

having received and understood the advisory described in paragraph (e)(1) of this section; and

(3) Distribute to its existing subscribers warning stickers or other appropriate labels warning subscribers if E911 service may be limited or not available and instructing the subscriber to place them on or near the equipment used in conjunction with the interconnected VoIP service. Each interconnected VoIP provider shall distribute such warning stickers or other appropriate labels to each new subscriber prior to the initiation of that subscriber's service.

(f) *Compliance Letter.* All interconnected VoIP providers must submit a letter to the Commission detailing their compliance with this section no later than November 28, 2005.

## PART 11—EMERGENCY ALERT SYSTEM (EAS)

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AUTHORITY: 47 U.S.C. 151, 154 (i) and (o), 303(r), 544(g) and 606.

SOURCE: 59 FR 67092, Dec. 28, 1994, unless otherwise noted.

## Subpart A—General

### § 11.1 Purpose.

This part contains rules and regulations providing for an Emergency Alert System (EAS). The EAS provides the President with the capability to provide immediate communications and information to the general public at the National, State and Local Area levels during periods of national emergency. The rules in this part describe the required technical standards and operational procedures of the EAS for AM, FM and TV broadcast stations, cable systems and other participating entities. The EAS may be used to provide the heads of State and local government, or their designated representatives, with a means of emergency communication with the public in their State or Local Area.

### § 11.11 The Emergency Alert System (EAS).

(a) The EAS is composed of broadcast networks; cable networks and program suppliers; AM, FM Low-power FM (LPFM) and TV broadcast stations; Class A television (CA) stations; Low-power TV (LPTV) stations; cable systems; wireless cable systems which may consist of Broadband Radio Service (BRS), or Educational Broadband Service (EBS) stations; and other entities and industries operating on an organized basis during emergencies at

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the National, State and local levels. It requires that at a minimum all participants use a common EAS protocol, as defined in §11.31, to send and receive emergency alerts in accordance with the effective dates in the following tables:

**BROADCAST STATIONS**

EAS Equipment requirement	AM & FM	TV	FM Class D	LPTV <sup>1</sup>	LPFM <sup>2</sup>	Class A TV
Two-tone encoder <sup>3,4</sup> .....	Y	Y	N	N	N	Y
EAS decoder .....	Y 1/1/97	Y 1/1/97	Y 1/1/97	Y 1/1/97	Y	Y
EAS encoder .....	Y 1/1/97	Y 1/1/97	N	N	N	Y
Audio message .....	Y 1/1/97	Y 1/1/97	Y 1/1/97	Y 1/1/97	Y	Y
Video message .....	N/A	Y 1/1/97	N/A	Y 1/1/97	N/A	Y

<sup>1</sup> LPTV stations that operate as television broadcast translator stations are exempt from the requirement to have EAS equipment.  
<sup>2</sup> LPFM stations must install a decoder within one year after the FCC publishes in the **Federal Register** a public notice indicating that at least one decoder has been certified by the FCC.  
<sup>3</sup> Effective July 1, 1995, the two-tone signal must be 8–25 seconds.  
<sup>4</sup> Effective January 1, 1998, the two-tone signal may only be used to provide audio alerts to audiences before EAS emergency messages and the required monthly tests.

**CABLE SYSTEMS**

[A. Cable systems serving fewer than 5,000 subscribers from a headend must either provide the National level EAS message on all programmed channels—including the required testing—by October 1, 2002, or comply with the following EAS requirements. All other cable systems must comply with B.]

B. EAS Equipment Requirement	System size and effective dates		
	≥10,000 sub- scribers	≥5,000 but < 10,000 sub- scribers	<5,000 sub- scribers
Two-tone signal from storage device <sup>1</sup> .....	Y 12/31/98	Y 10/1/02	Y 10/1/02
EAS decoder <sup>3</sup> .....	Y 12/31/98	Y 10/1/02	Y 10/1/02
EAS encoder <sup>2</sup> .....	Y 12/31/98	Y 10/1/02	Y 10/1/02
Audio and Video EAS Message on all channels .....	Y 12/31/98	Y 10/1/02	N
Video interrupt and audio alert message on all channels, <sup>3</sup> Audio and Video EAS message on at least one channel.	N	N	Y 10/1/02

<sup>1</sup> Two-tone signal is only used to provide an audio alert to audience before EAS emergency messages and required monthly test. The two-tone signal must be 8–25 seconds in duration.  
<sup>2</sup> Cable systems serving <5,000 subscribers are permitted to operate without an EAS encoder if they install an FCC-certified decoder.  
<sup>3</sup> The Video interrupt must cause all channels that carry programming to flash for the duration of the EAS emergency message. The audio alert must give the channel where the EAS messages are carried and be repeated for the duration of the EAS message.  
 Note: Programmed channels do not include channels used for the transmission of data such as interactive games.

**WIRELESS CABLE SYSTEMS (BRS/EBS STATIONS)**

[A. Wireless cable systems serving fewer than 5,000 subscribers from a single transmission site must either provide the National level EAS message on all programmed channels—including the required testing—by October 1, 2002, or comply with the following EAS requirements. All other wireless cable systems must comply with B.]

B. EAS equipment requirement	System size and effective dates	
	≥ 5,000 sub- scribers	< 5,000 sub- scribers
EAS decoder .....	Y 10/1/02 .....	Y 10/1/02
EAS encoder <sup>1,2</sup> .....	Y 10/1/02 .....	Y 10/1/02
Audio and Video EAS Message on all channels <sup>3</sup> .....	Y 10/1/02 .....	N
Video interrupt and audio alert message on all channels; <sup>4</sup> Audio and Video EAS message on at least one channel.	N .....	Y 10/1/02

<sup>1</sup> The two-tone signal is used only to provide an audio alert to an audience prior to an EAS emergency message or to the Required Monthly Test (RMT) under § 11.61(a)(1). The two-tone signal must be 8–25 seconds in duration.  
<sup>2</sup> Wireless cable systems serving < 5,000 subscribers are permitted to operate without an EAS encoder if they install an FCC-certified decoder.  
<sup>3</sup> All wireless cable systems may comply with this requirement by providing a means to switch all programmed channels to a pre-designated channel that carries the required audio and video EAS messages.  
<sup>4</sup> The Video interrupt must cause all channels that carry programming to flash for the duration of the EAS emergency message. The audio alert must give the channel where the EAS messages are carried and be repeated for the duration of the EAS message.

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NOTE: Programmed channels do not include channels used for the transmission of data services such as Internet.

(b) Class D non-commercial educational FM stations as defined in § 73.506, LPFM stations as defined in §§ 73.811 and 73.853, and LPTV stations as defined in § 74.701(f) are not required to comply with § 11.32. LPTV stations that operate as television broadcast translator stations, as defined in § 74.701(b) of this chapter, are not required to comply with the requirements of this part. FM broadcast booster stations as defined in § 74.1201(f) of this chapter and FM translator stations as defined in § 74.1201(a) of this chapter which entirely rebroadcast the programming of other local FM broadcast stations are not required to comply with the requirements of this part. International broadcast stations as defined in § 73.701 of this chapter are not required to comply with the requirements of this part. Broadcast stations that operate as satellites or repeaters of a hub station (or common studio or control point if there is no hub station) and rebroadcast 100% of the programming of the hub station (or common studio or control point) may satisfy the requirements of this part through the use of a single set of EAS equipment at the hub station (or common studio or control point) which complies with §§ 11.32 and 11.33.

(c) For purposes of the EAS, Broadband Radio Service (BRS) and Educational Broadband Service (EBS) stations operated as part of wireless cable systems in accordance with subpart M of part 27 of this chapter are defined as follows:

(1) A “wireless cable system” is a collection of channels in the BRS or EBS used to provide video programming services to subscribers. The channels may be licensed to or leased by the wireless cable system operator.

(2) A “wireless cable operator” is the entity that has acquired the right to use the channels of a wireless cable system for transmission of programming to subscribers.

(d) Local franchise authorities and cable television system operators may enter into mutual agreements that require the installation of EAS equipment before the required dates listed in the tables in paragraph (a). Addition-

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ally, local franchise authorities may use any EAS codes authorized by the FCC in any agreements.

(e) Organizations using other communications systems or technologies such as, Direct Broadcast Satellite (DBS), low earth orbit satellite systems, paging, computer networks, etc. may join the EAS on a voluntary basis by contacting the FCC. Organizations that choose to voluntarily participate must comply with the requirements of this part.

[63 FR 29662, June 1, 1998, as amended at 65 FR 7639, Feb. 15, 2000; 65 FR 21657, Apr. 24, 2000; 65 FR 30001, May 10, 2000; 65 FR 34406, May 30, 2000; 67 FR 18506, Apr. 16, 2002; 69 FR 72031, Dec. 10, 2004; 70 FR 19315, Apr. 13, 2005]

### § 11.12 Two-tone Attention Signal encoder and decoder.

Existing two-tone Attention Signal encoder and decoder equipment type accepted for use as Emergency Broadcast System equipment under part 73 of this chapter may be used by broadcast stations until January 1, 1998, provided that such equipment meets the requirements of § 11.32(a)(9) and 11.33(b). Effective January 1, 1998, the two-tone Attention Signal decoder will no longer be required and the two-tone Attention Signal will be used to provide an audio alert.

[60 FR 55999, Nov. 6, 1995]

### § 11.13 Emergency Action Notification (EAN) and Emergency Action Termination (EAT).

(a) The Emergency Action Notification (EAN) is the notice to all broadcast stations, cable systems and wireless cable systems, other regulated services of the FCC, participating industry entities, and to the general public that the EAS has been activated for a national emergency.

(b) The Emergency Action Termination (EAT) is the notice to all broadcast stations, cable systems and wireless cable systems, other regulated services of the FCC, participating industry entities, and to the general public that the EAN has terminated.

[63 FR 29663, June 1, 1998]