



# PUBLIC NOTICE

Federal Communications Commission  
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**COMMENT REQUESTED TO REFRESH THE RECORD IN EB DOCKET NO. 04-296, ON PETITION FILED BY THE MINORITY MEDIA AND TELECOMMUNICATIONS COUNCIL PROPOSING CHANGES TO EMERGENCY ALERT SYSTEM (EAS) RULES TO SUPPORT MULTILINGUAL EAS AND EMERGENCY INFORMATION**

**EB Docket No. 04-296**

**Comments Due: [30 days after date of publication in the Federal Register]  
Reply Comments Due: [45 days after date of publication in the Federal Register]**

By this *Public Notice*, the Public Safety and Homeland Security Bureau (Bureau) requests comment to refresh the record in EB Docket No. 04-296, on issues raised in a Petition for Immediate Interim Relief (Petition) filed by the Independent Spanish Broadcasters Association, the Office of Communications of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council (hereinafter collectively or individually referred to as “MMTC”), regarding the ability of non-English speakers to access emergency information and similar multilingual issues.<sup>1</sup> The Commission placed the Petition into the record of this Docket in 2005 and has twice solicited comment on it.<sup>2</sup> In its Petition, MMTC sought changes to the Commission’s Emergency Alert System (EAS) rules to ensure that populations that do not speak English as a primary language will have access to readily understandable

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<sup>1</sup> See Petition for Immediate Interim Relief filed by the Independent Spanish Broadcasters Association, the Office of Communications of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, EB Docket 04-296 (filed Sept. 22, 2005) (“Petition”). The Bureau takes action to refresh the record in this docketed proceeding pursuant to its delegated authority under Section 0.392 of the Commission’s rules. 47 C.F.R. § 0.392.

<sup>2</sup> See Review of the Emergency Alert System, *First Report and Order and Further Notice of Proposed Rulemaking*, 20 FCC Rcd 18625, 18657-58, para. 81 (2005) (“*First R&O and FNPRM*”) (requesting “comment on the issues raised in the petition and, for this purpose, . . . incorporat[ing] the petition as well as other proposals filed in response to the petition into the record of this proceeding”); Review of the Emergency Alert System; Independent Spanish Broadcasters Association, The Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief, *Second Report and Order and Further Notice of Proposed Rulemaking*, 22 FCC Rcd 13275, 13306-07, para. 72 (2007) (“*Second R&O and FNPRM*”) (seeking comment on how non-English speakers may best be served by national, state, and local EAS).

EAS alerts and non-EAS emergency information.<sup>3</sup> As indicated above, the Commission previously released two *Further Notices of Proposed Rulemaking* that sought comment on issues raised by and related to MMTC's Petition, most recently in 2007.<sup>4</sup> Since then, however, there have been a number of developments, including technological and regulatory changes to the EAS, which may impact the Commission's consideration of these issues. Most notably, in a recent *ex parte* meeting with Bureau representatives, MMTC updated and elaborated on its proposal primarily in response to developments in the alerting environment. Accordingly, we invite parties to refresh the record in this proceeding, particularly as it relates to these issues and the aspects of the MMTC request that were recently fleshed out in MMTC's December 2013 meeting with the Bureau and memorialized in the letter MMTC filed in this Docket.<sup>5</sup>

## **BACKGROUND**

In its Petition,<sup>6</sup> MMTC asserted that Hurricane Katrina (which had occurred a few weeks prior to the MMTC filing) created significant problems for disseminating emergency information effectively to all segments of the New Orleans, Louisiana population. As a result, MMTC sought revisions to the Commission's EAS rules<sup>7</sup> to provide for the "dissemination of multilingual local, state and national emergency information via the EAS to ensure that non-English-speaking persons will have access to the same information as their English-speaking neighbors in an emergency."<sup>8</sup> Specifically, MMTC proposed that the Commission revise its EAS rules to:

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<sup>3</sup> According to MMTC, "emergency information" is information related to an emergency in progress or its aftermath, as typically provided in a newscast, rather than warning information typically provided in an EAS alert. *See, e.g.*, Letter from the Minority Media and Telecommunications Council to Marlene H. Dortch, Secretary, FCC, EB Docket No. 04-296, filed Aug. 17, 2012, at 1 (MMTC Aug. 17, 2012, *Ex Parte*). Examples of emergency information might include "information about how and where to evacuate, where to find medical assistance, food and shelter, how to locate loved ones, and when it is safe to return home." *See* The Minority Media and Telecommunications Council, Reply Comments, EB Docket 04-296, at 6 (filed June 14, 2010). Accordingly, in this *Public Notice*, we seek comment on language issues related not only to EAS alerts but also to multilingual emergency information that may be provided outside of the EAS.

<sup>4</sup> *See Second R&O and FNPRM*, 22 FCC Rcd 13275, 13306-07, para. 72. *See also supra* note 2.

<sup>5</sup> *See* Letter from the Minority Media and Telecommunications Council to Marlene H. Dortch, Secretary, FCC, EB Docket No. 04-296, at 1 (filed Dec. 12, 2013) (MMTC Dec. 12, 2013, *Ex Parte*).

<sup>6</sup> Prior to the filing of MMTC's Petition, the Commission issued a *Notice of Proposed Rulemaking* in 2004 seeking comment on ways to improve the EAS. Among other questions, the Commission sought comment on whether then current methods of providing alerts to non-English speaking populations were adequate. *See* Review of the Emergency Alert System, EB Docket No. 04-296, *Notice of Proposed Rulemaking*, 19 FCC Rcd 15775, 15790, para. 40 (2004) (*EAS Notice of Proposed Rulemaking*).

<sup>7</sup> *See generally* 47 C.F.R. Part 11.

<sup>8</sup> Petition at 2.

- “provide that Primary Entry Point (PEP) stations<sup>9</sup> air all Presidential level messages in both English and in Spanish;”<sup>10</sup>
- “include a [‘]Local Primary Spanish’ (‘LP-S’) designation and provide that state and local EAS plans would designate an LP-S station in each of the local areas in which an LP-1 has been designated;”<sup>11</sup>
- “include a Local Primary Multilingual (‘LP-M’) designation in local areas where a substantial proportion of the population has its primary fluency in a language other than English or Spanish;”<sup>12</sup>
- “provide that at least one broadcast station in every market would monitor and rebroadcast emergency information carried by local LP-S and LP-M stations;”<sup>13</sup> and
- “specify that if during an emergency a local LP-S or LP-M station loses its transmission capability, stations remaining on the air should broadcast emergency information in affected languages (at least as part of their broadcasts) until the affected LP-S or LP-M station is restored to the air.”<sup>14</sup>

Shortly thereafter, on November 3, 2005, the Commission issued a *First R&O and FNPRM*, which sought comment on the issues raised in the Petition and on similar multilingual alerting issues.<sup>15</sup> Subsequently, in 2007, the Commission released the *Second R&O and FNPRM* in which it adopted rules mandating the reception of Common Alert Protocol (“CAP”)-formatted alerts by EAS Participants.<sup>16</sup> The

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<sup>9</sup> PEP stations, also designated as “National Primary” (NP) stations, are the entry point for national level EAS messages on the legacy EAS daisy chain. See 47 C.F.R. §§ 11.2(f), 11.18(a); see also *supra* note 11.

<sup>10</sup> Petition at 13.

<sup>11</sup> *Id.* at 14. With respect to this proposed action, the Petition further explained that “[a]s described herein, an LP-S station should be designated in each radio market having a Latino population of either 50,000 or 5% of the total market population.” *Id.* “Local Primary” (LP) stations monitor designated PEP stations for the national level alert. LP stations, in turn, are monitored by all other EAS Participants. See 47 C.F.R. § 11.18.

<sup>12</sup> Petition at 15. With respect to this proposed action, the Petition further explained that “[a]s described herein, an LP-M station should be designated in each radio market having a population of a language minority (*e.g.*, Vietnamese, Haitians, Chinese) of either 50,000 or 5% of the total market population.” *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.* MMTC subsequently referred to this latter proposal as the “Designated Hitter” model. See, *e.g.*, Letter from the Minority Media and Telecommunications Council to Marlene H. Dortch, Secretary, FCC, EB Docket No. 04-296, at 3 (filed June 18, 2008) (stating that “[t]he [Designated Hitter] plan is premised on a ‘designated hitter’ model under which, if the only station in a covered language goes off the air in an emergency, another station would provide emergency information in that language”); MMTC Aug. 17, 2012, *Ex Parte* at 2 n.2.

<sup>15</sup> See *First R&O and FNPRM*, 20 FCC Rcd 18625, 18657-58, para. 81.

<sup>16</sup> See *Second R&O and FNPRM*, 22 FCC Rcd 13275. The Commission’s rules currently define EAS Participants as analog radio broadcast stations, including AM, FM, and Low-power FM stations; digital audio broadcasting

Commission anticipated that the move to CAP could facilitate the transmission of multilingual alerts.<sup>17</sup> In light of the CAP requirement, the Commission also sought additional comment on the Petition,<sup>18</sup> as well as general comment on the technical, economic, practical, and legal issues involved in making emergency information accessible to persons whose primary language is not English.<sup>19</sup>

In various *ex parte* filings, MMTC has further explained its proposals. For example, in 2010, MMTC stated that “[s]ince the Petition was filed in 2005, the issue of notice of an emergency has been largely solved by the wireless industry... Rather, the problem today is receiving information in-language during and after an emergency.”<sup>20</sup> More recently, during a meeting with Bureau representatives on December 11, 2013, MMTC stated that the Commission should require “broadcasters to work together, and with state and market counterparts, to develop a plan that communicates each party’s responsibility based on likely contingencies.”<sup>21</sup> Specifically, MMTC described its proposal as follows:

Such a plan could be modeled after the current EAS structure that could include a “designated hitter” approach to identify which stations would step in to broadcast multilingual information if the original non-English speaking station was knocked off air in the wake of a disaster. Broadcasters should work with one another and the state and/or local government to prepare an emergency communications plan that contemplates reasonable circumstances that may come to pass in the wake of an emergency. The plan should include a way to serve all portions of the population, regardless of the language they speak at home. One market plan might spell out the procedures by which non-English broadcasters can get physical access to another station’s facilities to alert the

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stations, including digital AM, FM, and Low-power FM stations; Class A (CA) television and Low-power TV (LPTV) stations; digital television broadcast stations, including digital CA and digital LPTV stations; analog cable systems; digital cable systems; wireline video systems; wireless cable systems; direct broadcast satellite service providers; and digital audio radio service providers. *See* 47 C.F.R. § 11.11(a).

<sup>17</sup> *See id.* at 13295, para. 41. The Commission observed that CAP allows for the inclusion of multiple translations of an alert. *See id.* at 13285-88, para. 22. Accordingly, the Commission concluded that requiring EAS Participants to be capable of receiving and processing CAP-formatted messages would constitute a “first step” toward more effectively serving non-English speakers. *Id.* at 13295, para. 41.

<sup>18</sup> *Id.* at 13307, para. 72 (listing specific issues for comment, including: whether state and local EAS plans should designate a “Local Primary Multilingual” (LP-M) station for areas where a “substantial proportion” of the population has a fluency in language other than English; how the term “substantial proportion” should be quantified; whether at least one broadcast station in every market, or some subset thereof, should be required to monitor and rebroadcast emergency information carried by a LP-M station; whether stations that remain on the air during an emergency should be required to broadcast emergency information in the relevant foreign language to the extent that the LP-M station loses transmission capability; the criteria the originator of an EAS message should use to determine which languages to require EAS Participants to transmit; and whether more than two languages should be transmitted in certain areas). *Id.*

<sup>19</sup> *See id.* The Commission also sought comment about its authority to order that emergency information be made accessible to persons whose primary language is not English. *Id.*

<sup>20</sup> Letter from the Minority Media and Telecommunications Council to Marlene H. Dortch, Secretary, FCC, EB Docket No. 04-296, filed Aug. 4, 2010, at 1 (MMTC Aug. 4, 2010, *Ex Parte*).

<sup>21</sup> MMTC Dec. 12, 2013, *Ex Parte* at 2.

non-English speaking community – *e.g.* where to pick up the key to the station, who has access to the microphones, how often multilingual information will be aired, and what constitutes best efforts to contact the non-English broadcasters during and after an emergency if personnel are unable to travel to the designated hither station.<sup>22</sup>

To ensure accountability, MMTC proposed that broadcasters should be required to certify, on their license renewal application, their understanding of their role in the plan.<sup>23</sup>

## **DISCUSSION**

### **A. MMTC's Proposals**

We seek to refresh the record on MMTC's petition, particularly as related to its December 12, 2013 *ex parte* filing, in which it suggested that broadcast stations within any given market be required to enter into emergency communications plans to support each other in the case of an emergency. MMTC believes that such a requirement would ensure that non-English speaking populations receive timely access to both EAS alerts and non-EAS emergency information. Is that correct? Are there other benefits? Drawbacks? How would such a requirement be implemented? For example, should it be prescriptive or should the requirement specify minimum standards to be included in emergency communications plans? What would be the costs of such a requirement?

If the Commission adopts MMTC's proposal, what would be the appropriate scope of such a requirement? For example, MMTC's proposal is intended primarily to address the needs of non-English speaking populations that have lost access to timely EAS alerts and emergency information because the station that serves that population has been rendered inoperable during an emergency. Does it then follow that this requirement should only apply in states or markets where there is at least one licensed broadcast station that serves these populations? Alternatively, should it apply in any state that has sizeable populations that do not speak English as a primary language, irrespective of whether there is a broadcast station offering programming in those populations' primary languages? If so, what population size should trigger the requirement? In addition, should this requirement only apply in states that are more susceptible to certain types of events, such as hurricanes, tornadoes or earthquakes? Are there other limitations or applications of this requirement that the Commission should consider?

We also seek data and information on the extent to which emergency communications plans similar to that proposed by MMTC are already in existence. Are there any markets where such plans currently exist? If so, how are these plans implemented? Do such plans involve only broadcasters or do they involve other types of communications service providers as well? Are state and/or local governments included? To what extent do these plans involve markets served by at least one broadcast station that broadcasts in languages other than English? In such cases, do these agreements address how the EAS and emergency information needs of populations who do not speak English are served if the station(s) that serve them are knocked off the air during an emergency? If so, how? What has been the experience, including the costs associated, with such plans?

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<sup>22</sup> *Id.*

<sup>23</sup> *Id.*

In its Petition and various *ex parte* filings, MMTC also has advocated for what it calls a “designated hitter” approach, in which stations in a given market would agree to air EAS alerts and non-EAS emergency information in the language of a non-English station if the latter station is rendered inoperable during an emergency.<sup>24</sup> Is there any market where broadcast stations have implemented this approach? If so, have any stations actually performed the “designated hitter” function? We seek information and comment on the experiences of both broadcast stations in that scenario. We also seek comment on the consumer experience. For example, how are non-English speaking populations in the market informed to turn to the designated hitter station in such circumstances?

In the past, broadcast stakeholders have raised concerns that MMTC’s designated hitter proposal would require broadcasters to retain personnel who could translate emergency information in the language of the downed station.<sup>25</sup> MMTC has responded by arguing that designated hitter stations could simply allow access to the employees of the downed non-English station.<sup>26</sup> These employees, in turn, would be responsible for providing non-English EAS alerts and emergency information to the public.<sup>27</sup> We seek updated comment on this, as well as specific cost information on the designated hitter proposal.

Finally, we seek updated comment and information on MMTC’s other proposed changes to the EAS rules, as set forth in its Petition, particularly given the EAS’s transition to CAP.<sup>28</sup> For example, we seek updated comment on the feasibility of requiring that PEP stations deliver Presidential alerts in both English and Spanish.<sup>29</sup> Have there been technical or other developments that would affect the feasibility for FEMA or the PEPs to provide a simultaneous translation of an EAS Presidential alert? Could any other entity provide translations of the Presidential audio while the EAN was in effect? Could automatic translation software or devices be used to provide non-English translation of a Presidential alert?

What about for non-Presidential EAS alerts? In previous comments, the National Association of Broadcasters (NAB) and the Association For Maximum Service Television, Inc., asked how on-air

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<sup>24</sup> See *supra* note 18.

<sup>25</sup> See, e.g., The National Association of Broadcasters, Comments, EB Docket No. 04-296 (filed on Jan. 24, 2006) at 14-16; The Named State Broadcasters Associations, Joint Comments, EB Docket No. 04-296 (filed Jan. 24, 2006) at 16-17; The Association For Maximum Service Television, Inc., Comments, EB Docket No. 04-296 (filed Jan. 24, 2006) at 12; The Community Broadcasters Association, Comments, EB Docket No. 04-296 (filed Jan. 24, 2006) at 4; The Association For Maximum Service Television, Inc., Reply Comments, EB Docket No. 04-296 (filed Feb. 23, 2006) at 9-10; The National Cable & Telecommunications Association, Reply Comments, EB Docket No. 04-296 (filed Feb. 23, 2006) at 2-5.

<sup>26</sup> See MMTC Dec. 12, 2013, *Ex Parte* at 2. See also “Seven Proposals on Broadcast Regulation,” at 4, attached to Letter from the Minority Media and Telecommunications Council to Marlene H. Dortch, Secretary, FCC, MB Docket Nos. 09-182 and 07-294, ET Docket No. 10-235, EB Docket No. 04-296, MM Docket 98-204, and IB Docket No. 11-133 (filed Aug. 11, 2011).

<sup>27</sup> See MMTC Dec. 12, 2013, *Ex Parte* at 2

<sup>28</sup> Petition at 13-16.

<sup>29</sup> Petition at 13.

stations would obtain non-English EAS content from non-English speaking LP-S or LP-M stations.<sup>30</sup> Have there been any technical developments that would affect who would be responsible for the initial translation of the alert? Broadcast and cable industry representatives and EAS equipment manufacturers previously have maintained that responsibility for issuing multilingual alerts must rest with alert message originators, and that it would be impractical for EAS Participants to effect timely and accurate alert translations at their facilities.<sup>31</sup> Is this still the case?

The National Cable and Telecommunications Association (NCTA) pointed out that under the EAS architecture a non-Presidential alert is limited to two minutes, and EAS equipment is programmed to reject duplicative alerts.<sup>32</sup> According to NCTA, if MMTC's proposal were to be adopted, and alert originators sent out multiple non-English two-minute alerts, EAS Participants' equipment would reject all but the original alert as a duplicate.<sup>33</sup> Thus, according to NCTA, under the current EAS architecture, a translation of a given alert, along with the English language version, would both have to fit within one two-minute timeframe,<sup>34</sup> a result that would greatly reduce the amount of the substantive information that the alert could convey and thus diminish the effectiveness of the EAS overall. Is this the case?

On a more general basis, would implementing MMTC's proposals be compatible with the EAS architecture contemplated by the Commission's *EAS Fifth Report and Order*,<sup>35</sup> wherein the broadcast-based EAS and the CAP-based EAS are both integrated into FEMA's Integrated Public Alert and

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<sup>30</sup> See, e.g., NAB Oct. 14 Comments at 5; The Association For Maximum Service Television, Inc., Comments, EB Docket No. 04-296, at 12 n.28 (filed Jan. 24, 2006).

<sup>31</sup> See, e.g., NAB Comments, EB Docket No. 04-296, at 14-16 (filed on Jan. 24, 2006); The Named State Broadcasters Associations, Joint Comments, EB Docket No. 04-296, at 16-17 (filed Jan. 24, 2006); The Association For Maximum Service Television, Inc., Comments, EB Docket No. 04-296, at 12 (filed Jan. 24, 2006); The Community Broadcasters Association, Comments, EB Docket No. 04-296, at 4 (filed Jan. 24, 2006); The Association For Maximum Service Television, Inc., Reply Comments, EB Docket No. 04-296, at 9-10 (filed Feb. 23, 2006); The National Cable & Telecommunications Association, Reply Comments, EB Docket No. 04-296, at 2-5 (filed Feb. 23, 2006); The Ohio, Virginia, And North Carolina Associations Of Broadcasters, Joint Comments, EB Docket No. 04-296, at 2-3 (filed Dec. 3, 2007); The Alaska Broadcasters Association and Alaska's State Emergency Communications Committee, Comments, EB Docket No. 04-296, at 3-4 (filed Dec. 3, 2007); TFT, Inc., Comments, EB Docket No. 04-296, at 3 (filed Dec. 3, 2007); Sage Alerting Systems, Inc., Comments, EB Docket No. 04-296, at 1-2 (filed Dec. 3, 2007); AT&T, Inc., Comments, EB Docket No. 04-296, at 6 (filed Dec. 3, 2007); Verizon, Comments, EB Docket No. 04-296, at 3-4 (filed Dec. 3, 2007); EchoStar Satellite L.L.C., Comments, EB Docket No. 04-296, at 5 (filed Dec. 3, 2007); The National Cable & Telecommunications Association, Reply Comments, EB Docket No. 04-296, at 7-11 (filed Feb. 23, 2006); National Cable & Telecommunications Association Comments, EB Docket 04-296, at 5 (filed May 17, 2010); Sage Alerting Systems, Inc., Comments, EB Docket 04-296, at 8 (filed May 17, 2010); Texas Association of Broadcasters Comments, EB Docket 04-296, at 5 (filed May 17, 2010); Named State Broadcasters Associations Reply Comments, EB Docket 04-296, at 6 (filed May 17, 2010).

<sup>32</sup> See, e.g., NCTA Reply Comments, EB Docket No. 04-296, at 4 (filed Feb. 23, 2006).

<sup>33</sup> *Id.*

<sup>34</sup> *Id.*

<sup>35</sup> See *Fifth Report and Order*, 27 FCC Rcd 642, 654-56, paras. 26-30.

Warning System (IPAWS)?<sup>36</sup> Are there other changes to the Commission's EAS rules, beyond those proposed in MMTC's Petition, that would be required to implement MMTC's original proposals? What would be the costs and benefits of such rule changes?

### **B. Alternative Approaches for Multilingual Alerting**

In the *First R&O and FNPRM*, we sought "comment on any other proposals regarding how to best alert non-English speakers."<sup>37</sup> We seek to refresh the record on potential avenues different from the one proposed by MMTC that would accomplish the same objective. Is one potential approach for the Commission to require that this issue be addressed as part of state EAS plans?<sup>38</sup> As noted above, MMTC's proposal is intended, in part, to ensure that non-English speaking populations have access to timely and accurate alerts and other emergency communications before, during, and after a disaster.<sup>39</sup> Would incorporating its latest proposal into the Commission's existing state EAS plan rules<sup>40</sup> meet this objective? Under this approach, broadcasters and other EAS Participants would not be subject to a separate planning requirement. In addition, incorporating this requirement into the state EAS plan rules would ensure that this issue is addressed in a manner consistent with other parts of a state's overall EAS planning. We seek comment on this view and the perception that this approach is a reasonable path forward. Are there any drawbacks to this approach? Commenters arguing in favor or against the reasonableness of this approach should provide substantive and compelling information regarding burdens or the effectiveness of a requirement to include minority broadcast alert contingency planning within state plans.

If the Commission requires that multilingual alerting be addressed in state EAS plans, should the Commission continue to use the current standard for accountability? MMTC recommends that the Commission require broadcasters to certify in their license renewal applications that they understand their role under these communications plans.<sup>41</sup> We seek comment on this proposal.

### **C. Other Issues Raised by the MMTC Petition**

In addition to refreshing the record on MMTC's proposal and other potential avenues to address, we seek to refresh the record on the current state of multilingual EAS alerts, and other possible solutions by which the Commission could facilitate multilingual EAS alerts. For example, we seek information on

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<sup>36</sup> *Id.*

<sup>37</sup> *First R&O and FNPRM*, 20 FCC Rcd 18625, 18657-58, para. 81.

<sup>38</sup> See *Second R&O and FNPRM*, 22 FCC Rcd 13275, 13307 (2007) (in which the Commission sought comments on state-level or other efforts designed to facilitate the delivery of non-English alerts and emergency information, noting "that that California and Texas have addressed the issue in their EAS plans filed with this Commission").

<sup>39</sup> See MMTC Dec. 12, 2013, *Ex Parte* at 1.

<sup>40</sup> See 47 C.F.R. § 11.21. Under the Commission's rules, EAS Participants' roles in the EAS are governed by state EAS plans, which must be reviewed and approved by the Chief, Public Safety and Homeland Security Bureau. These plans are typically developed by state emergency communications committees (SECCs) comprised of EAS Participants and state and local government emergency management officials.

<sup>41</sup> See *supra* note 23.



the extent to which EAS alerts are aired in languages other than English. We understand that Florida regularly issues Spanish language alerts in parallel with English language alerts and has designated three Spanish Local Primary stations in its EAS plan.<sup>42</sup> We seek more detailed information on how this works. What other jurisdictions have engaged in similar approaches? To what extent are EAS Participants able to translate English EAS alerts into other languages?

We also seek comment on the extent to which CAP-based alerting systems have been deployed, particularly at the state level, since the Commission first required EAS Participants to have the capability to receive CAP-based EAS alerts in 2007, and the multilingual alerting capabilities of these systems. For example, to what extent have states with CAP-based alerting systems issued EAS alerts in more than one language? In what languages, other than English, have CAP-based EAS alerts been issued? Is there a translation tool optimized for CAP-based alerting systems? What are the costs and benefits to jurisdictions that have implemented these CAP-based alerting systems? What about state, tribal, local and territorial governments that do not have CAP-based alerting systems?

We seek data and information on the advancement of possible technical solutions for multilingual alerting since 2007. For example, to what extent can text-to-speech technologies be used to provide multilingual EAS alerts? What examples, if any, exist of text-to-speech capabilities being used to provide EAS alerts in multiple languages? What is the status of other translation technologies? Do these technologies produce accurate versions of the original? Are they clear and understandable? What are the costs and benefits for use of this technology?

Finally, are there other technologies that are currently being developed that could be used to transmit EAS alerts in multiple languages? We seek data on these technologies, including their functionality and accuracy rate as well as their costs and benefits.

## **PROCEDURAL MATTERS**

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments and reply comments on or before the dates indicated on the first page of this document. All comments and reply comments should reference this *Public Notice* and **EB Docket No. 04-296**. Comments may be filed using the Commission's Electronic Comment Filing System (ECFS). See *Electronic Filing of Documents in Rulemaking Proceedings*, 63 FR 24121 (1998).

- Electronic Filers: Comments may be filed electronically using the Internet by accessing the ECFS: <http://fjallfoss.fcc.gov/ecfs2/>.
- Paper Filers: Parties who choose to file by paper must file an original and one copy of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, filers must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail. All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

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<sup>42</sup> See Letter from Derek K. Poarch, Chief, Public Safety and Homeland Security Bureau, to Marlene H. Dortch, Secretary, FCC, EB Docket No. 04-296 (filed Aug. 13, 2007) (*Multilingual Alert Forum Report*).

- All hand-delivered or messenger-delivered paper filings for the Commission's Secretary must be delivered to FCC Headquarters at 445 12<sup>th</sup> St., SW, Room TW-A325, Washington, DC 20554. The filing hours are 8:00 a.m. to 7:00 p.m. All hand deliveries must be held together with rubber bands or fasteners. Any envelopes and boxes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class, Express, and Priority mail must be addressed to 445 12<sup>th</sup> Street, SW, Washington DC 20554.

People with Disabilities: To request materials in accessible formats for people with disabilities (braille, large print, electronic files, audio format), send an e-mail to [fcc504@fcc.gov](mailto:fcc504@fcc.gov) or call the Consumer & Governmental Affairs Bureau at 202-418-0530 (voice), 202-418-0432 (tty).

Documents in **EB Docket No. 04-296** are available for public inspection and copying during business hours at the FCC Reference Information Center, Portals II, 445 12th St. SW, Room CY-A257, Washington, D.C. 20554. The documents may also be purchased from BCPI, telephone (202) 488-5300, facsimile (202) 488-5563, TTY (202) 488-5562, e-mail [fcc@bcpiweb.com](mailto:fcc@bcpiweb.com).

All comments and other *ex parte* presentations made in response to or in connection with this *Public Notice* are subject to the applicable *ex parte* requirements of this permit-but-disclose docketed rulemaking proceeding. See Sections 1.1200(a), 1.1206 of the Commission's rules, 47 C.F.R. §§ 1.1200(a), 1.1206. Accordingly, all such presentations will be allowed but must be disclosed in accordance with the requirements of Section 1.1206(b) of the Commission's Rules, 47 C.F.R. § 1.1206(b) and must reference **EB Docket No. 04-296**.

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