

## Replies to Comments on FCC NPRM Regarding Proposed Part 11 Rule Changes

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8/1/2011

The following are my replies to comments made during the initial comment period on the FCC's proposed changes to Part 11.

### General Comments

*CAP Deadline* – I think it is clear that CAP/EAS stakeholders are largely in favor of extending the deadline for CAP compliance. A plurality of commentators made a case for extending the compliance deadline and just over 5% stating that they did not favor an extension. As stated in my original comments, I am in favor of extending the deadline for a variety of reasons, many of which were echoed by others.

The State Broadcasters Associations representing the fifty States and the District of Columbia, National Association of Broadcasters, the Broadcast Warning Working Group, National Cable and Telecommunications Association, American Cable Association, National Public Radio, Association of Public Television Stations, and the Public Broadcasting Service have already jointly filed a petition for extending the compliance deadline. This petition, available via the FCC ECFS website, outlines many of the reasons for such an extension.

*Intermediary Devices* – Again, here, CAP/EAS stakeholders made it very clear what they want with regard to allowing the use of intermediary devices. Of the commentators who addressed the issue, nearly 80% made comments in favor of allowing such devices with many of those submitting such comments doing so on behalf of many, many other entities who fall under their purview. Once again, I am in agreement with the vast majority of these filers who wish to allow broadcasters to use intermediary devices as an option for CAP compliance rather than forcing them to discard properly functioning equipment only to buy new equipment that largely duplicates existing functionality.

*Governor Must-Carry Messages* – Commentators were split on this issue. Three filers made comments in favor of adding a new EAS code to represent such messages, three filers suggested that the requirement be removed altogether and six filers commented that such functionality should be adopted although without the addition of new EAS codes. Personally, I feel that, if Governor Must-Carry functionality is adopted, a new EAS code (preferably an originator code as to preserve the information contained within the event code field) would be a good way of handling it. Regardless of the final outcome, the divide between filers clearly shows that these types of messages require further scrutiny and deeper consideration of whether to even include such functionality and how to handle it.

### Specific Replies

*Keith – One Ministries*: I agree that it does not make much sense to require EAS participants to be compliant and capable of receiving and processing CAP messages before the infrastructure to disseminate such messages is in place. I think that the stable roll-out of whichever sources participants will be required to monitor would be one part of a sensible trigger for starting a deadline clock. This is not only for the purpose of allowing participants to purchase equipment that actually *does something* but also to allow equipment manufacturers to ensure that CAP devices do indeed function properly with those sources.

*Ralph Brancato*: I agree that the CAP infrastructure will require robust servers, databases, etc. in order to remain operational during a denial of service (DoS) attack. There are plenty of instances of both foreign and domestic DoS attacks on federal government web servers that have been successful, at least to some degree. The glaring issue that

I see is that the intended operation of the CAP system is very close to the definition of a DoS attack in that many tens of thousands of broadcasters will be required to poll the alert servers every few seconds to download emergency alerts, attached audio and other resources, etc.

I am surprised that FEMA has said that there will be only one nationwide CAP alert feed that all EAS participants will be required to monitor. A solution that seems to make sense would be to have regional/state/local aggregators which monitor the national feeds and collect those alerts relevant to a particular area. These more localized feeds could then be monitored by a much, much smaller pool of participants which would result in substantially lightened traffic and fewer of the resultant issues.

*Gary Timm:* I agree that if a code is added to the EAS specifications to indicate a governor's message, it should certainly be an originator code rather than an event code. This is, exactly as Mr. Timm states, to allow the translated SAME header to be capable of indicating the event type.

Mr. Timm also does a fine job in his comments of addressing what appear to be misunderstandings or poorly worded comments by the commission in the NPRM.

*Monroe Electronics:* Monroe Electronics “note[s] that certification of intermediary devices that convert CAP messages to EAS protocol (SAME) is not currently provided by any governmental entity.” I would like to point out that while such certification is not currently directly provided by any governmental entity, such intermediary devices are specifically addressed in the FEMA sanctioned/sponsored IPAWS Conformity Assessment Program (ICAP) testing process performed at the SAIC lab associated with Eastern Kentucky University. This testing process examines intermediary devices to ensure the proper conversion from CAP to SAME format. I believe Monroe was referring to some type of type-certification, although the type of language used in this filing could be confusing for some and lead them to believe that the realm of such devices is some sort of wild-west, anything goes field where the equipment may or may not perform as intended. This is not the case.

Monroe Electronics also urges the commission to retain requirements for EAS equipment to have a 1200 baud RS232 port based on the fact that various participants may be making use of such ports. Removing the requirement for such a port is not the same as requiring equipment *not* to have such a port. Removing this requirement would not preclude manufacturers from including a 1200 baud RS232 port on equipment as a feature. It would, however, allow other manufacturers to remove a piece of hardware that is not widely in use.

*NAB et al:* I agree that the ECIG Implementation Guide sufficiently describes the process of translating CAP messages to SAME formatted messages. I also agree that requiring participants to independently verify CAP, IPAWS Profile and ECIG Guide conformity would be an unreasonable expectation. A FEMA IPAWS Conformity Assessment Program (ICAP) Suppliers Declaration of Conformity (SDoC) should be sufficient to indicate such conformity.