



INTERGOVERNMENTAL ADVISORY COMMITTEE

to the

FEDERAL COMMUNICATIONS COMMISSION

ADVISORY RECOMMENDATION No: 2019-4

**In the Matter of the Emergency Alert System – State Participation
in State Emergency Communications Committees (SECCS)**

TABLE OF CONTENTS

- I. INTRODUCTION..... 3
- II. DISCUSSION 3
 - A. Structure and Membership of SECCs in States, Territories and Tribal Areas 4
 - 1. Arizona..... 4
 - 2. Texas 5
 - 3. Puerto Rico 5
 - 4. Tribal Lands 5
 - B. Challenge - False Emergency Alerts..... 6
- III. CONCLUSION AND RECOMMENDATIONS 7
 - A. General Recommendations 7
 - 1. Require and Verify that SECC’s Regularly Convene SLTT Emergency Managers 7
 - 2. Encourage State EAS Plans to Include Social Media Strategies 7
 - B. Recommendations Regarding Testing and False Alerts 8
 - 1. Require that SECCs Develop Standard Operating Procedures to Respond to False Alarms 8
 - 2. Document State EAS Testing Procedures 8
 - 3. Require that SECC’s Define Protocols to Reduce the Opportunity for Human Error in Initiating the EAS..... 8
 - 4. Require Standard Modifications to Alert Origination Software Manufacturers to Minimize False Alerts 9
 - 5. Establish Multi-Path Ways to Facilitate Redundancy 9

I. INTRODUCTION

The Intergovernmental Advisory Committee (IAC) has been tasked with developing the best practices for communication between State, Local, Tribal, and Territorial Governments (SLTTs) and State Emergency Communication Committees (SECCs) to ensure that Emergency Alerting System (EAS) procedures, including initiation and cancellation of actual alerts and tests, are mutually understood, agreed upon, and documented in State EAS Plans. We begin with a brief discussion of the role of SECCs in emergency alerting, identify challenges facing state, local, Tribal and territorial officials in communicating with SECCs, and then recommend best practices for addressing those challenges.

The work has been guided by the organizing principle that strong coordination between SLTTs and SECCs is key to effective emergency alerting. SLTTs must establish strong working relationships with SECCs in order to ensure alerts are provided to communities in an accurate, actionable, and timely fashion.

II. DISCUSSION

Title 47, [Chapter 1, Subchapter A, Part 11 of the Code of Federal Regulations](#) contains rules and regulations that providing for an Emergency Alert Service (EAS) that provides the President, State, and local governments with a means of emergency communication with the public in their State or Local area.¹ EAS participants include analog radio broadcast stations including AM and FM stations, digital audio broadcasting stations, digital television broadcast stations, analog cable systems, and other traditional broadcasters.² Federal rules specify the technical standards and protocols by which EAS participants receive and broadcast emergency alerts.

The EAS in each state is organized and administered by SECCs, which are non-governmental voluntary groups that often include representatives from broadcasters, state and local governments. Federal regulations require that SECCs draft State EAS Plans with guidelines that must be followed by EAS participants and other stakeholders. Federal regulations mandate specific information in the state plans which are then reviewed and approved consistent with national plans, FCC regulations, and EAS operations. The FCC state plans must be updated annually. The state plans must include technical details for state and local activation of the EAS including monitoring assignments and SECC governance structure to ensure efficient delivery of messages.³

States may activate the EAS for natural emergencies such as tornadoes, floods, hurricanes, fires, and heavy snows, as well as man-made emergencies, such as toxic gas leaks, liquid spills, power failures and civil disorders. Federal rules delegate the authority for these state and local EAS activations to the State and Local Area EAS plans.⁴

One of the most important functions of a local government during a large-scale emergency or disaster is to provide timely, accurate, and relevant public alerting and warning. Local jurisdictions have three main technologies available to assist with this: EAS, commercially available public alert and warning software systems (*e.g.*, Reverse911), and Wireless Emergency Alerts (WEA). WEA is becoming

¹ See 47 CFR §11.1, *et seq.*

² See 47 CFR §11.2(b).

³ See 47 CFR §11.21.

⁴ *Id.*

the most prevalent way of making citizens aware of emergencies. This is due to the fact that cell phones are ubiquitous and fewer people are watching television or listening to broadcast radio.

Conversely, the EAS is reaching fewer people than in the past because ratings are down for television as many people are getting information and entertainment from other sources. Many people have “cut the cord” and are no longer watching or listening to local broadcast stations that would normally provide emergency alerts.

With the proliferation of types of alerts available and the platforms on which these alerts can be delivered, the potential for errors and mistakes has increased. Often times, the lack of succession planning for emergency managers aids in this chance for errors and mistakes. Although many people utilize social media platforms as the primary source for information, the SECCs are not structured to encourage the use of social media to propagate emergency alerts. The use of various types of alerts and platforms to transmit important information is limited by capability of digital technologies during a crisis.

Federal rules prohibit false or deceptive EAS transmissions and require EAS participants to report to the FCC any false alerts to the public, but the rules do not provide guidance on how to prevent or remedy false alerts.⁵

A. Structure and Membership of SECCs in States, Territories and Tribal Areas

Following are examples of how some states have organized their SECCS and integrated the SECCs and State EAS Plans into their overall emergency planning. The section also discusses the particular issues faced by Tribal lands and territories with regard to the administration and coordination of SECCs within overall emergency planning.

1. Arizona

Arizona has approximately 7.2 million residents within 15 counties and 21 federally recognized Indian tribes. The Arizona SECC is co-chaired by employees designated by the Director of the Arizona Department of Emergency and Military Affairs and the Director of the Maricopa County Department of Emergency Management.

The Arizona SECC also includes representatives from the Arizona Association of Broadcasters, the Arizona Department of Public Safety, the Federal Emergency Management Agency (FEMA), the National Weather Service (NWS), and broadcasters in Arizona. Arizona has one radio station that is a part of the National Public Warning System (NPWS) -- KFLM–Tucson. The station coordinates with FEMA to provide emergency alert and warning information to the public in the midst of incidents and disasters. State level alerts can be released by the Governor, the Director of the Arizona Division of Emergency Management, and the NWS.

For the purpose of NPWS, the fifteen Arizona counties are divided into twenty-two Local Primary (LP) geographic areas, each of which has two stations, LP1 and LP2. The LP1 and LP2 stations are responsible for monitoring the regional NPWS, stations that relay the NPWS alerts, Arizona Statewide relay sites, and the NWS. LP2 stations monitor other sources, and the NPR affiliate monitors the NPR Squawk Chanel for National alerts.

Maricopa County is the fourth largest county in the nation with 4.5 million residents in a 9,224 square mile area that includes twenty-five cities and towns, including the greater Phoenix region. The

⁵ 47 CFR §11.45(a).

Maricopa County Department of Emergency Management is responsible for emergency management and alerting in Maricopa County and coordination with state and local jurisdictions.

2. Texas

Emergency preparedness coordination must begin well in advance of potential disasters. Starting with basic introductions, proceeding through interaction scenarios and advancing to technology interoperability, the process of melding diverse resources into a coordinated response is critical for protecting life and increasing infrastructural resilience. In Texas, the SECC takes seriously its responsibility for developing specific procedures for using broadcast and cable media when issuing emergency information to the public. The Texas SECC is chaired by the President of the Texas Association of Broadcasters and also includes representatives from the Texas Department of Emergency Management, the Texas Department of Public Safety, FEMA, the NWS, and broadcasters in Texas. Texas has four radio stations that are part of the NPWS: KTRH – Houston, WBAP – Dallas, KLBJ – Austin, and KROD – El Paso. These four stations cooperatively participate with FEMA to provide emergency alert and warning information to the public in the midst of incidents and disasters.

State level alerts, such as a hurricane warning, can be released by the following people in this order: The Governor, Lieutenant Governor, Attorney General, Department of Public Safety Director, Chief of the Texas Division of Emergency Management, and the NWS’s Meteorologist in Charge. Local area alerts are arranged by agreement directly between local broadcasters and local authorities, such as the police or fire chief, county judge, and sheriff.

For the purpose of NPWS, the 254 Texas counties are divided into 25 Local Primary (LP) geographic areas, each of which has two stations, LP1 and LP2. The LP1 and LP2 stations are responsible for monitoring the regional NPWS and relay sites, while LP2 stations also monitor other sources, such as Texas state networks, NPR affiliates, and the NWS. There are only two Texas stations (KBNA in El Paso and KLAT in Houston) that are classified as “LP S” (with “S” indicating Spanish). Both of these stations have agreed to translate and broadcast English alerts into Spanish. No other language is covered in emergency alerts.

3. Puerto Rico

The Puerto Rico SECC belongs to a standing committee that incorporates all radio and television broadcasters and their two professional organizations, cable providers, the Seismic Network, the National Oceanographic and Atmospheric Administration and the Puerto Rico Emergency Management Agency (PREMA). The SECC meets two to three times per year. Stakeholders report that PREMA has not consistently participated in the SECC. After Hurricane María, no person has been named from PREMA to the committee. Municipalities need to be included in this committee, particularly for situations that require regional alerts.

4. Tribal Lands

Certain Tribal lands struggle with emergency alerting depending on location and local access. If a tribe has a radio station, it can register with the NWS to obtain direct emergency information regarding its lands. If a tribe does not have its own radio station, it may rely on local community radio. Tribal nations may use a wide variety of communication methods to reach their membership such as social media, mass texting, prerecorded voice service and mass email notification. If a tribe has a law enforcement department or an emergency responder network such as hazardous materials, fire, or emergency medical teams those organizations would be responsible for creating communications plans for reaching those affected by imminent emergencies. Sometimes Tribal lands do not have relevant emergency organizations within the Tribal area. In these cases, tribes must work closely with the state,

county or city government which would provide these services.

Rural tribes with limited communications infrastructure and sparsely populated areas face unique challenges in emergency alerting. Tribes that do not have Tribal operated radio stations must work with nearby radio stations to ensure coverage on Tribal lands. Tribes must work proactively to participate in SECCs and partner with local first responder networks and/or broadcasters to ensure that Tribal members have access to relevant broadcasters to receive emergency alerts.

B. Challenge - False Emergency Alerts

On January 13, 2018, the State of Hawaii Emergency Management Agency (HI-EMA) intended to conduct an internal test of its EAS and WEA, but inadvertently sent the following message throughout Hawaii: “BALLISTIC MISSILE THREAT INBOUND TO HAWAII. SEEK IMMEDIATE SHELTER. THIS IS NOT A DRILL.”⁶ The public received its first alert of the false alarm over social media 13 minutes later, and a correction was issued using EAS and WEA thirty-eight minutes after the initial false alarm.

The false alarm resulted in short-term panic for many people and also had a detrimental impact on emergency response. In the hour surrounding the event, calls to 911 were more than thirty times greater than normal call volumes -- exceeding the system’s capacity and resulting in unanswered emergency calls.⁷

A subsequent FCC report on the incident found that the false alert was due to a combination of human error, lack of adequate human and software safeguards to verify alerts, lack of protocol for responding and correcting false alerts, and other structural and operational deficiencies.⁸ The report also found that the principle cause of the thirty-eight minute gap between the false alert over the EAS and WEA and the correction over these same systems was a lack of communication between the HI-EMA and the Hawaii SECC.

The State of Hawaii has taken numerous steps to prevent a similar false alert including policies to require at least one supervisor and a two-person activation and verification rule for tests and actual missile launch notifications. Hawaii also created templates and protocols to quickly correct false alarms and issued requests to its software vendors to integrate improvements to help safeguard against false alarms.⁹

The FCC issued recommendations to guide state, local, Tribal and territorial emergency alert originators, but it is unclear whether those states are adequately coordinated and aligned to prevent similar false alarms and issue prompt corrections should a false alarm occur.

⁶ Federal Communications Commission (FCC), Report and Recommendations Hawaii Emergency Management Agency January 13, 2018 False Alert at 3 (2018) (*Hawaii False Alert Report*), <https://www.fcc.gov/document/fcc-releases-report-hawaii-false-emergency-alert>.

⁷ *Id.* at 21-22.

⁸ *Id.* at 5.

⁹ *Id.* at 23-24.

III. CONCLUSION AND RECOMMENDATIONS

Today, states vary considerably in the form and function of how SECCs are organized and their specific activities designed to improve responsiveness and accuracy of alerts in potential disasters. The following recommendations address statewide coordination generally and based on principles that the FCC should provide formal rules over SECCs that direct them to undertake specific coordinating actions:

A. General Recommendations

1. Require and Verify that SECC's Regularly Convene SLTT Emergency Managers

As recommended by the *Hawaii False Alert Report*, the SECCs, as the state EAS administrators, should inventory and convene SLTT emergency managers at least annually to review the state plan and discuss updates. These annual meetings should be supplemented with trainings and workshops as needed. Regular convenings build stakeholder relationships and ensure a cohesive EAS community while ensuring expertise and identifying weaknesses in the system. Meetings should include more than one professional from each SLTT to ensure redundancy in expertise and succession planning at each SLTT. As part of these convenings, states should consider writing specific plans for each emergency situation (*e.g.*, tsunami, hurricane, earthquake, etc.) and establishing clear stakeholder roles and responsibilities for each. The name and contact information for the SECCs and any mutually agreed upon practices and procedures resulting from these meetings should be properly documented in State EAS Plans. The FCC should propose rule changes to standardize the frequency and expectations of regular SECC convening of SLTT emergency managers.

In 2018, the FCC released an order that established a streamlined electronic database that combines the existing EAS Test Reporting System with new features for filing State EAS Plans electronically.¹⁰ As part of that electronic EAS State Plan filing system (called the Alert Reporting System of ARS), the Commission required that EAS State Plans include a description of the state's SECC governance structure.¹¹ We recommend that the FCC, after reviewing these online filings, consider formalizing requirements for SECC structure and that States document their communications protocols with and between SLTT emergency managers and the SECCs to ensure consistency and accountability in those coordinating efforts.

2. Encourage State EAS Plans to Include Social Media Strategies

While specific social media companies are not within the scope of the EAS, SECCs should include social media protocols for certain emergency alerts to complement traditional EAS channels. Social media are particularly useful for issuing continuing updates, and EAS alerts could direct citizens to specific social media channels to receive additional information about the specific emergency. Social media protocols should include the specific SLTT entities that will issue social media messages, the situations in which social media will be used, and nature of those messages. Protocols will ensure that social media are used in a coordinated manner that improves public situational awareness and understanding. The FCC should issue a directive to SECCs to consider a social media strategy to incorporate into state EAS plans.

¹⁰ See *Review of the Emergency Alert System*, Report and Order, 33 FCC Rcd. 3627 (2018) (*EAS State Plan Order*).

¹¹ *Id.* at 3639.

Finally, SECCs should consider social media strategies directed towards SLTTs and other relevant government entities that provide ongoing updates and coordinating activities that can be disseminated at scale.

B. Recommendations Regarding Testing and False Alerts

The *Hawaii False Alert Report* details several actions taken by HI-EMA to prevent a similar false alert and recommends several actions for state, local, Tribal and territorial emergency alert originators and managers. The IAC recommends that the FCC update federal rules to require that SECCs implement several of those recommendations.

1. Require that SECCs Develop Standard Operating Procedures to Respond to False Alarms

Many state SECC plans do not include protocols to respond to false alarms and federal rules do not mandate that states adopt such protocols. Although the FCC has adopted rules that require EAS Participants to report the issuance of a false EAS alert within twenty-four hours of the EAS Participant's discovery that it has transmitted or otherwise sent a false alert to the public.¹² These rules should be updated to require that SECC state plans include rules and protocols governing tests, uses, and corrections to alerts that are sent to the public over the EAS and WEA. These standard operating procedures should specify that corrections to false alerts must be issued over the same systems used to issue the false alert, including the EAS, WEA, and other available means. They should also include procedures for notifying the media about false alerts.¹³

2. Document State EAS Testing Procedures

The FCC should require State SECCs to document its internal testing protocol. States should conduct regular internal tests in a controlled and closed environment, such as through the FEMA Integrated Public Alert & Warning System (IPAWS) Test Lab, to maintain proficiency with alerting tools, to exercise plans and procedures, and to identify opportunities for improvement in a manner that does not affect the public. States should also be required to standardize drill messages to minimize confusion for professional staff -- a contributing factor in the Hawaii false alarm.

3. Require that SECC's Define Protocols to Reduce the Opportunity for Human Error in Initiating the EAS.

The *Hawaii False Alert Report* included many strong recommendations that would reduce the likelihood that miscommunication and human error would result in false alarms. Recommendations included requiring supervisor presence during any EAS test and requiring more than one credentialed person to validate the message content prior to message transmission of certain high-stakes emergency alerts. State EAS plans should include protocols to minimize human error for certain highly alarming emergencies, such as missile threats and nuclear disasters. The FCC should consolidate and recommend best practices from other states and require that State EAS plans outline what proficiency training exercises will be conducted to minimize human error.

¹² *Review of the Emergency Alert System*, Report and Order and Further Notice of Proposed Rulemaking, 33 FCC Rcd. 7086, 7094-95 (2018) (EAS Testing and False Alert Reporting Order and Further Notice).

¹³ *EAS State Plan Order*, 33 FCC Rcd. 3627 at 3638-44 (requiring State EAS Plans to include certain organizational, operational, and testing/outreach elements).

4. Require Standard Modifications to Alert Origination Software Manufacturers to Minimize False Alerts

Per the Hawaii False Alert Report recommendations, mandate that alert origination software providers (1) separate live alerts from test environments and (2) include a prompt that uses specific language to confirm whether to issue a ballistic missile alert or similar alert or test message. Individual States may work with their specific software vendors, but the FCC should include the requirement for any Alert Origination Software Manufacturers that may interface with State EAS systems.

To offer more consistency in alerts and warnings, FEMA should consider procuring a uniform software tool to be made available to authorized jurisdictions to initiate an alert over IPAWS. Tools used for sending EAS and WEA through IPAWS varies widely and a standard software tools could improve consistency and disseminate best practices that would improve overall coordination.

5. Establish Multi-Path Ways to Facilitate Redundancy

SLTT Emergency Managers should establish redundant and effective lines of communication with SECCs and key stakeholders during emergencies, including by utilizing Government Emergency Telecommunication Service (GETS) cards and Wireless Priority Service (WPS), so that they can rely on planned workarounds in the event their phone lines become congested during emergencies.

Physical mediums should also be used, (*e.g.*, sirens, loudspeakers public address systems, audio messages, lights, etc.) to achieve redundancy, taking into consideration that closed captioning can be delayed, can have errors in its delivery, and can be affected by interference during emergencies. Analog systems are able to withstand these challenges better than digital.