OASIS CAP v1.1 IPAWS Profile v1.0 – COMMENTS – May 1, 2009

I am hereby submitting comments to the OASIS Group in response to the Public Review Draft 01; dated February 2009: **USA Integrated Public and Warning System Profile Version 1.0**.

BASIS: Comments present in this document have their basis from my personal experience as;
a). Radio and Television Broadcaster since 1970
b). Owner/Operator of Multiple Broadcast Stations; 1980 thru 1992
c). Chair of the Pennsylvania State Emergency Communications Committee; 2002 thru 2007
d). Co-Chair of the Alabama State Emergency Communications Committee; 1988 thru 2003
e). FCC Media Security and Reliability Committee II - ToolKit Group Member 2004 thru 2005
f). FCC's Commercial Mobile Service Alert Advisory Committee Member
g). FEMA/DHS; IPAWS Practitioner Working Group Member
i). FCC Compliance Inspector for State Broadcast Associations – developed the Alternate Broadcast Inspection Program in 1989 and have conducted well over 2,000 individual Radio and Television Inspections to-date in which EBS and EAS Compliance are verified.
j). Emergency Alert System Trainer for State EMA and County EMA Watch Officer Staff

Personal or Professional Conflict of Interest Statement: I hereby certify that I do not hold any vested interest in *or* receive any financial benefit from the selection of any specific vendor's system for the Emergency Alert System *or* implementation of the Common Alerting Protocol. My consulting services are based purely upon my personal experiences noted above and working on Public Warning Improvements across the Country. I have written multiple State EAS/EBS Plans and solved many problems that existed in Public Warning delivery throughout my career.

OVERVIEW: The OASIS Group must reject the proposed effort to secure the Group [as a Standards Body] 'blessing' for a modified CAP-SAME implementation which will occur if the 'USA Integrated Public Alert and Warning System Profile Version 1.0' is adopted as presently written. It is illogical to adopt an IPAWS-CAP integration of the existing EAS-Specific Area Message Encoding schema and which requires modification to the Common Alerting Protocol previously developed by the OASIS Group.

It is critical to note that The OSAIS Group is a standards organization and therefore must only develop standards – it is not the mission of a 'Standards Body' to associate with the development of an implementation of a variation of an adopted Standard in order to accommodate any specific system. {CAP to EAS-SAME for example}

EAS-SAME is fundamentally flawed in both the defined warning area encoding schema; County by County 'FIPS Codes' and in the EAS-SAME encoding schema of stock 'Event Codes' which do not accurately reflect the actual warning event. Not only is EAS-SAME inaccurate and misleading…to now even marginally consider the continued use of EAS-SAME via a modified CAP standard as a transition…will insure that this proceeding is not an advancement to the next generation of Public Warning Systems.

Further adopting a CAP to EAS-SAME protocol for IPAWS will hinder the development of a CAP 'direct-to-air implementation' for Broadcast Stations. The OASIS Group should refuse to endorse a CAP-to-EAS-SAME implementation of the CAP Standard and instead focus the field of expertise on development of an 'End User Experience' for CAP direct-to- air for Broadcast Stations. therein assuring an effective and accurate Public Warning System for the 'next generation of EAS.'

The OASIS Group must return to your roots as a developer of the pure CAP v1.0 standard which had already been made available for implementation as the IPAWS Protocol without any fatal modifications to accommodate EAS-SAME Encoding. As a Standards Body – it is critical that The OASIS Group responds to FEMA/DHS and the FCC with a clear roadmap for true CAP implementation as the IPAWS protocol and insure that a true advancement in Public Warning entry and delivery is the end result of this proceeding.

FATAL FLAWS – CASE ONE – EXHIBITS ONE AND TWO:

EAS-Specific Area Message Encoding utilizes 'County by County' FIPS Codes and 'stock' Warning Event Codes in order to enter and transmit a Public Warning Message via America's Broadcast Station Daisy-Chain.

Please review 'EXHIBIT ONE' and note the following scenario;

a). A Public Warning Event occurs with notice required in the City Limits of Estes Park, Colorado. {Desired Warning Area Shown in Red}

b). Unfortunately, EAS-SAME has no ability to enter a polygon of coordinates to define the actual desired warning area; therefore, the entire County of Larimer, Colorado must be entered into the EAS-SAME string in order to obtain entry into the Broadcast Station Daisy-Chain.

c). The initial result of the transmission by EAS-SAME of this Public Warning Event in Estes Park, is that any station located in the County of Larimer receives and transmits the warning message; although the warning is totally irrelevant and misleading to 99.9% of the broadcast station's audience. {Actually, there are only two local stations in Estes Park and due to the terrain; other stations in the County can not be received within the City Limits.}

d). Please review 'EXHBIT TWO' and note that since Broadcast Station's signal contours do not follow County boundaries…the 'bleed over effect' from the single warning event in this scenario would likely spill over into all of the adjacent Counties and even cross over the Colorado/Wyoming border. {Stations adjacent to Larimer County who provide service to any part of the County would typically have the Larimer County FIPS code programmed into their EAS-Decoder.}

e). In addition to the critical flaws of this warning event detailed in this scenario – the Watch Officer who actually originated the Public Warning Event's EAS Message for Estes Park would have had to select one of the 'Stock' EAS Event Codes – which in the majority of instance does not match the actual warning event!

For example, if the Public Warning Event was an accident involving a tanker truck loaded with propane in downtown Estes Park – the likely EAS-SAME Event Code selected would have been 'Immediate Evacuation Order' since an EAS-SAME Event Code labeled Propane Tanker Truck Accidents does not exist. This means that the entire County of Larimer would have received an EAS-SAME Encoded Warning coded with the Event Code 'Immediate Evacuation Order' …creating extreme confusion, dangerous liability to EMA, and becomes yet another False Warning due to EAS-SAME's flawed encoding scheme.

FATAL FLAWS – CASE ONE – EXHIBITS THREE AND FOUR:

EAS-Specific Area Message Encoding utilizes 'County by County' FIPS Codes and 'stock' Warning Event Codes in order to enter and transmit a Public Warning Message via America's Broadcast Station Daisy-Chain.

Please review 'EXHIBIT THREE' and note the following scenario;

a). A Public Warning Event occurs with notice required on the Federal Indian Reservation that I am a Tribal Member of, Poarch Creek Indian Reservation. {Desired Warning Area Shown in Red}

b). Unfortunately, EAS-SAME has no ability to enter a polygon of coordinates to define the actual desired warning area of the Reservation; therefore, the entire County of Escambia, Alabama must be entered into the EAS-SAME string in order to obtain entry into the Broadcast Station Daisy-Chain.

c). The initial result of the transmission by EAS-SAME of this Public Warning Event on the Poarch Creek Reservation, is that any station located in the County of Escambia receives and transmits the warning message; although the warning is totally irrelevant and misleading to 99.9% of their audience and only the stations on the West side of the County can be received on the Reservation.

d). Please review 'EXHBIT FOUR' and note that since Broadcast Station's signal contours do not follow County boundaries…the 'bleed over effect' from the single warning event in this scenario would likely spill over into all of the adjacent Counties and even cross over the Alabama/Florida border. {Stations adjacent to Escambia County who provide service to any part of the County would typically have the Escambia County FIPS code programmed into their EAS-Decoder.}

e). In addition to the critical flaws of this warning event detailed in this scenario – the Watch Officer who actually originated the Public Warning Event's EAS Message for the Poarch Creek Indian Reservation would have had to select one of the 'Stock' EAS Event Codes – which in the majority of instance does not match the actual warning event!

For example, if the Public Warning Event was a sniper on the Reservation – the likely EAS-SAME Event Code selected would have been 'Shelter in Place' since an Event Code labeled Sniper on the Reservation does not exist. This means that the entire County of Escambia would have received an EAS-SAME Encoded Warning coded with the Event Code 'Shelter In Place Warning'…creating extreme confusion, dangerous liability to the Tribe, and becomes yet another False Warning due to EAS-SAME's flawed encoding scheme.

CAP-TO-EAS TRANSLATION CREATES SIGNIFICANT PUBLIC WARNING ENTRY AND WATCH OFFICER TRAINING DIFFICULTIES:

Having personally trained State and County EMA 'Watch Officers' who are tasked with originating Public Warning Messages thru the Emergency Alert System, it is a universal fact;

selecting an 'EAS-SAME Event Code' borders on ludicrous. It was sad but also amusing when teaching EAS Originator classes and presenting 'public warning event scenarios' as the trainees would feverishly labor over exactly which EAS-SAME Event Code to use – since none of the 'stock codes' truly matched the actual events. If The OASIS Group permits the CAP Standard to be modified so that an EAS-SAME Event Code field is permitted; the entire proceeding has been effectively nullified and the benefits lost by going forward to a CAP to EAS-SAME translation.

When I first read the CAPv1.0 Standard during my service on the FCC's Commercial Mobile Service Alert Advisory Committee – I was delighted to learn that EAS-SAME Event Codes were not present, nor was there a data entry field for it, it appeared at that time EAS-SAME would no longer plague Public Warning Entry and Delivery. However; in this proceeding – I am most alarmed that it appears that The OASIS Group is seriously considering permitting a modification to the CAPv1.0 Standard for the placement of an EAS-SAME 'Event Code' data field. Speaking from actual field experience with EAS Origination and from training several hundred Watch Officers – placing an EAS-SAME Event Code Field into the CAP Standard is a fatal flaw that will insure many more years of failed Public Warnings in the United States.

IMPLEMENTATION OF THE IPAWS SYSTEM PROFILE V1.0 WILL HARM BROADCASTERS: The development of the CAP Standard by The OASIS Group has solved one of the significant problems with Public Warning Origination by standardizing the data entry fields. Further the CAP Standard utilizing XML enables instant and targeted delivery of Public Warnings by IP Networks for the first time ever with the end result being accurate Public Warnings via email, RSS, text, wired, wireless, social networking and other IP based platforms – instantly direct to the exact areas being warned!

However; the only platform that remains prohibited from enjoying the true benefits of CAP-to-Air are Broadcast Stations, who even after this proceeding will remained negated to the oldest most inaccurate delivery of Public Warnings via a CAP to EAS-SAME translation. Not only will broadcast stations face a financial burden of replacing the current EAS-SAME gear…they will be purchasing a new generation of EAS equipment to receive a CAP message and yet that new equipment will dumb down the CAP message and send it out in the old 1994 FCC adopted EAS-SAME format - which is most illogical. The effectiveness of Broadcast Public Warnings will be immediately negated to the lowest rung in the Public Warning Ladder!

I fully understand that the FCC adopted updated EAS Rules in their last preceding which mandates compatibility with the old EAS-SAME encoding schema going forward. However; I would suggest that the FCC's decision was based upon incomplete and very inaccurate data presented during that proceeding. In-fact, I remain the sole Commenter in the Rulemaking that warned the Commissioners' regarding the harm that EAS-SAME has done to effective Public Warnings since it's inception.

Just because the FCC made a bad Rule decision in the original rule making does not mean that The OASIS Group has to accept it without making formal comments to the FCC as to why EAS-SAME should be abandoned in favor of true CAP-to-Air at all Broadcast Stations. In-Fact, I believe the FCC is open to such a filing from The OASIS Group which could successfully

enlighten the Commission to the tremendous benefits of terminating EAS-SAME and transitioning direct to EAS-CAP at a specific future date such as January 1, 2012.

ESTABLISH A CAP 'END USER EXPERIENCE' WORKING GROUP: The OASIS Group should petition both the FCC and FEMA/DHS seeking the establishment of a formal CAP 'END-USER-WORKING GROUP' tasked with establishing the baseline requirements for taking a CAP message meeting The OASIS Group Standard and deciphering it into an effective Public Warning to the end user – the General Public. This new working group should be tasked with obtaining expert testimony regarding Public Response Issues and in the Technical Requirements necessary to achieve the desired Public Response for Warning Events regardless of the platform of delivery.

COMMENTS SUMMARY: The only way to advance Public Warnings to the Next Generation of EAS Delivery is to ask the FCC to remove the handcuffs placed on Broadcasters with the EAS-SAME compatibility requirement and instead move forward with the CAP Standard for 'CAP-Direct-to-Air' in order to achieve the End User Experience desired. It is not rocket science to develop CAP Broadcast Equipment that will accept a polygon of each Station's Coverage Area and present audio and visual information direct from the CAP File.

It is illogical for The OASIS Group, a Standards Organization, to bless the 'USA Integrated Public Alert and Warning System Profile Version 1.0' due to it's inherit flaw that mandates a modification to the CAP Standard to enable the EAS-SAME data entry field. EAS-SAME equipment now in place at all Broadcast Stations is a closed loop system that does not activate any consumer device with the sole purpose of being a daisy-chain relay between stations.

The brain trust at The OASIS Group can make a significant contribution to Effective Public Warnings in the future by abandoning any consideration of a hybrid CAP to EAS-SAME translation for Public Warnings in the United States. The worst mistake is to forge ahead with an illogical hybrid CAP-to-EAS-Same Protocol that will cost broadcasters several thousand dollars per station, solves all other platforms of delivery's problems and yet does not resolve the original problems with the Broadcast System and the existing EAS-SAME Schema.

I would welcome to opportunity to discuss the serious issues raised in the above comments at any time.

Best Regards,

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EAS-SAME ENCODING IS FUNDAMENTALLY FLAWED AND CREATES A PUBLIC WARNING NIGHTMARE!

Colorado, United States, North America

EXHIBIT ONE

EAS-SAME ENCODING IS FUNADAMENATLLY FLAWED AND CREATES A PUBLIC WARNING NIGHTMARE!

Fort Collins, Colorado, United States

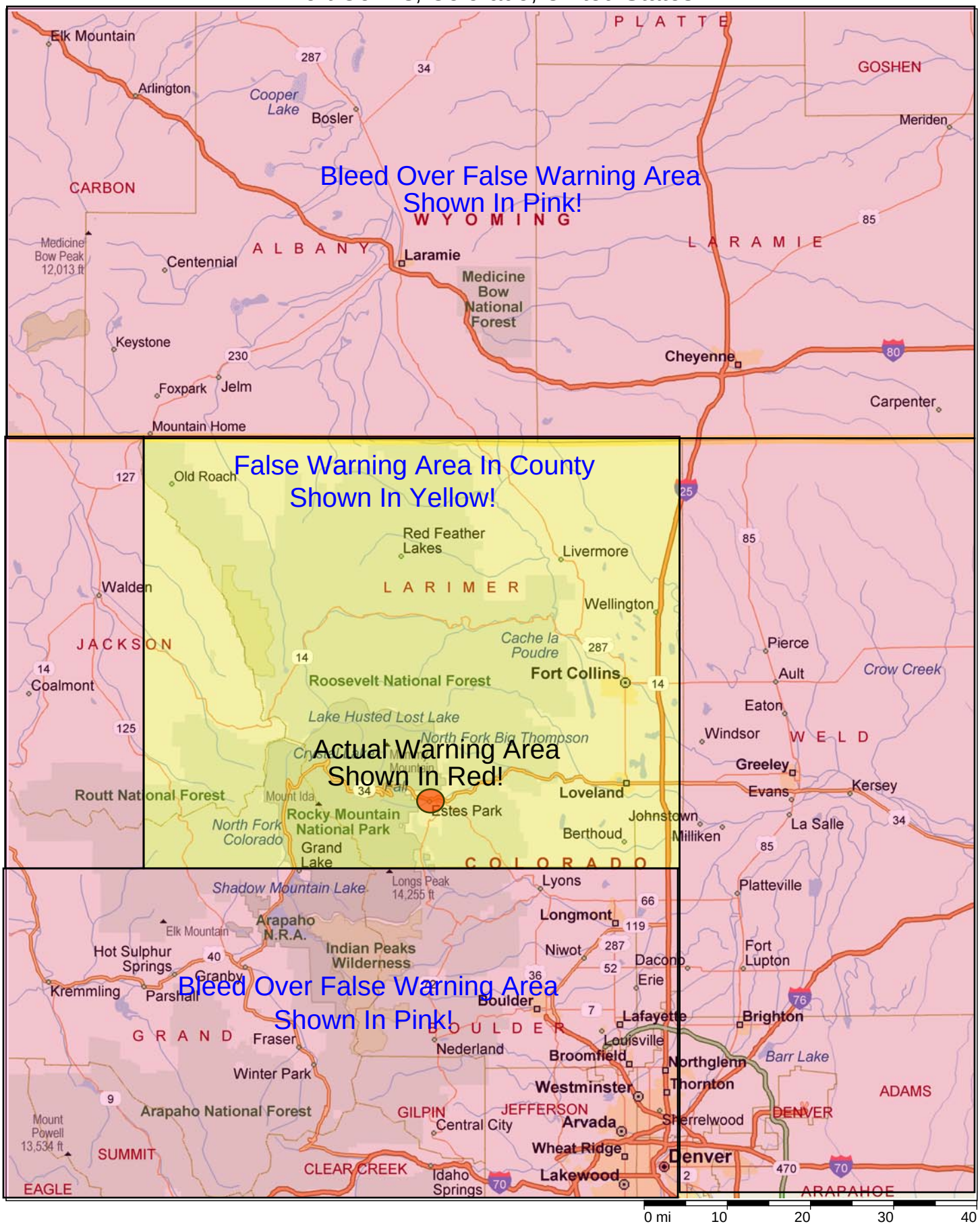

EXHIBIT TWO

EAS-SAME ENCODING IS FUNADMENTALLY FLAWED AND CREATES A PUBLIC WARNING NIGHTMARE!

Alabama, United States, North America

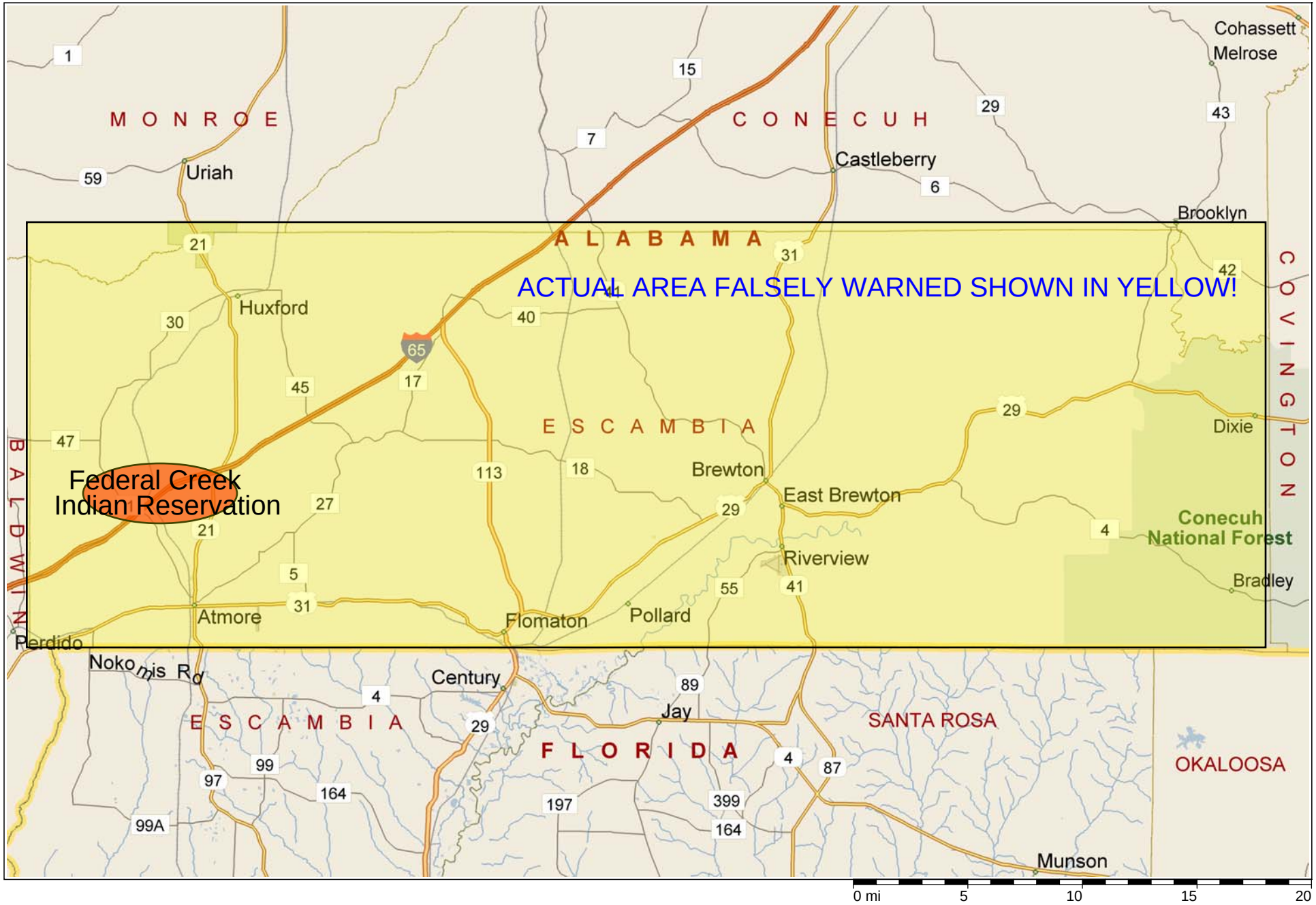

EXHIBIT THREE

EAS-SAME ENCODING IS FUNDAMENTALLY FLAWED AND CREATES A PUBLIC WARNING NIGHTMARE!

Florida, United States, North America

EXHIBIT FOUR