

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

[70 FR 71034, Nov. 25, 2005, as amended at 71 FR 76220, Dec. 20, 2006; 72 FR 62135, Nov. 2, 2007]

### Subpart D—Emergency Operations

#### § 11.51 EAS code and Attention Signal Transmission requirements.

(a) Analog and digital broadcast stations must transmit, either automatically or manually, national level EAS messages and required tests by sending the EAS header codes, Attention Signal, emergency message and End of Message (EOM) codes using the EAS Protocol. The Attention Signal must precede any emergency audio message.

(b) When relaying EAS messages, EAS Participants may transmit only the EAS header codes and the EOM code without the Attention Signal and emergency message for State and local emergencies. Pauses in video programming before EAS message transmission should not cause television receivers to mute EAS audio messages. No Attention Signal is required for EAS messages that do not contain audio programming, such as a Required Weekly Test.

(c) All analog and digital radio and television stations shall transmit EAS messages in the main audio channel. All DAB stations shall also transmit EAS messages on all audio streams. All DTV broadcast stations shall also transmit EAS messages on all program streams.

(d) Analog and digital television broadcast stations, analog cable systems, digital cable systems, wireless cable systems, wireline video systems, and DBS providers shall transmit a visual message containing the Originator, Event, and Location and the valid time period of an EAS message. Visual messages derived from CAP-formatted EAS messages shall contain the Originator, Event, Location and the valid time period of the message and shall be con-

structed in accordance with § 3.6 of the "ECIG Recommendations for a CAP EAS Implementation Guide, Version 1.0" (May 17, 2010).

(1) The visual message portion of an EAS alert, whether video crawl or block text, must be displayed:

(i) At the top of the television screen or where it will not interfere with other visual messages

(ii) In a manner (*i.e.*, font size, color, contrast, location, and speed) that is readily readable and understandable,

(iii) In a manner that does not contain overlapping lines of EAS text or extend beyond the viewable display (except for video crawls that intentionally scroll on and off of the screen), and

(iv) In full at least once during any EAS message.

(2) The audio portion of an EAS message must play in full at least once during any EAS message.

(3) On and after December 12, 2023,

(i) The portion of the required visual message corresponding with the Originator Code shall use the term in the first column in the table in § 11.31(d) corresponding to the ORG code in the second column of that table.

(ii) The portion of the required visual message corresponding with the Event Code shall use the term in the first column in the table in § 11.31(e) corresponding to the Event code in the second column of that table, except as set forth in paragraphs (d)(3)(iii) and (d)(5) of this section.

(iii) Notwithstanding paragraphs (d)(3)(i) and (ii) of this section, if the header codes of the received EAS message specify the NPT Event code and the "All U.S." location code, and if the received EAS message is formatted in the EAS protocol, then the required visual message shall consist of the following text instead of replicating the terms of the Originator, Event, and Location codes: "This is a nationwide test of the Emergency Alert System, issued by the Federal Emergency Management Agency, covering the United States from [time] until [time]. This is only a test. No action is required by the public." The "from [time] until [time]" portion of the text required in the preceding sentence shall be determined from the alert's release date/

time and valid time period header codes specified at § 11.31(c).

(4) Prior to December 12, 2023, the required visual message shall either conform to paragraph (d)(3) or, in the alternative, shall display—

(i) The term “Emergency Action Notification” as the portion of the visual message corresponding to the EAN Event code if the header codes of the received EAS message specify the EAN Event code.

(ii) The term “National Periodic Test” as the portion of the visual message corresponding to the NPT Event code if the header codes of the received EAS message specify the NPT Event code.

(iii) The term “Primary Entry Point” as the portion of the visual message corresponding to the PEP Originator code if the header codes of the received EAS message specify the PEP Originator code.

(5) If the EAS Participant is an analog or digital cable system subject to paragraphs (g) or (h) of this section, then—

(i) If, with respect to a particular subscriber, the portion of the required visual message corresponding to the EAN event code can be altered by means of software upgrades or other changes that do not require replacement of the subscriber’s navigation device, then, prior to March 12, 2024, the portion of the required visual message displayed to the subscriber corresponding to the EAN Event code shall comply with either paragraph (d)(3)(ii) or (d)(4)(i) of this section; after that date, the portion of the required visual message displayed to the subscriber corresponding to the EAN Event code shall comply with paragraph (d)(3)(ii) of this section.

(ii) If, with respect to a particular subscriber, no alterations to the portion of the required visual message corresponding to the EAN event code can be implemented unless the subscriber’s navigation device is replaced with a device that is capable of displaying the visual message corresponding to the EAN event code as set forth in paragraph (d)(3)(ii) of this section then, prior to December 12, 2028 or the date when the subscriber’s navigation de-

vice is replaced, whichever occurs earliest—

(A) The portion of the required visual message displayed to the subscriber corresponding to the EAN Event code shall comply with either paragraph (d)(3)(ii) or paragraph (d)(4)(i) of this section; thereafter, the portion of the required visual message displayed to the subscriber corresponding to the EAN Event code shall comply with paragraph (d)(3)(ii) of this section.

(B) If the operator of the cable system makes the navigation device available to the subscriber as “associated equipment” in connection with a cable service, as the term “associated equipment” is used in part 76, subpart N of this chapter, and a subscriber who is deaf or hard of hearing requests that the cable system operator provide a navigation device that is capable of displaying a visual message that complies with paragraph (d)(1) of this section, to replace a navigation device that lacks such capability, then the cable system operator shall provide and, if necessary, install such replacement navigation device within a reasonable period of time, to the same extent required and on the same terms and conditions as set forth at § 79.108 of this chapter. This paragraph (d)(5)(ii)(B) applies only to subscribers who state that they are deaf or hard of hearing or a household member who is deaf or hard of hearing.

(iii) Prior to December 12, 2028, the cable system operator must prominently display on its website information regarding the availability of replacement navigation devices to eligible subscribers as set forth in paragraph (d)(5)(ii)(B) of this section, in the same manner as provided at § 79.108(d)(2) of this chapter.

(iv) For purposes of this paragraph (d)(5), the term “navigation device” means equipment that is located at a subscriber’s premises and satisfies the definition of “navigation device” in § 76.1200(c) of this chapter.

(e) Analog class D non-commercial educational FM stations as defined in § 73.506 of this chapter, digital class D non-commercial educational FM stations, analog Low Power FM (LPFM) stations as defined in §§ 73.811 and 73.853 of this chapter, digital LPFM stations,

analog low power TV (LPTV) stations as defined in § 74.701(f) of this chapter, and digital LPTV stations as defined in § 74.701(k) of this chapter are not required to have equipment capable of generating the EAS codes and Attention Signal specified in § 11.31.

(f) Analog and digital broadcast station equipment generating the EAS codes and the Attention Signal shall modulate a broadcast station transmitter so that the signal broadcast to other EAS Participants alerts them that the EAS is being activated or tested at the National, State or Local Area level. The minimum level of modulation for EAS codes, measured at peak modulation levels using the internal calibration output required in § 11.32(a)(4), shall modulate the transmitter at the maximum possible level, but in no case less than 50% of full channel modulation limits. Measured at peak modulation levels, each of the Attention Signal tones shall be calibrated separately to modulate the transmitter at no less than 40%. These two calibrated modulation levels shall have values that are within 1 dB of each other.

(g) Analog cable systems and digital cable systems with fewer than 5,000 subscribers per headend and wireline video systems and wireless cable systems with fewer than 5,000 subscribers shall transmit EAS audio messages in the same order specified in paragraph (a) of this section on at least one channel. The Attention signal may be produced from a storage device. Additionally, these analog cable systems, digital cable systems, and wireless cable systems:

(1) Must install, operate, and maintain equipment capable of generating the EAS codes. The modulation levels for the EAS codes and Attention Signal for analog cable systems shall comply with the aural signal requirements in § 76.605 of this chapter,

(2) Must provide a video interruption and an audio alert message on all channels. The audio alert message must state which channel is carrying the EAS video and audio message,

(3) Shall transmit a visual EAS message on at least one channel. The visual message shall comply with the re-

quirements in paragraph (d) of this section.

(4) May elect not to interrupt EAS messages from broadcast stations based upon a written agreement between all concerned. Further, analog cable systems, digital cable systems, and wireless cable systems may elect not to interrupt the programming of a broadcast station carrying news or weather related emergency information with state and local EAS messages based on a written agreement between all parties.

(5) Wireless cable systems and digital cable systems with a requirement to carry the audio and video EAS message on at least one channel and a requirement to provide video interrupt and an audio alert message on all other channels stating which channel is carrying the audio and video EAS message, may comply by using a means on all programmed channels that automatically tunes the subscriber's set-top box to a pre-designated channel which carries the required audio and video EAS messages.

(h) Analog cable systems and digital cable systems with 10,000 or more subscribers; analog cable and digital cable systems serving 5,000 or more, but less than 10,000 subscribers per headend; and wireline video systems and wireless cable systems with 5,000 or more subscribers shall transmit EAS audio messages in the same order specified in paragraph (a) of this section. The Attention signal may be produced from a storage device. Additionally, these analog cable systems, digital cable systems, and wireless cable systems:

(1) Must install, operate, and maintain equipment capable of generating the EAS codes. The modulation levels for the EAS codes and Attention Signal for analog cable systems shall comply with the aural signal requirements in § 76.605 of this chapter. This will provide sufficient signal levels to operate subscriber television and radio receivers equipped with EAS decoders and to audibly alert subscribers. Wireless cable systems and digital cable systems shall also provide sufficient signal levels to operate subscriber television and radio receivers equipped with EAS decoders and to audibly alert subscribers.

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(2) Shall transmit the EAS audio message required in paragraph (a) of this section on all downstream channels.

(3) Shall transmit the EAS visual message on all downstream channels. The visual message shall comply with the requirements in paragraph (d) of this section.

(4) May elect not to interrupt EAS messages from broadcast stations based upon a written agreement between all concerned. Further, analog cable systems, digital cable systems, and wireless cable systems may elect not to interrupt the programming of a broadcast station carrying news or weather related emergency information with state and local EAS messages based on a written agreement between all parties.

(5) Wireless cable systems and digital cable systems with a requirement to carry the audio and video EAS message on all downstream channels may comply by using a means on all programmed channels that automatically tunes the subscriber's set-top box to a pre-designated channel which carries the required audio and video EAS messages.

(i) SDARS licensees shall transmit national audio EAS messages on all channels in the same order specified in paragraph (a) of this section.

(1) SDARS licensees must install, operate, and maintain equipment capable of generating the EAS codes.

(2) SDARS licensees may determine the distribution methods they will use to comply with this requirement.

(j) DBS providers shall transmit national audio and visual EAS messages on all channels in the same order specified in paragraph (a) of this section.

(1) DBS providers must install, operate, and maintain equipment capable of generating the EAS codes.

(2) The visual message shall comply with the requirements in paragraph (d) of this section.

(3) DBS providers may determine the distribution methods they will use to comply with this requirement. Such methods may include distributing the EAS message on all channels, using a means to automatically tune the subscriber's set-top box to a pre-designated channel which carries the re-

quired audio and video EAS messages, and/or passing through the EAS message provided by programmers and/or local channels (where applicable).

(k) If manual interrupt is used as authorized in paragraph (m) of this section, EAS Encoders must be located so that EAS Participant staff, at normal duty locations, can initiate the EAS code and Attention Signal transmission.

(l) EAS Participants that are co-owned and co-located with a combined studio or control facility, (such as an AM and FM licensed to the same entity and at the same location or a cable headend serving more than one system) may provide the EAS transmitting requirements contained in this section for the combined stations or systems with one EAS Encoder. The requirements of §11.32 must be met by the combined facility.

(m) EAS Participants are required to transmit all received EAS messages in which the header code contains the Event code for National Emergency Message (EAN), Nationwide Test of the Emergency Alert System (NPT), or Required Monthly Test (RMT), and when the accompanying location codes include their State or State/county. These EAS messages shall be retransmitted unchanged except for the LLLLLLLL-code which identifies the EAS Participant retransmitting the message. See §11.31(c). If an EAS source originates an EAS message with any of the Event codes listed in this paragraph, it must include the location codes for the State(s) and counties in its service area. When transmitting the required weekly test, EAS Participants shall use the event code RWT. The location codes are the state and county for the broadcast station city of license or system community or city. Other location codes may be included upon approval of station or system management. EAS messages may be transmitted automatically or manually.

(1) Automatic interrupt of programming and transmission of EAS messages are required when facilities are unattended. Automatic transmissions must include a permanent record that contains at a minimum the following

information: Originator, Event, Location and valid time period of the message. The decoder performs the functions necessary to determine which EAS messages are automatically transmitted by the encoder.

(2) Manual interrupt of programming and transmission of EAS messages may be used. EAS messages with the National Emergency Message (EAN) Event code or the Nationwide Test of the Emergency Alert System (NPT) Event code must be transmitted immediately. Monthly EAS test messages must be transmitted within 60 minutes. All actions must be logged and include the minimum information required for EAS video messages.

(n) EAS Participants may employ a minimum delay feature, not to exceed 15 minutes, for automatic interruption of EAS codes. However, this may not be used for the EAN Event code, or the NPT Event code in the case of a nationwide test of the EAS, which must be transmitted immediately. The delay time for an RMT message may not exceed 60 minutes.

(o) Either manual or automatic operation of EAS equipment may be used by EAS Participants that use remote control. If manual operation is used, an EAS decoder must be located at the remote control location and it must directly monitor the signals of the two assigned EAS sources. If direct monitoring of the assigned EAS sources is not possible at the remote location, automatic operation is required. If automatic operation is used, the remote control location may be used to override the transmission of an EAS alert. EAS Participants may change back and forth between automatic and manual operation.

(p) The material listed in this paragraph (p) is incorporated by reference into this section with the approval of the Director of the Federal Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, the Federal Communications Commission (FCC) must publish notice of change in the FEDERAL REGISTER and the material must be available to the public. All approved material is available for inspection at the FCC and at the National Archives and Records Administration

(NARA). Contact FCC at: the address indicated in 47 CFR 0.401(a) of this chapter (Reference Information Center). For information on the availability of this material at NARA, email: [fr.inspection@nara.gov](mailto:fr.inspection@nara.gov), or go to: [www.archives.gov/federal-register/cfr/ibr-locations.html](http://www.archives.gov/federal-register/cfr/ibr-locations.html). The material may be obtained from the following source in this paragraph (p).

[70 FR 71035, Nov. 25, 2005, as amended at 71 FR 76220, Dec. 20, 2006; 72 FR 62135, Nov. 2, 2007; 71 FR 76220, Dec. 20, 2006; 72 FR 62135, Nov. 2, 2007; 77 FR 16704, Mar. 22, 2012; 80 FR 37175, June 30, 2015; 85 FR 64406, Oct. 13, 2020; 87 FR 67824, Nov. 10, 2022]

#### § 11.52 EAS code and Attention Signal Monitoring requirements.

(a) EAS Participants must be capable of receiving the Attention Signal required by § 11.31(a)(2) and emergency messages of other broadcast stations during their hours of operation. EAS Participants must install and operate during their hours of operation, equipment that is capable of receiving and decoding, either automatically or manually, the EAS header codes, emergency messages and EOM code, and which complies with the requirements in § 11.56.

NOTE TO PARAGRAPH (a): The two-tone Attention Signal will not be used to actuate two-tone decoders but will be used as an aural alert signal.

(b) If manual interrupt is used as authorized in § 11.51(m)(2), decoders must be located so that operators at their normal duty stations can be alerted immediately when EAS messages are received.

(c) EAS Participants that are co-owned and co-located with a combined studio or control facility (such as an AM and FM licensed to the same entity and at the same location or a cable headend serving more than one system) may comply with the EAS monitoring requirements contained in this section for the combined station or system with one EAS Decoder. The requirements of § 11.33 must be met by the combined facilities. Co-located LPFM stations including those operating on a time-sharing basis but which, pursuant to ownership restrictions in § 73.855 of this chapter cannot be co-owned, may also comply with the EAS monitoring