

SEPTEMBER 30, 2011 DEADLINE FOR EAS CAP COMPLIANCE

The FCC has set a deadline of September 30, 2011 by which all Emergency Alert System (EAS) participants must implement the new Common Alerting Protocol 1.2 (CAP). The requirement applies to broadcasters, cable companies, satellite operators and wireline video providers.

Initially, compliance was to have been required by March 31, 2011, but the Commission recognized that more time would be needed to develop, certify and market compliant equipment. Replacement or upgrading of older EAS equipment will be needed in order to receive and decode CAP-formatted messages and incorporate them into EAS output.

By way of background, the FCC had revised its EAS rules in 2007 to adopt the CAP requirement, subject to publication of specific technical standards for CAP-formatted EAS alerts by the Federal Emergency Management Agency (FEMA). That publication occurred on September 30, 2010 and was to have triggered a 180-day clock for full compliance, which a broad spectrum of parties had protested as insufficient. The FCC now has agreed.

CAP is intended to increase the flexibility, scope and efficiency of EAS alerts to provide security and enable a variety of formats (text, audio and video) across multiple platforms. It also requires the transmission of state and local EAS alerts that are originated by governors or their designees in states that have an FCC-approved plan providing for delivery of such alerts.

As described by the FCC, CAP is an open, interoperable, text-based standard using Extensible Markup Language (XML) that facilitates data sharing across different distribution systems and permits links to voice, audio or data files, images, multilingual translations and sources of further information. The standard specifies the permissible information fields and the data that can be included in those fields, such as type of incident, geographic scope and effective and expiration times. Although open-ended, it provides security through an encryption field and digital signatures to authenticate the sender and validate the integrity of the contents. Detailed technical specifications for CAP are available at: <http://docs.oasis-open.org/emergency/cap/v1.2/CAP-v1.2-os.pdf>.

The Commission plans a rulemaking to review the impact of CAP on its EAS rules, including the results of FEMA testing and the need for FCC certification of EAS devices. As a result, it may consider further extensions of the compliance deadline. However, it does not anticipate any waiver of the CAP requirement itself. Therefore, it is essential that all EAS participants either ensure that their EAS encoder/decoder units are CAP-compliant or make plans to upgrade or replace their equipment to meet the new standard by September 30, 2011 or any further extension that the FCC may determine.

If you have any questions concerning this matter, please contact [Peter Gutmann](mailto:Peter.Gutmann@wcsr.com) at (202) 857-4532 or pgutmann@wcsr.com or any member of the firm's [Communications Law Group](#).

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