



# Virginia Association of Broadcasters Legal Review



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## Legal Memorandum

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### FCC Issues New Mandatory EAS Handbook for All Broadcast Stations; (And, Another Reminder that Form One Is Due in ETRS By August 26)

On August 19, 2016, the FCC released a [Public Notice](#) announcing the issuance of a new EAS Handbook for all broadcast stations. Prior to today's announcement and release, stations have been operating under the 2007—yes, nearly a decade old!—version of the EAS Handbook. (In addition, the FCC had required all stations to use a special one-day Handbook in connection with the November 2011 nationwide EAS test.)

Attached to this Legal Memorandum is a copy of the new EAS Handbook. All broadcast stations should print this new EAS Handbook and post it at the location of the station's EAS equipment. All prior versions of the EAS Handbook are now outdated, superseded, and ripe for recycling. In addition, all stations should carefully review the new EAS Handbook and take the opportunity to “fill in the blanks” where the Handbook gives stations the opportunity to do so. All station personnel involved in any aspect of EAS compliance—weekly and monthly tests; nationwide tests; state and local alerts; EAS logging; equipment procurement; etc.—should review the new EAS Handbook and ensure that it is posted at the appropriate location(s).

Also, please remember that the FCC has scheduled a nationwide test for September 28, 2016. In connection with the nationwide test, “Form One” must be filed using the FCC's new EAS Test Reporting System (“ETRS”) by August 26, 2016. The Association has distributed multiple memoranda regarding ETRS and the Form One filing deadline, and if your station has not yet filed its Form One, please take steps to do so immediately.

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If you have any questions concerning the information discussed in this memorandum, please contact your communications counsel or any of the undersigned.

*Stephen Hartzell, Editor*

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This Legal Review should in no way be construed as legal advice or a legal opinion on any specific set of facts or circumstances. Therefore, you should consult with legal counsel concerning any specific set of facts or circumstances.

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2016

Emergency Alert System

Operating  
Handbook



# 2016 EAS Operating Handbook

**IMPORTANT:** In order to optimize use of the handbook, blank spaces are provided for EAS Participants that may wish to tailor the handbook to accommodate their own individual procedures prior to posting. Blank spaces are provided for EAS Participants to individualize the handbook. Appropriate State or Local Emergency Communications Committee personnel and the manufacturer of your facility's EAS device have additional information that will assist you in utilizing this Handbook.

**Operators with EAS questions or issues should contact the following individual responsible for EAS operations at this facility:**

**Name:** \_\_\_\_\_

**Contact Information:** \_\_\_\_\_

**Post at All EAS Operator Locations**

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## **INTRODUCTION**

The EAS Operating Handbook aids EAS Participant personnel in handling EAS messages by outlining operational procedures reflective of the requirements found in the part 11 rules. The Handbook states in summary form the actions to be taken by personnel at EAS Participant facilities upon receipt of an EAN, tests, or State and Local Area alerts. It is issued by the FCC and contains instructions for the above situations. A copy of the Handbook must be located at normal duty positions or EAS equipment locations. See 47 CFR § 11.15.

### **Guidance in this Handbook**

This Handbook provides guidance on:

- National-level EAS Alert
  - This alert uses the Emergency Action Notification (EAN) event code.
- National EAS Test
  - This test uses the National Periodic Test (NPT) event code.
- Monthly EAS Test
  - This test uses the Required Monthly Test (RMT) event code.
- Weekly EAS Test
  - This test uses the Required Weekly Test (RWT) event code.
- State and Local EAS Alerts
  - These alerts use all other event codes.

### **Instructions for Automated Facilities**

If your facility operates in Automatic part of the time and Manual at other times, it is suggested that you check the Manual mode box, and in Step 1 of the procedure list the hours your facility is in Automatic mode when no operator

intervention is required.

**Instructions for Class D non-commercial educational FM, LPFM, and LPTV stations**

Class D non-commercial educational FM, LPFM, and LPTV stations are granted the exception in FCC rules of not being required to install an EAS Encoder. However, the rules allow these stations to install an Encoder/Decoder if desired. If your facility does operate an Encoder/Decoder, then you should follow the general instructions in this document. If your facility operates as decoder-only, you should follow the “decoder only” instructions below for Required Monthly Tests (RMT) and Required Weekly Tests (RWT).

# NATIONAL-LEVEL EAS ALERT

## EAS Event Code: Emergency Action Notification (EAN)

All facilities are required to immediately relay the Emergency Action Notification (EAN).

The EAN is received by our EAS unit from sources outside our facility. It is generated by Federal officials.

### **What do I need to do if I am the operator on duty?** (check one)

At this facility, EANs are relayed automatically, with no operator intervention.

- OR -

At this facility, the operator on duty is required to perform the following steps to relay an EAN:

- Step 1: \_\_\_\_\_
- Step 2: \_\_\_\_\_
- Step 3: \_\_\_\_\_
- Three data bursts and a tone indicate that the End of Message (EOM) code has been received and that the alert will finish by itself, after which regular programming will resume.

### **What does the EAN sound like?**

The EAN begins with three long EAS data bursts, followed by the 8-second attention signal, then the President or other authorized Federal official will speak for as long as necessary. There is no time limit to the EAN alert. The EAN will end with three short EAS data bursts.

There may be silence, or a repeating “please stand by” message during the EAN before the President or other authorized Federal official begins speaking.



**What if I am the operator on duty and have a problem?**

Note in detail what happened and immediately report the issue to the individual responsible for EAS operations at this facility.

For guidance on resolving problems, see the section on Recovery Procedures at the back of this Handbook.

# NATIONAL EAS TEST

## EAS Event Code: National Periodic Test (NPT)

All facilities are required to immediately relay the National Periodic Test (NPT).

The National EAS Test is received by our EAS unit from sources outside our facility. It is generated by Federal officials.

### **What do I need to do if I am the operator on duty?** (check one)

- At this facility, NPTs are relayed automatically, with no operator intervention.
- OR -
- At this facility, the operator on duty is required to perform the following steps to relay an NPT:
  - Step 1: \_\_\_\_\_
  - Step 2: \_\_\_\_\_
  - Step 3: \_\_\_\_\_
  - Three data bursts and a tone indicate that the End of Message (EOM) code has been received, and that the test is over.

### **What does the NPT sound like?**

The NPT consists of three long EAS data bursts, the 8 second attention signal, an audio message, and three short EAS data bursts. It has a built-in two minute time limit.

### **What if I am the operator on duty and have a problem?**

If the NPT test does not run, NEVER try to originate one yourself. Instead, note in detail what happened and report the issue to the individual responsible for EAS operations at this facility.

For guidance on resolving problems, see the section on Recovery Procedures at

the back of this Handbook.

## **MONTHLY EAS TEST**

### **EAS Event Code: Required Monthly Test (RMT)**

SENDING THE RMT: Not all facilities originate RMTs. (check one)

This facility sometimes originates RMTs. See instructions at: \_\_\_\_\_.

- OR -

At this facility, operators should NEVER originate an RMT.

RECEIVING THE RMT: When the Monthly EAS Test is received by our EAS unit from sources outside our facility, the operator shall follow the guidance below.

#### **What do I need to do if I am the operator on duty?** (check one)

At this facility, received RMT tests are relayed automatically, with no operator intervention.

- OR -

At this facility, the operator on duty is required to perform the following steps to relay a received RMT:

- Step 1: \_\_\_\_\_
- Step 2: \_\_\_\_\_
- Step 3: \_\_\_\_\_
- Three data bursts and a tone indicate that the End of Message (EOM) code has been received, and that the test is over.

At this facility, the Required Monthly Test shall be run with a 90-character or less freeform text Alert Message within \_\_\_\_ minutes of being received by the EAS equipment.

#### **What does the RMT sound like?**

The RMT includes three long EAS data bursts, an 8- second attention signal, an

audio message, and three short EAS data bursts. It has a built-in two minute time limit.

### **What if I am the operator on duty and have a problem?**

If the RMT test does not run, do not try to originate one yourself. Instead, note in detail what happened and report the issue to the individual responsible for EAS operations at this facility.

For guidance on resolving problems, see the section on Recovery Procedures at the back of this Handbook.

### **Decoder-Only Required Monthly Test Instructions**

FCC rule 11.61(a)(1)(i) states that, “Analog and digital class D non-commercial educational FM, analog and digital LPFM stations, and analog and digital LPTV stations are required to transmit only the test script.”

For Required Monthly Tests, Class D NCE FM, LPFM, and LPTV stations may wish to check the box indicating “operator on duty is required to perform the following steps”, and as Step 1 fill in a statement such as, “Read the following script on the air, “This is a Required Monthly Test...”, using the appropriate script for your area as found in the State EAS Plan.

# WEEKLY EAS TEST

## EAS Event Code: Required Weekly Test (RWT)

- If this box is checked, our facility is exempt from originating the Required Weekly Test and all information below can be disregarded by the operator.

If the box above is not checked, all information below applies to our facility...

The EAS Required Weekly Test is originated by the EAS unit at our facility.

### **What do I need to do if I am the operator on duty?** (check one)

- At this facility, RWT tests are originated automatically, with no operator intervention.

- OR -

- At this facility, the operator on duty is required to perform the following steps to originate an RWT:

- Step 1: \_\_\_\_\_
- Step 2: \_\_\_\_\_
- Step 3: \_\_\_\_\_
- Three data bursts and a tone indicate that the End of Message (EOM) code has been received, and that the test is over.

### **What does the RWT sound like?**

The RWT includes three long EAS data bursts, a pause, and three short EAS data bursts. There is NO audio message within the RWT.

### **What if I am the operator on duty and have a problem?**

If the RWT test does not run, note in detail what happened and immediately report the issue to the individual responsible for EAS operations at this facility so

the test can be rescheduled.

For guidance on resolving problems, see the section on Recovery Procedures at the back of this Handbook.

### **Decoder-Only Required Weekly Test**

FCC rule 11.61(a)(2)(ii) states, “DBS providers, analog and digital class D non-commercial educational FM stations, analog and digital LPFM stations, and analog and digital LPTV stations are not required to transmit this test.”

For RWT, if your facility operates as decoder-only, you may wish to check the box at the top of the RWT page indicating your facility is exempt from originating the RWT.

### **DBS Provider Exception**

The above exception to originating RWTs applies to DBS facilities as well. If you choose to exercise this option, you may wish to check the box at the top of the RWT page indicating your facility is exempt from originating the RWT.

## STATE AND LOCAL EAS ALERTS

**EAS Event Code: These alerts use all event codes other than those on the preceding pages.**

Refer to your facility's EAS State Plan as well as other State and Local alerting guidance.

Facility Notes:

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## RECOVERY PROCEDURES

To resolve problems with any EAS event covered in this Handbook, consult the Recovery Procedures below.

At the conclusion of any EAS test or alert, if normal programming does not return or if you hear programming from another source, follow these steps:

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For issues other than the one described above, follow this procedure in the order listed:

- Step 1: \_\_\_\_\_
- Step 2: \_\_\_\_\_
- Step 3: \_\_\_\_\_
- Step 4: \_\_\_\_\_
- Step 5: \_\_\_\_\_
- Step 6: \_\_\_\_\_

Note in detail what happened and immediately report the issue to the individual responsible for EAS operations at this facility.