are pleased that the Commission recognizes that there have indeed been many changes with EAS since 1994. In many cases EAS as gone significantly further than the Commission envisioned at the outset and has gone in directions not anticipated.

The term 'Public Warning Toolbox' is one that we here in Washington State have been using for many years. It aptly describes the ever growing number of public warning 'tools' of which EAS is just one.

At the outset EAS was much more simplistic with participation from FCC licensees creating a means for the distribution of Presidential Messages. Today – progressive – SECC's are functioning as a steering committee for public warning systems of all kinds. In these States their EAS plans are constructed modularly so as to be able to accommodate the every changing and evolving world of public warnings.

Specific to EAS, we now have systems that augment the classic/legacy PEP broadcast stations:

- Participating NPR Radio stations who voluntary connect their NPR Squawk Channel to their EAS Encoders.
- Participating Premiere Satellite affiliates.

These three 'points of entry' for Presidential Messages now enable SECC's to design a monitoring structure that, for the first time, provides redundant sources of these vital messages. Unfortunately these alternative sources are not universally utilized, again, perhaps, due to the lack of national level leadership, something a re-constituted NAC could help with.

SECTION 36

Certainly EAS is a valuable tool in the 'Local Emergency Managers Toolbox'. Here in Washington State, we continue to work with State and Local Emergency Management by creating systems (Local Relay Networks) whereby they can access the EAS systems in their operational area. This has been augmented by our own State CAP Server as well as the creation of COG's permitting access to the FEMA/IPAWS system. This is one of the vital functions of LECC's. LECC's function as public warning steering committees for local, county and city governments. What we are doing here in Washington State should be done everywhere. Anything the Commission can do to increase local government awareness of the value of EAS as a public warning tool would be prudent.

One weakness that continues to be an obstacle to increased use of EAS is that State and Local governments understand that their messages may indeed not be delivered to citizens regardless of how severe the event is. The fact is that a Required Monthly Test has a better chance of being broadcast than does a message whose reception by the public would save lives. The issue here is these civil messages are 100% voluntary and not every broadcast station or cable system elects to carry them. We are aware of the push-back from various organizations to required carriage of life-saving messages and are concerned that the potential for EAS will never be fully realized until this situation changes. The fact that a broadcaster can – choose – to not carry a Tornado Warning (TOR) is something that we should all find un-acceptable. We are not advocating that broadcast and cable systems be forced to carry every EAS event, however, we are advocating that those events that involve the eminent saving of lives should be a requirement. Until such time the Commission changes the rules to reflect this…no amount of prodding will increase the participation and use of EAS by State and Local Governments. Unfortunately the number of facilities that do carry these messages is over shadowed by those few that won't.

In summary – We can cooperatively enhance distribution systems, including every level of state and local government creating a robust alerting tool just to run into a roadblock with the very systems that reach the public. All too many broadcast and cable systems refuse to do no more than the minimum of what the FCC requires. Many events have been held where these industries attempt to tell the Commission of how great they are and demonstrate how they are always there in the time of need, all in an effort to try and convince the Commission that further regulation is not required. We ask the Commission to recognize that not everyone agrees and that further action that will make certain Event Code carriage mandatory is the only solution that will provide state and local governments with a reliable alerting tool.

SECTION 37

We agree that SECC's need to be well and properly organized. We commend the Commission for their efforts to enhance the viability and structure of SECC's, as well as LECC's, that are so vital to the success of this endeavor.

SECTION 38

We question the wisdom of requiring source designations. In many cases a given system (broadcast station etc.) may well be the source of various levels of EAS messages and therefore have multiple designations. SECC's should be free to design the most robust message distribution system they can without having to deal with additional and potentially confusing source designations.

SECTION 39

We fail to understand how having this information in a publicly available EAS Plan, including a list of those that can activate EAS, enhances the viability of the system. What concerns us is that by making this information a part of the State EAS plan we could well be undermining the very security we seek.

Regarding a local alert being interrupted by a presidential message …Let's remember that this policy has been with us for 20 years and does not represent a change. For those areas where EAS has not been available for their use, we can assure them that this is not a problem. It has long been understood that a Presidential message has a higher priority than one generated locally. In fact, EAS endec's are created to deal with this issue automatically. It is our belief that all parties understand this and that this is a non-issue. It is our belief that any life-saving alert should not be subject to being interrupted by a test, at any level.

SECTION 40

Again, we applaud the Commission for proposing these steps. It is vital that there be uniformity so that SECC's are applying agreed to structure equally in all states. There need to be guidelines as to who serves on these committees, how they are constructed and operated, to insure that all stakeholders have a voice in their decisions and assurance that they are functioning in a democratic and fair manner. We feel the Commission should establish minimum guidelines for all SECC's and LECC's. Further, we submit that these could be refined via an NAC who would be able to utilize best practices learned via the SECC's working with other stakeholders. In the past this has been left to chance, hopefully those days are about to end.

SECTION 41

Perhaps forgotten and overlooked are the LECC's and their role with EAS. Quoting EAS expert Richard Rudman, all emergencies are local. Local agencies need for public warnings are much like those of a state, just on a smaller scale. Today County and City emergency managers need a group of stakeholders to develop public warning plans providing needed guidance for their areas. As in larger geographic areas, EAS is just one of the tools in the Public Warning Tool box. This tool involves broadcasters and cable systems. In Washington State these committees operate and maintain their Local Relay Network (LRN) that enables emergency managers to reach all the broadcasters and cable systems with warnings at the same time….This in addition to the newer CAP distribution systems. There have been those that have openly questioned the need for LECC's. Our experience is that they are needed now more than ever. In Washington State, each LECC has a chair – and a voice – in the SECC insuring continuity. We submit that for a strong, robust EAS, LECC's are a requirement. Another factor, perhaps not recognized by the Commission is the fact that states like Washington are 'home rule states' . This structure limits the authority of the State in matters of Counties underscoring the need for local control and administration of public warning functions.

SECTION 42 & 43

We agree with the Commission that public warnings should utilize 'all available means'. Over the years additional systems have been added to our warning systems. Today Public Warnings are not- just a broadcast thing in the conventional sense. Broadcasting was our first 'Point-multi-point' distribution model, today EAS is just one facet of an ever growing family of systems that can and must be used to reach the public. Just as the number of methods of reaching the public with life-saving messages has expanded, so has the need for a coordinated approach to the management of these systems. This is the task for an SECC (or LECC) that includes all the stakeholders. Washington State has embraced this concept for years and we encourage the Commission and other states to do the same. The bottom line is there is no one system that will reach the public with a warning, it takes many, operating in parallel, to reach the highest percentage of people. Broadcast and cable warnings, operating in concert with NOAA Weather Radio, WEA, Display Signs and perhaps Social Media provide greater insurance that these messages are going to reach the maximum number of citizens.

We point out NOAA Weather Radio from the Seattle Weather Forecast Office (WFO) as an example of this effort. Many years ago this WFO was fully integrated into that areas EAS system. This integration enabled EAS messages, at all levels (Federal, State and Local) in addition to Weather Alerts from NWS to alert those that were sleeping via their NOAA Weather Radio receiver, something no other EAS system could do. It is this kind of integration that is required on a national scale. Washington State's SECC did this, not because of any FCC action,

but because it added redundancy and seemed like an logical extension of our goals and the theme of 'by all available means'

SECTION 44

Washington State already incorporates the capabilities of NPR's Squawk Channel as well as the Premiere Satellite Network and the State Relay Network (SRN), comprised of a state-wide microwave backbone/VHF Radio system, to augment the States PEP (KIRO/AM/710). The goal to is to provide a redundant path to every broadcast and cable system in the state for presidential messages. We are not alone as many states have done something similar to enhance the viability of EAS. Sadly, not every state has done so. We encourage the Commission to be involved with this situation, at least to the extent that these 'best practices' become universal and not just where there is an effective and active SECC.

It is important to recognize the limitations of the existing PEP system. One only needs to look at the Night coverage of these facilities to see that much of this planning was based exclusively on these facilities daytime coverage. We are concerned with the Commission considering changing the nighttime protection of these station in the goal of improving AM The network of powerful AM stations that comprises the majority of PEP operations cannot withstand purposeful degradation.

SECTION 45

Public warning systems should make use of all available means including Social Media as well as systems that have not yet been thought of. Lifesaving messages should not be limited to just special approved systems. Tools used for public warnings include, but are not limited to, EAS, Broadcast and Cable systems, highway signs, lottery displays, Travelers Radio systems (TRS) WEA, NWS, Amateur Radio systems and all forms of Social Media.

Regarding the gathering of information, we feel that this issue is well beyond the scope of EAS Committees and is a matter that should be left up to state and local government entities to determine the source of information they use to act upon.

SECTION 48

We agree on the concept of dividing states into operational areas, however, we do not feel it is wise to base the boundaries of these areas solely on geography. Here in Washington State, in the creation of our State EAS Plan 20 years ago, we established some basic criteria for operational area boundaries. Factors that we took into account include –

- The established boundary of a metropolitan area.
- Long established names attached to a specific geographic area or region.
- Historic public warning and/or alerting regions.
- Coverage areas of major Radio and TV Stations associated with that area.
- Coverage of NWR facilities.
- Footprint of cable systems.
- County Boundaries.

A couple of major points –

- Washington States Operational Areas vary considerably in size. One is only one county, while others are multiple counties.

- Recognizing that established metropolitan areas are not limited by state-lines or other geopolitical boundaries we, in cooperation with neighboring states, established the following –
  - PORTLAND OPERATION AREA
    - This includes those areas within Oregon that are part of the great Portland area (as determined by the Oregon SECC) as well as Clark County Washington, including the city of Vancouver. Thus making Clark County Washington Part of the Portland, Oregon Operational area.
  - INLAND OPERATION AREA
    - This includes the counties in Washington State that surround Spokane Washington as well as all of the counties of the Idaho Panhandle and one county in Western Montana.

- Our system of Operation areas is flexible, for example, recently the LECC in Grant County felt it was in the best interest of all parties to become part of the North Central Operational Area. This required the approval of all of the parties involved and was approved by the Washington State SECC.

The Commission proposes that operational areas be uniformly identified. It appears possible that the Commission could utilize the basic criteria as outlined above. In the end, because there are tremendous variations in the country in terms of geography, county size, overlapping geopolitical interests etc. we feel that this is a matter for SECC's to determine.

We submit that the SECC's should identify their operational areas referencing the counties that are within them. Washington State does this with their Monitoring Matrix as well as other Tab's that are a part of the State EAS Plan. Operational areas should respect county borders and not attempt to split counties.

SECTION 49

We again feel the Commission is, perhaps, 'hung-up' on 'designations' for various components involved with EAS message distribution systems. EAS devices respond in a specific manner based on the event code used and are not concerned with the designation of the source, except for national level event codes. For example, the receipt of an TOR by a decoder instructs the device how to respond, regardless of the designation of the source.

As for the ability of a CAP Server to distribute live presidential messages, this is a technical matter to be worked out with those that administer those systems working with the manufacturers of the hardware involved. Certainly this should be a goal.

SECTION 50

When EAS was established 20 years ago, the Commissions vision and goals for EAS were considerably more limited than they are today. Originally the concept was that two stations, called LP's, (usually radio) were to monitor a PEP (Based on the assumption that these PEP facilities blanketed the country day and night with a strong signal) and everyone else within a given area was to monitor both of the LP1 and LP2 and that this configuration was sufficient for the needs identified at that time..

Washington State, early on, looked at this concept and quickly concluded that it was less that desirable and set out to improve the system. At the outset we knew that Weather was going to utilize a sizable portion of this new system and determined that equipment with only two 'monitoring inputs' was not up to the task. We were joined by other like-minded states and as a result, manufacturers quickly made equipment with 4 to 6 monitoring inputs. We then asked all participants to install equipment to monitor NOAA Weather Radio (NWR). With the construction of Local Relay Networks (LRN's) a 4^{th} input was put to work. The bottom line was that we could simply not construct a robust EAS system that would be FCC compliant and that would also serve the needs of state and local governments with only two inputs.

In a bit of a ' gray area' we 'assigned' these additional monitoring sources to stations and cable systems knowing this exceeded the FCC's '2-input' requirement. This was based on the understanding that everyone is to follow the State Plan.

Looking at the digital side of EAS –Washington State requires that stations monitor (or poll) the State CAP server – in addition – to the FCC Requirement to Poll FEMA/IPAWS.

As a point of reference: In Washington State these CAP systems are now the 'primary' means for County, City and State messages to be distributed. All of our local, legacy, analog/SAME based systems are still operational in a redundant role.

The bottom line is that today's robust EAS systems must include redundant means of message distribution that can deliver, via CAP and Analog, public warning messages to ALL systems that can reach the public. The vision of 'Web Architecture' is alive and well in Washington State, as are EAS devices at Stations and Cable systems with more than 2 inputs.

SECTION 51

Just as the foundation principle for reaching the public with warnings should be by all available means, so should the distribution systems that connect the 'sources' of public warning messages to those systems that reach the public. It may well be that the source that is monitored by a broadcast station in the outback may receive warning messages from Local, State or National sources. Just as the same network connection can deliver all 'flavors' of warnings from a CAP Server.

The goals of all SECC's that plan and implement message distribution systems should be –

- Provide a redundant means of receiving presidential messages.
- Provide a means for receiving messages from –
  - NWS
  - State Government
  - Local Government
- Provide redundancy wherever possible
- Let the matter of the receipt of duplicate messages be handled by the EAS Decoder.

Bottom line – We agree that the SECC's should not be constrained by regulations, but rather should be encouraged to create robust and redundant systems.

SECTION 53

Increased participation in EAS by segments of local governments is always welcome, however we feel that this NPRM may not be the place for this issue. All states, counties and cities are different and one size does not fit all. For example, attempting to involve PSAP's ignores the fact that many of these entities are operated by firms that are contracted by government entities that include very specific functions on a cost per service basis. We submit that this matter should be the subject of a specific effort, further we are concerned as to how this concept would function within a typical SECC.

SECTION 54

We agree that State Plans should include testing elements. The Washington State Plan was designed with this in mind some 20 years ago. Our plan calls for the source of RMT's to be rotated between State Emergency Management, Operational areas Emergency Management and (annually) the National Weather Service. Further, during months when RMT's are initiated at the county level – The responsibility for initiation rotates so that all counties have an opportunity to perform these tests. Not only does this exercise various portions of various EAS distribution systems, but it provides training for personnel in these facilities.

To help clarify the above, during months that the State initiates an RMT, the entire state receives it. During times that RMT's are tested by counties (and in some cases cities) each operational area sends the test to recipients within that operational area. The annual test by NWS is a coordinated effort by all 4 weather forecast offices serving the state and is often held in conjunction with Tsunami and/or Earthquake drills. The SECC has a 'Test Coordinator' that sees to it that this all works well, we have 20 years of success behind us.

It needs to be stated that the Washington State EAS Plan only calls for government entities to initiate EAS messages as they are the sources of this information. No broadcast or cable system is to initiate any real code EAS message due to the fact that their personnel are not schooled in this process in addition to real liability concerns. The only EAS message generated by Broadcast or Cable systems is the RWT.

As for security elements in a state EAS plan, we again feel that in light of the fact that the EAS Plan is a publically accessible document that this may well be counter- productive.

SECTION 55 & 56

Washington State's SECC has historically elected to not participate in or originate any Live-Code tests. Our feeling has been that the existing tests (RMT's and RWT's) are sufficient. We are pleased that the Commission, apparently, is going to leave the matter of whether a State does them up to the SECC's. Certainly the use of Live Code Tests increases the work-load due to the requirement to advise the public in advance of such a test and dealing with those who will be frustrated because they did not receive the instructions.

Prior to having a large amount of Live-Code Testing , we feel that it is necessary to have established – Nationwide- Standardized Visual and Aural Warnings preceding, during and following any such tests.

A couple areas of specific concern are –

- Overlap of states – Whereas The signals of Radio, TV and Cable do not respect geopolitical boundaries, it is important that residents near state lines see and hear a familiar message to avoid being misled.

- Travelers that may have recently flown in from afar will need to experience visual and aural information that they are familiar with to avoid confusion.

Specifically –

- We recommend a specific 'slide' be created that is to be used by all parties when airing a live code test.

- We recommend that a specific sounder to be used in addition to the header codes and alert signal that would make clear that this is not a real message but rather is a test.

- These visual and aural indicators should be approved by those organizations that deal with citizens with disabilities.

SECTION 57

Certainly the Smart Phone is a tremendous tool for the distribution of public warnings, however, there are limitations that need to be addressed to make these devices even more useful, specifically the differences in Text Length and Event Code limitations.

Granted there are those that may receive a public warning message via WEA and not EAS, then again it could be the other way around. This underscores our contention that life-saving messages should be distributed by all available means. Again redundancy is always a good thing. A person receiving a warning message from more than one source adds validity.

SECTIONS 58 - 67

The Washington State SECC has, historically, been opposed to permitting Live Code Testing because –

- We believe that the use of existing testing codes are adequate.

- We are very concerned that not everyone would receive a message that an up-coming test (using a Live Code) should be ignored thereby creating a number of adverse consequences.

If the Commission feels that Live Code testing should be permitted and obtaining a waiver is un-necessary, we feel – strongly – that the following criteria should apply –

a) Any use of a Live Code Test must be coordinated and approved by the state SECC. SECC's should be free to require reasonable conditions be met as part of the approval process.

b) Any Live Code Test that could impact an adjacent State must be approved by that state as well to avoid any confusion with citizens that may view or hear such a test near or close to borders.

c) SECC's shall be responsible for determining whether or not an EAS message propagates across state lines.

d) To avoid confusion across State Lines and with those that are traveling or are impaired– We propose that the Commission work to create a unified, nation-wide means of alerting the public to the fact these tests are indeed not-real. The goal is to avoid any misleading messages.

    - Universal visual Indicator to be used by Television, Cable and other devices that would run prior to, during and after any Live Code Test.

    - Universal aural indicator for use by all participation facilities that would run prior to and after any Live Code Test. This 'sounder' should be unique and attention getting in nature, further, any use of this 'sounder' for other purposes such as commercial announcement, DJ's etc., would be prohibited in the same manner as the existing prohibition for use of EAS Data Bursts.

e) No Live Code Testing should be permitted until such time as these safety measures are in place.

f) The Commission should create criteria for alerting the public that a Live Code Test is to be run, including such issues as –

- How far in advance of a Live Code test notification should be made (The Commission, in this NPRM calls these notifications PSA's). Example, should the notification be made, days, hours etc. prior to the running of a Live Code Test?

- What systems must run the notification. Should it just be the Stations and/or systems that run the test, or, should it include other media such as newspapers etc.?

- We propose that the use of the unique 'Live Code Test Sounder' be permitted in the PSA's or other preceding the test publicity.

- Use of Live Codes (EAS Data Bursts, Attention Signal etc.) within PSAs should be prohibited to avoid causing any EAS equipment to issue a false warning.

g) Any Live Code Test should be scheduled for a specific time so that all parties will know when it is to run to avoid further confusion.

h) Any Live Code Testing would be prohibited during times that EAS is being used for warnings of an active event.

SECTION 68

The use of, and attitude toward, EAS varies depending on what part of the country you are in. In the 'Tornado Belt' EAS is a familiar warning tool. In areas that do not have severe weather, or where EAS is simply not used by State or Local Governments etc. it is not viewed the same. Some feel that the sole purpose of EAS is to 'Run Tests'. It would be very beneficial if more effort was put into educating the public as to the purposes of EAS explaining its role in the distribution of Public Warnings. State Broadcast Associations, Emergency Management offices etc. should be encouraged to coordinate educational efforts.

Regarding multiple alerts coming from multiple sources: Rather than being annoying, studies have shown that a person hearing the same message from various sources adds validity to the warning. Redundancy, at all levels is very beneficial.

SECTIONS 69-73

Accessibility should always be considered in the creation of EAS Plans, especially in dealing with citizens with disabilities.

Regarding non-English speakers, there are a number of factors to be addressed

- Which other languages should alerts be translated into?
- How do you determine which languages are to be included and excluded?
- How would we deal with legal actions on behalf of languages that are excluded"
- Where should the translation take place?
- Who should be required to pay for the additional translators?
- Who is going to pay for additional labor expenses involved?

Perhaps additional efforts should be made to insure that public warnings are in visual/text form. The reason for this is the fact that a large number of non-English speakers are able to obtain drivers licenses where reading signs is a requirement. The fact is many non-proficient English speakers are able to read English, a practice already followed by WEA.

Other factor that must be considered is the fact that a large percentage of broadcast stations and cable systems operate un-attended.

Then there is the matter of the EAS protocol and related hardware. This is a very complex problem whose solution appears to be some distance away.

SECTIONS 76-82

Cable override is a serious issue where a local broadcast station is providing superior coverage of an event compared to what the EAS can do and is interrupted by an EAS Message. Certainly some form of Selective Override would have an advantage in informing the public in these circumstances.

The major limiting factor in implementing Selective Channel Cable Override is the fact that the hardware employed by the Cable Industry, generally, does not permit it. To replace the hardware with equipment that would permit this would present an extreme financial burden to most cable systems. Should the Commission determine this is a direction it would like to go, it should work with the cable industry to include the normal life-cycle of this equipment and require replacement systems include this feature.

Another issue is how would a TV station notify the cable system that it would not wish to be interrupted by an EAS message in light of the fact that most cable systems operate un-attended.

Finally there is the concern that a TV station, covering a specific event, may wish to avoid being interrupted by EAS related to the same event, but what about an EAS alert regarding something else occurring at the same time. This would require equipment that may not be available.

SECTION 83

Here in Washington State, where we have had a CAP based system for several years, most TV stations are now deriving their crawl from the CAP Data as opposed to using the crude and often misleading Header Codes of the Legacy/Analog/SAME system. This has yielded superior results. Certainly how this is handled varies. It would be helpful of the Commission would encourage Television and Cable systems to make this change.

EAS Messages should contain the same information regardless of the distribution methods or whether a citizen is viewing a OTA TV Station or is receiving the information via a cable override.

We are aware that the visual presentation can vary and this may be misleading to some viewers. We encourage the Commission to adopt a standardized visual indicator (Slide) to be used with all EAS messages – Nationwide.

SECTIONS 91-93

Today there are an every growing number of devices that can receive public warning messages. The Commission should never lose site of the 'by all available means' moto when considering whether or not to include these devices in our overall public warning mission. Whether or not the platform is considered to be unconventional should not be a consideration or the basis for excluding these wireless devices. The same thinking should be applied to all social media systems.

SECTION 94

We feel manufacturers and the market will determine the validity of wireless devices that can electronically provide language translation. With that in mind the Commission should watch these developments to insure that these devices distribute all life saving messages.

As the Commission correctly pointed out, there are limitations to how far you can go. Staying with languages that use the same character sets is reasonable, perhaps asking a device to translate English (voice or text) into Chinese may not be.

SECTION 111

There have certainly been instances where EAS devices have been connected to the Internet without changing the default password or using a firewall etc. The basis of this is the fact that many that employ this equipment do not have the technical staff with the knowledge of how to avoid these issues.

The concern we have with the Commission's proposal is that a facility could easily sign a document stating that the EAS device is installed in such a manner that it is hacker-proof when this is not the case. We question whether the method discussed in this section would achieve the desired results.

SECTION 118-124

It is certainly disappointing that some EAS equipment was installed in such a manner that it could indeed be hacked. This is a situation that must be resolved immediately. Installing a piece of equipment, connected to the world…without changing the default password is in-excusable. The Commission, perhaps adopting some recommendations from CSRIC, should establish minimum requirements that all installed EAS hardware must meet. The idea of annual certification is good, however, this does not address new installations or changes. We recommend that the Commission establish regulations that will help insure that this equipment meets minimum standards at all times. As for the cost issue, certainly there is minimum cost associated with changing a password, however, there may be costs associated with providing additional protection equipment such as a 'firewall' etc. Considering the negative impact of installing and operating an easily hackable EAS device, these costs are certainly justified.

In summary – To the best of our knowledge, sadly, there has been little published regarding best-practices involving the use of EAS equipment. We urge the Commission to assist in this critical area as well as adopting strict security regulations as soon as possible.

SECTION 126-127

Our concern with this proposal is that it would appear to be far too easy for a participant to state what the Commission would find acceptable. It is our feeling that there should also be some form of validation that indeed the equipment is configured correctly. Minimally an endec should not be able to function with a default password.

SECTION 128-130

We can appreciate the advantages of timely reporting any improper use of EAS, however, we are very concerned with the requirement that a report would need to be filed within 30 minutes, as this would preclude the un-attended operation of any participating facility. Even the 72 hour requirement would mean that an un-attended facility would have to be manned during periods such as holiday weekends etc. Would this not require a corresponding adjustment of the un-attended rules that now exist? Should a participant have this proposed requirement most certainly there would be additional costs involved. The cost of this proposal is not just to prepare the report, but in the apparent requirement of monitoring EAS events for legitimacy. The challenge, as we see it, is to come up with a mechanism whereby EAS equipment could perform this task in an automatic manner.

SECTION 131-133

The issue of a source of EAS messages failing to transmit EOM's is not restricted to 'Bobby Bones' type incidents. The fact is that any source of EAS message can omit the transmission of EOM's thereby locking up those down-stream. It appears that this matter could be resolved by the manufacturers of EAS equipment. For example, EAS Decoders could be constructed in such a manner that would limit the audio portion of the message to a certain maximum length, should an audio message exceed a predetermined length the unit would automatically transmit EOM's. The exception would be, of course, if the unit were dealing with an EAN etc. In other words, it appears that this issue could be resolved by either hardware or software within the decoders.

Should this feature be added to endecs there would be no requirement for reporting , via ETRS, lock-outs as the equipment would prohibit the problem from taking place. Should this recommendation be followed, the only cost would be a one-time expense for the modification of the EAS hardware involved.

This cost will likely vary depending on the design of the endec involved.

SECTION 135-136

Certainly digital signatures would provide an increased level of security provided that participant EAS equipment was constructed to check for this information prior to permitting forwarding etc. We remind the Commission that a high percentage of EAS messages continue to be in the analog domain with equipment using legacy SAME based systems. Granted, CAP based systems, because they use the Internet for distribution, are more attractive to hackers than the lower-technology legacy systems. We feel that all of these systems need to be evaluated in terms of their ability to become victims of hacking. This is yet all the more reason that the Commission

should be working with security experts resulting in best-practice guidelines and/or regulations and rules.

We would like to add that in Washington State – Our plan restricts the ability to initiate an EAS warning to government entities. No broadcast or cable system in Washington State initiates EAS messages, the exception being the RWT. As stated earlier, all RMT's are generated by a government entity. In our case, this policy can better address security concerns.

In Washington State, whereas all EAS messages are generated by government entities, and whereas, most all distribution systems are government owned or operated, authentication procedures are internal to those entities.

Whereas, the Washington State EAS Plan is, by law, a public document, in the interests of security, we do not address authentication processes.

Regarding WEA, it is our hope that WEA will evolved to be more like EAS and move toward becoming an all hazard service more closely resembling NWR and EAS.

SECTION 137-145

There have been identified a number of measures that would enhance security, Digital Signatures with CAP Messages and the BWWG suggestion of adding a validation field with analog systems.

We have several recommendations –

1) It is important that security experts agree on a course of action. The Commission should be seeking consensus and not make major changes without it.

2) When consensus is reached, the Commission should move, without delay, toward implementing these recommendations.

3) Understanding that there will be those that will push-back at the potential for additional expenses involved in maintaining compliance, we submit that the focus should be on the greater good and that the majority of participants will be supportive.

SECTION 158

We feel the bottom line issues are whether or not we should increase security measures to assure the public that this warning system is indeed a reliable means of providing accurate information in time of need. This goal should be the same – at all levels! Should the Commission excuse a participant of lessor means or smaller footprint, and this result in the receipt of false or misleading information by citizens, the reputation of the entire EAS program has suffered a severe blow. It is vital that all EAS participants be treated equally.

SECTION 159-161

The Washington State SECC again feels that, from a regulatory standpoint, EAS should be regulated equally. One of the primary roles for EAS is the saving of lives. The fact is, lives can be lost at any level..(City, County, State etc.) The history of the uses of EAS tells us that the majority of uses are indeed for local events. In order to have an effective public warning system at any level accuracy must be maintained and lack of security can certainly adversely impact that goal. We feel a Presidential Alerts are certainly important, however so are all the other alerts that are designed to prevent the loss of life.

If it were left to us, we would advocate that ALL EAS participants be, indeed, full participants. We find it difficult to understand why the Commission would do anything to limit the distribution of public warnings. In short, the idea of an EAN only facility is simply wrong !

Additionally, we feel that all translators should be full EAS participants as well. There are many cases where a translator (radio or TV) is the only vehicle by which a life saving message can reach a citizen. The Commissions selective method of dealing with this issue, means the translator is only required to relay presidential messages from their affiliated station, thereby denying a segment of the population access to warnings that may be initiated by local originators.

SECTION 163-165

We feel that discussion of centralized management is interesting, however is pre-mature. The same logic that has us supporting LECC's is the basis for our recommendation that what we need is a hybrid approach –

- Strong – LECC's
- Strong – SECC'S
- A rejuvenated NAC that brings together SECC', regulators and other stakeholders.

Perhaps one area where EAS could be improved would be in the area of presidential message distribution especially the role of high powered AM stations at night, a factor that has long remained un-addressed. It is our impression that this work is on-going.

We feel that ideas, such as centralized control systems would be best developed by an NAC.

SECTION 175

As we have stated, Washington State maintains wireless/analog distribution system for a number of reasons, redundancy being the main one.

It needs to be understood that the majority of our legacy analog system are wireless and that, in itself, yields greater reliability.

Case in point, during our recent most powerful earthquake – Cellphones and landline telephones no longer functioned, while all wireless systems continue to perform. Whereas a large portion of the Internet is wireline based it is subject to the proverbial 'back-hoe-fade' that can and does render those systems not available. Today we are faced with a choice between systems that are heavy on features and those that are heavy on reliability. To choose one of them over the other is a significant mistake!

For these reasons, it would be a significant mistake to migrate over to a single system as postulated.

We would like to note that, historically, in times of emergencies, Amateur (HAM) radio has saved the day. The reason for this is not because of their superior equipment or technologies but rather because they operate communications circuits – wirelessly. The message is clear – maintain and perhaps enhance our own wireless systems for the same reasons.

One other point regarding cloud based systems: There appears to be a common thought that the 'cloud' is a more reliable method of handling computer functions compared to having in-house systems performing the same function. This may well be true in some respects in that cloud systems (aka server farms) are designed with reliability as a cornerstone. We have a number of these facilities here in Washington State. The fact is that circuits that connect these cloud systems to the rest of us are still subject to local failures. Living in an area where we are promised a 9.0 Cascadia Subduction Zone earthquake, we feel that ready to operate wireless systems are our best form of insurance. Perhaps this comes down to how bad of a situation do you plan for?

SECTION 180

We feel that the time-lines proposed by the Commission for these changes is somewhat aggressive. Speaking on behalf of the Washington SECC, I'm confident that we would be able to comply. however, there are some states that are considerably less capable. For instance, should a state not having a functional SECC meeting the Commissions criteria require additional time to form their SECC just to be able to tackle the changes that may be required in their State Plan? The Commission should be prepared to deal with requests for delays or waivers and should document the rationale for these requests.

We stress that due to the lack of uniformity and national leadership in these matters for the last 20 years that it may be a bit too optimistic to expect that everyone is ready in such a short period of time.

SUMMATION STATEMENT BY THE WASHINGTON STATE SECC

We, the SECC for the state of Washington, are grateful for this opportunity to comment on the proposed changes to the Emergency Alert System. We appreciate the Commission's willingness to address a broad range of issues. We are especially pleased that the FCC is formalizing the roles of the SECC's and to more fully describe their composition and responsibilities.

In Washington State, when the Emergency Alert System was still in the planning stage, several of the local stakeholders saw the potential for EAS to be much more than a means to distribute national presidential messages. Over the years the system has evolved to include emergency messages of local and regional importance. The message distribution system was improved to increase redundancy and intelligibility. We hope that that the whole country can profit from our experience over the last 20 years. We pledge to continue our support of these public warning systems in the future.

ASSOCIATION DISTINCTION

It should be understood by all parties that these comments are solely those of the Washington State SECC and are not those of the State of Washington.

Respectively Submitted,

Clay Freinwald

Chairman, Washington State SECC