wireless RERC

Rehabilitation Engineering Research Center for
Wireless Technologies

VIA ECFS

May 17, 2010

Marlene H. Dortch, Secretary
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
TW-A325
Washington D.C. 20554

Re: *Public Safety and Homeland Security Bureau Seeks Informal Comment Regarding Revisions to the FCC's Part 11 Rules Governing the Emergency Alert System Pending Adoption of the Common Alerting Protocol by the Federal Emergency Management Agency.*

Dear Ms. Dortch:

Enclosed for filing in the above referenced proceeding are comments of the Rehabilitation Engineering Research Center for Wireless Technologies (Wireless RERC).

Should you have any questions concerning this filing, please do not hesitate to contact via email either Dr. Helena Mitchell at helena.mitchell@cacp.gatech.edu or Frank Lucia at felucia@att.net.

Respectfully submitted,

Helena Mitchell
Frank Lucia
Center for Advanced Communications Policy
Georgia Institute of Technology

Enclosure

Before
Federal Communications Commission
Washington, D.C. 20554

In the Matter of	)	
	)	
Review of the Emergency Alert System	)	EB Docket No. 04-296

Public Safety and Homeland Security Bureau Seeks Informal Comment Regarding Revisions to the FCC's Part 11 Rules Governing the Emergency Alert System Pending Adoption of the Common Alerting Protocol by the Federal Emergency Management Agency.

COMMENTS OF
REHABILITATION ENGINEEERING RESEARCH CENTER FOR
WIRELESS TECHNOLOGIES (WIRELESS RERC)

The Rehabilitation Engineering Research Center for Wireless Technologies (Wireless RERC), hereby submits comments in the above-referenced proceeding released on March 25, 2010.

The Wireless RERC[1] is a research center focused on promoting equitable access to and use of wireless technologies by people with disabilities and on encouraging the application of Universal Design practices in future generations of wireless technologies. The Wireless RERC is concerned that people who are hard of hearing or who are deaf are missing important visual information when they receive an EAS alert, because EAS participants are not required to present the audio portion of the EAS message visually. The Wireless RERC recommends that a video service EAS participant be required to present all of the EAS message information aurally and visually.

[1] The Rehabilitation Engineering Research Center for Wireless Technologies (Wireless RERC) is sponsored by the National Institute on Disability and Rehabilitation Research (NIDRR) of the U.S. Department of Education under grant number H133E060061. The opinions contained in this filing are those of the authors and do not necessarily reflect those of the U.S. Department of Education or NIDRR.

Specifically, the Wireless RERC recommends that the Commission amend 47 C.F.R. Part 11.51 to require EAS participants to transmit the portion of an EAS message as defined in paragraph 11.31(a)(3) both aurally and visually. Paragraph 11.31(a)(3) defines the message as being audio, video or text, however video and text are rarely if ever transmitted by the message originator as part of an EAS message. Presently Part 11 requires that only the information contained in the EAS digital header must be transmitted visually by an EAS participant. This information is limited to the Originator, Event, Location, and the valid time period of an EAS message as provided in the EAS message digital header.

Meanwhile the portion of the EAS message in 11.31 (a)(3) almost always contains about two minutes of audio that includes very detailed information about the message. For instance the audio message for a tornado warning includes a more precise location of the tornado, the direction of the tornado, the next affected communities and safety instructions. This information should be presented visually as well as aurally.

The visual requirement the Wireless RERC recommends would not be requisite immediately but it would be included in the Next Generation EAS regulations for CAP. However, if there is a considerable delay in implementing the Next Generation EAS or if there is a reason that an EAS participant cannot comply with the visual requirement in the Next Generation EAS regulations, it is recommended that the participant be required to install a speech to text capability or other means so that the audio message portion in an existing EAS message can be displayed visually. The Wireless RERC recommends that

as an alternative to installing speech to text capability, that an EAS participant be permitted to access the Internet or other systems to obtain the text of the information provided in the audio portion of the EAS message.

The Wireless RERC recognizes that the existing speech to text translation capability is not perfect but hopefully it will improve. But any improvements to the existing requirements would provide important information that would otherwise not be available to people who are hard of hearing or who are deaf.

Conversely, if the Next Generation EAS regulations for CAP provide additional message information textually and that information is required by the Commission to be transmitted by EAS participants, then all of that required text information should also be presented aurally.

The Wireless RERC recommends that the Commission lower the exemption limits for EAS participants that provide only a video flashing interrupt and an audio alert on all cable channels. According to Part 11, these exception limits apply to such services as analog, wireless and digital cable systems with less than 5,000 subscribers. They would also have to comply with the Wireless RERC recommendation concerning 11.31(a)(3).

Between 2007 and 2009 the Wireless RERC reviewed 44 state and 64 local EAS plans to determine if any of the plans contained procedures or messages intended to

provide instructions for people with disabilities. Such instructions would have been developed by emergency management and inserted in the plan. Only five of the 108 plans contained instructions such as, "Handicapped residents with special transportation needs should contact available relatives or friends. If no one is immediately available, handicapped residents should contact the appropriate emergency officials and remain indoors until emergency vehicles arrive to provide transportation[2]" and "Special institutions such as schools, hospitals, nursing homes, major industries and places of public assembly will be notified individually. Arrangement will be made for warning the hearing impaired as conditions warrant. Special arrangements may be made for providing warning information to the hearing impaired and, where appropriate, non-English speaking population groups[3]."

Wireless RERC recognizes that development of EAS plans is voluntary and that as specified in section 11.20 the Commission reviews the plans to ensure that they are consistent with national plans, FCC regulations and EAS operation. Therefore, the Wireless RERC recommends that sections 11.20 (a) and (b) be amended to specify that any instructions that have been developed by emergency officials concerning people with disabilities be included in EAS plans. This addition can provide timely life saving assistance to the most vulnerable populations. Also, the Wireless RERC recommends that during the planning process, the Commission encourage that EAS plans include

[2] New Jersey State Emergency Communications Committee (2005). N.J. Sate EAS Plan, June 7, 2005. Retrieved from http://www.njsecc.net/plan

[3] Delaware County, New York Locale EAS Plan, [no plan date]. Retrived from http://www.co.delaware.ny.us/departments/des/docs/K_Appendix%20III-3%20-%20Public%20Warning%20System.pdf

appropriate area entities in developing the language within the plan which can provide the most accurate instructions for people with disabilities within the coverage area of the respective plan.

In closing, the Wireless RERC wishes to emphasize the importance of including information for people with disabilities in all aspects of EAS alerts that reach the public, be it an actual emergency, or a test. To ensure that a national broadcast of a presidential EAS alert reaches all citizens, it is critical that actual and test alerts include the transmission of both visual and audio accommodations.

Respectfully submitted,

Co-Project Directors: Helena Mitchell (WiRERC & CACP); Frank Lucia, (WiRERC)
Salimah LaForce, Analyst (CACP)
Center for Advanced Communications Policy
and the
Rehabilitation Engineering Research Center for Wireless Technologies
Georgia Institute of Technology
500 10th Street, 3rd Fl. NW
Atlanta, GA 30332-0620
Phone: (404) 385-4640

Dated this 17th day of May 2010