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Hearing before the U.S. House Committee on Transportation and Infrastructure
Subcommittee on Economic Development, Public Buildings and Emergency
Management

The Effectiveness of Our Nation's Public Alert System

December 13, 2011

Good morning, Chairman Denham, Ranking Member Norton, Members of the Committee. My name is Suzanne Goucher. Since 1994 I have been the President and Chief Executive Officer of the Maine Association of Broadcasters. Thank you for the opportunity to speak with you today about the valuable, often life-saving services that full power local radio and television stations provide during natural disasters and other crises.

Local broadcasters are an indispensable source of vital emergency information for all Americans. For over six decades, local radio and television stations have served as the backbone of the nation's emergency warning system. Much of the recent policy discussions related to emergency communications have concerned improving the ability of fire, police, and other public safety authorities and emergency operations to communicate with one another during a disaster. While broadcasters strongly support this laudable goal, we also believe the time is ripe to expand the conversation to include improved emergency notification to the public.

For these reasons, I am particularly pleased that you have called for this hearing, and grateful for the opportunity to share the views of local broadcasters on the Emergency Alert System (EAS) and the Integrated Public Alert and Warning System (IPAWS).

I. Broadcasting Is the Most Important Source for Critical, Life-Saving Emergency Information for All Americans

Broadcasters' commitment to public service is never more apparent than during times of crisis. During an emergency -- particularly one that arises with little notice -- no other industry can match the ability of full power broadcasting to deliver comprehensive, timely warnings and information to affected citizens. Local television broadcasters reach 99% of the approximately 116 million households in the U.S., while local radio reaches an audience of more than 241.3 million Americans on a weekly basis. The wide signal coverage of broadcasters ensures that anyone in a car, at home or even walking around with a mobile device can receive up-to-the-minute alerts when disaster strikes. As a ubiquitous medium, broadcasters understand and appreciate their unique

role in disseminating emergency alerts and information. Radio and television broadcasters are first informers during an emergency, and Americans know they can turn to their local broadcasters first for in-depth coverage.

Radio and television stations are also our nation's most reliable network for distributing emergency information. Even if the electricity is out, causing the Internet and cable television to go down, and phone service is lost because networks are clogged or cell towers or phone lines are down, free, over-the-air broadcasters can still be on the air and delivered to anyone with a battery operated radio or other receiver. Local radio and television stations have dedicated news and weather personnel who use their familiarity with the people and geography of their local communities to provide the most helpful, informative news to their audiences, whether that includes information on where to shelter-in-place, or which streets will serve as evacuation routes, or where local businesses may find fuel or generators. It is also common during larger disasters for a local radio or television station to serve as an information clearinghouse for citizens in search of family and friends.¹

Broadcasters deliver emergency information with passion. Let me give you some recent examples.

Hurricane Irene caused devastating damage to a wide swath of the country, but fortunately local broadcasters were on the job to help save lives and property. Even though the hurricane had been downgraded to a tropical storm by the time it reached Maine on August 28, the storm's high winds still knocked out power to 185,000 utility customers across the state. But Maine was comparatively fortunate – our neighbors in Vermont caught the rainy side of Irene, which caused the state's worst flooding in more than 80 years. The staff of WDEV-FM in Warren, Vermont, suspended regular programming to go live for 24 hours, operating on generator power, to bring information about the status of flooding and road closures, and to direct rescue personnel to those in need of rescue – announcer Tom Beardsley even left the studio for a brief time to help an elderly woman who was struggling through the flood waters near the station to flee her home and get to safety.²

Similarly, at WRIP-FM in Windham, New York, radio D.J. Jay Fink served as a lifeline for thousands of people who were cut off from just about all other forms of communication.³ On August 28, Mr. Fink began a 13-hour on-air marathon, during which he fielded calls from people trapped by the surging waters and provided vital

¹ Moni Basu, "Radio Stations Chug Along 24/7 in tornado-devastated Joplin," *CNN* (May 24, 2011).

² "Vermont's unsung hurricane hero," *Mobile.Boston.com* (August 31, 2011).

³ Susanne Craig, "Radio D.J. in the Catskills Offered a Lifeline During the Storm," *The New York Times* (Sep. 4, 2011). See also "Radio Offers Wall-to-Wall Hurricane Irene Coverage," *Radio Online* (Aug. 26, 2011) (describing the efforts of WCTK-FM, Providence, Rhode Island, to provide a weekend of continuous live news and information).

information on makeshift shelters. Mr. Fink served as a calm beacon of information during the worst of the storm. Julius Genachowski, Chairman of the Federal Communications Commission (FCC), specifically recommended local radio and television stations as key sources for important news and information on Hurricane Irene.⁴

And Chairman Genachowski was not the only government leader to point citizens towards broadcasting for emergency information. The cell-phone network in the mid-Atlantic area was so overloaded after the magnitude 5.8 Virginia earthquake on August 23, just a few days before Hurricane Irene struck, that Federal Emergency Management Agency (FEMA) Director Craig Fugate urged people not to rely on their cell phones during the hurricane, but instead to stay tuned to local radio and TV stations for “the best information real-time” on the storm.⁵

In the Washington, DC area, radio stations kept listeners informed immediately after the earthquake, as many could not reach loved ones because cellular networks were clogged. Although WiFi worked in certain areas, observers noted that people used their smartphones to listen to radio because they knew that only WTOP and other local broadcasters could quickly piece together all the aspects of such a large scale event.⁶

Earlier this year, in May, local radio station KZRG in Joplin, Missouri, began wall-to-wall coverage an hour and a half before the unprecedented tornado devastated the area. Immediately after the tornado, cell phones, the Internet and landline telephones all went down. KZRG’s one-story office building remained standing. Zimmer Radio, which owns KZRG and five other stations in Joplin, combined multiple broadcasts into a single feed of nonstop disaster coverage.⁷ Music announcers and talk show hosts transformed into on-air first responders and informers.⁸ Employees drove to the station immediately after the tornado in order to provide information on where to find medical assistance, to help locate missing family members, and to direct residents to where they could buy gas and groceries.⁹ Seven of Zimmer Radio’s staffers lost their homes, yet still they reported for duty to help their neighbors.¹⁰ In nearby Springfield, Missouri, Clear Channel’s five

⁴ “FCC recommends, NAB praises broadcasting during Irene,” *Radio and Television Business Report* (Aug. 29, 2011).

⁵ “Staying connected during Irene,” *CNN.com* (August 25, 2011)

⁶ Paul McLane, “When Things Shake and Rattle, Radio Rolls,” *Radio World* (Aug. 23, 2011).

⁷ Matt Pearce, “Joplin Radio Stations Become a Lifeline for Tornado-Stricken Residents,” *L.A. Times* (May 25, 2011).

⁸ *Id.*

⁹ Doug Lung, “Broadcasters Inform Citizens During Weather Emergencies,” *TV Technology* (May 26, 2011).

¹⁰ “Radio’s Multi-Platform Reach Informs, Alerts Joplin, MO Tornado Victims,” *All Access* (May 25, 2011).

radio stations collected nearly 50,000 pounds of food and \$20,000 in cash for Joplin victims from their listeners.¹¹

A month after the Joplin tornado, flooding in Minot, North Dakota, sent hundreds fleeing from their homes. Residents turned to local broadcast television stations for current information. One station, KXMC, replayed coverage of the floods over and over at the request of residents who wanted to see what was left of their neighborhoods. And as *The New York Times* stated, when the station “has not been showing viewers their submerged homes, it has been broadcasting news conferences, explaining the intricacies of dike construction and sharing viewer photos from around the town.”¹²

Additionally, as a devastating storm developed near Springfield, Massachusetts, on June 1st, all three local broadcast television stations went wall-to-wall with news coverage. In an area not used to tornadoes, the stations captured dramatic images – including those from sky-cams of the tornado whipping up water from the Connecticut River – and broadcast them to viewers. Following the storm, the stations continued to report on the damage and recovery and provided information on relief and food supplies.¹³ And the four local radio stations cut all music and gave continuous news updates, including live phone calls from the Governor and the head of the Red Cross. The news director and an announcer also took calls from dozens of listeners looking for information on what to do and where to go.¹⁴

Local stations also offer hyper local weather alerts and information on multicast channels. TV stations are in the process of rolling out innovative mobile DTV services, which will enable viewers to receive live, local broadcast television programming—including local news, weather, sports, emergency information, and entertainment programming—on an “on the go” basis on mobile-DTV capable devices such as smart phones, laptop computers and tablets.

Mobile DTV is a reliable and spectrally efficient (one-to-an-unlimited-number) means of disseminating emergency information to viewers. To leverage this capability, the Corporation of Public Broadcasting and LG Zenith recently launched a joint pilot project to test mobile DTV capability to deliver alerts to citizens during emergencies. Unlike the still nascent Commercial Mobile Alert System (CMAS), which provides only short text messages via cellphones, a mobile DTV EAS system would provide a far more comprehensive and informative experience, including video and photos, to citizens during times of emergency. Broadcasters and manufacturers here in the U.S. seek to harness the power of mobile DTV that was demonstrated following the devastating

¹¹ “Radio Beams Regional Tornado Relief Message,” *Inside Radio* (May 27, 2011).

¹² Brian Stelter, “This Just In: How Your House Is Faring,” *The New York Times* (June 27, 2011).

¹³ Scott Fybush, “Radio, TV React to Mass. Tornadoes,” *NorthEast Radio Watch* (June 6, 2011).

¹⁴ “CC Cluster in MA. Superserves During Last Week’s Tornado,” *Radio Ink* (June 7, 2011).

earthquake and tsunami in Japan. Mobile DTV served as a critical lifeline source of information, particularly in the wake of cellular network and power outages.¹⁵

In times of local crisis such as these, broadcasters provide astounding service to their communities.

Beyond anecdotal evidence, statistics paint a vivid picture of the power that the broadcast medium has to save lives. Following tornadoes that struck in Alabama in late April, Raycom Media conducted a survey of residents who were impacted. According to the survey results, a vast majority – 71% of adults – said they were warned about the storm by watching television.¹⁶ An additional 10% of those surveyed learned of the tornadoes via radio. A mere 6% of respondents learned of the tornadoes through Internet, smartphones, or Twitter/Facebook.¹⁷ This occurred despite the fact that 75% of those interviewed were at home during the tornadoes, presumably with access to the Internet and other sources of information.¹⁸ This reliance on radio and television for dependable, up-to-the-minute information was true even for young citizens ages 18 to 24. We might expect this demographic to rely more on the internet and social media for information, but fully 77% of them reported that they tracked the storms via radio or TV.¹⁹

¹⁵ See, e.g., Michael Plugh, "What I Left Behind In Japan," *Salon.com* (March 22, 2011), available at

http://www.salon.com/life/feature/2011/03/22/japan_i_left_behind/index.html. See also Live Blog: Japan Earthquake, *The Wall Street Journal* (March 11, 2011, 8:06 a.m. posting of Chester Dawson) ("Unable to use cell phones, many used their smartphones to tune into television broadcasts and find out what had happened. 'It's very convenient being able to watch live TV when the phones are down,' said Minori Naito, an employee of Royal Bank of Scotland in Tokyo. 'Otherwise, we'd have no idea what is going on.'").

¹⁶ Alabama Tornado Survey, Billy McDowell, VP of Media Research, RAYCOM Media (May 2011).

¹⁷ *Id.*

¹⁸ *Id.*

¹⁹ 2010 was also a critical year for local broadcasters and the communities they served. For example, in early May of 2010, as record rainfall hammered the state of Tennessee, every local news station in Nashville preempted regular programming in favor of continuous, commercial-free weather event content for almost an entire weekend. Local radio stations provided constant weather alerts. During the flooding, Dennis Banka of WUCZ in Carthage, Tennessee, managed to single-handedly keep his station on the air for almost 48 hours straight for the benefit of local listeners in need. Mr. Banka and his station had vital contacts with emergency personnel and other authorities and were able to report critical information about the known instabilities of two local dams in a timely manner. Here in Washington, during the blizzards that hit the East Coast in 2010, broadcasters provided up-to-the-minute information that was critical to affected residents. For instance, Washington, D.C. station WRC-TV's wall-to-wall coverage and "potentially life-saving newscasts" were lauded by Maryland Senator Barbara Mikulski. John Eggerton, "As the Snowy World Turns," *Broadcasting & Cable*

And there are many more examples. Broadcast stations continue to provide emergency information and other services even though the costs -- in overtime for personnel, in meals and hotels, in equipment, and of course in advertising lost due to providing wall-to-wall news and information coverage -- are substantial. For example, one station reports that a single season's hurricane coverage cost \$160,000 *before* accounting for lost advertising revenue.²⁰ Another station reports that it lost 50 percent of its revenue for an entire month following the events of September 11, 2001, because its intensive news programming preempted so much of its normal programming.²¹ Emergency journalism clearly requires the commitment of substantial resources from the nation's local broadcasters.

II. Local Broadcast Stations Remain the Backbone of the Nation's Emergency Alert System

In addition to the ongoing, comprehensive coverage that broadcasters provide during emergencies, we are also the backbone of the Emergency Alert System (EAS). EAS is a largely wireless network that connects over-the-air radio, television and cable television systems. The in-place infrastructure of EAS allows the prompt dissemination of alerts to the widest possible audience, or to target alerts to specific areas, as appropriate. EAS is intended for use during sudden, unpredictable, or unforeseen events that pose an immediate threat to public health or safety.

Under EAS, local broadcasters put their facilities and their airwaves at the disposal of government authorities to transmit life-saving emergency warnings. EAS can be accessed or triggered by the President, and Governors or local authorities under certain conditions. The majority of alerts are originated by the local and regional offices of the National Oceanic and Atmospheric Administration's (NOAA) National Weather Service (NWS). Broadcasters typically work in partnership with state, county and local emergency managers and public safety officials on how best to deploy EAS in each state.

The content of EAS messages can vary depending on the nature of the emergency, but may include information on evacuation plans and routes, shelter-in-place instructions, storm paths, and America's Missing: Broadcasting Emergency Response Alerts, or

(Feb. 10, 2010). As FCC Chairman Genachowski observed, "Not only were local broadcasters a lifeline for the community, WRC-TV used its robust Web site and Twitter feed to help residents who had lost power get up-to-the-minute information through their computers and phones." Prepared Remarks of Chairman Julius Genachowski, NAB Show 2010, Las Vegas, Nevada, at 2 (April 13, 2010).

²⁰ *The Economic Realities of Local Television News – 2010: A Report for the National Association of Broadcasters* (April 2010) at 24, attached to Comments of the National Association of Broadcasters, Examination of the Future of Media and Information Needs of Communities in a Digital Age, GN Docket No. 10-25 (filed May 7, 2010).

²¹ *Id.* at 24.

Child Abduction AMBER Alerts, which help expand the eyes and ears of local law enforcement when a child is abducted. Nationwide, since the inception of AMBER in 1996, AMBER alerts have helped safely recover more than 542 abducted children.²² In fact, the Amber Plan was originally created by broadcasters with the assistance of law enforcement agencies in the Dallas/Fort Worth area.

Clearly, EAS participation is an important component of broadcasters' public service. Although participation in EAS on a local level is technically voluntary, virtually all radio and television stations participate, and do so proudly. All EAS equipment is purchased by broadcasters at their own expense. All stations must test their EAS systems on both a weekly and monthly basis. We have all seen or heard the familiar announcement: "The following is a test of the Emergency Alert System. This is only a test."

In January 2010, and again in January 2011, the FCC and FEMA jointly conducted statewide tests of the EAS in Alaska to examine the ability of the federal government to relay an alert message to a state.²³ Radio and television stations in Alaska coordinated closely with federal and local authorities in Alaska to help ensure the success of these tests. Their efforts included a comprehensive public awareness campaign that provided Alaskans with repeated advance notice of the statewide EAS tests, and helped to prevent any undue surprise or confusion. These tests successfully confirmed the EAS as a reliable, effective system in Alaska, and the importance of broadcaster participation in the system.

Building upon the lessons learned in the Alaska tests, the FCC and FEMA conducted a nationwide test of the EAS system on November 9, 2011.²⁴ The broadcast industry supported this endeavor and lent our resources to the project. We worked closely with our federal and local partners to ensure that the national test was useful and informative. Broadcasters prepared for the national exercise by reviewing their internal EAS equipment and processes, including EAS message monitoring procedures, and if appropriate, upgrading software or hardware in advance of the national test. Broadcasters also conducted an extensive nationwide awareness campaign in the days leading up to the test, in order to ensure that Americans understood that "this is only a test." The test was discussed on numerous high-profile newscasts and morning shows, as well as repeatedly on radio talk shows. We also created and distributed a variety of Public Service Announcements (PSAs) that were aired thousands of times as the test approached.

²² See

http://www.missingkids.com/missingkids/servlet/PageServlet?LanguageCountry=en_US&PageId=2810#2 (last visited Dec. 7, 2011).

²³ See, e.g., "Alaska Plans EAS Test Using EAN Code," *Radio Magazine* (Dec. 31, 2009), available at

http://radiomagonline.com/studio_audio/EAS/alaska_ean_test_1231.

²⁴ See *Public Notice*, "Public Safety and Homeland Security Bureau Announces That First Ever Nationwide Diagnostic Test of the Emergency Alert System Will Occur On November 9, 2011 at 2 PM EST," EB Docket No. 04-296, rel. June 9, 2011.

The goal of the test was to diagnose the efficiency and reliability of a nationwide EAS alert, and identify areas in need of potential improvement. In my view, the test was a success. It was the first time an official "live-code" national alert message was purposely deployed end-to-end throughout the system, under conditions simulating an actual emergency situation.

Almost all broadcasters were able to successfully rebroadcast the EAS test message they monitored and received. There were some technical problems with the origination of the message. Apparently there was a "loop-back" of the digital message header codes emanating from one of the Primary Entry Point radio stations that caused the header codes to repeat about every six seconds. This caused some stations' EAS encoder-decoders to "seize" upon receiving the second set of header tones.

Additionally, it appears that FEMA's originating equipment had a clock error, so the time stamp on the alert message was 2:03pm (EST), even though the test actually began a few seconds after 2:00pm (EST). The time stamp caused some encoder-decoders to store the message and wait until 2:03pm (EST) to air it.

There were also a few scattered problems with reception of the test message through the Primary Entry Point network of radio stations. The test was not received or relayed by stations in two states. Again, those issues are being addressed.

The test did highlight an anomaly in the relay architecture of the national alerting system. FEMA's PEP system is a network of hardened AM radio stations across the country, connected by a dedicated telephone conference bridge. The PEP system is designed as a last means of resort for communicating with the American people. FEMA's goal is that a message sent through the PEP network will reach 90% of the population. However, at present, there are large swaths of the country, including all of northern New England, that are not reached by a signal from a PEP station. In order to ensure that the test message was relayed in all parts of the country, FEMA also sent the message via a satellite feed from National Public Radio.

For Maine, this was an elegant solution, since our State Primary EAS network is the seven radio stations of the Maine Public Broadcasting Network (MPBN) – all other radio and TV stations in the state monitor MPBN for alerts -- so all MPBN had to do was make sure its EAS box was set up to receive the feed from NPR. However, other states had to undergo some last-minute reshuffling of their monitoring assignments in order to receive the test from either a PEP station or an NPR station.

As a result, there has been some post-test discussion within the EAS community as to whether this was a "true test" of the PEP network. It should be remembered, however, that the PEP network is designed only as a last-man-standing communications capability, not as a nationwide, end-to-end relay network. At the very least, it is hoped that the NPR overlay for the national test will raise the need for a transmission architecture that does not rely solely on the PEP network. To some degree, this will be addressed with the transition to the Common Alerting Protocol (CAP) and FEMA's use

of the internet as the backbone of its Integrated Public Alert and Warning System. However, the internet is not a hardened system, and it is subject to widespread failures.²⁵ Some other redundant pathway besides the internet and the PEP network is needed in order to ensure that a national alert can actually deploy completely across the country.

These issues demonstrate precisely why the EAS should be tested on an ongoing basis. We fully support the plan by FEMA and the FCC to test EAS on at least an annual basis. EAS is tested weekly by each radio and TV station and monthly within each state. Such tests allow message disseminators to confirm that their equipment is working properly, or to diagnose and fix any problems. It only makes sense that we should also be regularly testing the ability of the federal government to send an alert message throughout the nation. We also congratulate the FCC and FEMA on their efforts to implement the first nationwide test of the EAS.

III. The Development of IPAWS is Well Underway

Although broadcasters provide EAS and in-depth emergency information as part of their service to the public, and do so enthusiastically, participating in a reliable, functional EAS is not without certain challenges. For example, in June 2006, President Bush issued Executive Order 13407, entitled *Public Alert and Warning System*, which states:

It is the policy of the United States to have an effective, reliable, integrated, flexible, and comprehensive system to alert and warn the American people...establish or adopt, as appropriate, common alerting and warning protocols, standards, terminology, and operating procedures for the public alert and warning system to enable interoperability and the secure delivery of coordinated messages to the American people through as many communication pathways as practicable...administer the Emergency Alert System (EAS) as a critical component...ensure that under all conditions the President of the United States can alert and warn the American people.

In response, FEMA has served as the lead federal agency for developing this program, called the Integrated Public Alert and Warning System (IPAWS) Program. Among other things, IPAWS is designed to improve public safety through the rapid dissemination of emergency messages to as many people as possible over as many communications devices as possible. To do this, FEMA's IPAWS program is planning to expand the traditional EAS to include additional technologies, to capitalize on recent shifts in how many Americans consume information. IPAWS will enable Federal, State, territorial,

²⁵ As an example, the flooding from Tropical Storm Irene knocked out Time Warner's primary fiber optic cable in Vermont on August 28. The company switched to a redundant line, but three days later the flooding knocked out that line, causing 350,000 Time Warner customers in Maine, New Hampshire and Massachusetts to lose digital phone and internet service for about four hours.

tribal, and local emergency communication officials to access multiple broadcast and other communications pathways for the purpose of creating and activating alert and warning messages related to any hazard impacting public safety and well-being.

Among other capabilities, IPAWS will enable the dissemination of alerts via text messages to cell phones. It should be noted, however, that the cell phone alert aggregation system is an internet-based system, which is subject to reliability problems (including electricity blackouts), and that, with the exception of Presidential alerts, the cell phone alerting system is a voluntary opt-in system, which thus cannot be guaranteed to reach 100% of Americans. Text messages are also limited to 90 characters which inherently limit the amount of emergency-related information that can be conveyed. For these reasons, broadcasters are working closely with FEMA to ensure that EAS via free, over-the-air television and radio remains the central backbone of the next generation of public alerting.

Broadcasters are also leveraging social media and other message pathways to broaden dissemination of alert messages. When you receive an emergency alert via email, text message, or Facebook from your local radio or TV station, you know you're receiving reliable information from an authoritative source.

In Maine, and nationwide, radio and television stations do a commendable job assisting public safety officials in disseminating emergency information, whether through our on-air news programming, or through EAS. Regarding the latter, we fully intend to continue our efforts to devote personnel and attention to making sure that our internal EAS systems work properly. However, the ongoing reliability of the EAS network will depend on the success of several important developments.

First, the success of EAS will largely turn on the expertise and ability of local authorities to fully deploy EAS and act as a "civil authority" with full access to the system. In the past, some of the isolated instances where EAS could have been used more judiciously directly resulted from a lack of awareness or expertise on the part of local officials concerning EAS. Although the November 9 nationwide EAS test should help improve awareness of EAS among local authorities, in this day and age, it is unacceptable that some state and local emergency managers still require additional education and training on the benefits of EAS, how and when to trigger an EAS alert, and the proper crafting of alert messages. At present, the only training state and local authorities receive is the technical manual that comes with an EAS encoder-decoder. FEMA is taking steps to address this vacuum by creating a training and certification program for users of the system. We applaud this initiative.²⁶

Second, as mentioned above, FEMA is in the midst of implementing a next generation of EAS. This new system will modernize the technology used to deliver EAS messages

²⁶ To this end, it is critical that IPAWS continues to receive full funding through the authorization and budgetary process to achieve and maintain its public alerting missions.

from public safety officials to EAS Participants. Under the Commission's existing rules, broadcasters and other EAS Participants are required to process an EAS message that is formatted in this new "language," known as the Common Alert Protocol (CAP).²⁷

The FCC is in the process of reviewing its EAS Rules and has set a deadline of June 30, 2012, for all EAS Participants to install equipment capable of receiving a CAP-formatted message, at their own expense.²⁸ This will be a substantial burden for a number of broadcasters, as it will require the replacement of EAS equipment at most radio and television stations. The costs of such equipment are not insignificant, particularly to small radio and television stations still struggling from the recent severe recession.²⁹ It is critical that, as Participants are required to upgrade their equipment to receive a CAP-formatted message, local and state jurisdictions have the necessary funding and training to be able to transmit a CAP-formatted message. This will ensure that the public will benefit from the next generation of public alerting.

Third, authority for EAS is spread across multiple federal agencies with differing priorities, while the primary use of the system is by state and local officials. At present, there is no mechanism for the users of the system and the distributors of the messages to come together to discuss issues and work out problems. H.R. 2904 takes a great leap forward by creating an IPAWS Advisory Committee. However, this bill would sunset the Advisory Committee after about a year, thus restricting its ongoing efficacy. The next great technological advancement in public alerts and warnings may be five years down the road. Therefore, I respectfully request the Committee to consider adopting language making the Advisory Committee permanent and directing it to meet on a regular, ongoing basis, to ensure that the lines of communication remain open and that ideas for continuous improvement of the system have a forum in which they can be heard.

One other critical improvement can be achieved without expenditure of any funds. Specifically, broadcasters need credentialing from state and local authorities to allow them to access their facilities, such as studios and transmitter sites, during times of emergency. This will enable radio and television stations to repair or maintain their equipment and fully leverage their resources, local knowledge and training to keep the public informed during emergencies. While certain states accommodate broadcasters

²⁷ CAP is a messaging structure that allows emergency managers to provide in a digital format (protocol) detailed descriptions of an emergency event. It is an open, interoperable standard. See *Second Report and Order*, 22 FCC Rcd 13285 ¶¶ 22-25 (2007). CAP is also backwards-compatible to work with EAS and the NWS' SAME (Specific Area Message Encoding) protocol. *Id.* at ¶ 5.

²⁸ See, In the Matter of Review of the Emergency Alert System; Independent Spanish Broadcasters Association, the Office of Communication of the United Church of Christ, Inc., and the Minority Media and Telecommunications Council, Petition for Immediate Relief, *Notice of Proposed Rulemaking*, EB Docket No. 04-296, rel. May 26, 2011.

²⁹ The cost for new CAP-compliant EAS equipment ranges from \$1,200 to over \$3,000 per facility.

who need to access their facilities, such cooperation is not universal. Congressional action in this area could greatly enhance our ability to maintain operations and deliver vital information to our audiences.

Finally, several states are undertaking efforts to enhance their in-state emergency warning systems. In Maine, for example, we are undertaking an effort to substantially improve and modernize our emergency notification plan. Under this "perfect" notification plan, a managed "system-of-systems" would be created through which multiple systems would work together to deliver more alerts and warnings more securely, faster, and to more people. This statewide program would be designed to take advantage of existing investments and future initiatives, including a modernized EAS system, and would be poised for connection to any national system that is developed. At the same time, however, the plan would maintain primary responsibility for alerting at the local level and would include the ability to target alerts geographically.

The goal of this Maine statewide notification program would be to deliver alerts and warnings throughout the state with sufficient capability and speed, in advance of pending disasters, to help prevent loss of life and property. The program would be consistent with state and federal initiatives and standards. This program will also require funding. These funds would be used to create and manage the program, facilitate collaboration, develop operational and governance guidelines and training, purchase technology, and conduct public outreach. Maine has already undergone three rounds of state budget-cutting just this year. The state cupboard is bare, and a large question looms: How will the state pay for the system it needs to take advantage of these new technologies?

A properly working EAS is a fundamental and essential component of our nation's Homeland Security. It is crucially needed in our state of Maine to respond to the myriad of potential man-made and weather-related threats facing our region. One of the 9-11 terrorists began his fateful trip at the airport in Portland, Maine, on his way to Boston. We share a long, rural border with Canada that is difficult to secure. We have a large oil depot in South Portland that provides our winter heating supply. Bath Iron Works is a primary defense contractor to the U.S. Navy. The Seabrook nuclear power plant sits just 15 miles below our southwestern border. And we are experiencing seemingly more severe weather events in recent years, including 25 tornado warnings between 2009 and 2011, which have resulted in 15 confirmed tornado touch-downs. Even in a small, rural state like Maine, a hardened, fully capable alerting system is necessary to ensure the safety of our citizens and our infrastructure.

On behalf of the broadcasting industry, I am grateful to Chairman Denham and this Committee for hosting this hearing and for your interest in improving our communications to prevent the loss of life and property in the future. As we continue to discuss damage estimates, disaster-related costs, and rebuilding our communities after the recent severe storms, floods, tornadoes and wildfires around the U.S., we must take care not to overlook this opportunity to improve public warning and emergency

communications in advance of the next event, instead of during its aftermath. We should be planning for the next emergency, not preparing for the last one.

Thank you.

CURRICULUM VITAE

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COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
Truth in Testimony Disclosure

Pursuant to clause 2(g)(5) of House Rule XI, in the case of a witness appearing in a nongovernmental capacity, a written statement of proposed testimony shall include: (1) a curriculum vitae; and (2) a disclosure of the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by the witness or by an entity represented by the witness. Such statements, with appropriate redaction to protect the privacy of the witness, shall be made publicly available in electronic form not later than one day after the witness appears.

(1) Name: Suzanne D. Goucher

(2) Other than yourself, name of entity you are representing:

Maine Association of Broadcasters (President & CEO)
Maine State Emergency Communications Committee (Chair)
National Alliance of State Broadcasters Associations–National Association of Broadcasters Emergency Alert System Committee (Co-Chair)

(3) Are you testifying on behalf of an entity other than a Government (federal, state, local) entity?

YES **If yes, please provide the information requested below and attach your curriculum vitae.**

(4) Please list the amount and source (by agency and program) of each Federal grant (or subgrant thereof) or contract (or subcontract thereof) received during the current fiscal year or either of the two previous fiscal years by you or by the entity you are representing:

The state broadcasting trade associations conduct unique advertising programs for government agencies and nonprofit organizations, under which scarce dollars are leveraged to provide a “multiplier” of airtime value from participating radio and television stations in each state. In fiscal 2011, the Maine Association of Broadcasters conducted the following ad campaigns under direct grants or sub-grants:

Maine Army National Guard - \$80,500
Maine Immunization Program (Immunization and Vaccine for Children grants): \$65,500
Maine Fire Marshal’s Office (FEMA Fire Prevention & Safety Grant): \$100,000



Signature

Dec. 6, 2011

Date