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September 17, 2005

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W., TW-A325
Washington, D.C. 20554

ORIGINAL

David Honig, Executive Director
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Re: EB Docket No. 04-196

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Dear Ms. Dortch:

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A substantive telephone conversation and four meetings were held September 14-15 on the subject of methods to ensure that EAS transmissions will be multilingual. The discussions were held in anticipation of the imminent filing, by the Independent Spanish Broadcasters Association (ISBA), the Office of Communication of the United Church of Christ, Inc. ("OC Inc.") and the Minority Media and Telecommunications Council (MMTC), of a petition for immediate relief in this docket:

September 14, 8:30 AM: David Honig (MMTC Executive Director), with Catherine Bohigian, Legal Advisor to Chairman Martin (telephone call); September 15, 2:30 PM: David Honig, Joseph Miller (MMTC Counsel), Gloria Tristani (OC Inc. Managing Director), and Francisco Montero (ISBA Executive Director), with Gregory Cooke and Jean Ann Collins, Office of Homeland Security, Enforcement Bureau (meeting); September 15, 3:30 PM: David Honig, Joseph Miller and Gloria Tristani, with Russell Hanser and John Branscome, Legal Advisors to Commissioner Abernathy (meeting); September 15, 4:00 PM: David Honig, Joseph Miller and Gloria Tristani, with Rudy Briocche, Legal Assistant to Commissioner Adelstein (meeting); and September 15, 4:30 PM: David Honig, Joseph Miller and Gloria Tristani, with Jordan Goldstein, Legal Assistant to Commissioner Cops (meeting).

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The substantive matters discussed are outlined on the attached Summary, which was provided to each person with whom we met. We also discussed how emergency information in languages other than English and Spanish could be provided. On this point, we suggested that as a minimum, radio markets having at least 5% of their populations with primary fluency in a language other than English or Spanish should be assured of having emergency information available in much the same way as information in Spanish would be available as contemplated in the Summary.

Pursuant to Section 1.1206(b)(2) of the Commission's Rules, an original and one copy of this letter and the Summary have been submitted to the Office of the Secretary, and a PDF version of the letter has been sent by electronic mail each of the Commission personnel who participated in the meeting.

Sincerely,

David Honig

David Honig
Executive Director

Attachment (Summary)

cc: Catherine Bohigian, Gregory Cooke, Jean Ann Collins, Russell Hanser, John Branscome, Rudy Broicche, Jordan Goldstein

/dh

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EAS Petition for Interim Relief

- It is estimated that around 300,000 Spanish speaking people from Mexico, Central America and several South American nations live in the areas affected by hurricane Katrina.
- According to published reports there was limited access to emergency information in the affected areas during the hurricane for Latinos whose primary language is Spanish.
- According to published reports no stations broadcast emergency information in Spanish during the hurricane or for days thereafter (Spanish language station KGLA(AM) ceased broadcasting on Sunday).
- The Commission's current rules do not require the broadcast of EAS messages in Spanish nor do they provide a mechanism for Spanish language EAS broadcasts where there are no Spanish language broadcast stations operating in an affected area.
- There is currently a proceeding pending before the Commission which seeks comment on whether EAS in its present form is the most effective mechanism for warning the American public of an emergency and, if not, on how EAS can be improved.
- In this proceeding the Commission asks if EAS alerts should be transmitted in both English and Spanish.
- ISBA, OC, Inc. and MMTC are filing a petition for interim relief requesting that the Commission provide immediate relief to provide the Latino community with access to emergency information during times of local, State and National emergencies while it contemplates permanent changes to its EAS rules.
- The requested relief would provide for dissemination of local, State and National emergency information via the EAS in Spanish in communities with or without Spanish language broadcast stations.
- Specifically, the petition requests that the Commission: (1) require that EAS PEP stations air Presidential level messages in both English and Spanish; (2) require that State and local EAS plans designate a "Local Primary Spanish" ("LP-S") station to transmit emergency information in Spanish in each of the local areas in which an LP-1 has been designated; (3) require that at least one broadcast station monitor and rebroadcast emergency information carried by the local LP-S station in every market; (4) require that stations remaining on the air during an emergency, broadcast emergency information in Spanish (at least as part of their broadcasts) if the local Spanish emergency broadcast station loses transmission capability, and encourage all broadcasters to assist the Spanish-feed station to return to the air.