

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, DC 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 APCO**

The Association of Public-Safety Communications Officials-International, Inc. (APCO) hereby submits the following comments in response to the Commission’s *Notice of Proposed Rulemaking* (NPRM) in the above-captioned proceedings.<sup>1</sup>

Founded in 1935, APCO is the nation’s oldest and largest organization of public safety communications professionals. APCO is a non-profit association with over 25,000 members, primarily consisting of state and local government employees who manage and operate public safety communications systems – including Public Safety Answering Points (PSAPs), dispatch centers, emergency operations centers, radio networks, and information technology – for law enforcement, fire, emergency medical, and other public safety agencies.

APCO commends the Commission on its efforts to strengthen the nation’s public alert and warning systems—the Emergency Alert System (EAS) and Wireless Emergency Alerts (WEA). APCO members collectively represent one of the largest groups of state and local alert originators authorized to issue emergency alerts and warnings. As consumer preferences continue to shift toward new and emerging technologies, it is critical that the Commission,

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<sup>1</sup> Amendment of Part 11 of the Commission’s Rules Regarding the Emergency Alert System, *Notice of Proposed Rulemaking*, FCC 16-5, PS Docket Nos. 15-94 and 15-91, (rel. Jan. 29, 2016) [hereinafter *NPRM*], available at [https://apps.fcc.gov/edocs\\_public/attachmatch/FCC-16-5A1.pdf](https://apps.fcc.gov/edocs_public/attachmatch/FCC-16-5A1.pdf).

industry, public safety, and other stakeholders explore ways to leverage these advancements into life-saving improvements for public safety.

As a general note, APCO urges the Commission to adopt an approach that aims to harmonize its respective policies on EAS and WEA while accounting for differences in the platforms. From a public safety perspective, there is no operational difference between the two. While separate testing and transmission rules might be necessary for the two platforms, the experience for PSAPs should be as uniform as possible.

Below, APCO offers feedback on the Commission's proposals with regard to community-based public safety exercises, leveraging technological advancements, and securing the EAS.

#### I. Building Effective Community-Based Public Safety Exercises

The Commission proposes to expand the EAS testing regime to include "live" code tests as community public safety exercises, by authorizing EAS Participants to conduct periodic EAS exercises using live event header codes.<sup>2</sup> Additionally, the Commission proposes to allow the use of the EAS header codes and Attention Signal by entities aiming to raise public awareness and alert initiator proficiency with EAS, and asks whether entities seeking to conduct such EAS public service announcements (PSAs) be required to coordinate testing among EAS Participants, state and local emergency authorities, first responder organizations, and PSAPs.<sup>3</sup>

APCO generally supports these proposals, as testing, training, and exercises are routine and essential components of all public safety communications functions. However, APCO cautions against overuse of the EAS Attention Signal and over-testing to avoid "alert fatigue" among the general public and unnecessarily taxing PSAP resources. Furthermore, entities

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<sup>2</sup> *NPRM* at para. 60.

<sup>3</sup> *Id.* at paras. 66-67.

conducting PSAs should coordinate with PSAPs, as members of the general public will likely look to 9-1-1 for clarification and assistance if use of the EAS Attentional Signal causes confusion. Given that PSAPs are already handling emergency communications with limited resources, coordination is critical to minimize disruptions to PSAPs' day-to-day operations. It's also worth noting that for proficiency training, offline methods may be more efficient than live tests.

The Commission also seeks comment on how to best ensure that community-based exercises address the needs of individuals with disabilities or limited English proficiency.<sup>4</sup> Specifically, the Commission asks how EAS Participants, as well as PSAPs and emergency managers, should be equipped with the tools necessary to serve such communities.<sup>5</sup> As an initial matter, it is important to recognize that policies and roles vary from PSAP to PSAP, and thus the necessary tools and resources may differ depending on the particular PSAP and community served. Particularly with respect to individuals with limited English proficiency, many PSAPs do not have the resources or staff to dedicate to providing multilingual services. Software-based solutions that can automatically translate alerts based on user preferences may be helpful, but consideration must be given to addressing the additional costs imposed on PSAPs to acquire and maintain proficiency with such tools.

## II. Leveraging Advancements in Technology

The Commission seeks comment on whether consumers have any expectation that EAS would be available when viewing programming over different technology platforms (e.g., online, OTT offerings), and whether EAS alerts offered through these different technologies have a

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<sup>4</sup> *NPRM* at para. 70.

<sup>5</sup> *Id.* at para. 72.

greater potential to meet the emergency information needs of the public.<sup>6</sup> For example, the Commission suggests that these services could use a device's geolocation technology to improve alert geo-targeting or include a clickable URL within the text crawl of an alert directing the recipient to additional resources and information.<sup>7</sup>

APCO agrees that it is critical to consider how to reach this segment of the population and leverage the innovative tools offered by new technologies to improve alerting, whether by more narrowly targeting alerts or providing more efficient access to information. Consumers are increasingly turning to Internet-connected devices, like tablets or smartphones, to view content and information that was previously only available to them via traditional broadcast or pay TV architectures. Including a clickable URL and/or phone number could provide consumers a direct line to the information that is most pertinent to them. This would reduce the burden on PSAPs, public safety agencies, and provider networks when their resources are needed most.

While these technologies present many exciting opportunities, APCO urges the Commission to carefully consider the implications of a "many-to-one" alerting dynamic.<sup>8</sup> Enabling interactive alerts would introduce a number of complexities for public safety agencies that would not be easily addressed. For example, PSAPs would need to implement methods and dedicate personnel to aggregate and analyze responses. Information received from the general public in such a manner cannot be readily vetted, secured, and confirmed, and therefore cannot be relied upon by public safety telecommunicators or first responders in the usually limited window of time to respond to emergencies.

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<sup>6</sup> *NPRM* at paras. 90-91.

<sup>7</sup> *Id.* at para. 91.

<sup>8</sup> *Id.* at para. 91.

As a related matter, the Commission also seeks comment on whether tablets used to access mobile services should be considered “mobile devices” for the purposes of receiving WEAs.<sup>9</sup> APCO supports adding the emergency alert capability to tablets connected to CMS networks, to the extent it is technically feasible.

Additionally, the Commission seeks comment on the technical feasibility of EAS personalization to accommodate individual needs.<sup>10</sup> APCO generally favors uniformity, which is a strength of the EAS, but is not opposed to personalization to the extent necessary to make alerts effective for an individual (e.g., increasing text size for alert messages). There are a number of alternative sources for personalized alerts and information, including social media, texting services, and mobile apps. EAS needs to continue to be set apart, and recognized by the general public, as an official, reliable, secure, and consistent dissemination platform.

### III. Securing EAS

Finally, the Commission explores proposals to promote EAS security and decrease the likelihood of false or malicious EAS broadcasts.<sup>11</sup> Cybersecurity is becoming increasingly important for public safety communications as networks and services are migrated to IP-based technologies. From a PSAP perspective, every ingress and egress point into the public safety communications ecosystem must be secure. APCO believes that the security rules the Commission adopts should be applied with consistency to all EAS alerts and to all EAS Participants, and the rules must take PSAPs’ varying resources and cyber-readiness into account. APCO agrees that having timely information about false alerts and equipment “lockouts” could be very useful to PSAPs and other officials in identifying and mitigating problems with the EAS

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<sup>9</sup> *NPRM* at para. 93.

<sup>10</sup> *Id.* at para. 95.

<sup>11</sup> *Id.* at paras. 109-110.

and WEA. Additionally, support for PSAPs to help promote cyber education, training, and resource sharing across the public safety communications ecosystem will be critical in safeguarding alerts and other public safety communications and preserving public trust in those systems.

## CONCLUSION

APCO supports the Commission's initiative to enhance the EAS and WEA, consistent with its comments herein.

Respectfully submitted,

APCO INTERNATIONAL

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