

Testimony of Whit Adamson
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Subcommittee on Energy and Water Development
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Good morning Chairman Dorgan, Ranking Member Bennett, Senator Alexander, and Members of the Committee. My name is Whit Adamson. Since 1987 I have been the President and Chief Executive Officer of the Tennessee Association of Broadcasters in Nashville. 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. As discussed in detail below, local broadcasters are the most important source for vital emergency journalism for all Americans. In addition, local radio and television stations serve as the backbone of this nation's Emergency Alert System. I am pleased to share with you today the views of Tennessee's broadcasters about how to improve our emergency communications system in the digital age.

To date, much of the discussion related to emergency communications has concerned improving interoperability among public safety authorities, fire, police, and other emergency operations, namely, the ability for these various authorities to communicate among themselves during a disaster. While broadcasters certainly support this laudable goal, we also believe the time is ripe to expand the conversation to include improved emergency public notification. To a significant degree, interoperability and public alerting go hand-in-hand, such that the success of each depends partly on the success of the other. For example, the lessons learned during 9-11 demonstrate that improved emergency communications among public safety officials certainly would have improved the critical, life-saving information that could have been shared with the public. Below, I will focus my remarks on public alerting, and our efforts in Tennessee to improve emergency notification to the public.

**I. Broadcasting Is the Most Important Source for Critical, Life-Saving
Emergency Journalism 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, up-to-date warnings and information to affected citizens. Local television broadcasters reach 99% of the approximate 116 million households in the U.S., while local radio reaches an audience of more than 236 million, or 93% of all 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 virtually ubiquitous medium, broadcasters understand and appreciate their unique role in disseminating emergency information. Radio and

television broadcasters are first informers during an emergency, and Americans know to turn to broadcasting first for in-depth coverage when disaster strikes.

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 cell coverage is lost because networks are clogged or a tower is down, free, over-the-air broadcasters can still be on the air. Our dedicated news and weather personnel use their familiarity with the people and geography of their local communities to provide the most useful, 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.

Broadcasters deliver emergency information with passion. Let me give you a recent example of broadcasters' performance during floods in Nashville. On Saturday morning May 1, 2010, every news station in Nashville preempted regular programming around 7:00 AM in favor of continuous, commercial-free weather event content for almost the entire weekend. Local radio stations, with only weekend staffing in place, provided constant weather alerts from both the National Weather Service and joint news cooperation arrangements with local television stations. One of the best reporting jobs came from a small FM radio station in Carthage, Tennessee, WUCZ. Dennis Banka, who reported from the station as a virtual one-man show for an entire weekend during the floods, managed to keep his station on the air for almost 48 hours straight for the benefit of local listeners in need. This station is located at the mouth of the Caney Fork River, 28 miles below the Center Hill Dam on the Cumberland River (which is about 50 miles below the Wolf Creek Dam northwest of Nashville). Both of these dams exhibited known instability, but fortunately Mr. Banka and his station had vital contacts with emergency personnel and other authorities and were able to report critical information about the situation of both rivers in a timely manner.¹

Here in Washington, during the blizzards that hit the East Coast this past winter and essentially closed down the nation's capital for a week, 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, and stations WJLA-TV and WUSA

¹ The U.S. Army Corps of Engineers oversees both of these dams and have recognized the need for repairs. In 2006, the Army Corps lowered these lakes and began a massive project to mitigate seepage at the dams, which have been leaking for decades. President Obama's fiscal year 2011 budget will further those efforts. The budget includes \$4.939 billion in gross discretionary funding for the Civil Works program of the Corps of Engineers, of which almost \$300 million will flow into the Nashville district. \$134 million of this will be devoted to ongoing seepage repairs at Wolf Creek Dam. The remainder will be divided into accounts for investigations and studies, construction, and operation and maintenance of Corps projects, including \$82.8 for seepage repair at the 61-year-old dam on the Caney Fork River.

also earned praise for their coverage of the snowstorms.² Station WTOP-FM alone sacrificed \$140,000 in lost advertising revenue in order to provide 24-7 coverage, and incurred another \$50,000 in expenses to cover the blizzards.³ Federal Communications Chairman (FCC) Chairman Genachowski observed that “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.”⁴

Similarly, during Hurricane Rita, KLFY, a Lafayette, Louisiana CBS affiliate, broadcast continuous live coverage. According to the station, all resources were put into action. All reporters, live trucks, videographers, directors, producers, studio personnel, and engineering were on hand till the “all clear” was sounded. Network and syndicated programming was preempted for live weather coverage. Emergency generators were put on line when power was lost, and special arrangements were made with video programming distributors to ensure the television station’s signal would continue to reach viewers. Additional sign language interpreters were hired so the station’s coverage would reach the hearing impaired. The station provided overtime, extra staff and food, and shelter during the emergency.⁵

Yet another example of broadcasters’ coverage occurred during the ice storms in Kentucky last year. When a snow and ice storm left hundreds of thousands in the dark in 2009 and caused a statewide emergency declaration this past winter, radio stations WBIO-FM, WXCM-FM, WLME-FM, WKCM-AM and WVJS-AM in Owensboro, Ky., and WTJC-AM/FM in Tell City, Ind., covering a large part of rural Northern Kentucky and Southern Indiana, powered on. Throughout the day and night, these stations broke from all regular programming to get crucial information out to their listeners, many of whom had no power, no heat and no other means of obtaining emergency information. Phones at the stations rang throughout the crisis. Callers with information on kerosene and generators got the word out through radio. The stations stayed on air continuously with updates until the crisis passed. “People will come up to me and thank us for being a

² John Eggerton, “As the Snowy World Turns,” *Broadcasting & Cable* (Feb. 10, 2010).

³ See “Washington DC Broadcasters Recap Snow Coverage for FCC,” *Radio Business Report/Television Business Report* (March 22, 2010). WTOP-FM’s morning anchor reported that, “[f]or well over 100,000 people who lost their power in the storm, WTOP was a lifeline. That’s not what I say. That’s what they told us.”

⁴ Prepared Remarks of Chairman Julius Genachowski, NAB Show 2010, Las Vegas, Nevada, at 2 (April 13, 2010) (Genachowski NAB Remarks).

⁵ *The Economic Realities of Local Television News – 2010: A Report for the National Association of Broadcasters*, (April 2010) (NAB Report), 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).

lifeline, because there was no other way to get information," said news director Mike Chaney. "When the power is out, you have radio."⁶

Moreover, broadcasters' commitment to their local communities does not end when the crisis ends. The effects of a disaster on a community are often long-lasting, and when national attention turns away, local broadcasters remain to assist their community and listeners. For example, when wildfires in Southern California destroyed more than a thousand homes and burned hundreds of thousands of acres, KABC-AM in Los Angeles immediately responded to the crisis, partnering with sister station KLOS-FM and KABC-TV to organize the first media relief fundraiser. The "drive-by" event was held at three separate locations on one day. On-air personalities greeted and interviewed donors at their cars during the 14-hour live broadcast. The KABC Web site linked to all area Red Cross chapters, and the National American Red Cross set up a special link on the KABC Web site so listeners could donate any time of day or night. Station staff gave 288 hours to the effort and, with individual and corporate donors, raised a remarkable \$4.5 million for the victims of the fire.

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 coverage -- are substantial. For example, one station reports that a single season's hurricane coverage cost \$160,000 *before* accounting for lost advertising revenue.⁷ 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.⁸ Emergency journalism clearly requires the commitment of substantial resources from the nation's local broadcasters.

⁶ In this vein, broadcasters are also developing new avenues for distributing their services, particularly emergency communications. In particular, the radio industry is working to partner with the cellular telephone industry to expand the availability of radio service in mobile telephone handsets. We believe that expanding this market holds several benefits for the American public. First, unlike cellular networks, radio service never clogs or become congested, as occurred after the terrorist attacks on 9-11 and during Hurricane Katrina. Second, there are no technical obstacles to incorporating radio reception into a cellular handset. In fact, there are currently over 800 million handsets in Europe with readily accessible radio service, while only a handful of handset models here in the U.S. include this valuable feature. Third, broadcasters believe that FM radio reception in mobile handsets is an efficient, economical method for delivering emergency alerts and information to the public. Incorporating radio reception into cellular handsets would provide the American public with one-stop shopping for mobile emergency warnings and in-depth news coverage.

⁷ NAB Report at 23.

⁸ *Id.* at 24.

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

In addition to the on-going, comprehensive coverage of emergencies 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, the nature of which precludes any advance notification or warning.

In some states, EAS is coordinated by government authorities. EAS can be potentially accessed or triggered by the President, Governors and local authorities under certain conditions, and the National Oceanic and Atmospheric Administration (NOAA) and the National Weather Service (NWS). Broadcasters typically work in partnership with state, county and local emergency managers, sheriffs and local police, on how best to deploy EAS. For example, about a year ago, the Tennessee Association of Broadcasters, with dated equipment and existing funds, launched a project with the Nashville Mayor's Office of Emergency Management and Mayor Dean's Office to improve our local implementation of EAS alerts. The goal of this plan is to enable these local authorities to act as the true "civil authority" to test our EAS system and to create the opportunity for them to initiate any real alerts. Unfortunately, we were unable to complete our work in time for the recent floods in Nashville, but we do expect to be finished in the very near future.

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 Child Abduction AMBER Alerts, that help expand the eyes and ears of local law enforcement when a child is abducted. In fact, we are extremely proud of our local AMBER Alert System in Tennessee, which is one of the most successful systems in the country due to our cooperation with the Tennessee Bureau of Investigation (TBI). Nationwide, since the inception of AMBER in 1996, AMBER alerts have helped safely recover more than 500 abducted children.⁹ In fact, the Amber Plan was originally created by broadcasters with the assistance of law enforcement agencies in the Dallas/Ft. Worth area.

Clearly, EAS participation is an important component of broadcasters' public service. Although participation in EAS 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

⁹ See http://www.missingkids.com/missingkids/servlet/PageServlet?LanguageCountry=en_US&PageId=991 (last visited July 15, 2010).

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, the FCC and the Federal Emergency Management Agency (FEMA) jointly conducted a statewide test of the EAS in Alaska.¹⁰ Radio and television stations in Alaska coordinated closely with federal and local authorities in Alaska to help ensure the success of this test. Their efforts included a comprehensive public awareness campaign that provided Alaskans with repeated advance notice of the statewide EAS test, and helped to prevent any undue surprise to the statewide test.

More recently, the FCC announced its intention to introduce a yearly nationwide test of the EAS, starting in 2011.¹¹ The broadcast industry supports national EAS testing. We are committed to working with our federal and local partners to ensure that the national test is useful and informative. In particular, we intend to play a critical role in raising advance awareness of the national test. Broadcasters are also preparing for the national exercise by reviewing their internal EAS equipment and processes, and if appropriate, upgrading software or hardware in advance of the national test. 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, tribal, and local alert and warning emergency communication officials to access multiple

¹⁰ *Alaska Plans EAS Test Using EAN Code*, Radio Magazine (Dec. 31.2009), available at http://radiomagonline.com/studio_audio/EAS/alaska_ean_test_1231.

¹¹ Review of the Emergency Alert System, *Second Further Notice of Proposed Rulemaking*, EB Docket No. 04-296 (rel. Jan. 14, 2010).

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. Broadcasters are working closely with FEMA to ensure that EAS via free, over-the-air television and radio remain a critical element of the next generation of EAS and public alerting.

In Tennessee, 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. In this day and age, it is unacceptable that some local emergency managers remain unaware of the benefits of EAS, or how and when to trigger an EAS alert. I respectfully call on this Committee to consider funding a comprehensive EAS training program for state and local public safety officials, so that EAS will continue to work as intended for the benefit and safety of all Americans. Such a program could be administered through FEMA, which could allocate the funds as needed to various local authorities and also design and conduct seminars and other educational experiences for local officials and the public regarding EAS.

Second, as mentioned, FEMA is in the midst of implementing a next generation of EAS. This new system will modernize the technology and computer language used to deliver EAS messages from public safety officials to EAS Participants. Under the Commission’s existing rules, broadcasters and other EAS Participants will be required to process an EAS message that is formatted in this new computer language known as the Common Alert Protocol (CAP) within 180 days of FEMA’s formal adoption of standards for the new format. This will be a substantial burden for many broadcasters, as it will require the replacement of EAS equipment at most radio and television stations. The costs of such new equipment are beyond the means of many small broadcast stations, especially after the recent severe recession. As a result, it is possible that some radio and television stations may be forced to opt out of initially participating in EAS going forward. Therefore, I also respectfully ask this Committee consider funds that could be distributed through state emergency management offices to help certain broadcasters absorb the costs of replacing their EAS equipment to comply with FEMA’s directives and standards. Such funds could be critical to the success of the next generation of EAS.¹²

¹² One 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 antenna towers, during times of emergency. This will enable radio and television stations to repair or maintain their

Third, in Tennessee, we are undertaking an effort to substantially improve and modernize our emergency notification plan one county at a time. 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 Tennessee 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 including, but not limited to the Tennessee Emergency Response Plan (TEMP), Tennessee Homeland Security Strategy, IPAWS, and the CAP. 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.

The program would be developed collaboratively, engaging “communities of interest” including public safety and others responsible for issuing alerts, network providers such as broadcasters, cable television operators, and telephone carriers, critical recipients of alerts including special needs communities, and relevant infrastructure providers, including electrical utilities, health care systems, and transportation officials. This program for Tennessee would be modeled after successful efforts by other states and the federal government, and attempt to leverage the advantages and lessons learned elsewhere.

The statewide notification program we have in mind would greatly expand public participation in emergency communications. Under this program, members of the public will be able to indicate their preference for how to receive emergency notifications, and improve accommodations for the special needs community and non-English speaking citizens. We also intend to launch an effective public education and awareness program. The program will also help facilitate the management of volunteers. Finally, it will significantly enhance the use of EAS by local officials, for example, by using technology to enable local officials to more easily deploy EAS without interfering with their other responsibilities, and enabling officials to use EAS for certain non-threatening

equipment and fully leverage their resources, local knowledge and training to keep the public informed during emergencies. While certain states accommodate broadcasters in need of access to 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.

situations on a local basis, provided such use does not interfere with alerts for threatening matters.

A properly working EAS is a fundamental and essential component of our nation's Homeland Security. It is crucially needed in our state of Tennessee to respond to the myriad of potential terrorist threats facing our region's target rich environment, including two nuclear power plants, and the Oak Ridge National Laboratories, one of the world's premiere centers for the United States Department of Energy's research and development on energy production. Tennessee also often experiences severe weather conditions. Numerous flooding situations have hit our state in the past, and even though our broadcast stations pride themselves on having the latest in storm-tracking technology, Tennessee still leads the nation in tornado deaths over the past decade.

Perhaps most importantly, the Volunteer State's many major roadways are among our nation's most significant transportation corridors, potentially facilitating the transport of dangerous substances such as biological, chemical or nuclear waste material. Tennessee is also bordered by eight states, meaning that hundreds of thousands of people from all over the world travel to and through Tennessee daily via our packaging routes, bus lines, and the large regional airports across our state. Accordingly, it is imperative that the EAS system, both nationally and statewide in Tennessee, receive funding and other support necessary to maintain its reliability. The lives of Tennesseans could very well depend on it.

The TAB is thankful to Senator Alexander and this committee for hosting this hearing and his support for 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 floods, 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.

Thank you.