

Federal Communications Commission

§ 11.47

- (2) Cinemax.
- (3) Disney Channel.
- (4) Entertainment and Sports Programming Network (ESPN).
- (5) Home Box Office (HBO).
- (6) Movie Channel.
- (7) MTV.
- (8) The Nashville Network.
- (9) Nickelodeon.
- (10) Showtime.
- (11) VH-1.
- (12) Weather Channel.
- (d) *Wire Services*.
- (1) Associated Press (AP).
- (2) Reuters.
- (3) United Press International (UPI).
- (e) *Common Carriers*.
- (1) American Telephone and Telegraph (AT&T).
- (2) [Reserved]
- (f) Entities that wish to voluntarily participate in the national level EAS may submit a written request to the FCC.

§ 11.44 EAS message priorities.

(a) A national activation of the EAS for a Presidential message with the Event code EAN as specified in § 11.31 must take priority over any other message and preempt it if it is in progress.

(b) EAS participants should transmit other EAS messages in the following order: first, Local Area Messages; second, State Messages; and third, National Information Center (NIC) Messages.

(c) Key EAS sources (NP, LP, SP and SR) and Participating National (PN) sources that remain on the air during a National emergency must carry Presidential Messages "live" at the time of transmission or immediately upon receipt. Activation of the National level EAS must preempt State and Local Area EAS operation.

(d) During a national emergency, the radio and television broadcast network program distribution facilities must be reserved exclusively for distribution of Presidential Messages. NIC messages received from national networks which are not broadcast at the time of original transmission must be recorded locally by LP sources for transmission at the earliest opportunity consistent

with the message priorities in paragraph (b) of this section.

§ 11.45 Prohibition of false or deceptive EAS transmissions.

No person may transmit or cause to transmit the EAS codes or Attention Signal, or a recording or simulation thereof, in any circumstance other than in an actual National, State or Local Area emergency or authorized test of the EAS. Broadcast station licensees should also refer to § 73.1217 of this chapter.

§ 11.46 EAS public service announcements.

Broadcast stations, cable systems and wireless cable systems may use Public Service Announcements or obtain commercial sponsors for announcements, infomercials, or programs explaining the EAS to the public. Such announcements and programs may not be a part of alerts or tests, and may not simulate or attempt to copy alert tones or codes.

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29664, June 1, 1998]

§ 11.47 Optional use of other communications methods and systems.

(a) Broadcast stations may additionally transmit EAS messages through other communications means than the main audio channel. For example, on a voluntary basis, FM stations may use subcarriers to transmit the EAS codes including 57 kHz using the RBDS standard produced by the National Radio Systems Committee (NRSC) and television stations may use subsidiary communications services.

(b) Other technologies and public service providers, such as DBS, low earth orbiting satellites, etc., that wish to participate in the EAS may contact the FCC's Technical and Public Safety Division, Enforcement Bureau, or their State Emergency Communications Committee for information and guidance.

[60 FR 56000, Nov. 6, 1995, as amended at 65 FR 21658, Apr. 24, 2000]