



PUBLIC NOTICE

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DA 11-1444
August 23, 2011

PUBLIC SAFETY AND HOMELAND SECURITY BUREAU PROVIDES ADDITIONAL INFORMATION TO EAS PARTICIPANTS FOR THE NOVEMBER 9, 2011 NATIONWIDE TEST OF THE EMERGENCY ALERT SYSTEM

EB Docket No. 04-296

On February 2, 2011, the Federal Communications Commission (Commission) amended its Part 11 rules governing the Emergency Alert System (EAS) to provide for national testing of the EAS and the collection of data from such tests.¹ On June 9, 2011, the Commission provided notice to all EAS Participants² that the first nationwide test of the EAS will occur on November 9, 2011 at 2 PM Eastern Standard Time (EST).³ The test will include transmission by the Federal Emergency Management Agency (FEMA) of a “live” Emergency Action Notification (EAN) code to all EAS Participants and notice to the general public that the EAS has been activated for a national emergency, along with an audible notice that “this is a test.”⁴ The Commission and FEMA, in conjunction with broadcasters and cable providers, are engaged in outreach efforts aimed at informing the general public that the November 9 test will be just that – a test.

The Commission’s *Third Report and Order*, which adopted the rule allowing for national testing of the EAS, delegated authority to the Public Safety and Homeland Security Bureau (Bureau) to determine, in consultation with FEMA and other EAS stakeholders, as appropriate, various operational procedures for implementing national tests of the EAS.⁵ These procedures included: (1) whether the test

¹ See Review of the Emergency Alert System, EB Docket No. 04-296, *Third Report and Order*, 26 FCC Rcd 1460 (2011)(*Third Report and Order*).

² All EAS Participants, *i.e.*, broadcast radio and television stations, cable television systems, Satellite Digital Audio Radio Service (SDARS) providers, Direct Broadcast Satellite (DBS) service providers, and wireline video service providers, are required to participate in the national-level EAS. See 47 C.F.R. § 11.2(e). This includes participation in national testing.

³ See Public Safety and Homeland Security Bureau Announces that First Ever Nationwide Diagnostic Test of the Emergency Alert System Will Occur on November 9, 2011 at 2 PM EST,” *Public Notice*, DA 11-1030 (PSHSB rel. June 9, 2011).

⁴ See 47 C.F.R. § 11.13(a). During the test, the public will hear a message indicating that “this is a test.” However, due to limitations with the “live” EAN, the video test message may not indicate that “this is a test.” Accordingly, in addition to outreach efforts to educate the public, including the disability community, FEMA and the FCC are working with EAS Participants on possible technical solutions to mitigate the impact of this limitation.

⁵ See *Third Report and Order* at ¶ 1.

will use an Emergency Action Termination (EAT) code;⁶ (2) the location code for the test; (3) the duration of the test; and (4) possible pre-tests of EAS equipment. With this public notice, the Bureau provides further guidance regarding these and other operational procedures for the first nationwide EAS test.

- The test will conclude with transmission of the End Of Message (EOM) code.⁷ The test **will not** use the Emergency Action Termination (EAT) code. The Bureau's understanding is that use of the EOM code instead of the EAT code during the national test **will not** require EAS Participants to reconfigure their EAS encoder/decoder devices in any way.⁸
- The location code for the EAS test will be the code for Washington, DC.⁹ The Bureau's understanding is that most EAS encoder/decoder devices will automatically forward the EAN with the Washington, DC location code and will not require further configuration by the EAS Participant. If you are unsure whether your device will forward an EAN with the Washington, DC location code, please contact your device's manufacturer or FEMA's Integrated Public Alert and Warning System (IPAWS) Office at IPAWS@dhs.gov.
- The test will last approximately three (3) minutes.¹⁰
- While the Commission does not plan to conduct pre-tests in advance of the November 9, 2011 nationwide test, FEMA is presently working with selected states, EAS Participants, and equipment manufacturers to conduct statewide tests of EAS equipment and procedures in those states in advance of the November 9, 2011 nationwide test. Such tests will serve the same purpose as the pre-tests discussed in the *Third Report and Order*.¹¹ Any questions regarding this matter should be directed to either FEMA's IPAWS Office or to your state's EAS authority. To find your state's EAS contact, please refer to your state's EAS plan at <http://transition.fcc.gov/pshs/services/eas/chairs.html>.

The Bureau will continue to provide additional information about this first nationwide test of the EAS through the release of further public notices. Please also visit the Bureau's web page (<http://www.fcc.gov/pshs/>), where we will post announcements of significant developments affecting

⁶ The EAT is "the notice to all EAS Participants and to the general public that the EAN has terminated." See 47 C.F.R. § 11.13(b). In a separate proceeding in this docket, the Commission is currently considering entirely eliminating the EAT from its Part 11 rules. See *Review of the Emergency Alert System*; Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, *Petition for Immediate Relief*; Randy Gehman *Petition for Rulemaking*, EB Docket No. 04-296, *Third Further Notice of Proposed Rulemaking*, FCC 11-82, ¶ 147 (rel. May 26, 2011).

⁷ See *Third Report and Order* at ¶ 28.

⁸ The Bureau's understanding is based on discussions with equipment manufacturers and other EAS stakeholders.

⁹ See *Third Report and Order* at ¶ 32.

¹⁰ See *Third Report and Order* at ¶ 81.

¹¹ See *Third Report and Order* at ¶¶ 36-38.

nationwide EAS testing for both EAS Participants and the general public. Updated information on this test, including recommended “best practices,” can also be found on FEMA’s “Emergency Alert System (EAS) Community Information Updates and Test Preparations” web page (http://www.fema.gov/emergency/ipaws/eas_info.shtm).

For further information regarding this test, contact Tom Beers, Chief, Policy Division, Public Safety and Homeland Security Bureau, (202) 418-0952; or Gregory Cooke, Associate Chief, Policy Division, Public Safety and Homeland Security Bureau, (202) 418-2351.

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