



## FCC Seeks Comment on Potential Changes to the EAS Rules

On March 25, 2010 the FCC released a Public Notice asking for informal comment regarding any changes that might be required to Part 11 of the Rules governing the EAS as a result of the pending adoption of the Common Alerting Protocol (CAP).

CAP is a data interchange protocol developed by the emergency management community and is used to distribute all-hazard safety notifications and emergency warning information. CAP is described in a technical standard published by the Organization for the Advancement of Structured Information Standards (OASIS) and can be found at <http://www.oasis-emergency.org/cap>.

In the EAS *Second Report and Order*, [http://hraunfoss.fcc.gov/edocs\\_public/attachmatch/FCC-07-109A1.pdf](http://hraunfoss.fcc.gov/edocs_public/attachmatch/FCC-07-109A1.pdf) the FCC mandated that all EAS participants must accept CAP-based EAS alerts 180 days after the date on which the Federal Emergency Management Administration (FEMA) publishes the applicable technical standards for its adoption of CAP as the basis for FEMA-generated alerts. On July 30, 2008, FEMA announced its intention to adopt a version of CAP and recently announced that this adoption may occur as early as the third quarter of 2010. FEMA's action would trigger the Commission's 180-day requirement.

Current Part 11 Rules do not accommodate CAP. The FCC released their Public Notice because they anticipate that the Rules may require significant revision once CAP is implemented. Thus the FCC has sought comment on what changes might be needed to Part 11 going forward.

Responses to the Public Notice were due to the FCC on May 17. Twelve parties filled comments covering a wide range of topics. Some of the common themes in the comments were:

- Extend the 180-day Clock: Practically all commenters agreed that 180 days was not enough time to manufacture, deploy, install and test new EAS equipment.
- Clarify how an EAN should be handled: Most commenters stated that there were different interpretations for how to signal a National EAS alert which lead to some confusion during the recent Alaska tests. The FCC and FEMA need to address this issue.
- Clarify how to handle a Governors mandatory alert (GOV Code): A number of parties recommended that the FCC address various issues regarding the new GOV code, including, for example, requiring that governor specify clearly to whom the authority to generate such a message could be delegated.
- Support for adoption of ECIG CAP to EAS Implementation Guide: The EAS-CAP Industry Group (ECIG), a broad coalition of EAS equipment manufacturers, software and service providers has developed a draft Recommendation for a CAP EAS Implementation Guide which describes the effective use and translation of CAP to the next generation of broadcast EAS. Most commenters stated that either the FCC or FEMA should adopt this guide to help facilitate the implementation of CAP in the broadcast environment. The ECIG CAP to EAS implementation Guide can be found here: [www.eas-cap.org](http://www.eas-cap.org).

Reply comments in this Public Notice are due today, Monday June 14, 2010. To see all of the filed comments go to the FCC's Electronic Comment Filing System (ECFS) at <http://www.fcc.gov/cgb/ecfs>. Search for docket No. 04-296. Reply comments can be filed by the end of the day (11:59 pm EDT) today also on the Commissions ECFS Web page.

On Thursday, June 10, 2010, the FCC in conjunction with FEMA held a workshop called "21st Century Emergency Alerting: Leveraging Multiple Technologies to Bring Alerts and Warnings to the Public." Industry representatives from a number of organizations including NAB, discussed issues in implementing a new EAS and also how to leverage

broadband technologies to create an effective public alert and warning system. Video from the workshop will be available shortly on the FCC's Public Safety and Homeland Security Bureau Web site at <http://www.fcc.gov/pshs/summits/>.

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