



PUBLIC NOTICE

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In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks; Notice of Proposed Rulemaking

(EB Docket No. 06-119)

Request for Comment on Applicability of Recommendations to All Types of Disasters

By this Public Notice, we remind the public of the comment cycle applicable to the recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks (Independent Panel). In addition, we request that, in addressing the issues raised in the *Notice of Proposed Rulemaking* seeking comment on the Independent Panel's recommendations,¹ parties address the applicability of the Panel's recommendations to all types of natural disasters (*e.g.*, earthquakes, tornados, hurricanes, forest fires) as well as other types of incidents (*e.g.*, terrorist attacks, flu pandemic, industrial accidents, *etc.*). Parties should also discuss whether the Panel's recommendations are broad enough to take into account the diverse topography of our Nation, the susceptibility of a region to a particular type of disaster, and the multitude of communications capabilities a region may possess.

In January 2006, Chairman Kevin J. Martin established the Independent Panel pursuant to the Federal Advisory Committee Act, Public Law 92-463, as amended. The mission of the Independent Panel was to review the impact of Hurricane Katrina on the telecommunications and media infrastructure in the areas affected by Hurricane Katrina and make recommendations to the Commission. On June 12, 2006, the Independent Panel submitted its Report to the Commission.² On June 19, 2006, the Commission issued a *Notice of Proposed Rulemaking* initiating a comprehensive rulemaking to address and implement the recommendations presented by the Independent Panel.

In the *Notice*, the Commission sought comment on what actions it can take to address the Independent Panel's recommendations which were categorized into four areas: (1) pre-positioning the communications industry and the government for disasters in order to achieve greater network reliability and resiliency; (2) improving recovery coordination to address existing shortcomings and to maximize the use of existing resources; (3) improving the operability or interoperability of public safety and 911

¹ See In the Matter of Recommendations of the Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, *Notice of Proposed Rulemaking*, EB Docket. No. 06-119, 71 Fed. Reg. 38564 (July 7, 2006) (*Notice*).

² See generally Independent Panel Reviewing the Impact of Hurricane Katrina on Communications Networks, *Report and Recommendations to the Federal Communications Commission*, 5-42 (Independent Panel Report).

communications in times of crisis; and (4) improving communication of emergency information to the public.³ As the Commission stated in the *Notice*, its goal in this proceeding is “to take the lessons learned from this disaster and build upon them to promote more effective, efficient response and recovery efforts, as well as a heightened readiness and preparedness in the future.”⁴ The Commission also stated that it seeks “comment whether we should rely on voluntary consensus recommendations, as advocated by the Independent Panel, or whether we should rely on other measures for enhancing readiness and promoting more effective response efforts.”⁵

In light of the Commission’s comprehensive examination into these areas, we request that parties filing comments in this proceeding address the applicability of the Independent Panel’s recommendations to all types of disasters. Specifically, parties should address not only the applicability of the Independent Panel’s recommendations to areas of the country subject to hurricanes, but to areas prone to other types of disasters. Would other types of disasters warrant modifications or other changes to the Independent Panel’s recommendations? For example, would the characteristics of earthquakes, floods, forest fires, or other natural disasters require modifications to the Independent Panel’s recommendations? In addition, we request that parties filing comments discuss the impact of the country’s diverse topography on the Independent Panel’s recommendations. Would a region’s topography warrant modifications or other changes to the Independent Panel’s recommendations? If additional steps are warranted to account for unique topography, what actions can the Commission take to improve network resiliency and reliability, recovery coordination, first responder communications and emergency communications to the public in those areas? Finally, different regions may have different communications capabilities. For example, a metropolitan urban area may have greater and diverse communications capabilities than a rural, mountainous region. Would the availability of different communications capabilities in a region affect the Independent Panel’s recommendations? If so, what actions should be taken in this regard?

Finally, comments in this proceeding are due **on or before August 7, 2006** and reply comments are due **on or before August 21, 2006**.⁶

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³ Independent Panel Report at 31-42.

⁴ *Notice*, 71 Fed. Reg. at 38566.

⁵ *Id.*

⁶ *Notice*, 71 Fed. Reg. at 38564.