Broadcast LAW BLOG



FCC Releases Handbook for Nationwide EAS Test - First FCC Form to be Filed Now in Anticipation of the November 9 Test

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The FCC has released its <u>EAS Handbook</u>, specially directed to the Nationwide EAS Alert that will occur on November 9. This Handbook is to be posted at all stations that are participants in the EAS Network (which is virtually all stations) for purposes of this test only (stations should also have the standard EAS Handbook at their control points, but this Handbook will be used for the Nationwide Test). Cable systems are also participating in the EAS system and are included in the test as well. As we have written before, the November 9 test is the first time that the Emergency Alert System (originally adopted in the 1960s as the Emergency Broadcast System) will be tested for a national alert, even though that was the original, and remains the primary, focus of the EAS system. EAS is now used mostly for localized weather and Amber alerts.

The Handbook also points to three FCC forms, to be <u>accessed and filed online through the FCC's website</u>. While the use of these electronic forms are, according to an <u>FCC Public Notice</u> summarizing the EAS obligations, not mandatory, any station not choosing to use this system will have to file a paper report at the FCC by December 27 providing all of the required information. If you elect to use the simplified electronic forms, Form 1 is to be completed by all stations and cable systems **prior to the November 9 test**, to provide information about the station or system and a contact person. **Form 2** is to be submitted **on November 9**, indicating whether the test was received. Form 3 is submitted after the test, by December 27, to report information about how the test was received, or why it was not received. Stations deciding to use the electronic filing (which is easier than getting an original and a mandatory copy to the FCC if a paper form is filed) should begin to review and <u>complete Form 1</u> immediately.

In addition, the NAB has provided much material on the EAS Nationwide test, available here, including PSAs that stations should run now alerting the public that the November 9 test is only a test and not a real emergency, and also providing a suggested slide for TV stations to air during the test itself. The message to be aired by radio stations will be provided soon. As this is an important test of the EAS system, and will require broadcasters to report on their compliance, everyone should be preparing to take part - and checking their systems to make sure that they are fully functional - now.

This test is a test of the current EAS system, not of the new Internet-based CAP system. As we wrote here, implementation of the CAP system has been delayed until June 30, 2012. But the current system will remain in place even after CAP is implemented to provide redundancy, so this test remains an important priority for the FCC and other government emergency responders to make sure that the public can be alerted in the event of a nationwide emergency.

[Note: This entry was edited 10/26/2011 at 12 noon to include references to the FCC Public Notice and the fact that the electronic filing is only a filing option - but that users can file on paper as well

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