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up letter to confirm temporary or permanent reassignment.

(2) Broadcast station and cable system and wireless cable system management shall determine which header codes will automatically interrupt their programming for State and Local Area emergency situations affecting their audiences.

(e) Broadcast stations and cable systems and wireless cable systems are required to interrupt normal programming either automatically or manually when they receive an EAS message in which the header code contains the Event codes for Emergency Action Notification (EAN), Emergency Action Termination (EAT), and Required Monthly Test (RMT) for their State or State/county location.

(1) *Automatic* interrupt of programming is required when facilities are unattended. Automatic operation must provide a permanent record of the EAS message that contains at a minimum the following information: Originator, Event, Location and valid time period of the message.

(2) *Manual* interrupt of programming and transmission of EAS messages may be used. EAS messages with the EAN Event code must be transmitted immediately and Monthly EAS test messages within 15 minutes. All actions must be logged or recorded. Decoders must be programmed for the EAN and EAT Event header codes for EAS National level emergencies and the RMT and RWT Event header codes for required monthly and weekly tests, with the appropriate accompanying State and State/county location codes.

[59 FR 67092, Dec. 28, 1994, as amended at 60 FR 56000, Nov. 6, 1995; 63 FR 29665, June 1, 1998]

§ 11.53 Dissemination of Emergency Action Notification.

Initiation of the EAN by any one of the following sources is sufficient to begin the emergency actions in § 11.54.

(a) National Level. The EAN is issued by the White House. The EAN message is sent from an origination point to control points of the participating radio and television networks, cable networks and program suppliers, wire services, communications common car-

riers and other entities. It is then disseminated via:

(1) Radio and television broadcast networks to all affiliates with the use of internal alerting facilities.

(2) Cable networks and program suppliers to cable systems, wireless cable systems and subscribers.

(3) Wire services to all subscribers (AM, FM, low power FM (LPFM), TV, LPTV and other stations).

(4) Wire service to all subscribers (AM, FM, low power FM (LPFM), TV, LPTV, Class A television (CA) and other stations).

(b) State level and Local Area levels. EAN dissemination arrangements at these levels originate from State and local governments in accordance with State and Local Area plans.

(c) Broadcast stations must, prior to commencing routine operation or originating any emissions under program test, equipment test, experimental, or other authorizations, determine whether the EAS has been activated by any of the following methods:

(1) Monitor the radio and TV networks and cable systems.

(2) Check the wire services.

(3) Monitor the assigned EAS sources.

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29666, June 1, 1998; 65 FR 7640, Feb. 15, 2000; 65 FR 30001, May 10, 2000]

§ 11.54 EAS operation during a National Level emergency.

(a) The EAS Operating Handbook summarizes the procedures to be followed upon receipt of a National level EAN or EAT Message.

(b) Immediately upon receipt of an EAN message, broadcast stations and cable systems and wireless cable systems must:

(1) Monitor the radio and television networks, cable networks and program suppliers, and wire services for further instructions.

(2) Monitor the two EAS sources assigned in the State or Local Area plan or FCC Mapbook for any further instructions.

(3) Discontinue normal programming and follow the transmission procedures in the appropriate section of the EAS Operating Handbook. Announcements

may be made in the same language as the primary language of the station.

(i) Key EAS sources (National Primary (NP), Local Primary (LP), State Primary (SP), State Relay (SR) and Participating National (PN) sources) follow the transmission procedures and make the announcements in the National Level Instructions of the EAS Operating Handbook.

(ii) Non-participating National (NN) sources follow the transmission procedures and make the sign-off announcement in the EAS Operating Handbook's National Level Instructions section for NN sources. After the sign-off announcement, NN sources are required to remove their carriers from the air and monitor for the Emergency Action Termination message. NN sources using automatic interrupt under §11.51(l)(1) must transmit the header codes, Attention Signal, sign-off announcement and EOM code after receiving the appropriate EAS header codes for a national emergency.

(4) After completing the above transmission procedures, key EAS and Participating National sources must transmit a common emergency message until receipt of the Emergency Action Termination Message. Message priorities are specified in §11.44. If LP or SR sources of a Local Area cannot provide an emergency message feed, any source in the Local Area may elect to provide a message feed. This should be done in an organized manner as designated in State and Local Area EAS Plans.

(5) The Standby Script shall be used until emergency messages are available. The text of the Standby Script is in the EAS Operating Handbook's section for Participating sources.

(6) TV broadcast stations shall display an appropriate EAS slide and then transmit all EAS announcements visually and aurally as specified in §73.1250(h) of this chapter.

(7) Cable systems and wireless cable systems shall transmit all EAS announcements visually and aurally as specified in §11.51 (g) and (h) of this part.

(8) Announcements may be made in the same language as the primary language of the station.

(9) Broadcast Stations in the International Broadcast Service must cease

broadcasting immediately upon receipt of an Emergency Action Notification and must maintain radio silence until an EAT is issued. Such stations may be issued an emergency authorization by the FCC with concurrence of the Director, Office of Science and Technology Policy, to transmit Federal government broadcasts or communications.

(10) Broadcast stations may transmit their call letters and cable systems and wireless cable systems may transmit the names of the communities they serve during an EAS activation. State and Local Area identifications must be given as provided in State and Local Area EAS plans.

(11) All broadcast stations and cable systems and wireless cable systems operating and identified with a particular EAS Local Area must transmit a common national emergency message until receipt of the Emergency Action Termination.

(12) Broadcast stations, except those holding an EAS Non-participating National Authorization letter, are exempt from complying with §§73.62 and 73.1560 of this chapter (operating power maintenance) while operating under this part.

(13) National Primary (NP) sources must operate under the procedures in the National Control Point Procedures.

(14) The time of receipt of the EAN and Emergency Action Termination messages shall be entered by broadcast station logs in their logs (as specified in §73.1820 and §73.1840 of this chapter), by cable systems in their records (as specified in §§76.1700, 76.1708, and 76.1711 of this chapter), and by subject wireless cable systems in their records (as specified in §21.304 of this chapter).

(c) Upon receipt of an Emergency Action Termination Message, broadcast stations and cable systems and wireless cable systems must follow the termination procedures in the EAS Operating Handbook.

(d) Broadcast stations and cable systems and wireless cable systems originating emergency communications under this section shall be considered to have conferred rebroadcast authority, as required by Section 325(a) of the Communications Act of 1934, 47 U.S.C. 325(a), to other participating broadcast

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stations, cable systems and wireless cable systems.

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29666, June 1, 1998; 63 FR 39035, July 21, 1998; 65 FR 21658, Apr. 24, 2000; 65 FR 53614, Sept. 5, 2000]

EDITORIAL NOTE: At 65 FR 53614, Sept. 5, 2000, § 11.54, paragraph (b)(14), was amended by removing “§ 76.305” and adding in its place “§§ 76.1700, 76.1708, and 76.1711”, effective Oct. 5, 2000.

§ 11.55 EAS operation during a State or Local Area emergency.

(a) The EAS may be activated at the State and Local Area levels by broadcast stations, cable systems and wireless cable systems at their discretion for day-to-day emergency situations posing a threat to life and property. Examples of natural emergencies which may warrant activation are: tornadoes, floods, hurricanes, earthquakes, heavy snows, icing conditions, widespread fires, etc. Man-made emergencies may include: toxic gas leaks or liquid spills, widespread power failures, industrial explosions, and civil disorders.

(b) EAS operations must be conducted as specified in State and Local Area EAS Plans. The plans must list all authorized entities participating in the State or Local Area EAS.

(c) Immediately upon receipt of a State or Local Area EAS message, broadcast stations, cable systems and wireless cable systems participating in the State or Local Area EAS must do the following:

(1) State Relay (SR) sources monitor the State Relay Network or follow the State EAS plan for instructions from the State Primary (SP) source.

(2) Local Primary (LP) sources monitor the Local Area SR sources or follow the State EAS plan for instructions.

(3) Participating National (PN) and Non-participating National (NN) sources monitor the Local Area LP sources for instructions.

(4) Broadcast stations, cable systems and wireless cable systems participating in the State or Local Area EAS must discontinue normal programming and follow the procedures in the State and Local area plans. Television stations must comply with § 11.54(b)(6) and

cable systems and wireless cable systems must comply with § 11.54(b)(7). Broadcast stations providing foreign language programming shall comply with § 11.54(b)(8).

(5) Upon completion of the State or Local Area EAS transmission procedures, resume normal programming until receipt of the cue from the SR or LP sources in your Local Area. At that time begin transmitting the common emergency message received from the above sources.

(6) Resume normal operations upon conclusion of the message.

(7) The times of the above EAS actions must be entered in the broadcast station, cable system or wireless cable system records as specified in § 11.54(b)(14). FCC Form 201 may be used to report EAS activations to the FCC.

(8) Use of the EAS codes or Attention Signal automatically grants rebroadcast authority as specified in § 11.54(d).

[59 FR 67092, Dec. 28, 1994, as amended at 63 FR 29666, June 1, 1998; 65 FR 21658, Apr. 24, 2000]

Subpart E—Tests

§ 11.61 Tests of EAS procedures.

(a) Tests shall be made at regular intervals as indicated below. Additional tests may be performed anytime. EAS activations and special tests may be performed in lieu of required tests as specified in paragraph (a)(6) of this section. All tests will conform with the procedures in the EAS Operating Handbook.

(1) Required Monthly Tests of the EAS header codes, Attention Signal, Test Script and EOM code.

(i) Effective January 1, 1997, AM, FM and TV stations.

(ii) Effective October 1, 2002, cable systems with fewer than 5,000 subscribers per headend.

(iii) Effective December 31, 1998, cable systems with 10,000 or more subscribers; and, effective October 1, 2002, cable systems serving 5,000 or more, but less than 10,000 subscribers per headend.

(iv) Effective October 1, 2002, all wireless cable systems.

(v) Tests in odd numbered months shall occur between 8:30 a.m. and local sunset. Tests in even numbered months