Comments on FCC 04-189:

Concerning the current EAS system I feel that the system is a backbone type system and is still a viable means of mass communication in times of crisis to the American Public. However, the analog systems need to be updated and changed over to an all digital system. Especially since we are now moving to all digital local broadcast stations. The analog system must remain in place until all the potential conflicts are worked out of the digital system but it's still better than no system at all. By converting the current analog system over to digital it can open up a whole world of digital communications to expand EAS. From Internet communications to satellite based communications it can provide a greater distribution of mass information to a greater number of people more quickly than we have ever seen in human history.

One suggestion is to use the new technology of Satellite radio. This can cover rural and area affected by terrain outages or signal impairment due to natural surroundings. Also I fully believe that we should make the system a hybrid of terrestrial and satellite based systems to ensure proper failover in the event that the enemy tried to attack either source to disrupt the EAS system. I think that developing the MCAP protocol and requiring that in all new consumer digital devices will be a right step to making this happen. While there are inherent privacy aspects that need to be addressed the over-riding need to national security and survivability of the American public takes precedence. After 9/11 a day which was scored into America history it only emphasized the need for an ultra-reliable robust and bulletproof platform that can inform EVERY American of Emergency Action Messages so they can take to proper precautions to save their lives.

A huge issue to not only security but also getting communication to hearing and impaired Americans. We must sit down and take a hard look at what devices are used to assist these individuals and try and integrate signals into these devices as well. Of course education is always paramount and letting the public know what to do the in event of an emergency is part of the overall plan to keep Americans safe.

Another factor is for non-native English speaking individuals. While there is currently no system in place to assist these people we can improve this with a digital infrastructure. EAM messages can be communicated in Spanish as well as English which are currently the top 2 languages spoken in the US. With the flood of immigrants flowing into America we must also consider those individuals.

This new system must be tightly integrated into systems with the DHS and the military in issuing alerts. In the event of a nuclear attack there should be pre-recorded messages that will tune every channel to this message. I fully support the idea of using technology to automatically tune televisions to a particular station or force all channels to auto tune to the EAS system channels. Also the advent over using distributed wireless systems over the cellular networks could be utilized. Sending SMS messages over the cellular network has the potential to reach millions of cellular users in a matter of seconds that might not be near a radio or television.

Also the issues should be addressed as to what to do with inbound and outbound planes that are taking off at the time of an EAM. Should planes be equipped with warning devices that alerts the pilots from a satellite when an EAM is occurring? This would be a critical area to consider. Military pilots would be forewarned in advanced from their early warning systems but there are currently no early warning systems for civilian airlines to be able to land or reroute in the case of a nuclear attack. With converting to an all digital system planes flying at hi altitudes could used military grade strong encryption to stay in touch with a satellite EAS repeater to receive such messages. These messages could be handled by the communications officer of the aircraft and disseminated to the captain and crew accordingly.

Concerning the fine for not complying with the current EAS polices. I believe that the fine should be increased to make it next to impossible not to comply with the rules. If the fine is set to the amount so that 1 violation could possibly cause a radio station to be financially shaken they would not take a chance at getting a hefty fine for even 1 violation. Also somehow the EAS could be integrated into first responder systems such as Ambulances, Fire Fighters, Police, etc that would be the first responders in case of a NBC attack.

Also for comment on local weather emergencies that pertain to a certain state. The final authority to issue EAM's in a state should fall on the Governor of that state. The governors should report directly to the president in these emergencies. In issues of state matter the FCC should set forth guidelines concerning operating aspects of state EAS plans but should allow each state to add to their guidelines local aspects of their geographical location. For example New York should not have to be ready for a hurricane when hurricane's don't if ever in New York. But a state like Florida could add a provision for Hurricanes because they happen with great frequency.

I fully believe that the FCC should extend EAS obligations to satellite based digital television providers. I think that a significant number of American homes exclusively watch this type of programming and thus are no longer watching local broadcasts. In an emergency these people would not have the advanced forewarning of the EAS if they only watched satellite television. Land based cable systems are already covered. While these big companies might fight this and say that it's not necessary it is EXTREAMLY critical for information overlap to save and many lives as possible in the event of an emergency. I also believe that all channels of a provider at that point must be turned to the EAS system. I think it defeats the purpose if I'm watching CNN on channel 142 and the EAS message play on 192. The programming should be interrupted on ALL CHANNELS and the alerts should be issued. I believe that a combined format that and EAS alert should consist of would be:

1. Blank out the current programming
2. Have an Audio overlay that corresponds to text being scrolled on the screen
3. Broadcast a Spanish text with Spanish audio overlay after the English message.
4. Possibly alternating a Flashing screen background to call attention to hearing impaired persons at the beginning of the message.

5. Repeat the messages as necessary.

Finally I believe that in today's modern computer driven environment we need to use strong encryption in this new platform. The system should be based on an escrowed key system to protect and authenticate messages. The encryption would protect EAM's from interception by terrorists and could be signed for authentication to know that the alert isn't fake. This can lead to a very secure system that can almost eliminate accidental activations. The president would be the only person that would have the federal key and then would be passed to FEMA and so forth until it reaches the mass public. That way message security remains in effect and that the signature of the key could only be verified by the president.

I hope that these comments will assist the commissioners in forming their considerations for and improved EAS system for the future. If the commission would like to speak to me I am available for comment. I can be reached by email at doug@simarsystems.com.

Sincerely,

Douglas S. Simar