



Virginia Association of Broadcasters Legal Review



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Legal Memorandum

DEADLINE TOMORROW!!

Nationwide EAS Test Form One Due July 3, 2019

** All Broadcast Stations Must File **

We write with a final reminder that all broadcasters have until tomorrow, **July 3, 2019**, to file Form One, the first of three reports that must be completed in connection with the next [nationwide EAS test](#), which is scheduled for August 7, 2019, at 2:20 p.m. EDT.

Important Note: the FCC recently issued a [public notice](#) in which it explained that [some EAS participants have encountered filing issues using the FCC's ETRS \(EAS Test Reporting System\) and encouraged filers to confirm their submission of Form One through their "My Filings" page in ETRS](#). If you think that you filed your Form One report but you didn't receive (or don't recall receiving) an automated email from the FCC confirming the filing, then your Form One report might not really be filed! Stations can make any updates or corrections to Form One until 11:59 p.m. on August 5th.

All broadcasters are required to participate in the August 7 nationwide test. We encourage stations to ensure that EAS gear is functioning and to review the FCC's [EAS Operating Handbook](#), in addition to assigning responsibility for the filing of Form One and the two other nationwide EAS test reports—Form Two and Form Three.

Filing Form One. Form One, as well as Forms Two and Three, must be filed using the FCC's ETRS. As stated, **Form One is due by July 3**. Form One contains basic information about each station, including its transmitter location, EAS monitoring assignments, and make and model of EAS gear. The second report, Form Two, will be due by 11:59 p.m. EDT on the day of the nationwide test, August 7, 2019. Form Three will be due by September 23, 2019. We will remind you later about Forms Two and Three.

Other Preparations for the August 7 Nationwide EAS Test. In addition to completing and filing Form One by July 3, stations are encouraged to prepare for the August 7 test by taking the following steps:

- Ensure that the station’s EAS equipment operates in compliance with the FCC’s EAS rules, such as being capable of receiving and processing the National Periodic Test (“NPT”) code and the “six zeroes” national location code;
- Upgrade, as needed, EAS equipment software and firmware to the most recent version;
- Review the station’s state EAS plan;
- Ensure that a copy of the July 2017 version of the EAS Operating Handbook is located at normal duty positions or EAS equipment locations and is immediately available to operators;
- Review the EAS Operating Handbook to become familiar with and prepare for the actions that will need to be taken upon receipt of the test alert; and
- Manually synchronize EAS equipment clocks to the official time provided by the National Institute of Standards and Technology (“NIST”), if the station’s equipment does not automatically synchronize to an Internet time source.

The backup date for the nationwide test, if necessary, is August 21st.

Remember that **all broadcast stations are required to participate in the EAS** (the FCC no longer recognizes “non-participating” status for stations in the EAS rules). Accordingly, all stations must be prepared to participate in the nationwide test on August 7 (or, if necessary, on August 21).

As you complete Form One by **tomorrow, July 3**, and otherwise prepare for the August 7 nationwide EAS test, please consult with your EAS equipment manufacturer and the station’s legal counsel for assistance with any questions.

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

Tim Nelson, Editor

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