

F.C.C. 72-301

**BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION**

WASHINGTON, D.C. 20554

In the Matter of
GENERAL REVISION OF SUBPART G, PART 73
OF THE COMMISSION'S RULES, TO UPDATE
AND SIMPLIFY THE RULES GOVERNING THE
EMERGENCY BROADCAST SYSTEM (EBS) }

ORDER

(Adopted April 5, 1972; Released April 7, 1972)

BY THE COMMISSION: COMMISSIONER JOHNSON CONCURRING IN THE RESULT.

1. On February 20, 1971, an employee of the U.S. Army Strategic Communications Command (STRATCOM) transmitted an Emergency Action Notification (EAN) in error, resulting in widespread confusion within the broadcast industry.

2. The deficiencies disclosed by this and earlier incidents have been under intensive study and review by Working Groups I and V of the Broadcast Services Subcommittee, National Industry Advisory Committee (NIAC). Corrective recommendations were submitted on August 26, 1971, and were forwarded to appropriate agencies of government for comment.

3. Another Closed Circuit Test of the EBS was conducted on September 14, 1971, and a number of additional operating deficiencies were disclosed. The NIAC recommendations concerning these matters were further refined on October 7, 1971, and on October 14, 1971 we suspended further Closed Circuit Tests of the EBS until corrective changes could be promulgated and implemented. The NIAC recommendations were further supplemented on March 13, 1972.

4. As part of the needed reconfiguration of National-Level interconnecting circuitry for the Emergency Action Notification System (EANS), we find that the public interest will be served by the early implementation of the following NIAC recommendations:

(a) That arrangements be effected for the White House Communications Agency to assume operational control of the two origination points on the First and Second Methods of the EAN. Such operational control to cover the origination of all EAN's and all tests in accordance with the SOP's and the non-Government Activation and Termination procedures issued by the FCC.

(b) That all provision for the Attack Warning Message (EAN-2) be deleted from the Basic EBS Plan and all outstanding documents and procedures.

(c) Redesignate the internal alerting systems of the commercial Radio and Television Broadcast Networks as the First Method EAN.

(d) Redesignate the Associated Press (AP) and United Press International (UPI) Radio Wire Teletype Networks as the Second Method EAN.

(e) Consolidate the National-Level interconnecting circuitry for the First and Second Methods of the Emergency Action Notification System (Teletype Network) and redesignate as the "EBS Teletypewriter Network (500 Net)", as recommended by OTP.

(f) Provide a Private Line Telephone Network (Automatic Ring) between CONAD (Communications Systems Controller) Cheyenne Mountain Complex, Colorado: Building Seven (Exercises & Facilities Division)—Washington, D.C.; AP Headquarters—New York, N.Y.; and UPI Headquarters—Chicago, Illinois, and designate as "Voice Confirmation Net (300 Net)", as recommended by OTP.

(g) Delete the following Origination Points:

National One Warning Center (N₁WC) Cheyenne Mountain, Colorado Springs, Colorado

National Three Warning Center (N₃WC) OEP Exercises and Facilities Division, Washington, D.C.

(h) Add the following Origination Points:

CONAD (Communications Systems Controller) Cheyenne Mountain Complex, Colorado

Exercises and Facilities Division, OEP Building Seven, Washington, D.C.

(i) Delete the nationwide "seize key" cutting circuit from AP/UPI Radio Wire Teletype Network EAN configuration.

(j) Delete the seven Washington, D.C. peripheral FM broadcast stations (WFER-FM; WCUM-FM; WJEJ-FM; WRFL-FM; WTTR-FM; WXRA-FM; and WHYL-FM) from the revised National-Level interconnecting facilities.

(k) Retain the present provisions for the Third and Fourth Methods of the EAN.

(l) AP and UPI will separately test the revised (new) Second Method EAN configuration on a random basis once each week at times of their individual choice.

(m) That AP and UPI continue their efforts to effect the installation of extension alarms on all AP/UPI teletypewriter stations.

(n) Amend the FCC publication entitled "Non-Government Activation and Termination Procedures for the Emergency Broadcast System (EBS)," and Standing Operating Procedures (EBS Series SOP-2, SOP-3, SOP-4, and SOP-5) to accommodate the NIAC recommendations and simplify these procedures.

(o) Continue the Closed Circuit Tests of the EBS presently provided in the Basic EBS Plan, upon promulgation and implementation of the Detailed NIAC recommendations.

In addition, we find that current EBS rules require revision to provide for noncommercial educational FM station participation and participation by television broadcast stations: identification of participating stations by call letters; display of appropriate EBS slides by television broadcast stations for the benefit of those with impaired hearing; simplified authentication procedures; inclusion of EBS announcement texts; substituting the term EBS Authorization for National Defense Emergency Authorization (NDEA); and an EBS Checklist for posting at all Broadcast Operating Positions.

5. The above-described changes are reflected in amendments of Part 73 of the rules herein ordered. Authority for the adoption of these changes is contained in sections 1, 4(i), 4(o), and 303(r) of the Communications Act of 1934, as amended.

6. Because the changes herein ordered relate to national security, compliance with the prior notice provisions of section 4 of the Administrative Procedure Act (5 USC 553) is unnecessary.

7. In view of the foregoing, and the six-month lead time required by the Communications Common Carriers for implementation of a revised National-Level interconnecting system for the Emergency Action Notification System, IT IS ORDERED, That effective Novem-

ber 2, 1972, subpart G of Part 73 of the Commission's Rules IS REVISED as set forth in the Appendix.

8. IT IS FURTHER ORDERED, That the interim Emergency Action Notification System arrangements between the White House and AP/UPI adopted by the Commission on February 26, 1971 will continue in effect until November 2, 1972, and that notwithstanding the provisions of Section 73.962, as herein adopted, Closed Circuit tests of the EBS, suspended by Order adopted October 14, 1971 (FCC 71-1060), SHALL NOT BE RESUMED until further order of the Commission.

FEDERAL COMMUNICATIONS COMMISSION.

BEN F. WAPLE, *Secretary*.

FEDERAL COMMUNICATIONS COMMISSION RULES AND REGULATIONS
PART 73—RADIO BROADCAST SERVICES

SUBPART G—EMERGENCY ACTION NOTIFICATION SYSTEM AND THE EMERGENCY
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SCOPE AND OBJECTIVES

§ 73.901 Scope of subpart.

This subpart contains the rules and regulations providing for an Emergency Action Notification System (EANS) and an Emergency Broadcast System (EBS) and applies to all broadcast stations governed by this part within any State, the District of Columbia, the Commonwealth of Puerto Rico, and the possessions of the United States, but not those stations located in the Canal Zone.

§ 73.902 Objectives of subpart.

The objectives of this subpart are to provide an expeditious means for the dissemination of Emergency Action Notifications and Emergency Action Condition Terminations to licensees and regulated services of the Federal Communications Commission, non-Government industry entities, and to the general public. Provision is also made for operation of broadcast stations subject to this part and designated non-Government and approved interconnecting systems and facilities on a voluntary organized basis during an Emergency Action Condition to provide the President and the Federal Government as well as State and Operational (local) Area authorities with an expeditious means of communicating with the general public during National, State, or Operational (local) Area situations covering a broad range of emergency contingencies posing a threat to the safety of life or property.

DEFINITIONS

§ 73.905 Emergency Action Notification System (EANS).

The system by which all licensees and regulated services of the Federal Communications Commission, participating non-Government industry entities, and the general public, are notified of the existence of or termination of an Emergency Action Condition resulting from National, State, or Operational (local) Area situations covering a broad range of emergency contingencies posing a threat to the safety of life or property. The Emergency Action Notification System consists only of the following approved and authorized facilities, systems, and interconnection arrangements: RECEIPT OF THE EMERGENCY ACTION NOTIFICATION VIA ANY ONE IS SUFFICIENT TO BEGIN EMERGENCY ACTIONS SET FORTH IN SECTION 73.933 OF THIS PART.

(a) First Method. Via the internal alerting facilities of the commercial Radio and Television Broadcast Networks to all affiliates.

(b) Second Method. Via teletype to all standard, FM, and television broadcast and other stations subscribing to the AP and UPI Radio Wire Teletype Networks.

(c) Third Method. Off-the-air monitoring of specified standard, FM, and television broadcast stations by standard, FM, and television broadcast stations and other licensees and regulated services for receipt of the Emergency Action Notification. All broadcast licensees are required to install, maintain and operate radio receiving equipment for receipt of the Emergency Action Notifications and Emergency Action Condition Terminations via this method.

(d) Fourth Method. Off-the-air monitoring of standard, FM, and television broadcast stations by participating non-Government industry entities and the general public who are listening or viewing or whose radio or television receivers are equipped for actuation by the Attention Signal to receive the Emergency Action Notifications and Emergency Action Condition Terminations.

(e) National-Level Interconnection Arrangements:

(1) From the White House to two specified origination points; thence via a dedicated teletype network to specified control points of the commercial Radio and Television Broadcast Networks (ABC, CBS, IMN, MBS, NBC, UPI-Audio, ABC-TV, CBS-TV, NBC-TV) and the American Telephone and Telegraph Company; thence via the First Method specified in (a), above.

(2) From the White House to two specified origination points; thence via a dedicated teletype network with a dedicated automatic telephone network for backup confirmation and verification purposes; thence via the Second Method specified in (b), above.

(3) Via the Third Method specified in (c), above.

(4) Via the Fourth Method specified in (d), above.

(f) State-Level Interconnection Arrangements: From State authorities to specified State Network Primary Control Stations pursuant to the provisions of Section 73.935(a)(1) via the detailed arrangements specified in the Detailed State EBS Operational Plan; thence via the Third and Fourth Methods set forth in (c) and (d), above.

(g) Operational (Local) Area-Level Interconnection Arrangements: From Operational (Local) Area authorities to specified Primary Broadcast Stations for the Operational (Local) Area pursuant to the provisions of Section 73.935(a)(2) via the detailed arrangements specified in the Detailed State EBS Operational Plan; thence via the Third and Fourth Methods set forth in (c) and (d), above.

§ 73.906 Attention Signal.

The signaling arrangement whereby standard, FM, and television broadcast stations can actuate muted receivers for the receipt of emergency cueing announcements and broadcasts, is as follows:

(a) Cut the transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(b) Return carrier to the air for 5-seconds.

(c) Cut transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(d) Return carrier to the air.

(e) Broadcast 1,000 hertz steady-state tone for 15-seconds.

NOTE: Steps (a) through (e) above, constitute the present Attention Signal. Revision of the Attention Signal is under study by a Special National Industry Advisory Committee Working Group.

§ 73.907 Emergency Action Notification.

The Emergency Action Notification is the notice to all licensees and regulated services of the Federal Communications Commission, participating non-Government industry entities, and to the general public of the existence of an Emergency Action Condition. The Emergency Action Notification is disseminated only via the Emergency Action Notification System in accordance with the Detailed non-Government Activation and Termination Procedures and Standing Operating Procedures (SOP's) for the Emergency Broadcast System which are promulgated and issued only by the Federal Communications Commission to those non-Government entities concerned.

§ 73.908 Emergency Action Condition.

The Emergency Action Condition is a National, State or Operational (local) Area emergency situation posing a threat to the safety of life or property covering the period of time between the transmission of an Emergency Action Notification and the transmission of the Emergency Action Condition Termination.

§ 73.909 Emergency Action Condition Termination.

The Emergency Action Condition Termination is the notice to all licensees and regulated services of the Federal Communications Commission, participating non-Government industry entities, and to the general public of the termination of an Emergency Action Condition. The Emergency Action Condition Termination is disseminated only via the Emergency Action Notification System in accordance with the Detailed non-Government Activation and Termination Procedures and Standing Operating Procedures (SOP's) for the Emergency Broadcast System which are promulgated and issued only by the Federal Communications Commission to those non-Government entities concerned.

§ 73.910 Detailed Non-Government Activation and Termination Procedures for the Emergency Broadcast System.

The Detailed Non-Government Activation and Termination Procedures for the Emergency Broadcast System prescribes the approved interconnecting circuitry details, facilities, operational arrangements and operational procedures for the Emergency Broadcast System and the Origination, authentication and transmission of Emergency Action Notifications and Emergency Action Condition Terminations via the Emergency Action Notification System. Detailed actions and authentication procedures between operational elements of the Federal Government at the points of origin and specified points interconnecting with participating non-Government entities in accordance with provisions of the Basic Emergency Broadcast System (EBS) Plan are specified therein. This document is promulgated and issued only by the Federal Communications Commission to those non-Government entities concerned.

(Detailed Activation and Termination Procedures between operational elements of the Federal Government will be promulgated and issued by the appropriate Government Agencies involved therein.)

§ 73.911 Standing Operating Procedures (SOP's) and Authenticator Word Lists.

Standing Operating Procedures (SOP's) are documents promulgated periodically and issued by the Federal Communications Commission for use by participating non-Government industry entities specifying the detailed operational and authentication procedures for the approved interconnecting facilities for the Emergency Action Notification System and Emergency Broadcast System, as follows:

(a) EBS SOP-1 Series: The EBS SOP-1 Series contains detailed operational and authentication procedures for the First and second Methods National-Level interconnecting facilities of the Emergency Action Notification System and is promulgated by the Federal Communications Commission and issued to specified non-Government control points of the nationwide commercial Radio and Television Broadcast Networks (ABC, CBS, IMN, MBS, NBC, UPI-Audio, ABC-TV, CBS-TV, NBC-TV), the American Telephone and Telegraph Company, the Associated Press (AP), and United Press International (UPI). The EBS Authenticator List (Red Envelope) issued quarterly by the Federal Communications Commission is utilized in these procedures.

(b) EBS SOP-2 Series: The EBS SOP-2 Series contains detailed operational and authentication procedures for the First and second Methods of the Emergency Action Notification system and is promulgated by the Federal Communications Commission and issued to all standard, FM, and television broadcast stations subscribing to the AP and UPI Radio Wire Teletype Networks and to network affiliates. The EBS Authenticator List (Red Envelope) issued quarterly by the Federal Communications Commission and associated with the EBS Checklist is utilized in these procedures.

(c) EBS SOP-3 Series: The EBS SOP-3 Series contains detailed operational and authentication procedures providing a backup for the First and Second Methods National-Level interconnecting facilities of the Emergency Action Notification System and is promulgated by the Federal Communications Commission and issued to specified non-Government control points of the nationwide commercial Radio and Television Broadcast Networks, the American Telephone and Telegraph Company, Associated Press (AP), and United Press International (UPI). Authenticator Word Lists EBS (Voice) Series (White Envelope) issued quarterly by the Federal Communications Commission are utilized in these procedures.

§ 73.912 Emergency Broadcast System (EBS).

The Emergency Broadcast System (EBS) is composed of facilities and personnel of non Government broadcast stations and other authorized facilities licensed or regulated by the Federal Communications Commission and participating non-Government industry entities, including approved and authorized integral facilities or systems, arrangements, procedures, and interconnecting facilities, which have been authorized by the Federal Communications Commission to operate on a voluntary organized basis during National, State or Oper-

ational (local) Area situations covering a broad range of emergency contingencies posing a threat to the safety of life or property for the purpose of expeditiously transmitting emergency Presidential Messages, National, State or Operational (local) Area emergency information, emergency programming, or news to the general public.

§ 73.913 Basic Emergency Broadcast System (EBS) Plan.

The Basic Emergency Broadcast System (EBS) Plan contains, among other things, approved basic concepts and designated systems, arrangements, procedures, and interconnecting facilities to provide the requisite guidance to all non-Government participating elements and industry entities in the detailed development, designation and approval of facilities, mutually compatible operational arrangements, procedures, and interconnection arrangements for the expeditious dissemination on a voluntary organized basis of emergency information and instructions at the request of National, State, and Operational (local) Area authorities in addition to emergency Presidential Messages, National Programming and News during National, State or Operational (local) Area situations covering a broad range of emergency contingencies posing a threat to the safety of life or property.

§ 73.914 Emergency Action Checklist for the Emergency Broadcast System (EBS).

The Emergency Action Checklist for the Emergency Broadcast System is a document for posting at all broadcast operating positions of standard, FM, and television broadcast stations, which specifies in summary form, the emergency actions to be taken by the station's operating personnel upon receipt of Emergency Action Notifications, Emergency Action Condition Terminations, and Tests received via the Nation-Level, State-Level, and Local-Level interconnecting facilities of the Emergency Broadcast System (EBS).

§ 73.915 NIAC Order.

A NIAC Order is a service order previously filed with the American Telephone and Telegraph Company providing for approved arrangements for program origination reconfiguration of the major commercial Radio and Television (aural) Broadcast Networks (except UPI Audio) voluntarily participating in the Emergency Broadcast System (EBS). Broadcast networks presently participating are American Broadcasting Company (ABC), Columbia Broadcasting System (CBS), Mutual Broadcasting System (MBS), National Broadcasting Company (NBC), Intermountain Network (IMN), and the United Press International Audio (UPI). Any NIAC Order must meet White House requirements and may be activated only in accordance with the Detailed Activation and Termination Procedures for the Emergency Broadcast System (EBS), and Standing Operating Procedures (SOP's).

§ 73.916 Emergency Broadcast System (EBS) Authorization.

(a) An Emergency Broadcast System (EBS) Authorization is an authorization issued by the Federal Communications Commission only to the licensees of Broadcast stations subject to the provisions of this

part to permit operation of such stations, as well as associated auxiliary broadcast stations subject to Part 74 of this chapter on a voluntary organized basis during a National-level Emergency Action Condition, consistent with the provisions of this subpart and the Basic Emergency Broadcast System (EBS) Plan, including the annexes and supplements to that plan. A broadcast station licensee will be issued an Emergency Broadcast System Authorization only in accordance with the Criteria for Eligibility set forth in the Basic Emergency Broadcast System (EBS) Plan, which will remain valid concurrently with the term of the broadcast station license, so long as the station licensee continues to comply with the Criteria for Eligibility.

(b) An Emergency Broadcast System (EBS) Authorization is not required in order to participate on a voluntary organized basis in State and Operational (local) Area Emergency Broadcast System operations as set forth in Section 73.935.

§ 73.917 Primary Station Emergency Broadcast System (EBS) Authorization.

A Primary Station Emergency Broadcast System (EBS) Authorization is the authorization issued to one or more broadcast station licensees in an Operational (local) Area assigning such licensees the responsibility for broadcasting a common emergency program for the initial period of, or for the duration of a National-level Emergency Action Condition. Broadcasts by such stations are intended for direct public reception in an Operational (local) Area, as specified in an approved Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.918 Alternate Station Emergency Broadcast System (EBS) Authorization.

An Alternate Station Emergency Broadcast System (EBS) Authorization is the authorization issued to one or more broadcast licensees in an Operational (local) Area assigning such licensees as specified alternates. An Alternate Station will assume broadcasting responsibility in accordance with the provisions of the Detailed State Emergency Broadcast System (EBS) Operational Plan during a National-level Emergency Action Condition.

§ 73.919 Primary Relay Station Emergency Broadcast System (EBS) Authorization.

A Primary Relay Station Emergency Broadcast System (EBS) Authorization is the authorization issued to one or more broadcast licensees in an Operational (local) Area assigning such licensees the function of emergency program distribution or relay service of emergency programming during a National-level Emergency Action Condition to stations holding Primary or Alternate Station Emergency Broadcast System (EBS) Authorizations, in accordance with an approved Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.920 Alternate Relay Station Emergency Broadcast System (EBS) Authorization.

An Alternate Relay Station Emergency Broadcast System (EBS) Authorization is the authorization issued to one or more broadcast

licensees in an Operational (local) Area assigning such licensees as specified alternates to stations holding Primary Relay Emergency Broadcast System (EBS) Authorizations. In the event a Primary Relay Station is unable to assume its initial operational functions, or discontinues such operation for any reason, an Alternate Relay Station will assume those operational functions during a National-level Emergency Action Condition, in accordance with the "alternate" designations (1st, 2d, 3d, 4th, etc.) contained in the approved Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.921 Non-Participating Station.

A Non-Participating Station is a broadcast station which is not voluntarily participating in the Emergency Broadcast System (EBS) and does not hold an Emergency Broadcast System (EBS) Authorization. Such stations are required to discontinue operations for the duration of a National-Level Emergency Action Condition.

§ 73.922 Detailed State Emergency Broadcast System (EBS) Operational Plan.

A Detailed State Emergency Broadcast System (EBS) Operational Plan is a plan containing the designation of facilities, approved detailed mutually compatible operational arrangements, procedures, instructions, and interconnecting facilities for communicating with the general public during an Emergency Action Condition. Such a plan includes approved and authorized detailed emergency operational communications facilities, systems, procedures, and interconnecting systems. It shall be in conformity with the provisions of this subpart and the Basic Emergency Broadcast System (EBS) Plan and shall be considered a supplement thereto.

§ 73.923 Operational (local) Area.

An Operational (local) Area is a geographical area which may encompass a number of contiguous communities, as determined by the State Industry Advisory Committee and as delineated in the approved Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.924 Common Program Control Broadcast Station.

A Common Program Control Broadcast Station is a Primary Broadcast Station in each Operational (local) Area assigned the responsibility for coordinating the operations for the broadcasting of the common program for the Operational (local) Area. In the event a Common Program Control Broadcast Station is unable for any reason to carry out this responsibility, other Primary and Alternate Broadcast Stations in the Operational (local) Area will be assigned as the Common Program Control Broadcast Station in progressive order, as set forth in the approved Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.925 Emergency Broadcast System (EBS) Programming Priorities.

(a) Program priorities for the Emergency Broadcast System (EBS) are as follows:

Priority One—Presidential Messages.

Priority Two—State Programming.

Priority Three—Operational Area (local) Programming.

Priority Four—National Programming and News.

(b) The Common Program Control Broadcast Station is responsible for coordinating the operations of the participating stations in the Operational (Local) Area in the broadcast of a common program for the Operational (Local) Area in accordance with the program priorities set forth in paragraph (a) of this section.

(c) All authorized participating stations that remain on the air in accordance with the Basic Emergency Broadcast System (EBS) Plan and the Detailed State Emergency Broadcast System (EBS) Operational Plan must carry Presidential Messages “live” at time of transmission.

(d) The nationwide commercial Radio and Television (aural) Broadcast Network program distribution facilities shall be reserved exclusively for the distribution of Presidential Messages (Priority One) and National Programming and News (Priority Four). National Programming and News which is not broadcast at the time of original transmission shall be recorded locally by the Common Program Control Broadcast Station for broadcast at the earliest opportunity consistent with Operational (Local) Area requirements.

PARTICIPATION

§ 73.926 Participation in the Emergency Broadcast System (EBS).

(a) Any licensee desiring to participate voluntarily in the National-Level Emergency Broadcast System (EBS) must prepare in narrative form an application directed to the establishment of eligibility based upon the criteria set forth in the Basic Emergency Broadcast System (EBS) Plan. The Federal Communications Commission may then issue Authorization to the licensee authorizing participation in the Emergency Broadcast System (EBS) consistent with the provisions of the approved Detailed State Emergency Broadcast System (EBS) Operational Plans.

(b) Any station participating in the National-Level Emergency Broadcast System (EBS) may withdraw from participation by giving 30 days written notice and by submitting its Emergency Authorization to the Federal Communications Commission through the appropriate FCC Regional Liaison Officer for cancellation.

(c) Any station that is denied participation in the National-Level Emergency Broadcast System (EBS) for any reason may apply to the Commission for review of the staff denial, in accordance with Section 1.115 of the Federal Communications Commission Rules and Regulations.

(d) Any standard, FM, or television broadcast licensee may, at the discretion of management, voluntarily participate in the State-Level and Operational (Local) Area-Level Emergency Broadcast System in accordance with the provisions of the Detailed State Emergency Broadcast System (EBS) Plan. A special authorization is *not* required for this purpose.

NETWORK CONNECTION

§ 73.927 Participation by Communications Common Carriers.

(a) Communications Common Carriers which have facilities available in place may, without charge, connect an unaffiliated broadcast station to commercial networks operated by ABC, CBS, MBS, NBC, or IMN for the duration of an Emergency Action Condition: Provided, That:

(1) The station is authorized by the Federal Communications Commission to participate in the Emergency Broadcast System (EBS).

(2) The station has in service a local channel from the station studio or transmitter directly to the nearest telephone company Principal Central Office (toll test).

(b) During an Emergency Action Condition and using NIAC Order Nos. 1 through 63, Communications Common Carriers which have facilities in place may, without charge, connect an originating source associated with an appropriate NIAC Order Number from the nearest Exchange to a selected Test Center, thence to the authorized commercial Radio and Television (aural) Broadcast Networks for the duration of the Emergency Action Condition: Provided, That:

(1) The originating source has in service a local channel from the originating point to the nearest Exchange.

(2) A NIAC Order covering this service is requested by the White House in accordance with the provisions of the Basic Emergency Broadcast System (EBS) Plan.

(c) Upon issuance of the Emergency Action Condition Termination, such carriers shall disconnect the unaffiliated broadcast stations and the authorized origination source and then restore the Broadcast Networks to their original configuration as individual entities.

(d) Closed circuit tests of technical program origination and distribution channels associated with NIAC Order Nos. 1 through 63 will be conducted as provided in § 73.962. These tests are in conformance with the provision of this section.

(e) During closed circuit tests of National-Level interconnecting facilities using NIAC Orders No. 1 through 63, Communications Common Carriers which have facilities in place may, without charge, connect an originating source associated with an appropriate NIAC Order Number from the nearest Exchange to a selected Test Center, thence to the authorized commercial Radio Networks only for such closed circuit tests and no unaffiliated stations may be connected for the duration of the test, unless specifically authorized by the Federal Communications Commission. Upon completion of such tests the Broadcast Networks shall be restored to their original configuration as individual entities.

(f) Every such carrier rendering any such free service shall make and file, in duplicate, with the Federal Communications Commission, on or before the 31st day of July and on or before the 31st day of January in each year, reports covering the periods of 6 months ending on the 30th day of June and the 31st day of December respectively, next prior to said dates. These reports shall show in detail what free

service was rendered pursuant to this rule and the charges in dollars which would have accrued to the carrier for such service rendered if charges therefor had been collected at the published tariff rates.

EMERGENCY ACTIONS

§ 73.931 Notification of Emergency Action Condition.

(a) National-Level.

The Emergency Action Notification will be released at this level upon request of the White House and will be disseminated only via the Four Methods of the Emergency Action Notification System as set forth in Section 73.905 (e) of this part. RECEIPT OF THE EMERGENCY ACTION NOTIFICATION VIA ANY ONE OF THE FOUR METHODS IS SUFFICIENT NOTICE TO BEGIN EMERGENCY ACTIONS SET FORTH IN SECTION 73.933 OF THIS PART.

(b) State-Level.

The management of specified State Network Primary Control Stations may, at their discretion, release the Emergency Action Notification at this level pursuant to the provisions of Section 73.935(a) (1) of this part and will be disseminated as set forth in Section 73.905(f) of this part and the Detailed State EBS Operational Plan.

(c) Operational (Local) Area-Level.

The management of specified Primary Broadcast Stations for the Operational (Local) Area may, at their discretion, release the Emergency Action Notification at this level pursuant to Section 73.935(a) (2) of this part and will be disseminated as set forth in Section 73.905 (g) of this part and the Detailed State EBS Operational Plan.

§ 73.932 Radio Monitoring Requirement.

(a) In order to ensure the effectiveness of the Third Method of the Emergency Action Notification System, all broadcast station licensees must install and operate during their hours of broadcast operation, equipment capable of receiving Emergency Action Notifications or Terminations transmitted by other radio broadcast stations. This equipment must be maintained in operative condition, including arrangements for human listening watch or automatic alarm devices, and shall have its termination at each transmitter control point. However, where more than one broadcast transmitter is controlled from a common point by the same operator, only one set of equipment is required at that point.

(b) The Third Method off-the-air monitoring assignment of each standard, FM, and television broadcast station is specified in the Detailed State Emergency Broadcast System (EBS) Operational Plan.

(c) Prior to commencing routine operation or originating any emissions under program test, equipment test, experimental, or other authorizations or for any other purpose, licensees or permittees shall first ascertain whether an Emergency Action Condition exists and, if so, shall operate only in accordance with the Basic Emergency Broadcast System (EBS) Plan and Detailed State Emergency Broadcast System (EBS) Operational Plan.

§ 73.933 Emergency Broadcast System (EBS) Operation During a NATIONAL-LEVEL Emergency Action Condition.

(a) All broadcast stations are furnished complete instructions on an Emergency Action Checklist to be posted at broadcast operating positions. This Checklist summarizes the procedures to be followed by operating personnel of all broadcast stations subject to this part upon receipt of a NATIONAL-LEVEL Emergency Action Notification or Emergency Action Condition Termination. This notification may be received by one or more of the following: RECEIPT OF THE EMERGENCY ACTION NOTIFICATION VIA ANY ONE OF THE FOLLOWING IS SUFFICIENT NOTICE TO BEGIN EMERGENCY ACTION:

- (1) Via the commercial Radio and Television network facilities;
- (2) Via the Radio Press Wires (AP/UPI);
- (3) Via off-the-air monitoring of the Primary Station for the Operational (local) Area.
- (4) Via off-the-air monitoring of the Primary (FM) Relay Station for the Operational (local) Area.

(b) Immediately upon receipt of such Notifications, all standard, commercial FM (including all sub-carriers), and non-commercial educational FM (including all sub-carriers), and television broadcast stations, including all such stations operating under equipment or program test authority, will proceed as follows:

NOTE: It is suggested that appropriate arrangements be made to *tape all emergency broadcasts*, including the Emergency Action Notification. Appropriate notations should also be made in the station log of all significant events as they transpire. These records should be carefully preserved in the event they are required at some later date.

(1) *Immediately* monitor the commercial radio and television network facilities (ABC, CBS, IMN, MBS, NBC, UPI Audio, ABC-TV, CBS-TV, NBC-TV) for any further instructions from the Network Control Point.

(2) *Immediately* check the Radio Press Wire (AP/UPI). Verify authenticity of message with current EBS Authenticator List (Red Envelope).

(3) *Immediately* monitor the radio receiving equipment tuned to a Primary Station for the Operational (Local) Area and/or to a Primary Relay (FM) Station for the State EBS Network or the State-wide leased common carrier State EBS Network for receipt of any further instructions.

(4) Discontinue normal program and broadcast the following announcement:

“WE INTERRUPT THIS PROGRAM. THIS IS A NATIONAL EMERGENCY. IMPORTANT INSTRUCTIONS WILL FOLLOW.”

(5) Transmit the EMERGENCY ACTION NOTIFICATION ATTENTION SIGNAL as set forth in Section 73.906 of this part, as follows:

(i) Cut the transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

- (ii) Return carrier to the air for 5-seconds.
- (iii) Cut transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)
- (iv) Return carrier to the air.
- (v) Broadcast 1,000-hertz steady-state tone for 15-seconds.

(6) (i) *Primary Stations* will make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS SHALL BROADCAST THIS EMERGENCY ACTION NOTIFICATION MESSAGE. THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM AT THE REQUEST OF THE WHITE HOUSE TO PARTICIPATE IN THE EMERGENCY BROADCAST SYSTEM. DURING THIS EMERGENCY, SOME STATIONS WILL REMAIN ON THE AIR BROADCASTING NEWS AND OFFICIAL INFORMATION TO THE PUBLIC IN ASSIGNED AREAS. THIS IS STATION (*Call Letters*). WE WILL REMAIN ON THE AIR TO SERVE THE (*Operational Area Name*) AREA. IF YOU ARE NOT IN THIS AREA, YOU SHOULD TUNE TO OTHER STATIONS UNTIL YOU HEAR ONE BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. YOU ARE LISTENING TO THE EMERGENCY BROADCAST SYSTEM SERVING THE (*Operational Area Name*) AREA. DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED. I REPEAT . . . (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE 1: Television broadcast stations shall display the EMERGENCY BROADCAST SYSTEM slide during the above transmission procedure. Those television broadcast stations holding Primary Station EBS Authorizations will continue operation and shall display the Emergency Broadcast System (EBS) or other appropriate slide during audio transmissions.

NOTE 2: Stations broadcasting in a foreign language shall repeat the above announcements in that language.

(ii) *Primary RELAY Stations* will make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS SHALL BROADCAST THIS EMERGENCY ACTION NOTIFICATION MESSAGE. THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM AT THE REQUEST OF THE WHITE HOUSE TO PARTICIPATE IN THE EMERGENCY BROADCAST SYSTEM. DURING THIS EMERGENCY, SOME STATIONS WILL REMAIN ON THE AIR BROADCASTING NEWS AND OFFICIAL INFORMATION TO THE PUBLIC IN ASSIGNED AREAS. THIS IS STATION (*Call Letters*). WE WILL BE SERVING AS A PROGRAM DISTRIBUTION AND RELAY CHANNEL TO OTHER STATIONS. FOR COMPLETE NEWS AND INFORMATION FOR YOUR AREA, YOU SHOULD NOW TUNE TO OTHER STATIONS UNTIL YOU HEAR ONE BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. THIS STATION WILL NOT BE BROADCASTING COMPLETE NEWS AND INFORMATION FOR YOUR AREA. YOU SHOULD NOW TUNE UNTIL YOU HEAR A STATION BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED. I REPEAT . . . (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE 1: Those television broadcast stations holding Primary Relay Station EBS Authorizations shall continue operation and shall display the Emergency Broadcast System (EBS) or other appropriate slide during audio transmissions.

NOTE 2: Stations broadcasting in a foreign language shall repeat the above announcements in that language.

(iii) *Alternate Stations* will make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS SHALL BROADCAST THIS EMERGENCY ACTION NOTIFICATION MESSAGE. THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM AT THE REQUEST OF THE WHITE HOUSE TO PARTICIPATE IN THE EMERGENCY BROADCAST SYSTEM. DURING THIS EMERGENCY, SOME

STATIONS WILL REMAIN ON THE AIR BROADCASTING NEWS AND OFFICIAL INFORMATION TO THE PUBLIC IN ASSIGNED AREAS. THIS IS STATION (*Call letters*). WE WILL BE LEAVING THE AIR. YOU SHOULD NOW TUNE TO OTHER STATIONS UNTIL YOU HEAR ONE BROADCASTING EMERGENCY NEWS AND INFORMATION FOR YOUR AREA. THIS STATION WILL NOT BE BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. YOU SHOULD NOW TUNE UNTIL YOU HEAR A STATION BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED. I REPEAT (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE 1: Television broadcast stations shall display the EMERGENCY BROADCAST SYSTEM slide during the transmission procedure.

NOTE 2: Stations broadcasting in a foreign language shall repeat the above announcements in that language.

(iv) Alternate Relay Stations will make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS SHALL BROADCAST THIS EMERGENCY ACTION NOTIFICATION MESSAGE. THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM AT THE REQUEST OF THE WHITE HOUSE TO PARTICIPATE IN THE EMERGENCY BROADCAST SYSTEM. DURING THIS EMERGENCY, SOME STATIONS WILL REMAIN ON THE AIR BROADCASTING NEWS AND OFFICIAL INFORMATION TO THE PUBLIC IN ASSIGNED AREAS. THIS IS STATION (*Call letters*). WE WILL BE LEAVING THE AIR. YOU SHOULD NOW TUNE TO OTHER STATIONS UNTIL YOU HEAR ONE BROADCASTING EMERGENCY NEWS AND INFORMATION FOR YOUR AREA. THIS STATION WILL NOT BE BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. YOU SHOULD NOW TUNE UNTIL YOU HEAR A STATION BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED.

I REPEAT (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE 1: Television broadcast stations shall display the EMERGENCY BROADCAST SYSTEM slide during the transmission procedures.

NOTE 2: Stations broadcasting in a foreign language shall repeat the above announcements in that language.

(v) Non-Participating Stations will make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS SHALL BROADCAST THIS EMERGENCY ACTION NOTIFICATION MESSAGE. THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM AT THE REQUEST OF THE WHITE HOUSE TO PARTICIPATE IN THE EMERGENCY BROADCAST SYSTEM. DURING THIS EMERGENCY, SOME STATIONS WILL REMAIN ON THE AIR BROADCASTING NEWS AND OFFICIAL INFORMATION TO THE PUBLIC IN ASSIGNED AREAS. THIS IS STATION (*Call letters*). WE WILL BE LEAVING THE AIR. YOU SHOULD NOW TUNE TO OTHER STATIONS UNTIL YOU HEAR ONE BROADCASTING EMERGENCY NEWS AND INFORMATION FOR YOUR AREA. THIS STATION WILL NOT BE BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. YOU SHOULD NOW TUNE UNTIL YOU HEAR A STATION BROADCASTING NEWS AND INFORMATION FOR YOUR AREA. DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED.

I REPEAT" (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE 1: Television broadcast stations shall display the EMERGENCY BROADCAST SYSTEM slide during the transmission procedure.

NOTE 2: Stations broadcasting in a foreign language shall repeat the above announcements in that language.

(7) Upon completion of the above detailed transmission procedures :

(i) Primary Stations within an Operational (Local) Area will, upon cue from the Common Program Control Broadcast Station, begin broadcast of a common program. Feeds will be provided by one or more of the following :

(a) Common Program Control Station for the Operational (local) Area.

(b) Commercial Radio and Television Broadcast Networks.

(c) State EBS Networks

(Intercity FM off-the-air relay)

(Intercity leased common carrier facilities)

(d) Operational (local) Area Remote Pickup Broadcast Network or Primary Relay Station (FM) for the Operational (local) Area.

NOTE 1: All stations shall carry common programming until receipt of the Emergency Action Condition Termination. At this point, direct feed may be utilized from one or more of the above.

NOTE 2: Programming priorities shall be as follows :

Priority One—Presidential Message.

Priority Two—State Programming.

Priority Three—Operational Area (Local) Programming.

Priority Four—National Programming and News.

(ii) Primary Relay Stations will begin emergency program relay and distribution service in accordance with the provisions of the Basic Emergency Broadcast System (EBS) Plan and the Detailed State Emergency Broadcast System (EBS) Operational Plans.

(iii) Alternate Stations and Alternate Relay Stations within an Operational (Local) Area will now turn off their transmitters and will stand by in a state of operational readiness to begin operation to broadcast a common program upon cue from a Primary or Alternate station which is discontinuing operation for any reason, or has discontinued operation with no advance notice, consistent with the provisions of the Basic Emergency Broadcast System (EBS) Plan and the Detailed State Emergency Broadcast System (EBS) Operational Plan.

(iv) Non-Participating Stations shall discontinue operation and remove their carriers from the air for the duration of the Emergency Action Condition after completion of the Emergency Action Notification Procedures set forth in this Section, above.

(8) STANDBY SCRIPT

(i) Upon completion of the broadcast of the Emergency Action Notification BROADCAST MESSAGE, *repeated THREE TIMES*, the STANDBY SCRIPT shall be used *only by Primary Stations (or Alternate Stations if they are required to assume broadcasting responsibility)* until program material is available from National, State, or Operational (Local) Area systems as set forth in your Detailed State Emergency Broadcast System (EBS) Operational Plan.

(ii) In addition, STANDBY SCRIPT may be used thereafter, as fill material for the common program for the Operational (Local) Area, upon cue from the Common Program Control Broadcast Station in the Operational (Local) Area.

(iii) TEXT OF STANDBY SCRIPT

(Use Following Emergency Action Notification BROADCAST MESSAGE)
 "WE INTERRUPT OUR PROGRAM AT THE REQUEST OF THE WHITE HOUSE. THIS IS THE EMERGENCY BROADCAST SYSTEM. ALL NORMAL BROADCASTING HAS BEEN DISCONTINUED DURING THIS EMER-

GENCY. THIS IS STATION (*Call letters*). THIS STATION WILL CONTINUE TO BROADCAST, FURNISHING NEWS, OFFICIAL INFORMATION AND INSTRUCTIONS, AS SOON AS POSSIBLE, FOR THE (*Operational Area Name*) AREA. IF YOU ARE NOT IN THE (*Operational Area Name*) AREA TUNE TO A STATION FURNISHING INFORMATION FOR YOUR AREA. I REPEAT—WE INTERRUPT OUR PROGRAM AT THE REQUEST OF THE WHITE HOUSE. THIS IS THE EMERGENCY BROADCAST SYSTEM. ALL NORMAL BROADCASTING HAS BEEN DISCONTINUED DURING THIS EMERGENCY. THIS STATION WILL CONTINUE TO BROADCAST, FURNISHING NEWS, OFFICIAL INFORMATION AND INSTRUCTIONS, AS SOON AS POSSIBLE, FOR THE (*Operational Area Name*) AREA. IF YOU ARE NOT IN THE (*Operational Area Name*) AREA TUNE TO A STATION FURNISHING INFORMATION FOR YOUR AREA.

DO NOT USE YOUR TELEPHONE. THE TELEPHONE LINES SHOULD BE KEPT OPEN FOR EMERGENCY OFFICIAL USE. THE EMERGENCY BROADCAST SYSTEM HAS BEEN ACTIVATED TO KEEP YOU INFORMED. TO REPEAT—THIS IS STATION (*Call letters*). THIS STATION WILL BROADCAST NEWS, OFFICIAL INFORMATION AND INSTRUCTIONS FOR THE (*Operational Area Name*) AREA. IF YOU ARE IN THE (*Operational Area Name*) AREA, KEEP TUNED TO THIS STATION FOR FURTHER EMERGENCY INFORMATION. IT IS IMPORTANT THAT YOU LISTEN CAREFULLY TO ANNOUNCEMENTS ONLY ON THE STATION BROADCASTING INFORMATION FOR YOUR AREA."

NOTE: If Presidential, State, Operational (Local) Area, or National programming or News is not being received by this time, repeat Standby Script until programming is available from one of the sources specified.

(9) A station which broadcasts in a language other than English may broadcast in such foreign language with the broadcast in English.

(10) International broadcast stations will cease broadcasting immediately upon receipt of an Emergency Action Notification and will maintain radio silence.

(11) Stations in the International Broadcast Service operating under the jurisdiction of the Federal Communications Commission may under certain conditions be issued appropriate emergency authorization by the Federal Communications Commission with concurrence of the Director, Office of Emergency Preparedness, and will transmit only Federal Government broadcasts or communications. The station's carrier must be removed from the air during periods of no broadcast or communications transmissions.

(12) Stations may broadcast their call letters during an Emergency Action Condition. State and Operational Area identifications shall also be given.

(13) All stations operating and identified with a particular Operational (local) Area will broadcast a common program until receipt of the Emergency Action Condition Termination.

(14) Broadcast stations are specifically exempt from complying with § 73.57 (pertaining to maintenance of operating power) while operating under the provisions of their Emergency Authorization.

(15) All stations may resume normal broadcast operations in accordance with the provisions of their current license or program test authority upon receipt of the Emergency Action Condition Termination, which will be transmitted to all stations only via the Four Methods of the Emergency Action Notification System.

§ 73.934 Termination of Emergency Action Condition.

(a) Upon receipt of an Emergency Action Condition Termination, all stations operating in the Emergency Broadcast System (EBS) will broadcast the following Termination Message twice:

"This concludes operations under the Emergency Broadcast System. All broadcast stations may now resume normal broadcast operation."

(b) Unlimited time stations operating in the Emergency Broadcast System (EBS) will transmit the Termination Message twice, and then resume normal operation. Daytime Only and Limited Time broadcast stations operating in the Emergency Broadcast System (EBS) shall also broadcast the Termination Message twice, then operate in accordance with their regular authorization.

DAY-TO-DAY EMERGENCY OPERATION

§ 73.935 Day-to-day emergencies posing a threat to the safety of life and property; State-Level and Operational (local) Area-Level Emergency Action Notification.

(a) A State-Level or Operational (local) Area-Level Emergency Action Notification may be transmitted for the following purposes by all standard, FM and television broadcast stations, at their discretion, in connection with day-to-day emergency situations posing a threat to the safety of life and property:

(1) Activation of State program distribution interconnecting systems and facilities for the origination of emergency cueing announcements and broadcasts by the management of the State Network Primary Control Station in accordance with previous arrangements and agreement of the State Industry Advisory Committee in day-to-day emergency situations in the public interest. These include both situations where the time element is short, and those which develop slowly. (For example: Tornado warnings or tornado sightings; toxic gases threatening a community; flash floods; widespread fires threatening populated areas; tidal waves; earthquakes; widespread commercial electric power failures; large scale industrial explosions and fires; tornado watches, hurricane watches, and hurricane warnings; civil disorders; heavy rains—developing dangerous flood conditions; icing conditions—developing dangerous road hazards; heavy snows—developing blizzard conditions; appeals for medical assistance and facilities; appeals for emergency food and housing; call-back of off-duty police personnel; call-back of off-duty fire personnel; call-back of off-duty military personnel.)

(2) Activation of Operational (local) Area interconnecting systems and facilities for the origination of emergency cueing announcements and broadcasts by the management of the Primary Broadcast Stations for the Operational (local) Area in accordance with previous arrangements and agreement of the Operational (local) Area Industry Advisory Committee and the State Industry Advisory Committee in day-to-day emergency situations in the public interest. (Examples set forth in subparagraph (1) of this paragraph.)

(b) Stations originating emergency communications under this section shall be deemed to have conferred rebroadcast authority, as required by section 325(a) of the Communications Act, on other participating stations. Neither the notice and certification of consent called for by §§ 73.121(b), 73.291(b), 73.591(b), and 73.655(b), nor prior Commission approval as otherwise required by §§ 73.121(d), 73.291(d), 73.591(c) and 73.655(c) in the case of aural-TV cross-service rebroadcasting, is necessary under these circumstances.

§ 73.936 Emergency Broadcast System (EBS) Operation During a State-Level Emergency Action Condition.

All broadcast stations are furnished complete instructions on an Emergency Action Checklist to be posted at broadcast operating positions. This Checklist summarizes the procedures to be followed by the

operating personnel of those broadcast stations subject to this part which are voluntarily participating in the STATE-LEVEL Emergency Broadcast System (EBS) upon receipt of a STATE-LEVEL Emergency Action Notification or Emergency Action Condition Termination. Immediately upon receipt of such Notification, all standard, commercial FM (including all sub-carriers) and noncommercial educational FM (including all sub-carriers), and television broadcast stations, including all such stations operating under equipment or program test authority, WHICH ARE VOLUNTARILY PARTICIPATING IN THE STATE-LEVEL EMERGENCY BROADCAST SYSTEM (EBS), may, *at the discretion of management*, proceed as set forth herein: (Operations will be conducted in accordance with the provisions of the Detailed State EBS Operational Plan. Special authorization to participate in the STATE-LEVEL EBS is *not* required).

NOTE: It is suggested that appropriate arrangements be made to *tape all emergency broadcasts*, including the Emergency Action Notification. Appropriate notations should also be made in the station log of all significant events as they transpire. These records should be carefully preserved in the event they are required at some later date.

(a) *Immediately* monitor the radio receiving equipment tuned to a State EBS Network (Primary Relay FM Station or leased intercity common carrier facilities) for receipt of any further instructions from the State EBS Network Control Station.

(b) *Immediately* monitor the radio receiving equipment tuned to a Primary Station for Operational (Local) Area for the receipt of any further instructions.

(c) *Immediately* check the Radio Press Wire (AP/UPI) for receipt of any further information via the State Bureau Offices of AP and UPI.

(d) *At the discretion of management*, discontinue normal program and broadcast the following announcement:

"WE INTERRUPT THIS PROGRAM BECAUSE OF A STATEWIDE EMERGENCY. IMPORTANT INFORMATION WILL FOLLOW."

(e) Transmit the EMERGENCY ACTION NOTIFICATION ATTENTION SIGNAL as set forth in Section 73.906 of this part, as follows:

(1) Cut the transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(2) Return carrier to the air for 5-seconds.

(3) Cut transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(4) Return carrier to the air.

(5) Broadcast 1,000 hertz steady-state tone for 15-seconds.

NOTE: Television broadcast stations voluntarily participating in the State EBS should display the STATE EMERGENCY BROADCAST SYSTEM or STATE ASSOCIATION OF BROADCASTERS or other appropriate slide during the transmission procedure and the audio transmissions that follow.

(f) All broadcast stations (standard, FM, and television) voluntarily participating in the State Emergency Broadcast System (EBS) make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS IN THE STATE OF (*State Name*) ARE REQUESTED TO BROADCAST THE

FOLLOWING STATE-LEVEL EMERGENCY ACTION NOTIFICATION MESSAGE.

THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM TO PARTICIPATE IN THE (State Name) EMERGENCY BROADCAST SYSTEM. DURING THIS PERIOD, MANY STATIONS WILL BE BROADCASTING A SPECIAL EMERGENCY PROGRAM TO THE RESIDENTS OF THE STATE OF (State Name). THIS STATION WILL BROADCAST THE SPECIAL EMERGENCY PROGRAM BEGINNING AT (Time)." (Give further details—if available)

I REPEAT . . . (REPEAT THE ABOVE ANNOUNCEMENT)

NOTE: Television broadcast stations should display the STATE EMERGENCY BROADCAST SYSTEM or STATE ASSOCIATION OF BROADCASTERS slide during the transmission procedure.

NOTE: Stations broadcasting in a foreign language should repeat the above announcements in that language.

(g) Upon completion of the above transmission procedures, resume normal programming until the scheduled time for the State-Level EBS Broadcast. Upon cue from the Common Program Control Broadcast Station for your Operational (Local) Area, or Primary Relay Station for the State EBS Network, begin broadcast of a common STATE-LEVEL program received from one of the following sources consistent with the provisions of the Detailed State Emergency Broadcast System (EBS) Operational Plan:

- (1) Common Program Control Station for your Operational (Local) Area
- (2) State EBS Network
(Intercity FM off-the-air relay)
(Intercity Leased Common Carrier Facilities).
- (3) Primary Relay Station (FM) for the Operational (Local) Area.

(h) All stations may resume normal broadcast operations in accordance with the provisions of their current license or program test authority upon conclusion of the State-Level EBS Broadcast.

§ 73.937 Emergency Broadcast System (EBS) Operation During an Operational (Local) Area-Level Emergency Action Condition.

All broadcast stations are furnished complete instructions on an Emergency Action Checklist to be posted at broadcast operating positions. This Checklist summarizes the procedures to be followed by the operating personnel of those broadcast stations subject to this part which are voluntarily participating in the Operational (Local) Area Emergency Broadcast System (EBS) upon receipt of an Operational (Local) Area-Level Emergency Action Notification or Emergency Action Condition Termination.

Immediately upon receipt of such Notification, all standard, commercial FM (including all subcarriers), and non-commercial educational FM (including all subcarriers), and television broadcast stations, including all such stations operating under equipment or program test authority, WHICH ARE VOLUNTARILY PARTICIPATING IN THE OPERATIONAL (LOCAL) AREA EMERGENCY BROADCAST SYSTEM (EBS) may, *at the discretion of management*, proceed as set forth herein: (Operations will be conducted in accordance with the provisions of the Detailed State EBS Operational Plan. Special authorization to participate in the OPERATIONAL (LOCAL) AREA EBS is *not* required).

NOTE: It is suggested that appropriate arrangements be made to *tape all emergency broadcasts*, including the Emergency Action Notification. Appropriate nota-

tions should also be made in the station log of all significant events as they transpire. These records should be carefully preserved in the event they are required at some later date.

(a) Immediately monitor the radio receiving equipment tuned to a Primary Station for the Operational (Local) Area for receipt of any further instructions.

(b) Immediately monitor the radio receiving equipment tuned to a Primary Relay Station (FM) serving the Operational (Local) Area for receipt of any further instructions.

(c) Immediately monitor the Emergency Remote Pickup Broadcast Network serving the Operational (Local) Area for receipt of any further instructions.

(d) Immediately check the Radio Press Wire (AP/UPI) for receipt of any further information via the State Bureau Offices of AP and UPI.

(e) *At the discretion of management*, discontinue normal program and broadcast the following announcement:

"WE INTERRUPT THIS PROGRAM BECAUSE OF A LOCAL EMERGENCY. IMPORTANT INFORMATION WILL FOLLOW."

(f) Transmit the EMERGENCY ACTION NOTIFICATION ATTENTION SIGNAL as set forth in Section 73.906 of this part, as follows:

(1) Cut the transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(2) Return carrier to the air for 5-seconds.

(3) Cut transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(4) Return carrier to the air.

(5) Broadcast 1,000 hertz steady-state tone for 15-seconds.

NOTE: Television broadcast stations voluntarily participating in the Operational (Local) Area EBS should display an OPERATIONAL AREA EMERGENCY BROADCAST SYSTEM slide during the above transmission procedure and the audio transmissions that follow.

NOTE: Stations normally broadcasting in a foreign language should repeat the above announcements in that language.

(g) All broadcast stations (standard, FM, and television) voluntarily participating in the (*Operational Area Name*) Emergency Broadcast System (EBS) may, at the discretion of management, make the following announcement:

"THIS IS AN EMERGENCY ACTION NOTIFICATION. ALL STATIONS IN THE (*Operational Area Name*) ARE REQUESTED TO BROADCAST THE FOLLOWING LOCAL-LEVEL EMERGENCY ACTION NOTIFICATION MESSAGE.

THIS STATION HAS INTERRUPTED ITS REGULAR PROGRAM TO PARTICIPATE IN THE (*Operational Area Name*) EMERGENCY BROADCAST SYSTEM. MANY STATIONS WILL BE BROADCASTING A SPECIAL EMERGENCY PROGRAM TO THE RESIDENTS OF (*Operational Area Name*). THIS STATION WILL BROADCAST THE SPECIAL EMERGENCY PROGRAM BEGINNING AT (*Time*)." (Give further details—if available).

I REPEAT . . . (REPEAT THE ABOVE ANNOUNCEMENT)

(h) Upon completion of the above transmission procedures, resume normal programming until the scheduled time for the LOCAL-LEVEL EBS Broadcast. Upon cue from the Common Program Control Broadcast Station for your Operational (Local) Area, begin

broadcast of a common program received from one of the following sources consistent with the provisions of the Detailed State Emergency Broadcast System (EBS) Plan:

- (1) Common Program Control Station for your Operational (Local) Area.
- (2) Primary Relay (FM) Station for your Operational (Local) Area.
- (3) Remote Pickup Broadcast Network serving the Operational (Local) Area.

(i) All stations may resume normal broadcast operations in accordance with the provisions of their current license or program test authority upon conclusion of the Operational (local) Area EBS Broadcast.

TESTS

§ 73.961 Tests of the Emergency Action Notification System.

Tests of the Emergency Action Notification System will be made at regular intervals with appropriate entries in the station operating log, as follows:

(a) Test transmissions of the First Method, National-Level interconnecting facilities of the Emergency Action Notification System will be conducted on a random basis once each week or as prescribed by the White House. The test transmissions will originate on an alternate week basis from one of two specified origination points; thence via a dedicated teletype network to specified control points of the commercial Radio and Television Broadcast Networks and the American Telephone and Telegraph Company in accordance with the test procedures set forth in the EBS Standing Operating Procedures (EBS SOP-1), copies of which are furnished to the non-Government entities involved.

(b) Test transmissions of the Second Method National-Level interconnecting facilities of the Emergency Action Notification System will be conducted on a random basis once each week or as prescribed by the White House. The test transmissions will originate on an alternate week basis from one of two specified origination points; thence via a dedicated teletype network with a dedicated automatic telephone network for backup confirmation purposes in accordance with the test procedures set forth in the EBS Standing Operating Procedures (EBS SOP-1), copies of which are furnished to the non-Government entities involved.

(c) The test transmissions set forth in (a) and (b) above will be as follows:

(1) A Ten-Bell Alarm.

(2) The Test Text, as follows:

"TESTING EMERGENCY ACTION NOTIFICATION SYSTEM—REPEAT—TESTING EMERGENCY ACTION NOTIFICATION SYSTEM

IF THIS WERE NOT A TEST YOU WOULD RECEIVE A MESSAGE AUTHENTICATOR WORD FOLLOWED BY THE EMERGENCY ACTION NOTIFICATION MESSAGE. ANOTHER MESSAGE WOULD IMMEDIATELY FOLLOW REQUESTING SPECIFIC NIAC ORDER ARRANGEMENTS AND GIVE POINT OF PROGRAM ORIGATION—AND THE SAME MESSAGE AUTHENTICATOR WORD TRANSMITTED AGAIN.

TESTING EMERGENCY ACTION NOTIFICATION SYSTEM—REPEAT—TESTING EMERGENCY ACTION NOTIFICATION SYSTEM

(Date and Time, Washington, D.C. time)

(3) A Ten-Bell Alarm.

(d) Test transmissions to standard, FM, and television broadcast stations using the Second Method of the Emergency Action Notification System and utilizing the facilities of the Associated Press (AP) and United Press International (UPI) Radio Wire Teletype Networks will be conducted once each week in accordance with the test procedures set forth in the EBS Standing Operating Procedures (EBS SOP-2), copies of which are furnished to all stations. AP and UPI will separately transmit the Test Message on a random basis once each week at times of their choice. The date and time of receipt of these test transmissions should be entered in the Station Operating Log.

WEEKLY AP/UPI EAN TEST TRANSMISSION

(1) A full line of "X's."

(2) A Ten-Bell Alarm.

(3) The Test Text, as follows:

"THIS IS A TEST OF THE EMERGENCY ACTION NOTIFICATION SYSTEM. IF THIS WERE NOT A TEST, YOU WOULD RECEIVE AN AUTHENTICATOR WORD, AN EMERGENCY ACTION NOTIFICATION MESSAGE, AND THE SAME AUTHENTICATOR WORD AGAIN. THIS IS A TEST OF THE EMERGENCY ACTION NOTIFICATION SYSTEM. ALL STATIONS FOLLOW PROCEDURES ON EBS CHECK LIST FOR WEEKLY TELETYPE TESTS."

(Date and Time, Washington, D.C. time)

(4) A full line of "X's."

(5) A Ten-Bell Alarm.

(e) Test transmission of the Third Method of the Emergency Action Notification System will be conducted by standard, FM, and television broadcast stations once each week on a random basis between the hours of 8:30 a.m. and local sunset.

(1) Discontinue normal program and make the following announcement:

"THIS IS A TEST. FOR THE NEXT SIXTY SECONDS THIS STATION WILL CONDUCT A TEST OF THE EMERGENCY BROADCAST SYSTEM THIS IS ONLY A TEST."

(2) Transmit the EMERGENCY ACTION NOTIFICATION ATTENTION SIGNAL as set forth in Section 73.906, as follows:

(i) Cut the transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(ii) Return carrier to the air for 5-seconds.

(iii) Cut transmitter carrier for 5-seconds. (Sound carrier only for TV stations.)

(iv) Return carrier to the air.

(v) Broadcast 1,000-hertz steady-state tone for 15-seconds.

(3) Broadcast the Third Method Test Message, as follows:

"THIS IS A TEST OF THE EMERGENCY BROADCAST SYSTEM. THE BROADCASTERS OF YOUR AREA IN VOLUNTARY COOPERATION WITH THE FCC AND OTHER AUTHORITIES HAVE DEVELOPED THIS SYSTEM TO KEEP YOU INFORMED IN THE EVENT OF A SERIOUS EMERGENCY. IF THIS HAD BEEN AN ACTUAL EMERGENCY, YOU WOULD HAVE BEEN INSTRUCTED WHERE TO TUNE IN YOUR AREA (*) FOR NEWS AND OFFICIAL INFORMATION. THIS CONCLUDES THIS TEST OF THE EMERGENCY BROADCAST SYSTEM."

*Television stations displaying an Operational Area map as the EMERGENCY BROADCAST SYSTEM slide, may add: ("AS SHOWN ON THIS MAP").

(4) Resume normal programming.

(5) The date and time of the above test transmission shall be entered in the Station Operating Log.

(f) Tests of State program distribution interconnecting systems and facilities should be conducted on a day-to-day basis as periodic broadcast operations such as State Weather Networks, or State Association of Broadcasters Networks. Letters granting rebroadcast authority shall be exchanged between all participating licensees in accordance with the provisions of section 325(a) of the Communications Act of 1934, as amended, and Part 73 of this chapter.

(g) Operational (Local) Area common program distribution interconnecting systems, facilities, and procedures shall be tested on a closed circuit basis to insure emergency readiness of such interconnecting facilities in accordance with approved Detailed State Emergency Broadcast System (EBS) Operational Plans.

§ 73.962 Closed Circuit Tests of Approved National-Level Interconnecting Systems and Facilities of the Emergency Broadcast System (EBS).

Tests of approved National-Level interconnecting systems, and systems and facilities of non-Government entities voluntarily participating in the Emergency Broadcast System (EBS) will be conducted not more than once a month and not less than once every three months only after prior FCC approval, in each instance, at a time selected by both White House and National Industry Advisory Committee (NIAC) representatives, in coordination with the Defense Commissioner, FCC, and the Chief, Emergency Communications Division, as set forth below. Appropriate entries shall be made in the station operating log.

(a) Notification of closed circuit tests of NIAC Orders 1 through 63 will be by an Emergency Action Notification System Closed Circuit Test Message (First and Second Methods) followed by a NIAC Order Message (addressed to AT&T and the commercial Radio Networks only—AP and UPI will not retransmit this NIAC Order Message) using the Closed Circuit Test Procedures set forth in EBS SOP-1 and SOP-2 Series.

(b) NIAC Order No. 1: National program distribution interconnecting systems and facilities will be tested on a closed circuit basis. This test will consist of a closed circuit broadcast, and due to varying program scheduling of the commercial Radio Broadcast Networks involved, the individual network facilities shall remain as separate entities. The audio networks associated with the video networks of ABC-TV, CBS-TV, or NBC-TV shall not be utilized nor are the Telephone Companies authorized to add any of the unaffiliated stations participating in the Emergency Broadcast System (EBS). The American Telephone and Telegraph Company is authorized to interconnect the facilities of the Intermountain Networks for the duration of these closed circuit tests, then remove such interconnection. Authentication given via the National-Level interconnecting facilities of the Emergency Action Notification System will utilize the test words printed on the outside of the EBS Authenticator List (Red Envelope).

The details of these closed circuit tests are set forth in Standing Operating Procedures SOP-1 and SOP-2 Series promulgated quarterly only by the Federal Communications Commission and issued only to those concerned.

(c) NIAC Order Nos. 2 through 63: Tests of technical program origination and distribution channels will be conducted on a closed circuit basis. These test broadcasts will originate from a point selected by the White House with program feed circuitry connected to the Telephone Company Toll Test Center at points indicated for the individual NIAC Orders. These NIAC Orders authorize the American Telephone and Telegraph Company to feed simultaneously the facilities of the nationwide commercial Radio Broadcast Networks, namely ABC, CBS, MBS, NBC, and the Intermountain (IMN) Radio Broadcast Network. These facilities may be interconnected as required by the American Telephone and Telegraph Company. The audio networks associated with the video networks of ABC-TV, CBS-TV, or NBC-TV, shall not be utilized nor are the Telephone Companies authorized to add any of the unaffiliated stations participating in the Emergency Broadcast System (EBS). Authentication will be provided by the White House to the Telephone Company Toll Test Center responsible for the particular NIAC Order to be used. Authentication given via the National-Level interconnecting facilities of the Emergency Action Notification System will utilize the test words printed on the outside of the EBS Authenticator List (Red envelope). The details of these closed circuit tests are set forth in Standing Operating Procedures SOP-1 and SOP-2 Series promulgated quarterly only by the Federal Communications Commission and issued only to those concerned.

(d) Interconnection of unaffiliated broadcast stations cannot be provided on tests of NIAC Orders 1 through 63 unless authorized by the Federal Communications Commission.

(e) Test Procedures:

(1) Notification of a closed circuit test will be received via the First and Second Methods of the Emergency Action Notification System only. (Do not interrupt your program and do *not* broadcast the closed circuit test message).

CLOSED CIRCUIT TEST NOTIFICATION MESSAGE

"THIS IS A CLOSED CIRCUIT TEST OF THE EMERGENCY BROADCAST SYSTEM. DO NOT BROADCAST THIS MESSAGE. DO NOT BROADCAST THE AUDIO PROGRAM. THE TEST AUTHENTICATOR WORD IS _____. THIS MESSAGE AUTHORIZES A CLOSED CIRCUIT TEST OF THE EMERGENCY BROADCAST SYSTEM. MONITOR RADIO NETWORK LINES FOR CLOSED CIRCUIT TEST PROGRAM. ALL STATIONS FOLLOW PROCEDURES ON THE EBS CHECK LIST FOR CLOSED CIRCUIT TESTS. THE TEST AUTHENTICATOR WORD IS _____."

NOTE: Test authenticator words are printed on the *outside* of the EBS Authenticator List (Red Envelope) associated with the EBS Checklist.

(2) *Immediately* monitor your nationwide commercial radio (ABC, CBS, IMN, MBS, NBC, and UPI-Audio) network for the First Method Emergency Action Notification closed circuit test message. Television networks do *not* participate in the closed circuit tests.

(3) *Immediately* check your AP/UPI Radio Press Wire Network teletype machines for the Second Method Emergency Action Notification closed circuit test message. Verify authenticity using the Test Words printed on the outside cover of the current issue of the EBS Authenticator List (Red Envelope).

(4) Continue to monitor your nationwide commercial radio network for talk-up, and the closed circuit test program.

(5) Enter the time of receipt of the closed circuit test in your station operating log.