



PUBLIC NOTICE

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FCC ENFORCEMENT ADVISORY

ENFORCEMENT BUREAU REMINDS EMERGENCY ALERT SYSTEM (EAS) PARTICIPANTS OF COMPLIANCE OBLIGATIONS

The Enforcement Bureau of the Federal Communications Commission (Commission or FCC) issues this Enforcement Advisory to remind broadcasters, cable television operators, wireless cable operators, wireline video service providers, satellite digital audio radio service providers, and direct broadcast satellite providers (EAS Participants)¹ of their obligation to comply with the EAS rules, including ensuring that EAS alerts are accessible to persons with disabilities.² In reporting on the most recent national level test of the EAS, the FCC's Public Safety and Homeland Security Bureau noted improvements in key areas, but identified several issues that impair dissemination of EAS messages.³ The 2019 Nationwide EAS Test Report noted, for instance, that EAS Participants must ensure that messages comply with the FCC's requirements designed to make the message accessible to individuals with hearing and vision disabilities.⁴ Below we highlight EAS Participants' obligations and identify measures to improve the dissemination and accessibility of EAS alerts.

The Emergency Alert System

The EAS is a national public warning system that enables the President to communicate via live audio transmission to the public during a national emergency.⁵ EAS Participants must transmit Presidential messages during national emergencies and may transmit local messages, such as severe weather alerts and

¹ See 47 CFR § 11.2(b) (defining EAS Participants). See also *id.* § 11.11(a) (further defining EAS Participants). Analog and digital class D non-commercial educational FM stations, analog and digital Low Power FM (LPFM) stations, and analog and digital Low Power TV (LPTV) stations are not required to have equipment capable of generating the EAS codes and Attention Signal specified in section 11.31 of the Commission's rules. 47 CFR § 11.31.

² See 47 CFR § 11.61(a)(3)(i),(iv) (requiring EAS Participants to participate in national tests and report their test results in the EAS Test Reporting System, respectively). See also 47 CFR § 11.51 (specifying the requirements for the audio and visual components of the EAS message).

³ FCC, Public Safety and Homeland Security Bureau, Report: August 7, 2019 Nationwide EAS Test (2020).

⁴ *Id.* at 20.

⁵ See *Review of the Emergency Alert System*, Second Further Notice of Proposed Rulemaking, 25 FCC Red 564, 565, para. 2 (2010). See also 2019 Nationwide EAS Test Report at 3-4 (providing historical context and statutory basis for the EAS).