

**UNITED STATES
FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of:)
)
COMMERCIAL MOBILE SERVICE)
ALERT ADVISORY COMMITTEE)
MEETING)

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1220 L Street, N.W., Suite 600
Washington, D.C. 20005-4018
(202) 628-4888
hrc@concentric.net

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

In the Matter of:)
)
COMMERCIAL MOBILE SERVICE)
ALERT ADVISORY COMMITTEE)
MEETING)

Commission Hearing Room
Federal Communications
Commission
445 12th Street, S.W.
Washington, D.C.

Wednesday,
October 3, 2007

The parties met, pursuant to the notice of the
committee, at 10:05 a.m.

BEFORE: KENNETH MORAN, Deputy Chief
Public Safety and Homeland Security
Bureau

PRESENTER:

JEFFERY GOLDTHORP, Chief, Communications Systems
Analysis Division

COMMITTEE ATTENDEES:

ROBERT ADAMS, Global Security Systems
ANN ARNOLD, Texas Association of Broadcasters
RALPH AUBRY, Battelle
DALE BARR, National Communications System
EUGENE BERARDI, City of New York
CHERYL BLUM, Telecommunication Industry
Association
ART BOTTERELL, Contra Costa County, California
STEPHEN CARTER, Qualcomm
ED CZARNECKI, SpectraRep
BRIAN DALY, AT&T

APPEARANCES: (Cont'd.)

COMMITTEE ATTENDEES: (Cont'd.)

AMAR DEOL, Nortel
ED EHRLICH, Nokia
ROBIN ERKILLA, Intrado
MARIA ESTEFANIA, Association of
Telecommunications Industry Solutions
CHRISTOPHER GUTTMAN-McCABE, CTIA
STEPHEN HAYES, Ericsson
GARY JONES, T-Mobile
ROB KUBIK, Motorola
JOHN LAWSON, APTS
ANTHONY MELONE, Verizon Wireless
RICHARD MIRGON, APCO
STEPHEN OSHINSKY, American Association of Paging
Carriers
JAY PABLEY, Sprint
MARK PAESE, NOAA
ERIC PETERSON, Rural Cellular Association
BILLY PITTS, NTI Group, Inc.
DOUG RUTLEDGE, Alltel
DAVID WEBB, FEMA
WILLIAM WERTZ, Michigan Association of
Broadcasters
KELLY WILLIAMS, National Association of
Broadcasters

COMMITTEE ATTENDEES: (Via Telephone)

RAYMOND BAN, The Weather Channel
MARCIA BROOKS, WGBH National Center for
Accessible Media
MARION DUNN-TUTOR, Mississippi Council of Aging
DALE GEHMAN, Poarch Band of Creek Indians
THOMAS J. LYON, International Association of Fire
Chiefs
KEVIN MCGINNIS, National Association of State EMS
Officials
ART PREST, Rural Cellular Association
PAT ROBERTS, Florida Association of Broadcasters
ANTHONY RUTKOWSKI, VeriSign
PAUL WILCOCK, Syniverse

Also Present:

LISA FOWLKES
SUE GILGENBACH

P R O C E E D I N G S

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(10:05 a.m.)

MR. MORAN: Good morning, everyone. On behalf of the Chairman of the Commission, I'd like to welcome you to this sixth and final meeting of the Commission Mobile Services Alert Advisory Committee.

When we first all met 10 months ago we noted many highly talented and qualified individuals who were represented here and acknowledged the commitment that each of you made to public safety by agreeing to shoulder this additional task of developing a system of critical recommendations for a voluntary commercial mobile alert and warning system.

As we indicated at last month's meeting, the WARN Act imposes on us a high level of complexity within an accelerated timeframe. We hoped that the Advisory Committee could meet the challenge presented by the legislation and be able to present to the Commission the recommendations that would assist the Commission in conducting a successful rulemaking.

The measure of success of this rulemaking is high. A voluntary, yet widely deployed, system through which all Americans, whether elderly, non-English speaking or those with disabilities, would be able to receive alerts, warnings and other critical

1 information through their wireless devices.

2 We've now reached the end of the journey.
3 Today we will be discussing and voting upon the
4 recommendations upon which you have all spent so much
5 time in the last 10 months. We've had a few days to
6 review this document, and I think I can speak for all
7 of us when I say that we have met our deadline with a
8 product of exceptional quality.

9 We knew when we assembled the Advisory
10 Committee that we had assembled a highly capable group
11 that spanned the breadth of the communications
12 industry. What we were not sure of was how well you
13 would all collaborate. I expected a lot, given the
14 talent and skill of the group, and you've more than
15 met our expectations.

16 It is truly a demonstration of the value of
17 the public/private partnerships that such a diverse
18 group can come together to act so quickly and so
19 successfully on a highly technical project.

20 As shown in the agenda, today we will hear a
21 final report and summary of the draft recommendations
22 from the Advisory Committee's Project Management
23 Working Group, after which we will discuss and vote
24 upon the amendments that have been submitted during
25 the past week. Finally, the Advisory Committee will

1 vote upon the mission critical recommendations that
2 will be presented to the Commission. I certainly look
3 forward to these recommendations.

4 I want to thank each of you for the
5 commitment and skill that you've brought to this very
6 important project. Let us begin. I think we should
7 start by doing a roll call. We have a number of
8 people at the table here, but we also have a number on
9 the telephone bridge, so let me start on the telephone
10 bridge and let's see who's here.

11 Raymond Ban?

12 MR. BAN: Present.

13 MR. MORAN: Marcia Brooks?

14 MS. BROOKS: Good morning.

15 MR. MORAN: Good morning.

16 Leslie Chapman-Henderson?

17 (No response.)

18 MR. MORAN: No response there.

19 Marion Dunn-Tutor?

20 (No response.)

21 MR. MORAN: Thomas Lyon?

22 MR. LYON: Yes, sir. Present.

23 MR. MORAN: Gadi Mazor?

24 (No response.)

25 MR. MORAN: Kevin McGinnis?

1 MR. MCGINNIS: Present.

2 MR. MORAN: All right. Illka Niva?

3 (No response.)

4 MR. MORAN: Art Prest?

5 MR. PREST: Here.

6 MR. MORAN: Pat Roberts?

7 MR. ROBERTS: Here.

8 MR. MORAN: Anthony Rutkowski?

9 MR. RUTKOWSKI: Here, but I'm in Berlin.

10 MR. MORAN: Okay. Paul Wilcock?

11 MR. WILCOCK: Present.

12 MR. MORAN: Dale Gehman?

13 MR. GEHMAN: Present.

14 MR. MORAN: Okay. The ones that we didn't

15 get, let me try them once more.

16 Leslie Chapman-Henderson?

17 (No response.)

18 MR. MORAN: Marion Dunn-Tutor?

19 (No response.)

20 MR. MORAN: Gadi Mazor?

21 (No response.)

22 MR. MORAN: And Illka Niva?

23 (No response.)

24 MR. MORAN: Okay. Let's go around the table

25 and make sure we have these straight.

1 Robert Adams?
2 MR. ADAMS: Here.
3 MR. MORAN: Ann Arnold?
4 MS. ARNOLD: Here.
5 MR. MORAN: Ralph Aubry?
6 MR. AUBRY: Here.
7 MR. MORAN: Dale Barr?
8 MR. BARR: Here.
9 MR. MORAN: Eugene Berardi?
10 MR. BERARDI: Here.
11 MR. MORAN: Cheryl Blum?
12 MR. BLUM: Here.
13 MR. MORAN: Art Botterell?
14 MR. BOTTERELL: Here.
15 MR. MORAN: Stephen Carter?
16 MR. CARTER: Here.
17 MR. MORAN: Edward Czarnecki?
18 MR. CZARNECKI: Present.
19 MR. MORAN: Brian Daly?
20 MR. DALY: Here.
21 MR. MORAN: Amar Deol?
22 MR. DEOL: Here.
23 MR. MORAN: Robin Erkillla?
24 MR. ERKILLLA: Here.
25 MR. MORAN: Maria Estefania?

1 MS. ESTEFANIA: Here.

2 MR. MORAN: Dale Gehman is on the phone.
3 Christopher Guttman-McCabe?

4 MR. GUTTMAN-McCABE: Here.

5 MR. MORAN: Gary Jones?

6 MR. JONES: Here.

7 MR. MORAN: Brenda Kelley-Frey?

8 (No response.)

9 MR. MORAN: Rob Kubik?

10 MR. KUBIK: Here.

11 MR. MORAN: John Lawson?

12 MR. LAWSON: Here.

13 MR. MORAN: Anthony Melone?

14 MR. MELONE: Here.

15 MR. MORAN: Richard Mirgon?

16 MR. MIRGON: Here.

17 MR. MORAN: Jay Pabley?

18 MR. PABLEY: Here.

19 MR. MORAN: Mark Paese?

20 MR. PAESE: Here.

21 MR. MORAN: Eric Peterson?

22 MR. PETERSON: Here.

23 MR. MORAN: Billy Pitts?

24 MR. PITTS: Here.

25 MR. MORAN: Doug Rutledge?

1 MR. PITTS: Here.

2 MR. MORAN: David Webb?

3 MR. WEBB: Here.

4 MR. MORAN: William Wertz?

5 MR. WERTZ: Here.

6 MR. MORAN: Kelly Williams?

7 MR. WILLIAMS: Here.

8 MR. MORAN: Okay. Yes? I'm sorry?

9 MR. EHRLICH: Yes. You didn't call my name.

10 Edward Ehrlich. I was here for Illka Niva.

11 MR. MORAN: I'm sorry.

12 MR. EHRLICH: We discussed this on Monday.

13 MR. MORAN: Okay. Thank you. So you're

14 here from Nokia, and your name is Ed Ehrlich.

15 Okay. Who else have I missed here?

16 MR. HAYES: Stephen Hayes here from

17 Ericsson.

18 MR. MORAN: Stephen Hayes from Ericsson.

19 MR. OSHINSKY: And Stephen Oshinsky for

20 American Association of Paging Carriers.

21 MR. MORAN: Could you indicate your last

22 name?

23 MR. OSHINSKY: Oshinsky.

24 MR. MORAN: Okay. Anyone else at the table

25 representing someone I called or mispronounced their

1 name?

2 (No response.)

3 MR. MORAN: Okay.

4 MALE VOICE: For those of us who are on the
5 conference switch, is that Derek Poarch talking?

6 MR. MORAN: I'm sorry?

7 MALE VOICE: Is that Derek?

8 MR. MORAN: No. I'm sorry. My name is Ken
9 Moran. I apologize. I'm Deputy Chief of the Public
10 Safety and Homeland Security Bureau. Chief Poarch is
11 unfortunately out of town today on assignment.

12 I think we'll begin with Jeff Goldthorp has
13 a presentation on the recommendations, the draft
14 recommendations.

15 MR. GOLDTHORP: This is a tight fit. Thank
16 you, Ken, and good morning to all of you.

17 Before I start, let me also offer my thanks
18 to all of you for your hard work this year these last
19 10 months, not even really a year. I can remember
20 back in December when we first met and thought about
21 how much of a challenge this was after looking over
22 what had been asked of us in the Act, and it was.

23 The work that's been done I think is
24 phenomenal, and it's my opinion it's a great piece of
25 work and so I'm impressed with the effort that all of

1 you put in. I extend my special thanks to the folks
2 that I've worked the closest with on the project
3 management team, so I thank all of you for all the
4 hours that you put in and to all the members of your
5 teams.

6 What I will be doing today is summarizing
7 the recommendations that the committee has made and
8 the recommendations that will be considered by the
9 full committee today. I'm not going to go into
10 detail. You've had the report now since the 24th, and
11 probably even before that you've seen drafts of it so
12 there's no need for me to go into great detail.

13 I wanted to outline the recommendation and
14 give you some context on how we got where we are.
15 Some of this you've seen before. Maybe all of it
16 you've seen before, but it doesn't hurt to repeat some
17 of these things today. I won't go on for very long.

18 First of all, the WARN Act. The WARN Act
19 was adopted last October as part of a much larger
20 piece of legislation, and what the WARN Act does is
21 call for the creation of a voluntary commercial mobile
22 service provider alert system. The process by which
23 such a system would be brought into existence is
24 described in the Act.

25 The first step in that process, and that's

1 important. The first step in that process was the
2 formation of this committee and the gathering of a
3 group of experts from across the industry to develop
4 system critical recommendations on protocols and
5 interfaces and requirements for the system. Those are
6 the recommendations that you have in front of you,
7 along with those amendments that we'll consider today.
8 Those are in front of you as well.

9 After today the committee's work will be
10 done, but the work that the WARN Act envisions will
11 not be done. The WARN Act also talks about work for
12 the Commission that goes into a 180-day rulemaking
13 cycle where we will be substantiating rules, technical
14 rules for commercial mobile service providers that opt
15 to transmit emergency alerts.

16 As I said, it's a voluntary system, but it's
17 a voluntary system in which if you elect to
18 participate you have to participate according to
19 certain rules, and those would be the rules that we
20 put into effect 180 days, roughly speaking, from now.

21 After that is done there will be another --
22 well, actually I shouldn't necessarily put these in
23 sequence because I don't know how it will all be
24 timed, but there is a 120 day cycle for the Commission
25 to put together rules, licensing rules for commercial

1 mobile service providers to opt into the process.

2 That will need to be completed, and there's
3 also a proceeding that's envisioned involving public
4 broadcasters to enable what I'll call geotargeting of
5 alerts. All that work is in front of us yet. The
6 work of the committee is now mostly behind us, and
7 we'll be talking in detail about that today.

8 The statutory deliverables for this
9 committee are listed in front of you. I won't talk
10 about each of these in turn specifically in the
11 remarks that I'll make today but I will say that we,
12 in preparing the report, have gone through and made
13 sure that each of these points have been addressed, so
14 I'm confident that the obligations that we have under
15 the Act have been addressed in the recommendations
16 that have been made.

17 As I go through here I'll try and make clear
18 which ones apply to which section or which set of
19 recommendations, but these recommendations span from
20 the first one there -- which turns out to be quite a
21 bit of technical detail, technical protocols,
22 technical specifications for conveying alerts to
23 commercial mobile service providers that elect to
24 participate in the program -- all the way up to
25 procedures for end users to opt out of certain alerts.

1 So the rules really do cover a fairly broad
2 range of features about this system. Not the rules,
3 but the statutory obligations that this committee was
4 operating under. The rules are yet to be defined.

5 The diagram that's in front of you right now
6 is a reference model that you've seen before I think
7 several times now. There are some words up here that
8 I've added just because these are recommendations.
9 They're not conclusions of the committee yet.

10 If you look at this diagram, and let me just
11 summarize it one last time before we go to consider
12 the document today. Three domains in this document.
13 On the left-hand side, the origination space, the
14 entities that will be originating alerts for
15 transmission to wireless carriers or commercial mobile
16 service providers. These can be local entities. They
17 can be state entities. They can be federal entities.

18 The alerts that are being delivered now to
19 in many cases, and I'm going to use the term carriers
20 in place of commercial mobile service providers
21 because it's easier and it doesn't take as long. When
22 I say carriers, that's what I mean.

23 The carriers in many cases have national
24 footprints, so one of the recommendations that you
25 will see in the report is that there will be a

1 centralized aggregation function that will collect
2 these alerts and distribute them over a single feed or
3 redundant feeds to carriers rather than having them be
4 distributed through multiple geographic points of
5 presence, so that was one of the requirements or one
6 of the recommendations that came out of the committee.

7 Another recommendation was that the
8 authentication function which would be done in the
9 center domain would be done by a federal entity, a
10 government entity. That authentication is not
11 something that should be left to a commercial entity,
12 so that is a function that's being done here in the
13 alert aggregation portion of the architecture.

14 There's also a function in this
15 authentication and processing domain called a gateway,
16 and this is the function where alerts are translated
17 from CAP format, which is the format that is used to
18 transmit alerts from the origination point into the
19 system, to a format that can be delivered to the
20 carrier community.

21 That interface is the C interface. Alerts
22 that go over the C interface do not go over the C
23 interface in CAP format. They go over the C interface
24 using the protocol specified or recommended in this
25 document. These are recommendations, so bear that in

1 mind, but it is recommended that the alerts not go
2 over the C interface in CAP.

3 So the gateway does that translation, and it
4 does a number of other things as well. It maintains
5 profiles about each of the carriers that are
6 participating.

7 Profiles help the gateway to know where
8 alerts are going and specific information about the
9 carriers that are participating that help it to
10 customize the alert for delivery to the carriers, so
11 it's almost you can think of it as a translation
12 function for the alerts coming in from the alerting
13 origination site to the carrier side of the
14 architecture.

15 And then finally there's the carrier domain,
16 which is administered by the carriers that are
17 participating in the program. The first entity in
18 that portion of the architecture is the gateway. Each
19 of the carriers that participate will have one or more
20 gateways that they will administer, and that's the
21 unit in the architecture that receives the alerts over
22 the C interface and prepares them for transmission out
23 over the wireless infrastructure. It makes decisions
24 about which cell sites, for example, to light up for
25 certain types of targeted alerts, so that function

1 would be performed by the gateway.

2 From there on the alerts float out into the
3 wireless architecture itself, make their way down into
4 the handset where the end user is notified of the
5 alert, depending on the options that they've set and
6 what they have chosen to -- I'll say if they've opted
7 out of certain types of alerts, they won't receive
8 those alerts. They would receive other types of
9 alerts, and we'll get into that a little bit.

10 In the WARN Act there is a notion of "in
11 whole or in part." One of the things the committee
12 did was to interpret the meaning of that term in the
13 context of the section of the Act that applies to the
14 committee. There's a portion in that section that
15 implies that the committee is supposed to come up with
16 recommendations on how a carrier that can only support
17 the distribution of alerts in certain areas or on
18 certain devices, how that can be implemented.

19 The recommendations you have in front of you
20 include recommendations for how a carrier would do
21 that. The interpretation of in whole or in part is
22 just that; that you can have a carrier that can
23 support delivery of alerts on a subset of their
24 service area or on a subset of devices either now or
25 in the future.

1 This section of the document that I'm
2 referring to here uses a set of diagrams using
3 deployment scenarios just to give a sense of the
4 kinds, almost the permutations of coverage areas and
5 different devices supported that could occur in a real
6 world environment, so there are a number of diagrams
7 in the section. There's also recommended language for
8 how a carrier would notify an end user of their
9 intention to support the distribution of alerts in
10 part or not at all.

11 Alert scenarios are, I'll say, use cases.
12 When you look at the document you will see a number of
13 diagrams that look like message flows, protocol
14 diagrams where you'll see messages flowing not through
15 the architecture -- well, it is through the
16 architecture, but you won't see it looking like the
17 architecture. It's just showing how the message would
18 flow in different scenarios.

19 The value of doing something like this is it
20 will identify the need for certain functionality in
21 the architecture that may not have been considered
22 before. It will identify error cases that need to be
23 considered and dealt with in the form of error
24 messages.

25 So you won't find in this section specific

1 recommendations, but it was a very useful exercise to
2 go through just to come up with use cases that would
3 reveal things that did lead to recommendations in
4 other sections of the document.

5 General recommendations. By the way, at the
6 top of these slides I'm listing the sections in the
7 Act that refer to the specific obligations that the
8 committee had and ones that I had listed in the first
9 or the second slide of today's talk. If you go
10 through here you'll find that we've covered all of the
11 things that the committee asked us to do.

12 In general recommendations, the committee
13 concluded that, first of all, the system be used only
14 for severe alerts, severe emergencies. Now, what is a
15 severe emergency? The committee tried to take a stab
16 at what that would be. First of all, obviously a
17 Presidential alert trumps all and is severe.

18 Also imminent threat to life and property is
19 considered to be severe, so a condition, an emergency,
20 would have to be one that involved imminent threat to
21 life and property for an alert involving that
22 condition to be considered worthy I'll say of being
23 transmitted over the system.

24 And finally, amber alerts, so-called amber
25 alerts, are also considered to be a class of alert

1 that would be supported by the system, so those are
2 the classes of alert that would be supported by the
3 system or recommended for being supported by the
4 system.

5 Also in this section we get into the topic
6 of geotargeting. Geotargeting is a complex technical
7 issue, and it's sort of a layered issue right now.
8 For starters, the recommendation is that early
9 implementations, and I've got county in quotes here
10 because there are a number of ways of interpreting
11 this language and I don't want to parse this too
12 carefully because we could get into a long
13 conversation about this.

14 The language in the document itself makes
15 clear what I mean by that. Early implementations will
16 emphasize targeting, loosely speaking, at the county
17 level. It doesn't limit it to that. Carriers that
18 choose to target on a more granular level than that
19 are free to do so, so it's not a prescription, but it
20 is a recommendation that that not be a requirement at
21 this point, but it be more precise.

22 It's understood that even now there are
23 areas in the country that have more urgent alerting
24 needs than others and more urgent needs for tighter
25 geotargeting than county level, so it is understood

1 that an effort should be launched to try to identify
2 what those areas are and identify ways of being more
3 precise even early on.

4 Now, this gets in very quickly to the notion
5 of -- and you get on a slippery slope here that I
6 really don't want to get onto, but I feel compelled to
7 -- static versus dynamic geotargeting. The nirvana
8 and the goal that's expressed in the document as where
9 the committee is recommending we had is essentially
10 dynamic geotargeting. The recommendation is that
11 we're not there yet, but that is where we aspire to
12 be.

13 Dynamic geotargeting simply means that the
14 alert originator would have the freedom to specify
15 where the alert would go. The system itself would
16 place no constraints on the geotargeting boundaries
17 per se.

18 Static geotargeting, you know, on the other
19 hand is one in which you've got specific areas where
20 you can target alerts to. For the moment, for now,
21 that's the world we live in, or it appears to be the
22 world we live in, and that's the world that the
23 committee is recommending that we live with for now.
24 That world can be tightened in certain cases by
25 limiting or making the static area more granular.

1 Special needs communities. Two issues
2 there. One is there is a recommendation for a common
3 audio attention signal and a vibration cadence. It
4 turns out that a lot of the requirements for the
5 disabled access community are essentially the same as
6 the requirements that would exist for the mass market.

7 That was a surprise to me personally. I
8 thought that there would be some differences there,
9 but the conclusion of the committee is that there is a
10 lot of commonality in that respect.

11 Subscriber opt out. There's a provision in
12 the Act that subscribers have the ability to opt out
13 of certain types of alerts. The committee has
14 recommended that under no circumstances should a
15 subscriber be permitted to opt out of a Presidential
16 alert; that absent that -- so keeping in mind that all
17 Presidential alerts go through, okay -- then a
18 subscriber would have three choices. A subscriber
19 could opt out of all alerts, could opt out of severe
20 alerts, could opt out of amber alerts, so those are
21 the choices that a subscriber would have for opt out.

22 Finally in this section, support for
23 languages other than English, a topic that I know the
24 committee spent quite a bit of time, and the
25 conclusion now and the recommendations is that the

1 technical issues or limitations or technical
2 challenges that are posed by this problem are beyond
3 the reach using today's technology.

4 Certainly that may not be true forever, but
5 it is true now, so English is the language that is
6 supported today. That doesn't mean that that will be
7 the only language supported for all time.

8 Service profiles. I use the term
9 technological neutrality. I find personally looking
10 at the recommendations that the recommendations are
11 technically neutral or technologically neutral,
12 technologically neutral in the sense that the
13 underlying architecture and the underlying protocols
14 are based on service profiles, not technology
15 profiles.

16 It's not like we sat down and defined a set
17 of technology profiles and said that these are the
18 only platforms that this alert system can operate on.
19 Instead, the committee identified service profiles,
20 and the service profiles are such that technologies
21 can be built on top of the service profiles. I've
22 listed the various service profiles that are defined
23 in the recommendations.

24 Mobile device recommendations. The main
25 finding in mobile device recommendations -- there are

1 more than this, but the main one and the one that
2 we've talked a lot about is battery life. We were
3 very concerned about battery life early on, and we've
4 learned in the months since that with certain
5 provisions made it's likely not to be as big an issue
6 as we thought.

7 This is going to require changes in the
8 network. It's going to require changes in handsets.
9 It's going to require new standards. We're going to
10 go through a new standards cycle anyway, and there
11 will be changes made in all three of these areas for
12 any of this stuff, any of the things I've been talking
13 about. Battery life is one of the things that's got
14 to be added to the list of changes made.

15 Let me go through the security performance
16 and reliability issues. This will be essentially my
17 last slide. For security, there is a notion of a
18 trust model that's been defined. That model, the
19 trust model, is implemented in the center domain, the
20 aggregation and authentication domain.

21 That is the trust model portion of the
22 architecture where alerts that are coming in from
23 various sources are authenticated so that when they're
24 handed off to a carrier for delivery the carrier can
25 be assured that the alert is from a trusted source.

1 The architecture includes capabilities for
2 buffering and for overload. It includes highly
3 reliable gateway elements. The reason that's
4 important is because the gateways tend to be single
5 points of failure, so those are highly reliable
6 devices.

7 Latency in the device as far as performance
8 goes is very difficult to predict. At this point we
9 don't have it implemented. The system is not
10 implemented, so it's hard to predict and there are no
11 specific predictions for latency at this point, but
12 there's a recommendation that logging and testing be
13 used so that data can be accumulated that can be used
14 to improve the system going forward.

15 Finally, maybe the most technically detailed
16 section of the document, the interface protocols
17 themselves go into extensive detail and in particular
18 on the C interface, which is the interface to the
19 carrier community.

20 That is the last section of the document.
21 I'm not going to go into any detail on this, but there
22 is extensive detail in that section of the document.

23 Thank you for all of your hard work, and
24 that concludes my remarks.

25 MR. MORAN: Thank you, Jeff.

1 Next let's take up the amendments. I
2 believe each of you have a set of the amendments.
3 Good. Let me tell you the basic procedure we're going
4 to go through.

5 We'll have the originator present the
6 amendment and briefly describe why the person believes
7 the amendment should be passed. We'll have
8 discussion. There are so many amendments here. There
9 are at least 12. I think some of these are sort of
10 duplicates. There may be more than 12.

11 I'd like to hold the discussion to three
12 minutes or less if we can, and then after the
13 discussion we'll have an up or down vote. The vote
14 will be by majority rule of committee members
15 participating in the meeting today, which we think the
16 count is 39. Is that what we have at this point?
17 Okay.

18 Let's start with Mr. Daly. I think you have
19 an amendment regarding reference architecture.

20 MR. DALY: Yes.

21 MR. MORAN: Okay. Could you present that?

22 MR. DALY: Yes. As is mentioned throughout
23 the document, there's a Reference Point D and a
24 Reference Point E mentioned several times. Reference
25 Point D on the architecture diagram, which Jeff

1 showed, is between the CMSP gateway and the commercial
2 mobile service provider infrastructure. Reference
3 Point E is from the infrastructure out to the mobile
4 device.

5 This proposed amendment just proposes to
6 include those reference points on the diagram and also
7 makes an editorial change to the figure at the bottom
8 for the mobile device.

9 Since we do also include paging technology
10 we would recommend that the device that's included be
11 changed to include a pager device, as well as a figure
12 more representative of a mobile handheld device.

13 And then the second is in Section 2.3.4,
14 just a note where Reference Point D resides in the
15 architecture.

16 MR. MORAN: Okay. Thank you.

17 Can we have a second on that proposal?

18 MR. OSHINSKY: Second.

19 MR. MORAN: Okay. Any discussion? Would
20 anyone like to discuss this?

21 (No response.)

22 MR. MORAN: Actually I would like to check
23 the teleconference in case anyone came on board since
24 we began. Let me find out.

25 Is Leslie Chapman-Henderson on board on the

1 telephone bridge?

2 (No response.)

3 MR. MORAN: Marion Dunn-Tutor?

4 (No response.)

5 MR. MORAN: Gadi Mazor?

6 (No response.)

7 MR. MORAN: Okay. We have the same list.

8 I see no proposed discussion here in the

9 room. Anyone on the bridge want to discuss this

10 proposal?

11 (No response.)

12 MR. MORAN: I hear none. Let's have a vote.

13 In the room here we're going to do a show of hands.

14 All those in favor raise their hand.

15 (Whereupon, a showing of hands.)

16 MR. MORAN: Okay. I think maybe we can

17 subtract. We'll try that on the next vote as long as

18 they're unanimous. What do you have?

19 MS. FOWLKES: Thirty.

20 MR. MORAN: Thirty. Okay. Let's see. Is

21 that what we thought we had here? Thank you. Yes, we

22 thought there were 30 in the room here.

23 MS. FOWLKES: Are you letting the people on

24 the phone vote?

25 MR. MORAN: Yes, we are. The people on the

1 teleconference, I'm going to call your names. You
2 tell me yea or nay.

3 Raymond Ban?

4 MR. BAN: Yea.

5 MR. MORAN: Marcia Brooks?

6 MS. BROOKS: Yea.

7 MR. MORAN: Thomas Lyon?

8 MR. LYON: Yea.

9 MR. MORAN: Kevin McGinnis?

10 MR. MCGINNIS: Yea.

11 MR. MORAN: Art Prest?

12 MR. PREST: Yea from merry olde England.

13 MR. MORAN: Pat Roberts?

14 MR. ROBERTS: Yes.

15 MR. MORAN: Anthony Rutkowski?

16 (No response.)

17 MR. MORAN: We may have lost someone there.
18 Paul Wilcock?

19 MR. WILCOCK: Yea.

20 MR. MORAN: Dale Gehman?

21 MR. GEHMAN: Yes.

22 MR. MORAN: Anthony Rutkowski?

23 (No response.)

24 MR. MORAN: We seem to have lost one there.

25 MS. DUNN-TUTOR: You've also gained one.

1 MR. MORAN: Okay. And who is this?

2 MS. DUNN-TUTOR: Marion Dunn-Tutor.

3 MR. MORAN: Thank you, Marion. Marion, have
4 you heard this amendment that's been offered?

5 MS. DUNN-TUTOR: Yes.

6 MR. MORAN: What's your vote on that?

7 MS. DUNN-TUTOR: Aye.

8 MR. MORAN: I'm sorry. Aye? Okay.

9 MS. FOWLKES: It's a majority.

10 MR. MORAN: Okay. We certainly have a
11 majority, so that amendment passes.

12 The next one I have on my list anyway is,
13 Brian, another one of yours, amendment to Section 5.

14 MR. DALY: Yes. This is Brian Daly again.
15 In Section 5 there is mention of the creation of an
16 Industry Group for review of the Advisory Committee
17 recommendations, and the current text recommends the
18 Industry Group should meet on a biennial basis.

19 However, there's other recommendations
20 throughout the document which give some specific tasks
21 to this biennial review, including reviewing the
22 research project for geotargeting, address any issues
23 that might arise during development, deployment and so
24 forth.

25 So the recommendation in Section 5 is to add

1 a sentence at the end that it is expected that during
2 the research, development and deployment this Industry
3 Group may need to convene more frequently than
4 biennially to address research, conclusions and any
5 development or deployment issues.

6 MR. MORAN: Thank you. Do we have a second?

7 MR. AUBRY: Second.

8 MR. MORAN: Okay. Any discussion?

9 (No response.)

10 MR. MORAN: I see none in the room. On the
11 bridge if anyone wants to discuss this, speak up.

12 (No response.)

13 MR. MORAN: Okay. Let's take it for a vote.
14 In the room here let's start with all the nays.

15 (No response.)

16 MR. MORAN: No nays? Any abstentions?

17 (Whereupon, a showing of hands.)

18 MR. MORAN: Okay. The FCC abstains. I
19 think we know what that count means. Is there any
20 other option besides those two and yeas?

21 On the bridge, let me go down the roll call
22 again once again there. You vote yea or nay.

23 Mr. Ban?

24 MR. BAN: Yes.

25 MR. MORAN: Marcia Brooks?

1 MS. BROOKS: Yes.

2 MR. MORAN: Marion Dunn-Tutor?

3 MS. DUNN-TUTOR: Yes.

4 MR. MORAN: Thomas Lyon?

5 MR. LYON: Yes.

6 MR. MORAN: Kevin McGinnis?

7 MR. MCGINNIS: Yes.

8 MR. MORAN: Art Prest?

9 MR. PREST: Yes.

10 MR. MORAN: Pat Roberts?

11 MR. ROBERTS: Yes.

12 MR. MORAN: Anthony Rutkowski?

13 (No response.)

14 MR. MORAN: Paul Wilcock?

15 MR. WILCOCK: Yea.

16 MR. MORAN: Dale Gehman?

17 MR. GEHMAN: Yes.

18 MR. MORAN: Okay. Do we have that count,

19 Lisa?

20 MS. FOWLKES: A majority.

21 MR. MORAN: Okay. The majority certainly.

22 I assume everybody here was yes, although I didn't ask

23 for it, so we have those two passed.

24 Okay. Another one, Brian, from you, the

25 amendment to Section 5.1?

1 MR. DALY: Yes. Thank you. This is Brian
2 Daly.

3 Earlier in the process when we were creating
4 Draft 2 of the Advisory Committee recommendations
5 there were two change requests which came in, one from
6 the CTG and one from the User Needs Group. These two
7 proposed change requests did go in to modify the same
8 section of the document, and pieces of each were
9 accepted for inclusion into the draft at that point.

10 However, I believe through the editing
11 process some of the text actually did not make it into
12 the document, and we noted that missing text in this
13 proposed amendment. I'll highlight just the changes.

14 First, that a commercial mobile service
15 provider that elects to transmit under Section
16 602(b)(2) of the WARN Act may not impose separate or
17 additional charge for such transmission or capability
18 when the emergency alerts are transmitted in a manner
19 consistent with the technical standards, protocols,
20 procedures and other technical requirements
21 implemented by the Commission.

22 For transmission or service beyond the
23 standards protocols, procedures and other technical
24 requirements implemented by the Commission, a
25 commercial mobile service licensee is not bound by

1 Section 602(b)(2)(C) of the WARN Act.

2 In addition, the commercial mobile service
3 licensee may utilize the technical standards
4 protocols, procedures and other technical requirements
5 implemented by the Commission to support the WARN Act
6 for other services or purposes and are not bound by
7 Section 602(b)(2)(C) of the WARN Act.

8 Moving on to the second page, CMAS will be
9 provided according to the technical standards,
10 protocols, procedures and technical requirements
11 implemented by the Commission, and a service provider
12 shall not be bound to any specific vendor, technology,
13 software implementation, client device or third party
14 agent in order to meet the obligations under the WARN
15 Act.

16 The next paragraph states that
17 standardization of these protocols/procedures should
18 be done in an industry forum which have a well
19 defined, reasonable and nondiscriminatory intellectual
20 property rights policy allowing for multivendor
21 implementations, and it is anticipated that mobile
22 devices may incur additional development and
23 manufacturing costs, and these costs may be passed on
24 to the subscriber.

25 A commercial mobile service provider or any

1 device deployed by the commercial mobile service
2 provider to support the transmission of CMAS alerts
3 according to the WARN Act shall not be required to
4 identify location or location history of the mobile
5 device.

6 Again, this was agreed upon text within the
7 CTG and was part of a change request that went to the
8 PMG, but I believe through editorial omission it was
9 not in the final recommendations.

10 MR. MORAN: Okay. Thank you. Do we have a
11 second?

12 MALE VOICE: Second.

13 MR. MORAN: Okay. Any discussion?

14 MS. ARNOLD: I wanted to ask a question,
15 please.

16 MR. MORAN: Yes?

17 MS. ARNOLD: We have agreed to a report that
18 would recommend a really minimal kind of messaging for
19 cellular companies to do because we're told that
20 that's the most that all of the companies can agree to
21 at this point, but I don't see why people should be
22 charged for getting additional kinds of services that
23 we all agree would be appropriate and helpful.

24 I mean, why would we want the consumers to
25 be charged for being able to get a video or an audio

1 when those kinds of services or additional
2 implementations are only going to be done when the
3 cellular company gets paid for those by virtue of what
4 the consumer is getting in the regular cellular
5 service? I don't see why there should be an
6 additional fee for any kind of EAS alert.

7 MR. MORAN: Anyone? Brian?

8 MR. DALY: Yes. Brian Daly. What I believe
9 this is trying to state is that the standards,
10 protocols and procedures that are defined within the
11 recommendations, they do include future technologies
12 such as multimedia, streaming video, streaming audio,
13 so the intent is that as defined in the
14 recommendations those services that do fall under the
15 WARN Act and under the recommendations would be
16 provided as specified in Section 602(b)(2)(C) of the
17 WARN Act.

18 MR. WERTZ: Bill Wertz here. Am I to
19 understand then by what you're saying that multimedia
20 streaming or whatever future technologies that might
21 be available under the first three scenarios would not
22 be charged to a subscriber, but additional messages
23 beyond those three categories may be?

24 Under Presidential level, imminent threat
25 and amber, if there was a multimedia version of that

1 would the customer be charged for that or not under
2 this amendment?

3 MR. DALY: As long as it fits under the
4 definition and scope of a wireless emergency alert,
5 no. It would fall under the WARN act stipulations for
6 that.

7 MR. MELONE: Can I make a comment?

8 MR. MORAN: Yes, go ahead.

9 MR. MELONE: I think what's intended in this
10 language can be simply stated that technology that is
11 deployed to serve emergency alerts is likely to also
12 be used for other commercial products.

13 So, for instance, there may be a product
14 that uses broadcast SMS totally outside of emergency
15 alerts. The carriers are simply stating that we are
16 allowed to charge for such services should we develop
17 them.

18 Simply because we're using the same
19 technology that's used for emergency alerts should not
20 preclude the carriers from being able to charge for
21 those services. I think that's the essence of that
22 language.

23 MR. MORAN: Anyone else? Please identify
24 yourself.

25 MR. BERARDI: Yes. This is Gene Berardi.

1 My question is --

2 MR. BAN: This is Ray Ban on the bridge.

3 We've lost contact with the meeting room.

4 MR. BERARDI: I'm sorry. This is Gene
5 Berardi. Can you hear me?

6 MR. BAN: Yes.

7 MR. BERARDI: Okay. So a point of clarity
8 on the second paragraph. Is that being decided on a
9 carrier-by-carrier basis whether or not something was
10 sent out that should not have been?

11 If something is sent out via the system that
12 is determined not to fall within the scope of the
13 three categories that we've defined, who's making the
14 determination that there should be charges incurred?
15 Would each carrier decide separately whether or not
16 to?

17 MR. DALY: Well, as Tony had mentioned, if
18 it's a commercial service obviously that would be a
19 carrier decision. If it falls under the
20 recommendations and protocols that are defined as far
21 as the recommendations of the Advisory Committee then
22 that would fall under all carriers.

23 MR. BERARDI: I may not be clear. If
24 somebody who is a valid originator for emergency
25 alerts sends something out that is later determined

1 not to fall within the three categories -- in other
2 words, it was a gray area and somebody believes it did
3 not apply. Who would then decide to charge either the
4 end users or the originator?

5 MR. MELONE: Do you want me to take that,
6 Brian?

7 MR. DALY: Sure.

8 MR. MORAN: Yes. Please identify yourself.

9 MR. MELONE: This is Tony Melone. That
10 decision is made by the government entity
11 administering the alert gateway. For emergency alerts
12 through this system that's being recommended there
13 will be no charges for delivery. If it gets through
14 the gateway it will be delivered at no charge.

15 MR. BERARDI: Okay.

16 MR. MELONE: So the rules around that are
17 government administered rules based on the final
18 recommendations and final decisions and rules.

19 MR. BERARDI: Okay.

20 MR. MELONE: What you're describing is more
21 likely to be a commercial arrangement between a local
22 emergency entity and one or more wireless carriers
23 that would fall outside of this recommendation. There
24 would be a different infrastructure most likely to
25 provide that commercial service.

1 MR. BERARDI: Okay. Thank you for the
2 clarification.

3 MR. MORAN: Okay. Anything else?

4 MR. WILLIAMS: Yes.

5 MR. MORAN: Mr. Williams?

6 MR. WILLIAMS: I have two questions. One,
7 it strikes me as odd. This is an awful lot of text to
8 just seem to be omitted by accident, and I'm wondering
9 if anybody, since this was a submitted change and all
10 changes were reviewed, if there is someone on the
11 Management Committee who can address why this text
12 wasn't in there and whether this is an attempt, and I
13 say this with all due respect, to get in text that was
14 deemed not to be put in the document kind of as a
15 second chance.

16 The other question that I have, and this
17 sort of bothers me overall about the report, is sort
18 of assessing the language here. We've sort of created
19 a document that's based on a technology that does not
20 now exist, and we're relying upon the fact that at
21 some point the government will build that aggregation
22 and gateway function.

23 The question is if that's never built, if
24 it's never funded and never built, does this paragraph
25 say that the carriers are then relieved of their

1 obligations under 602(b)(2)? That I guess goes to
2 you, Ken.

3 MR. MORAN: Actually, Jeff, can you speak to
4 his first question? As the chair of the Management
5 Group, do you have anything in response why this
6 language wasn't in the document?

7 MR. GOLDTHORP: I don't recall. This
8 language I think was in a fairly early draft -- right,
9 Brian -- and so it's been a while since it's been in
10 here. I don't remember the circumstances under which
11 it was removed from the document, so I don't have
12 anything to add at this point.

13 MR. MORAN: Okay. And your second question
14 is if the system is never built?

15 MR. WILLIAMS: Yes.

16 MR. MORAN: What was your question?

17 MR. WILLIAMS: Does this language relieve
18 the carriers of their obligation under 602(b)(2)?

19 MR. MORAN: Lisa, do you have a call on
20 that?

21 MS. FOWLKES: I think the only answer that I
22 can give is just a general answer, which is that these
23 are recommendations that, assuming they're adopted,
24 would have come from the committee and so the
25 recommendations by themselves without further action,

1 they're just that. Recommendations.

2 I think the question of under what
3 circumstances carriers will be required to comply with
4 the WARN Act, questions regarding what exactly at the
5 end of the day is the system that's adopted, is
6 something that would have to be addressed in the FCC
7 rulemaking. I mean, that's essentially the only
8 answer I can give you.

9 MR. MORAN: Okay. Anyone else here? Yes,
10 David?

11 MR. WEBB: Yes. Dave Webb with FEMA.
12 Brian, at the third paragraph, the one that talks
13 about "may utilize technical standards." I certainly
14 have no problem with a commercial entity, you know,
15 using this technology to go on, but I think there
16 needs to be something in here that reflects that it
17 will not come through the government gateway because
18 this kind of implies that okay, you're going to use a
19 gateway type standard somewhere, but it doesn't say
20 that the government gateway will only be used for
21 emergency alerts and warnings.

22 I can agree with the entrepreneurship
23 totally, but we need to leave the government out of
24 the entrepreneurial spirit. I have no problem if you
25 utilize the technologies and other things that have

1 been developed, but we can't put the government
2 gateway and aggregation point into -- you know, I
3 can't offer for sale to a commercial vendor yes, come
4 and use my gateway and send messages to the carriers.

5 MR. MORAN: Brian, a response?

6 MR. DALY: Yes. Is there a specific text
7 where you see that? The way I read the third
8 paragraph is it's specifically for the commercial
9 mobile service provider.

10 MR. WEBB: But it talks about the service
11 licensee may utilize standards, protocols, procedures
12 and other requirements implemented by the Commission.
13 The procedure would be where I have the problem where
14 it would come through the government gateway and be,
15 you know, aggregated and then put out through the
16 gateway.

17 So we need to just differentiate that, you
18 know, while the system may be used for other
19 commercial interests the government system will not
20 support any commercial interest. It's solely for the
21 EAS.

22 MR. CZARNECKI: This is Ed Czarnecki. I
23 think what Dave has mentioned, while technologies,
24 approaches or methods may be developed that could have
25 third party or commercial implications, actual use of

1 a system, as opposed to an approach or methodology,
2 needs to be differentiated.

3 Moreover, in the third paragraph, the last
4 sentence: The CMS provider shall not be bound to use
5 any specific vendor, technology, software, client
6 device or third party agent in order to meet the
7 obligations under the WARN Act.

8 In terms of entire systems view, I'm not
9 sure as one of the systems integrators in the many
10 IPAWS programs it makes sense at this stage to limit
11 or authorize any specific technology or vendor. There
12 may be something there that needs to be mandated by
13 the government in terms of their specific
14 architectural development. It just may be too broad,
15 as with the prior comment. It may be too broad of a
16 statement.

17 If I may, a third point. The fifth
18 paragraph, and this may be more of an editorial than a
19 substantive comment. It is anticipated that mobile
20 devices shall support CMAS and may incur additional
21 developing and manufacturing costs, and these costs
22 may be passed on to the subscriber.

23 Point of fact. That may or may not be true,
24 but my personal opinion is I'm not sure that would
25 rise to the level of a statement to be put in a

1 recommendation document. That may or may not be point
2 of fact true.

3 MR. MORAN: Okay. Does anyone on the bridge
4 want to discuss this item at all? Speak up, if you
5 would.

6 MR. PITTS: Mr. Chairman, I'd like to.

7 MR. MORAN: Hold on. Anyone on the bridge?

8 (No response.)

9 MR. MORAN: Okay. Go ahead. I'm sorry.
10 Identify yourself, please.

11 MR. PITTS: Sorry. Billy Pitts. The last
12 paragraph. I was not quite sure why it was put in
13 there, and I wanted to know, one, because it's not
14 required for an identification location or location
15 history. I assume that's the bread crumbing concept,
16 but the location. Does that have any impact on the
17 E911 efforts?

18 Secondly, I saw that there was a public
19 filing by a company that has yet another technology
20 with bursting SMS that is based somewhat on location
21 identification, so I was wondering why this paragraph
22 and what impact it has on both E911 and other
23 technologies?

24 MR. MORAN: Brian, would you care to
25 respond?

1 MR. DALY: Yes. This is Brian Daly. From
2 an E911 perspective, this is not addressing E911.
3 That's separate.

4 The discussion surrounding this paragraph
5 deals with some of the issues identified by the CTG
6 with regard to identifying location or keeping
7 location histories either within the network or
8 otherwise of mobile devices and the technological
9 considerations for that.

10 MR. MELONE: This is Tony Melone. If I can
11 add to that?

12 One specific area, Billy, was in mobiles
13 moving in or out of an area that had a previous
14 warning and being able to update or not update and
15 make decisions based on that particular mobile and
16 where it had or had not been was discussed and the
17 technical challenges with doing that were deemed to be
18 extraordinary, so this language is specific to that
19 issue.

20 MR. MORAN: Okay. Thank you. Let's go to
21 vote.

22 MR. WILLIAMS: Actually, I would like to
23 offer an amendment to this as well. Thank you, Dr.
24 Czarnecki, for pointing that out.

25 I actually feel fairly strongly that the

1 Commission should not include a recommendation that
2 essentially is a business practice, and I agree with
3 Ed. I propose to delete Lines 10, 11 and 12 in
4 Amendment 2.

5 The Commission should not be recommending to
6 Congress that a carrier can or cannot charge for
7 anything except for the language that we have, but I
8 don't think we should say what you may charge for.

9 MS. ARNOLD: What would you delete again?

10 MR. WILLIAMS: Lines 10, 11 and 12 on page
11 2.

12 MS. ARNOLD: I second the amendment.

13 MR. MORAN: Okay. I think what we need to
14 do is we need to vote on the amendment as presented,
15 and we can vote on the amendment as amended.

16 MR. WILLIAMS: Actually, by *Robert's Rules*
17 you have a proposal on the amendment to modify the
18 amendment. You have to do that first.

19 MR. MORAN: Okay. A vote on this?

20 MS. ARNOLD: Are you just wanting to have a
21 show of hands to indicate whether or not it's going to
22 be required to go into amendments?

23 Perhaps that's what you're interested in;
24 not a formal vote, but a show of hands of how many
25 people would oppose this whole amendment.

1 MR. MORAN: Okay. You proposed an
2 amendment. We have a second on the amendment. Do we
3 have any discussion on this amendment?

4 MR. GUTTMAN-McCABE: Yes.

5 MR. MORAN: Okay. Go ahead.

6 MR. GUTTMAN-McCABE: Chris Guttman-McCabe
7 with CTIA.

8 The reason this type of language is in there
9 is because, and this happens all the time. I know you
10 know this, but this happens all the time when
11 legislation comes down that makes a statement, but
12 doesn't detail what is meant by it.

13 There's some language in the legislation
14 that talks about not charging, and they're trying to
15 get some clarity around the recommendation from this
16 Advisory Committee to the Commission, so the
17 Commission isn't adopting this per se.

18 It's a recommendation by this committee that
19 we're trying to get some clarification as to what is
20 meant by the ability to charge or not charge. That's
21 why these are in here.

22 So with regard to the idea that the devices
23 are going to likely cost more and there will be
24 upgrades and things like that, the idea is not to
25 capture a per message cost and charge anyone on that,

1 but if there are additional costs involved in handsets
2 and other upgrades that just naturally normally
3 independent of this process would be passed on to
4 consumers the idea is to capture that here.

5 As I said, 10 months ago the ultimate goal
6 of this, the only measure of success in this process,
7 is if the carriers say yes at the end of this and go
8 through this process and sign up to provide this
9 service.

10 The idea here is not to try to bless some
11 business proposal or bless the ability to charge
12 consumers. The idea is to make sure that the process
13 is one that there's enough clarity around it such that
14 carriers feel comfortable when this is done signing
15 onto this process and saying yes.

16 MR. BOTTERELL: Mr. Chairman?

17 MR. MORAN: Yes, Mr. Botterell?

18 MR. BOTTERELL: Art Botterell from Contra
19 Costa County. I too am concerned that this language
20 in Lines 10, 11 and 12 on page 2 is perhaps not as
21 specific as we'd like to see it. I can see it being
22 read several different ways.

23 I think that Mr. Williams has suggested
24 deleting it. I wanted to ask Mr. Daly if he would
25 accept that as a friendly amendment.

1 MR. DALY: I think the concerns which Mr.
2 Guttman-McCabe just raised are the reason why it's in
3 there. We believe it needs to be stated and clarified
4 so that the Commission has a recommendation on the
5 clarification of the WARN Act specifically mentioning
6 providing the service at no cost to subscribers.

7 Perhaps in an alternate amendment we could
8 reference that section of the WARN Act and ask
9 specifically for the clarification that needs to be
10 made as far as manufacturing and infrastructure costs
11 and how those are treated under that section of the
12 WARN Act.

13 MR. MORAN: Let me understand. What would
14 your suggestion be?

15 MR. DALY: What I recommend is it is
16 anticipated that mobile devices may incur additional
17 development and manufacturing costs, and these costs
18 are not covered under Section 602(b)(2)(C) of the WARN
19 Act instead of passed on to the subscriber, if that
20 helps to clarify the intent.

21 MR. ADAMS: Mr. Chairman?

22 MR. MORAN: Yes?

23 MR. ADAMS: Robert Adams. As said earlier,
24 maybe we could table that for the full Commission, as
25 Brian is saying, to revisit that when they start

1 studying the recommendations by this committee.

2 Because I agree with him. Today we don't
3 know if and what those costs may -- I think that's
4 what AT&T is trying to bring to the committee, and I
5 would agree with them. We don't know what it is
6 today, but again I think the FCC -- these are only
7 recommendations. I'm sure there's going to be many
8 hearings on this before some final Act comes out.

9 MR. MORAN: Okay. Mr. Williams has a
10 proposed amendment striking Lines 10 through 12 in
11 this amendment. Is that ripe for a vote?

12 (No response.)

13 MR. MORAN: Anyone on the bridge before we
14 take the vote who wants to speak?

15 MR. PREST: Yes. This is Art Prest speaking
16 on behalf of the rural wireless carriers in the United
17 States.

18 For the rural wireless carriers to opt into
19 this they're going to have to make sure they keep
20 themselves whole. If there's an increased cost in the
21 mobile device that has the capability of providing
22 CMAS then I believe that the rural wireless carrier
23 should be able to charge extra for the mobile device.
24 Not the service; the incremental cost that is
25 incurred to buy that mobile device.

1 MR. MORAN: Okay. Thank you.

2 So we take a vote. Would the vote be on the
3 amendment less those three lines, or is the vote --

4 MR. WILLIAMS: The vote is to amend the
5 motion.

6 MR. MORAN: Okay. A vote to amend the
7 motion.

8 MR. WILLIAMS: But before we take that vote
9 --

10 MR. MORAN: Okay.

11 MR. WILLIAMS: -- I have one more comment,
12 which is I guess what I'm suggesting here is that this
13 report remain silent on that issue.

14 MALE VOICE: That's what I was saying.

15 MR. WILLIAMS: Which that's why I want to
16 delete the language.

17 It is my understanding, and staff can
18 correct me, that you are due to report to Congress by
19 the end of this month. Is that correct?

20 MR. MORAN: By the 12th, right?

21 MS. FOWLKES: What the process is is that
22 the committee has to develop and submit
23 recommendations to the Commission by October 12.

24 MR. WILLIAMS: Right. And then the
25 Commission has to report.

1 MS. FOWLKES: No. It's not a report.

2 MR. WILLIAMS: Oh, you don't?

3 MS. FOWLKES: It's a rulemaking. That's
4 what I was saying earlier.

5 Once the committee submits its
6 recommendations to the Commission, the Commission must
7 commence and complete within 180 days after receiving
8 those recommendations a rulemaking to adopt technical
9 rules, so the purpose of the committee and the
10 recommendations are to give a basis by which the
11 Commission would then go forth and adopt rules that
12 address technical standards.

13 So it's not a report to Congress. It's
14 basically the first step in trying to at the end game
15 have rules that govern this area.

16 MR. WILLIAMS: Okay.

17 MR. MORAN: All right. Let's take the vote.
18 So the proposal is to strike Lines 10 through 12 from
19 this proposed amendment.

20 How about all those voting that they want
21 those lines stricken at the table here?

22 (Whereupon, a showing of hands.)

23 MR. MORAN: Have we got the count? We've
24 got it? Okay.

25 How about those at the table, those who do

1 not want to strike those three lines?

2 (Whereupon, a showing of hands.)

3 MR. MORAN: Okay. Sue, did you get the
4 vote?

5 MS. GILGENBACH: I had a hard time with the
6 "nos."

7 MALE VOICE: Yes. Raise your hands.

8 MR. MORAN: This is on the second vote, the
9 vote not to strike.

10 (Whereupon, a showing of hands.)

11 MR. MORAN: Do you have it? Okay.

12 How about abstain?

13 (Whereupon, a showing of hands.)

14 MR. MORAN: The FCC abstains. Okay.

15 Let's vote on the bridge.

16 FEMALE VOICE: Can you clarify for those on
17 the bridge how the vote just went in the room?

18 MR. MORAN: If they were at the table they
19 would see how the vote went in the room. Sue, what
20 was the vote that you have at the table?

21 MS. GILGENBACH: For yeas, 12. For noes,
22 15.

23 MR. MORAN: Twelve yeas, 15 nays and two
24 abstained.

25 MS. GILGENBACH: Yes.

1 MR. MORAN: Okay. We'll go to the bridge.
2 The vote is yea means you want to strike those three
3 lines from the AT&T amendment.
4 Mr. Ban?
5 MR. BAN: Abstain.
6 MR. MORAN: I'm sorry?
7 MR. BAN: Abstain.
8 MR. MORAN: Abstain. Okay.
9 Marcia Brooks?
10 MS. BROOKS: Abstain.
11 MR. MORAN: Marion Dunn-Tutor?
12 MS. DUNN-TUTOR: Yea.
13 MR. MORAN: Yea.
14 Thomas Lyon?
15 MR. LYON: Nay.
16 MR. MORAN: I'm sorry?
17 MR. LYON: No.
18 MR. MORAN: No.
19 Kevin McGinnis?
20 MR. MCGINNIS: Abstain.
21 MR. MORAN: Art Prest?
22 MR. PREST: No.
23 MR. MORAN: Pat Roberts?
24 MR. ROBERTS: I'll abstain.
25 MR. MORAN: Paul Wilcock?

1 MR. WILCOCK: No.

2 MR. MORAN: Dale Gehman?

3 MR. GEHMAN: Abstain.

4 MR. MORAN: Okay. We're making a tally
5 here. Sue, what do we have?

6 MS. GILGENBACH: As of present we have 16
7 yeses, we have 18 noes, and we have seven abstained.

8 MR. MORAN: Seven abstained. Our rule is
9 you have to have a majority of the people at the
10 meeting for the motion to pass, so the motion did not
11 pass.

12 Let's take a vote on this amendment.

13 MS. ARNOLD: Could I offer another
14 amendment, please?

15 MR. MORAN: Ms. Arnold, what do you have?

16 MS. ARNOLD: I'd like on the first page to
17 strike Lines 33, 34 and 35.

18 I don't see why we as a committee should be
19 saying what licensees are bound by or not bound by.
20 Is there some other purpose to this, Brian, that I'm
21 not aware of?

22 MR. MORAN: Brian, would you care to
23 respond?

24 MR. DALY: Yes. Brian Daly. I think this
25 goes back to what Tony mentioned earlier that there

1 will be uses of the technology beyond which is
2 specified under the WARN Act. For those uses we
3 aren't bound by the specific section of the WARN Act
4 referenced.

5 MS. ARNOLD: What uses are you talking
6 about?

7 MR. DALY: Potential commercial uses for the
8 technologies that are being deployed.

9 MR. ADAMS: Robert Adams of Global Security.
10 So we just voted and the amendment passed to incur
11 additional costs for handsets and what other devices,
12 a recommendation to the FCC, but in the same language
13 you're saying somebody's deployment technology is
14 going to have some commercial aspects, which is going
15 to make money.

16 Again, I'm very disappointed at the vote a
17 while ago because I think that's what we're trying to
18 do here is to protect the public with the least cost
19 necessary.

20 Again, thank you, Ann, for bringing that up
21 to the Commission.

22 MR. MORAN: Yes?

23 MR. JONES: Thank you. Gary Jones. I
24 believe this text is a critical part of an attempt to
25 make very clear what is offered to the public as a

1 service. Now, what I think we've tried to do here is
2 clear up what is and what is not part of the
3 commercial mobile alert service.

4 Now, that clarity in my mind helps the
5 carriers understand what they're supposed to deliver,
6 and it also makes clear that there may be uses of the
7 technology that we develop to provide that service
8 that are outside the definition of the commercial
9 mobile emergency alert and that it's not encumbered by
10 the rules of the WARN Act.

11 Now, I think that clarification is very
12 necessary for the carriers and aids in their
13 understanding and their comfort level to be able to
14 opt into the service.

15 MR. MORAN: Thank you.

16 Any further discussion on Ms. Arnold's
17 amendment? Yes?

18 MR. AUBRY: I have one question. As
19 technology in the mobile devices advances we can
20 expect to see additional function being added. Some
21 of this function may apply to the WARN Act. Some of
22 this function may ride on the WARN Act to provide
23 additional attractive commercial services.

24 How does the consuming public know when
25 they're getting something that's part of the WARN Act

1 or they're just paying for additional function that
2 they may or may not need?

3 MR. MORAN: Any discussion on the bridge?

4 (No response.)

5 MR. MORAN: Do we have a second? I assume
6 yours is a second to Ann's proposed amendment?

7 MR. ADAMS: I'd really like comments from
8 Brian to clarify again this language.

9 We made comments. I don't know if we're
10 ready to pass a motion yet. Again, the commercial
11 application subsidizing alert and warning features of
12 the CMAS, and again we could always handle that I'm
13 sure at a future date with the FCC if it gets out of
14 hand or whatever, but that's the only comments I had.

15 I don't know whether we strike this from the
16 amendment or not because I think we're going to be
17 here all day trying to strike these one or two liners.

18 MR. MORAN: Mr. Melone?

19 MR. MELONE: This is Tony Melone. If I
20 could respond to that comment? Again, I believe the
21 intent of the language is simply to state that there
22 will be no charges to customers for delivering
23 emergency alerts.

24 However, the enablers for emergency alerts
25 are also enablers for lots of other commercial

1 products, and all this is is a statement for clarity
2 to make sure that if a new device is required for a
3 customer, which it's likely to be with this technology
4 to receive commercial mobile service alerts, is it the
5 requirement of the carriers to provide that new device
6 to a customer free of charge?

7 I would submit to you it's important for
8 that clarity to be in the recommendation, to be in the
9 rules before a carrier elects to participate, because
10 if it's ambiguous and a carrier may incur charges to
11 replace handsets for every single customer the net
12 result of that will be carriers will opt out of this,
13 and, to Chris' point, we will have failed.

14 So this is all about clarity. I think it's
15 completely consistent with everybody's view around
16 this table of how this should work, and I think we're
17 getting ourselves hung up, you know, that we're trying
18 to gain the system here. This is for clarity so that
19 we can opt in.

20 I don't know how more clear to state my view
21 on this. We need to be very clear. We are going to
22 provide emergency alerts to customers at no charge for
23 delivering those emergency alerts.

24 MR. MORAN: Okay.

25 MR. MELONE: An analogy to this would be

1 rules around E911 location accuracy. We offer
2 commercial location based services. We are not bound
3 to the accuracy requirements that are defined in E911.

4 It's the same kind of analogy. We don't
5 want to be bound by those types of rules for
6 commercial services that may utilize the technology.

7 MR. MORAN: Okay.

8 MR. MELONE: Thank you.

9 MR. ADAMS: Tony, Robert Adams again. I
10 totally agree with you and also CTIA. I'm only going
11 on the record just saying that Congress and the FCC
12 should take that into consideration because I'm not
13 for replacing every handset in 30 days, especially if
14 in a year or two, according to CTIA, they're replaced
15 anyway by attrition.

16 I agree that it should be technology that
17 can come in at a slower pace to be implemented where
18 there's no cost to the handset because again some of
19 us get a new one every 30 days, and I'm only going by
20 figures by CTIA, but I know in a couple of years.
21 According to what I read, people get a new handset
22 within 18 months or something like that.

23 So I do agree with you. It shouldn't be a
24 drop dead date like digital television or something
25 where everybody has to go get a new handset, but I do

1 think the comment they're making here today is none of
2 us know what these new technologies are. Some of them
3 cost a lot of money to implement. We're just trying
4 to follow the order of the WARN Act.

5 Again, it's only right. There are not
6 gotchas in here where we have to do something. I'm
7 more for voluntary than anything, so that's the only
8 comment I have again to Brian trying to protect the
9 language of the carriers not to be forced to do
10 something that costs hundreds of millions of dollars,
11 but something that makes sense to the general public.

12 Again, my only comment is taking these
13 things out of these amendments and adding them in, I
14 think the spirit is all the same thing. We need to
15 protect the infrastructure and the general public, and
16 I just figured we could handle it some other kind of
17 way, but I guess we'll just go through line by line.

18 MR. MORAN: Okay. Do we have a second on
19 Ann Arnold's proposed deleting of Lines 33 through 35?

20 MR. AUBRY: Second.

21 MR. MORAN: Okay. Let's take a vote on
22 that. At the table here, who votes to strike Lines 33
23 through 35?

24 (Whereupon, a showing of hands.)

25 MR. MORAN: Do you have the count? Okay.

1 Who votes to keep Lines 33 through 35; to
2 not strike Lines 33 through 35?
3 (Whereupon, a showing of hands.)
4 MR. MORAN: Do you have it? Okay.
5 Any abstains?
6 (Whereupon, a showing of hands.)
7 MR. MORAN: The FCC abstains. Okay.
8 We'll go to the bridge. The issue is do we
9 strike Lines 33 through 35 on this particular
10 amendment. I'll call your name. Tell me if you want
11 to strike or no strike.
12 Mr. Ban?
13 MR. BAN: No.
14 MR. MORAN: Marcia Brooks?
15 MS. BROOKS: Abstain.
16 MR. MORAN: Abstain.
17 Marion Dunn-Tutor?
18 MS. DUNN-TUTOR: Yes.
19 MR. MORAN: Is that strike?
20 MS. DUNN-TUTOR: Yes.
21 MR. MORAN: Okay. Mr. Lyon?
22 MR. LYON: Do not strike.
23 MR. MORAN: Mr. McGinnis?
24 MR. MCGINNIS: No.
25 MR. MORAN: Mr. Prest?

1 MR. PREST: No.

2 MR. MORAN: Mr. Roberts?

3 MR. ROBERTS: Can I ask a question? Is this
4 amendment offered by Ann Arnold?

5 MR. MORAN: Yes, it is.

6 MR. ROBERTS: Then I vote yes.

7 MR. MORAN: Mr. Wilcock?

8 MR. WILCOCK: No.

9 MR. MORAN: Mr. Gehman?

10 MR. GEHMAN: Yes.

11 MR. MORAN: Yes. Okay.

12 Sue, what do you have on that?

13 MS. GILGENBACH: Could Ms. Dunn-Tutor repeat
14 hers?

15 MR. MORAN: Ms. Dunn-Tutor? Marion, could
16 you repeat your vote?

17 MS. DUNN-TUTOR: Yes.

18 MR. MORAN: Yes.

19 MS. GILGENBACH: For yeses I have 10, and
20 for noes I have 26 and abstain, three.

21 FEMALE VOICE: Could you repeat that,
22 please, with the microphone?

23 MS. GILGENBACH: I apologize. For yeses I
24 have 10, no I have 26, and abstain I have three.

25 MR. MORAN: Okay. It does not pass.

1 I would like to bring the original amendment
2 up for a vote.

3 MALE VOICE: So moved.

4 MR. MORAN: Okay.

5 MR. WEBB: Mr. Chairman?

6 MR. MORAN: Yes?

7 MR. WEBB: I would like to propose that we
8 add the words in Line 39 that the government portion
9 of the commercial mobile alerting service will not be
10 made available for commercial use.

11 MR. MORAN: Do you have specific language?

12 MR. WEBB: That exact sentence at the end of
13 Line 39. The government portion of the commercial
14 mobile alerting service will not be made available for
15 commercial use.

16 MR. MORAN: The government portion --

17 MR. WEBB: Of the commercial mobile alerting
18 service will not be made available for commercial use.
19 That strictly deals with from the alert origination
20 up to the C interface for clarity.

21 MR. MORAN: And you wanted that last phrase
22 in there too?

23 MR. WEBB: No, sir. The last phrase was for
24 clarity for the group.

25 MR. MORAN: Okay. Yes, Mr. Czarnecki?

1 MR. CZARNECKI: Mr. Chairman, likewise the
2 third paragraph. It should be made clear that
3 pertains to the CMSP network and not the government
4 alerting network or Reference Point A or C.

5 MR. MORAN: Is this a different amendment
6 that you're trying to offer?

7 MR. CZARNECKI: I'm sorry. Yes, it is.

8 MR. MORAN: Well, let's deal with Mr. Webb's
9 amendment.

10 Dave, you propose to add the sentence, "The
11 government portion of the CMAS will not be made
12 available for commercial use," at the end of Line 39?

13 MR. WEBB: Yes, sir.

14 MR. MORAN: Is that correct?

15 MR. WEBB: Yes.

16 MR. MORAN: Any discussion on that issue?

17 (No response.)

18 MR. MORAN: None here. How about on the
19 bridge?

20 MS. ROOKS: This is Marcia Brooks. May I
21 ask a question?

22 MR. MORAN: Yes.

23 MS. ROOKS: I wanted to clarify whether that
24 has any relation to the language in the
25 recommendations about making the gateway available to

1 third party vendors who, for instance, provide sign
2 language interpretation.

3 MR. MORAN: Anyone on her question? Dave?

4 MR. WEBB: Mr. Chairman, it's Dave Webb with
5 FEMA.

6 I do believe that that is in the realm of
7 alerting, and to the best of my knowledge, and I can't
8 predict the future, but at this point I do not know
9 the third party charging a disabled individual for the
10 cost of receiving that alert through their service,
11 and it is not intended in any way to mean that we
12 cannot distribute alerts to a distribution system that
13 would affect the disabled or the non-English speaking
14 communities.

15 MR. MORAN: Okay. Any other questions?

16 MR. WILCOCK: This is Paul Wilcock. Could
17 we have the additional clarification provided by the
18 proposal included in that notation, so the reference
19 points to the network reference points?

20 MR. MORAN: David?

21 MR. WEBB: I have no objection to that if
22 you would like me to include specific government
23 network from Reference Point A to Reference Point C
24 would not be available for commercial use.

25 MR. WILCOCK: I just think it clarifies the

1 government portion a little more defined, you know.

2 MR. MORAN: Okay. David, do you agree with
3 that?

4 MR. WEBB: I can agree, yes.

5 MR. MORAN: Okay. Do we have a second on
6 that proposal or that proposed amendment?

7 MALE VOICE: Second.

8 MR. MORAN: Let's have a vote. I'm sorry?

9 MS. ESTEFANIA: Could you read the final
10 text one more time?

11 MR. MORAN: David? I've got the sentence,
12 but I don't have your clarification.

13 MR. WEBB: Read the sentence, please.

14 MR. MORAN: The government portion of the
15 CMAS will not be made available for commercial use.

16 MR. WEBB: And the government portion is
17 described as from Reference Point A to Reference Point
18 C. That was the --

19 MR. MORAN: Okay. The government portion
20 that is from Point A to C or whatever, Reference Point
21 A to C, of the CMAS will not be made available for
22 commercial use.

23 MR. WEBB: Yes, sir.

24 MS. DUNN-TUTOR: And may we ask Mr. Daly to
25 speak to that amendment, please?

1 MR. MORAN: I'm sorry? Well, you may ask
2 Mr. Daly.

3 MS. DUNN-TUTOR: Mr. Daly, would you kindly
4 speak to that amendment?

5 MR. DALY: Yes. This is Brian Daly. The
6 text that is proposed in the amendment really was
7 focusing in on the commercial mobile service provider
8 network, so I think what Mr. Webb has proposed is
9 entirely in line with the intent.

10 MR. MORAN: Okay.

11 MS. DUNN-TUTOR: Thank you, Mr. Daly.
12 Marion Tutor asking.

13 MR. MORAN: Thank you. Anything else?

14 (No response.)

15 MR. MORAN: Okay. Let's take it for a vote
16 at the table here.

17 The proposal is to add the sentence: The
18 government portion from Reference Point A to C of the
19 CMAS will not be made available for commercial use. I
20 can try that again.

21 Let's have a vote. A vote of yes is you
22 would propose that new language be added. So at the
23 table here?

24 (Whereupon, a showing of hands.)

25 MR. MORAN: You've got it? Okay.

1 Now, who votes no to that proposal?
2 (No response.)
3 MR. MORAN: Any abstentions?
4 (Whereupon, a showing of hands.)
5 MR. MORAN: One abstention.
6 Okay. Now I'll go to the bridge. Sue, what
7 was the count on the yeas?
8 MS. GILGENBACH: The yeas were 29.
9 MR. MORAN: Twenty-nine yeas, no noes and
10 two abstentions. FCC abstained also.
11 MS. GILGENBACH: Okay.
12 MR. MORAN: Okay. So we'll go to the
13 bridge, and the question is do we put this language in
14 the amendment?
15 Mr. Ban?
16 MR. BAN: Yes.
17 MR. MORAN: Ms. Brooks?
18 MS. BROOKS: Yes.
19 MR. MORAN: Ms. Dunn-Tutor?
20 MS. DUNN-TUTOR: Yes.
21 MR. MORAN: Mr. Lyon?
22 MR. LYON: Yes.
23 MR. MORAN: Mr. McGinnis?
24 MR. MCGINNIS: Yes.
25 MR. MORAN: Mr. Prest?

1 MR. PREST: Yes.

2 MR. MORAN: Mr. Roberts?

3 MR. ROBERTS: Yes.

4 MR. MORAN: Mr. Wilcock?

5 MR. WILCOCK: Yes.

6 MR. MORAN: Mr. Gehman?

7 MR. GEHMAN: Yes.

8 MR. MORAN: Okay.

9 MR. RUTKOWSKI: This is Tony Rutkowski. I
10 vote yes also.

11 MR. MORAN: Okay. Mr. Rutkowski is here,
12 and he votes yes also. Thank you.

13 Okay. I don't know the final tally, but
14 that amendment to the amendment did carry and so are
15 we ready to vote the entire amendment?

16 Mr. Czarnecki?

17 MR. CZARNECKI: I'm sorry, Mr. Chairman.
18 The first page, Line 27. If I could suggest an
19 amendment that we add the line that the following
20 recommendations, the following additions, pertain only
21 to the commercial mobile service providers network?

22 That would cover in my mind everything else
23 that's being added here; that it's not for the
24 government network. These recommendations are just
25 for the commercial mobile providers' own network.

1 MR. MORAN: Did the amendment we just --

2 MR. CZARNECKI: That covers one specific
3 line on the use of technologies, but it doesn't cover
4 Lines 1 through 5, specifically 4 and 5, on the second
5 page. It doesn't. That's the principal issue there.

6 MR. PREST: Can I ask what your specific
7 issue with that is? It basically says a single vendor
8 should not -- we shouldn't have to have a single
9 vendor.

10 MR. CZARNECKI: Within a cellular provider's
11 network?

12 MR. PREST: It says a commercial mobile
13 service provider shall not be bound to use any
14 specific vendor, technology, software implementation,
15 client device or third party agent.

16 MR. CZARNECKI: Within its own network.

17 MR. PREST: I don't see what the problem
18 with that is.

19 MR. DALY: Would the proposed amendment then
20 possibly be on Line 3: A commercial mobile service
21 provider's network shall not be bound to use any, and
22 just add the word network?

23 MR. CZARNECKI: Yes.

24 MR. DALY: Would that cover it?

25 MR. CZARNECKI: Yes.

1 FEMALE VOICE: That amendment was at what
2 line?

3 MR. DALY: Line 3 of the second page. A
4 commercial mobile service provider's network shall not
5 be bound to use any specific --

6 MR. MORAN: Mr. Czarnecki, would that
7 satisfy you?

8 MR. CZARNECKI: Yes, absolutely. I'll
9 second that.

10 MR. MORAN: Okay. The proposal, by the way,
11 is on Line 3, the second page, the first full
12 sentence. A commercial mobile service provider --
13 where it now says "provider shall" it would now say
14 "provider's network shall." Is that correct?

15 MR. CZARNECKI: Correct.

16 MR. MORAN: Okay. So proposed to add
17 apostrophe S and network after provider on the third
18 line of the second page.

19 We have a second. Do we have any more
20 discussion on that one?

21 (No response.)

22 MR. MORAN: Any discussion on the bridge?

23 (No response.)

24 MR. MORAN: Okay. Let's take a vote at the
25 table.

1 All who vote to put that apostrophe S
2 network on Line 3 of the second page of the amendment
3 vote yes. Raise your hands.
4 (Whereupon, a showing of hands.)
5 MR. MORAN: Do we have that count? Okay.
6 All that vote no, raise your hand.
7 (No response.)
8 MR. MORAN: All who abstain, raise their
9 hand.
10 (Whereupon, a showing of hands.)
11 MR. MORAN: One abstain, FCC.
12 We'll go to the bridge. The count was, Sue,
13 quickly?
14 MS. GILGENBACH: Thirty yes, one abstain.
15 MR. MORAN: Thirty yes, one abstain.
16 We'll go to the bridge. Mr. Ban?
17 MR. BAN: Yes.
18 MR. MORAN: Ms. Brooks?
19 MS. BROOKS: Yes.
20 MR. MORAN: Ms. Dunn-Tutor?
21 MS. DUNN-TUTOR: Yes.
22 MR. MORAN: Mr. Lyon?
23 MR. LYON: Yes.
24 MR. MORAN: Mr. McGinnis?
25 MR. MCGINNIS: Yes.

1 MR. MORAN: Mr. Prest?
2 MR. PREST: Yes.
3 MR. MORAN: Mr. Roberts?
4 MR. ROBERTS: Yes.
5 MR. MORAN: Mr. Rutkowski?
6 MR. RUTKOWSKI: Yes.
7 MR. MORAN: Mr. Wilcock?
8 MR. WILCOCK: Yes.
9 MR. MORAN: Mr. Gehman?
10 MR. GEHMAN: Yes.
11 MR. MORAN: Okay. We've got the count.
12 That amendment to the amendment passed.
13 Any other amendments?
14 (No response.)
15 MR. MORAN: Any more amendments on the
16 bridge?
17 MR. ADAMS: I have an amendment.
18 MR. PREST: I move that we accept the text
19 as amended and vote on it.
20 MR. MORAN: Mr. Adams?
21 MR. ADAMS: Robert Adams. On Section 3.2,
22 General CMAS Requirements --
23 FEMALE VOICE: That's not an amendment to
24 this amendment, is it?
25 MR. ADAMS: That amendment? No, it's not to

1 that amendment. I'm sorry. I apologize.

2 MR. MORAN: Okay.

3 MR. ADAMS: It's not an amendment to that
4 amendment. Excuse me, Mr. Daly.

5 MR. MORAN: Apology accepted on that one.

6 Okay. Let's go to a vote on the entire
7 amendment, which would now include adding apostrophe S
8 and the word network on the second page and on the
9 first page the sentence, "The government portion from
10 Reference Point A to C of the CMAS will not be made
11 available for commercial use."

12 So we're going to take a vote on the entire
13 amendment. Those of you at the table, do you vote to
14 accept this amendment? Raise your hand if you do.

15 (Whereupon, a showing of hands.)

16 MR. MORAN: Okay. We have that count.

17 Thank you.

18 All those who say no to the amendment?

19 (Whereupon, a showing of hands.)

20 MR. MORAN: Thank you. We have that count.

21 Abstentions?

22 (Whereupon, a showing of hands.)

23 MR. MORAN: Okay. Sue, can you give me a
24 count on that real quickly before we go to the bridge?

25 MS. GILGENBACH: Twenty-three yes, three no,

1 three abstain.

2 MR. MORAN: Okay. We'll go to the bridge.

3 Mr. Ban?

4 MR. BAN: Yes.

5 MR. MORAN: Ms. Brooks?

6 MS. BROOKS: Yes.

7 MR. MORAN: Ms. Dunn-Tutor?

8 MS. DUNN-TUTOR: Yes.

9 MR. MORAN: Mr. Lyon?

10 MR. LYON: Yes.

11 MR. MORAN: Mr. McGinnis?

12 (No response.)

13 MR. MORAN: Nothing from Mr. McGinnis?

14 MR. MCGINNIS: Yes.

15 MR. MORAN: I'm sorry.

16 MR. MCGINNIS: McGinnis is yes.

17 MR. MORAN: Okay. Thank you.

18 Mr. Prest?

19 MR. PREST: Yes.

20 MR. MORAN: Mr. Roberts?

21 MR. ROBERTS: Yes.

22 MR. MORAN: Mr. Rutkowski?

23 MR. RUTKOWSKI: Yes.

24 MR. MORAN: Mr. Wilcock?

25 MR. WILCOCK: Yes.

1 MR. MORAN: Mr. Gehman?

2 MR. GEHMAN: Yes.

3 MR. MORAN: Thank you. We will get the
4 final tally, but that amendment passed with those two
5 changes.

6 Okay. That only took three minutes. We're
7 right on track.

8 Okay. We've got another amendment from this
9 troublemaker, Mr. Daly.

10 MR. DALY: It's troublemaker now? Okay.
11 Hopefully this one won't have as much discussion.

12 In Section 5.3.2 there is a Table 5.1 which
13 has the generation of commercial mobile alert messages
14 from the CAP fields. There were some agreements on
15 the ordering of those fields.

16 The table is not updated to reflect that
17 ordering, and this proposed amendment changes the
18 ordering to put what is happening first, what area is
19 affected with the text string in this area second, and
20 then the other fields had not changed.

21 Also, there was an omission in the event
22 code. There is one event code warning, a radiological
23 hazard warning that did not appear in the table and we
24 believe should be added.

25 MR. MORAN: Okay. Do we have a second?

1 MALE VOICE: Second.

2 MR. MORAN: Okay. We have a second. Any
3 discussion?

4 MR. WILLIAMS: I just have a question.

5 MR. MORAN: Mr. Williams?

6 MR. WILLIAMS: So for all areas the text
7 string, no matter what the affected area field is and
8 the CAP message, the text string will always say in
9 this area?

10 MR. DALY: I'll defer to Mr. Jones.

11 MR. WILLIAMS: I see Art nodding his head.

12 MR. MORAN: Mr. Jones?

13 MR. JONES: Thank you. Gary Jones.

14 Understand that this text, this whole section defines
15 the text strings for values in the CAP field that
16 would be used in an automatically generated message,
17 so in that automatic string there was no place where
18 we could put an actual geographic area or a
19 description of a geographic area.

20 That's the reason that we came up with this
21 all-inclusive text that said in this area, so no
22 matter what the warning would be, as long as the
23 warning was geotargeted to a specific area then the
24 automatically generated text would say this alert in
25 this area. So if you received the alert it was

1 indicating that where you were standing, that's where
2 the alert area was affected.

3 Now, it's envisioned that in free text
4 messages where the message initiator can generate his
5 own text for the message then he would describe what
6 the area would be, but in the canned message, which is
7 what this section would be used for, it was felt since
8 we couldn't describe in free text the area that this
9 was the best alternative.

10 Thank you.

11 MR. MORAN: Yes, Mr. Botterell?

12 MR. BOTTERELL: Art Botterell. Yes. This
13 was a hard won compromise dealing with the constraint
14 of the 90 character text message profile and the
15 length of some American place names.

16 MR. MORAN: Okay. Any other discussion on
17 this at the table?

18 (No response.)

19 MR. MORAN: Any discussion on the bridge on
20 this amendment?

21 (No response.)

22 MR. MORAN: Okay. Hearing none, let's go to
23 a vote.

24 MR. WILLIAMS: I just have one question.
25 There's kind of an orphan page here that was attached

1 that says after end proposed text. What is that?

2 I noticed it when I printed those out. Is
3 that just somehow out of order, or is that part of
4 this amendment? What is that? It says end of
5 proposed text, and then there's this on the back.

6 MR. MORAN: The table that says What Area Is
7 Affected, it's got CAP Field Value, Text Transcript,
8 Polygon Circle, Geocode.

9 Yes, Mr. Daly?

10 MR. WILLIAMS: That's meant to be part of
11 the amendment, correct?

12 MR. DALY: Actually that's the deleted
13 section. That's the original text that was in the
14 document.

15 MR. WILLIAMS: Okay. I see.

16 MR. DALY: That's been replaced.

17 MR. MORAN: Okay. That clarifies it?

18 MR. WILLIAMS: Yes.

19 MR. MORAN: Okay. Let's go to a vote. All
20 of those who vote for the amendment raise your hand.

21 (Whereupon, a showing of hands.)

22 MR. MORAN: Okay. We have that count.

23 All against the amendment, raise your hand.

24 (No response.)

25 MR. MORAN: All abstain?

1 (Whereupon, a showing of hands.)

2 MR. MORAN: Okay. Sue, can you give the
3 bridge the count?

4 MS. GILGENBACH: Thirty yes, no noes, one
5 abstain.

6 MR. RUTKOWSKI: This is Tony Rutkowski. I
7 had to call back in. I vote yes.

8 MR. MORAN: Okay. Well, you're out of
9 order, but we'll take your vote.

10 Okay. We'll go down the rest of the people
11 on the bridge.

12 Mr. Ban?

13 MR. BAN: Yes.

14 MR. MORAN: Ms. Brooks?

15 MS. BROOKS: Yes.

16 MR. MORAN: Ms. Dunn-Tutor?

17 MS. DUNN-TUTOR: Yes.

18 MR. MORAN: Mr. Lyon?

19 MR. LYON: Yes.

20 MR. MORAN: Mr. McGinnis?

21 MR. MCGINNIS: Yes.

22 MR. MORAN: Mr. Prest?

23 MR. PREST: Yes.

24 MR. MORAN: Mr. Roberts?

25 MR. ROBERTS: Yes.

1 MR. MORAN: Mr. Wilcock?

2 MR. WILCOCK: Yes.

3 MR. MORAN: Mr. Gehman?

4 MR. GEHMAN: Yes.

5 MR. MORAN: Okay. We have the vote. That
6 amendment passed.

7 Mr. Daly, we're through with your
8 amendments.

9 MR. DALY: Thank you.

10 MR. MORAN: And they all passed in one form
11 or another.

12 Next on my list is, Mr. Pitts, I have an
13 amendment from you.

14 MR. PITTS: Yes, sir, Mr. Chairman. It
15 should be fairly straightforward. This one is only
16 essentially five letters. It's adding the word avoid
17 in the fields from which we would create the automatic
18 computer generated messages.

19 As Art eluded to, we had endless discussions
20 about concerns about the limitations and character
21 length of text messages, but we all tried to live with
22 it and tried to get these messages to fit within that
23 profile.

24 There was also concern over some messages
25 being computer generated where others were free text,

1 free form text. The Presidential alerts will be free
2 form text. The amber alerts will be free form text,
3 although I haven't really seen examples of either one
4 of them, but initially at least as a default all other
5 messages would be computer generated from the existing
6 CAP fields.

7 I think that there is a deficiency in the
8 response types to fill in the message from the fields
9 that are available to us. The current fields are
10 Shelter, Evacuate, Prepare, Execute or Monitor. There
11 is another one called Assess, but we've decided not to
12 include that.

13 My experience in some of the states with
14 evacuation, actually in some states the governor
15 doesn't even have the authority to do that so there's
16 some question about who would be able to do evacuate.

17 The problem though that I think that we
18 found was if there is an area that you want people to
19 stay away from, to avoid, that we needed to include
20 that in the message. Again, this is not free form
21 text. This is computer generated so that a message
22 may say radiological hazard warning in your area.
23 Avoid. Or a nuclear power plant warning in your area.
24 Avoid.

25 We had had some discussion earlier about

1 whether or not the text string should say avoid area,
2 avoid incidence or avoid hazard. Personally I like
3 avoid hazard, but I was trying to keep the number of
4 characters down to a minimum, and I was concerned
5 about adding area in since in these computer generated
6 text messages we already say in this area, and I did
7 not want to say then avoid area.

8 So the purpose of the amendment is to
9 highlight the need to add an additional value,
10 particularly in light of the all hazard warnings that
11 I anticipate coming, the word avoid, and to include
12 that in the computer generated text string.

13 MR. MORAN: Thank you. Do we have a second
14 on that?

15 MALE VOICE: Second.

16 MR. MORAN: Second? Okay.

17 Any discussion on Mr. Pitts' proposed
18 amendment? Yes, Dave?

19 MR. WEBB: Yes, sir, Mr. Chairman. I do
20 believe, and I will have to defer to Mr. Botterell on
21 this for the exact thing, but these values are all
22 fields that are established within the CAP standard.

23 FEMALE VOICE: Yes.

24 MR. WEBB: And by doing this amendment we
25 would in effect be modifying an OASIS standard that is

1 published for the whole world to use, and I'm not sure
2 that this -- while I agree that avoid is a useful
3 thing to have, I'm not sure we can modify an
4 international standard in this body.

5 MR. PITTS: Mr. Chairman, Billy Pitts. If I
6 might address that? I'd like to hear from Art.

7 I understand, and this is no way trying to
8 change the OASIS standard. This is an effort by us as
9 the committee advising the FCC that something needs to
10 be done here, that we need to be a little more
11 explicit in our responses, and my hope would be that
12 both the OASIS CAP Standards Setting Group would look
13 at this as well as the FCC, but I think as a
14 recommendation we would be deficient in not pointing
15 out the need here.

16 MR. MORAN: Thank you.

17 Any other comments? Discussion?

18 MR. PREST: Yes. This is Art Prest. I
19 totally agree with what Billy just said.

20 MR. MORAN: Okay. Any other discussion on
21 the bridge?

22 MR. RUTKOWSKI: Mr. Chairman, Tony
23 Rutkowski.

24 MR. MORAN: Yes?

25 MR. RUTKOWSKI: I was actually the acting

1 rapporteur for what is actually the international
2 standard, which is the IQT version of CAP, and I tend
3 to agree with the amendment, but I would have one
4 admonition that's generally applicable to all of these
5 is that in the continuing international process for
6 exchanging information on these fields in going
7 forward that this information be shared with other
8 administrations. There's a standard mechanism for
9 doing that.

10 MR. MORAN: Okay. Thank you.

11 Any other discussion?

12 MR. BOTTERELL: Mr. Chairman?

13 MR. MORAN: Yes?

14 MR. BOTTERELL: Art Botterell. In Section
15 5.3.2 of the draft recommendation there is a provision
16 for the alert gateway adding event codes over and
17 above those specified either in the CAP or in the
18 older same event coding scheme.

19 I think it was on this principle that the
20 attempt was being made to go ahead and add what I
21 think everyone agrees is a needed field. The small
22 difficulty that arises is that here we are actually
23 proposing an addition to the response type enumeration
24 rather than the event code, and we have not really
25 addressed that prior.

1 I'd like to offer what I hope will be
2 accepted as a friendly amendment in two parts. The
3 first would be that the text string associated with
4 this new response type value of avoid would be avoid
5 hazard, and this is really just for clarity when you
6 construct the whole string. We don't want to say
7 avoid area because then everybody who gets the message
8 in this area thinks it applies to them. That's the
9 best wording we could come up with.

10 The second bit is that we add -- I guess
11 there's actually three bits. The second bit would be
12 that we add a footnote acknowledging that this
13 particular value is not currently supported in the CAP
14 specification, but that it will be added for CMAS
15 purposes until such time as OASIS can rule on that as
16 a change since we don't really have a mechanism in the
17 response field.

18 And then the third thing would just be to
19 note, and this is more of a process note. I think
20 since we already have just adopted an updated
21 tabulation provided by Brian that this would really
22 just be a one line change in the table as most
23 recently amended, the table for response type, not an
24 amendment of that entire table, so that's a little
25 complicated, but we can parse it.

1 MR. MORAN: Yes, Mr. Jones?

2 MR. JONES: Thank you. Gary Jones. I'd
3 like to support the change that Art is proposing in
4 the text string in changing it from avoid to avoid
5 hazard.

6 The committee laid out a structure for the
7 canned message and the order of the elements of the
8 message. Having the words avoid hazard seems to fit
9 better in the ordering of the message so that it would
10 have the event, the recommended action -- excuse me.
11 The event and then the words in this area and then the
12 recommended action.

13 For instance, it might say a HAZMAT warning
14 in this area. Avoid hazard. The English seems to
15 flow a little bit better.

16 Thank you.

17 MR. BOTTERELL: If I may add just one final
18 aside for the benefit of Mr. Rutkowski?

19 Tony, I think we'll have to discuss off-line
20 whether this would be something that OASIS should take
21 first and then take to ITU or exactly how that
22 harmonization would occur.

23 MR. RUTKOWSKI: I agree, but I think the
24 point is too this is for global interoperability
25 purposes. We need to exchange these field values to

1 allow global interoperability.

2 MR. BOTTERELL: Exactly. So I guess I would
3 ask Mr. Pitts if he would accept that as a friendly
4 amendment.

5 MR. PITTS: Yes, sir. I think they're very
6 constructive and worthwhile, and I would accept it.

7 FEMALE VOICE: Thank you.

8 MR. MORAN: Mr. Botterell, your first of
9 your three suggestions is very clear. The second one
10 I'm not sure I caught it all and exactly what you do.

11 MR. BOTTERELL: Yes. Let me see if I can
12 dictate it. This would be a footnote or an asterisk
13 or a note of some sort, whatever editorially works,
14 that would say: This value is recommended for CMAS
15 use only pending action by the responsible standards
16 body.

17 MR. WILLIAMS: Modification of CAP?

18 MR. BOTTERELL: Yes. Yes. The pending
19 modification of CAP. I don't want to posit that
20 they're going to do it, even though I'm fairly
21 confident they will.

22 MR. MORAN: Let me make sure I got your
23 whole sentence there.

24 MR. BOTTERELL: Yes.

25 MR. MORAN: This value is recommended for

1 CMAS use only pending action --

2 MR. WILLIAMS: Modification of the CAP
3 value.

4 MR. BOTTERELL: Pending inclusion into the
5 CAP standard. How is that?

6 MR. MORAN: Pending inclusion into the CAP
7 standard?

8 MR. BOTTERELL: Yes. Period.

9 MR. MORAN: Okay. And your third
10 suggestion?

11 MR. BOTTERELL: Was really just that the
12 scope of this is really just adding one line to one
13 section in the table.

14 It's not a replacement of the entire table
15 because we just amended the order of the table before
16 and I don't want to blow that up, so that's more an
17 editorial note than an amendment really.

18 MR. MORAN: Okay. Do we have a second on
19 Mr. Botterell's proposed --

20 MALE VOICE: Second.

21 MR. BOTTERELL: I think it's been accepted
22 as a friendly amendment, so do we have to --

23 MR. MORAN: Okay. So it's been accepted.
24 Okay.

25 Any more discussion on this proposed

1 amendment?

2 MR. WEBB: Mr. Chairman, I would like to say
3 while we have just added this and it's a good thing, I
4 don't think the alert originator software industry
5 will build to this immediately until -- I mean, this
6 is something that would be likely included in the
7 gateway function, but as far as an industry building
8 to a standard it's not yet a standard, so it may not
9 come out in originator software and be available for
10 their use.

11 MR. MORAN: Okay.

12 MR. BOTTERELL: I think that's right. The
13 good news is that it's entirely possible that OASIS
14 could deal with this in the time it's going to take
15 the FCC to deal with its part of the rulemaking, but
16 that's not a certainty by any means.

17 MR. MORAN: Okay. Any further discussion
18 here in the room on this issue?

19 (No response.)

20 MR. MORAN: Any further discussion on the
21 bridge?

22 (No response.)

23 MR. MORAN: Okay. Let's vote on this. So
24 we're voting on the amendment with the friendly
25 amendment change to the amendment, so it's the

1 amendment as presented by Mr. Pitts.

2 On the second page under What Action Should
3 Be Taken under Text Stream next to avoid it will say
4 "avoid hazard" on the text stream, and we would put a
5 footnote somewhere that says: This value is
6 recommended for CMAS use only pending inclusion into
7 the CAP standard.

8 Okay. Let's have a vote here in the room.
9 All who favor this amendment, raise your hand.

10 (Whereupon, a showing of hands.)

11 MR. MORAN: We have that. Thank you.

12 All who are opposed, raise your hand.

13 (No response.)

14 MR. MORAN: Any abstentions?

15 (Whereupon, a showing of hands.)

16 MR. MORAN: Okay. Sue, what is the count
17 for the bridge?

18 MS. GILGENBACH: Thirty yes, zero no, one
19 abstain.

20 MR. MORAN: Thank you. Okay. We'll go to
21 the bridge here.

22 Mr. Ban?

23 MR. BAN: Yes.

24 MR. MORAN: Ms. Brooks?

25 MS. BROOKS: Yes.

1 MR. MORAN: Ms. Dunn-Tutor?
2 MS. DUNN-TUTOR: Yes.
3 MR. MORAN: Mr. Lyon?
4 MR. LYON: Yes.
5 MR. MORAN: Mr. McGinnis?
6 MR. MCGINNIS: Yes.
7 MR. MORAN: Mr. Prest?
8 MR. PREST: Yes.
9 MR. MORAN: Mr. Roberts?
10 MR. ROBERTS: Yes.
11 MR. MORAN: Mr. Rutkowski?
12 MR. RUTKOWSKI: Yes.
13 MR. MORAN: Mr. Wilcock?
14 MR. WILCOCK: Yes.
15 MR. MORAN: Mr. Gehman?
16 MR. GEHMAN: Yes.
17 MR. MORAN: Okay. That amendment passes.
18 Okay. Mr. Adams, you have a proposed
19 amendment?
20 MR. ADAMS: Thank you, sir. I want to thank
21 the Commission for all the hard work and the committee
22 members for the many months that they've put into
23 this. We're happy to be here with you.
24 Just a little background on the amendment.
25 While we know this is not specific to our cellular

1 network or specific technologies, we wanted the
2 committee to be aware since it's voluntary on some of
3 these issues, a little background why we're proposing
4 the amendment.

5 The FM broadcasters have been providing
6 commercial mobile alerts since inception of their
7 licenses nationwide using a mature wireless network
8 with over \$1 trillion of already installed
9 infrastructure free of charge to the public.

10 FM is now, due to the current analog and
11 digital technology advances, not only to provide audio
12 alerts, but secure addressable geotarget alerts using
13 off-the-shelf FM radio chips, most of which are in
14 millions of devices today, including cell phones.

15 Due to the nature of the FM network, which
16 is a switchless, not connected to phone lines or
17 internet and not daisy chained, can disseminate these
18 messages to one or 100 million individuals or first
19 responders in a matter of seconds via a single digital
20 message in English or any other language.

21 This technology does not compete with other
22 wireless systems or technologies, but complements them
23 and requires no system upgrades or cost to implement
24 this additional alerting channel. The system can also
25 do dynamic geotargeting within 1,000 feet using the FM

1 infrastructure to navigate even within buildings
2 without GPS and is CAP compatible.

3 We ask this committee, the wireless
4 carriers, to please adopt the language as an option
5 only voluntarily to include, and I'm going to move it
6 from the first paragraph where it says pagers and
7 FM/RBDS receivers. We'd like to move it down to (A)
8 where it says such as media flow and DVB. We'd like
9 to include FM/RBDS receivers.

10 That's all I ask this committee to do.
11 Again, we understand this is options to the wireless
12 carriers. We're trying to give all wireless carriers
13 and all technologies to the general public available,
14 and that's all we're asking this committee to vote on.

15 We'd appreciate your support. Thank you.

16 MR. MORAN: Thank you.

17 Do we have a second?

18 MR. ROBERTS: This is Pat Roberts. I'll
19 second it.

20 MR. MORAN: Okay. Thank you.

21 Discussion? Yes, Mr. Daly?

22 MR. DALY: Just a clarification. Brian
23 Daly. You mentioned moving Line 27 down to Line 30.
24 Is that what you're suggesting?

25 MR. ADAMS: Yes, sir, Mr. Daly.

1 MR. DALY: Okay. Thank you.

2 MALE VOICE: I think just the words FM/RBDS.

3 MR. DALY: Yes. Right. Exactly.

4 MR. ADAMS: Yes, sir.

5 MR. DALY: Thank you.

6 MR. MORAN: Mr. Jones?

7 MR. JONES: Thank you. Just a question for
8 clarification. Then are you proposing not to include
9 Lines 36 and 37, but rather just include FM/RBDS
10 receivers after DVBH?

11 MR. ADAMS: Well, we think we could be
12 compatible with the cell phone networks in the
13 aggregate. That's the only reason we put that
14 language in there, sir, as an option to the carriers.

15 MALE VOICE: I think his answer is yes.

16 MR. ADAMS: Yes. I'm sorry.

17 MALE VOICE: Yes?

18 MR. ADAMS: Yes, we would like it to stay in
19 there also. We just wanted to move the receivers from
20 up where it says cell phones and pagers down to the
21 other paragraph.

22 MR. MORAN: Okay. So your proposed
23 amendment, the FM/RBDS receivers that you have on Line
24 27, you would move that down to Line 30 right after
25 DVBH?

1 MR. ADAMS: Yes, sir.

2 MR. MORAN: The sentence you propose at the
3 end on Lines 36 and 37, you would keep them there?

4 MR. ADAMS: Yes, sir.

5 MR. MORAN: Okay.

6 MR. ADAMS: As an option to the carriers.

7 MR. MORAN: Okay. Mr. Jones?

8 MR. JONES: Thank you. Gary Jones. I think
9 I have less problems with adding RBDS as one of the
10 technologies that are not considered as part of CMAS.
11 I would have an issue I believe with saying that it
12 does meet the requirements of CMAS.

13 We had a long discussion during the
14 committee meetings about the possibility of adding FM
15 receivers into the CMAS structure or into handsets.
16 That presents a huge number of problems for a carrier,
17 and I don't think we could support that.

18 Thank you.

19 MR. MORAN: Are you proposing to amend the
20 amendment or not?

21 MR. JONES: I'm saying that if the amendment
22 is to do both of those -- add RBDS in the first line,
23 in Line 30, and keep Lines 36 and 37 -- I don't
24 believe that's something we could support.

25 MR. ADAMS: The purpose it was in there is

1 for the carriers to evaluate any and all technologies
2 as they put in the front media flow and the other
3 technologies and let the WARN Act and Congress, if the
4 commercial mobile carriers chose a different path that
5 would be less vulnerable on their network and also
6 have other features as a second data channel to tell
7 when the networks are down to the handsets and all.

8 If they chose to do that instead of
9 implementing some expensive type of aggregator in a
10 system, but this would meet the WARN Act to get
11 encrypted digital alert messages out. That's the only
12 reason we kept it in there.

13 Again, even if it's taken out today we're
14 going to still propose it to the FCC so the carriers
15 have options since this is voluntary.

16 MR. MORAN: Yes, Mr. Melone?

17 MR. MELONE: Yes. Tony Melone. I'd like to
18 I guess reinforce what Gary has said.

19 You know, I think the last statement is the
20 one that's problematic because I don't believe it's
21 factual. I don't believe it meets the CMAS
22 architecture requirement that's in the draft
23 recommendation. I mean, there are not FM receivers in
24 the devices. That's not part of the recommendation.

25 I would say I would be comfortable with

1 adding FM/RBDS receivers on Line 30, but I also would
2 not be comfortable leaving that last statement in.

3 MR. ADAMS: Wi-Fi is not included also, so I
4 suggest that the cellular carriers wouldn't be using
5 Wi-Fi to disseminate alert messages.

6 MALE VOICE: Mr. Chairman?

7 MR. MELONE: I missed your point.

8 MR. ADAMS: As you said, the FM chips, which
9 I disagree. They're in cell phones now.

10 What I'm saying is the carriers' networks
11 that comply with the architecture of CMAS. I'm saying
12 if a carrier decided to do Wi-Fi instead of cellular
13 networks would that comply to CMAS in your opinion,
14 Wi-Fi technology where you can make a phone call or be
15 in the cell business?

16 MR. MELONE: That is not consistent with the
17 current CMAS recommendations as they're defined here.

18 MR. ADAMS: I appreciate that. You
19 clarified that.

20 MR. MORAN: Mr. Daly?

21 MR. DALY: Yes. I'd just like to talk on
22 behalf of the Communication Technology Group.

23 You mentioned Wi-Fi. We did not address
24 Wi-Fi, nor did we address the FM broadcast system, so
25 I think consistent with what Mr. Melone and Mr. Jones

1 said the statement of being compatible with the CMAS
2 architecture requirements has not been evaluated by
3 the Communication Technology Group in the committee,
4 so I would agree with the recommendation that the last
5 lines, 36 and 37, be struck.

6 MR. ADAMS: Right. I will agree to strike
7 that at this time. Thank you, Mr. Daly.

8 MR. WILLIAMS: Actually, I would disagree
9 with Bobby's agreement to strike it. Actually, I
10 think there's a larger point here.

11 This is Kelly Williams from the NAB for
12 those of you on the phone. Sorry.

13 It is true that FM as a solution does not
14 strictly meet CMAS as the architecture is described in
15 the document because this document assumes that there
16 is a national footprint and that all messages are
17 aggregated through a single point of failure, I might
18 add, but single point.

19 What FM does do is it does meet the spirit
20 of the WARN Act, which is it allows the dissemination
21 of emergency messages to be local, to remain local as
22 it is now. You have a local EOC who goes through an
23 FM -- I hate using the word network, but an FM
24 infrastructure locally directly to handsets.

25 It is actually true that FM chips are

1 available in handsets. It's a matter of whether or
2 not they're available in the U.S. and whether or not
3 the carrier wants to make it available to their
4 customer. It's not additional cost.

5 Frankly, along the lines of our previous
6 discussion, if a customer wishes to buy such a phone
7 they can buy that phone, so it's not a burden to the
8 carriers. In fact, I think Bobby's point is that it
9 is not a burden to carriers. It's a system that to
10 some extent goes around carriers and doesn't require
11 them to put an infrastructure, but still allows them
12 to provide a service to its customers that meets the
13 spirit of the WARN Act.

14 I would suggest actually to amend the last
15 one, two, three, four words here and to say it doesn't
16 actually meet the CMAS architecture as described in
17 the document, but I would say meets the spirit of the
18 WARN Act.

19 MR. BOTTERELL: Mr. Chairman?

20 MR. MORAN: Yes, Mr. Botterell?

21 MR. BOTTERELL: Art Botterell. Without
22 opining one way or the other on the merits of FM/RBDS,
23 while I think in fact that's the point we have not
24 really evaluated in this process FM/RBDS, and I would
25 not be able to support an assertion that we have found

1 anything about it one way or the other.

2 That's why I would support the deletion of
3 those last two lines because there are many things
4 that we haven't studied.

5 MR. MORAN: Okay.

6 MR. BOTTERELL: I would also just like to
7 comment on there seems to be an assumption that CMAS
8 is the universe of warning, and if things are not
9 covered under this CMAS architecture that somehow
10 they're going to be excluded from the warning
11 universe. That's simply not the case.

12 The CAP based IPAWS architecture that FEMA
13 is putting together, the CAP based warning
14 architectures in the State of California, in New York,
15 various local systems, Hawaii. These are all
16 perfectly capable of harmonizing any number of warning
17 technologies, including, but not limited to, to CMAS.

18 I just wanted to get it on the record that
19 the issue here is not excluding FM/RBDS. I think it's
20 simply only making those findings that we've actually
21 made.

22 MR. MORAN: Okay. Mr. Adams, it's your
23 amendment. Did you --

24 MR. ADAMS: I would like to change it with
25 my broadcast colleague.

1 MR. MORAN: So you would have two changes to
2 your own amendment, one of which is moving the FM/RBDS
3 receiver from Line 27 onto Line 30, and then at the
4 end of Line 37 where it says "would meet the CMAS
5 architecture requirement" now you would say "would
6 meet the spirit of the WARN Act," which is what I
7 think Mr. Williams said.

8 MR. ADAMS: Right.

9 MR. MORAN: And so you would accept those
10 friendly amendments? One of them was your own.

11 MR. ADAMS: Yes. That's correct.

12 MR. MORAN: Any discussion? Is that clear,
13 and is there any discussion on that?

14 MR. WERTZ: Mr. Chairman?

15 MR. MORAN: Yes?

16 MR. WERTZ: I believe I'm the only broadcast
17 licensee in the room. The spirit of this committee
18 has been outstanding, but I believe that it is
19 possible for us to accept that the amendment on the
20 table is complementary to what we're attempting to do
21 and does not compete.

22 From a historical standpoint, there has
23 never been a Presidential alert of any kind to the
24 entire country, but every year there are thousands and
25 thousands of local emergency alerts that FM and AM

1 radio and TV have done and this committee will also be
2 able to fill in in that respect.

3 You know, I would ask -- I would hope -- as
4 a broadcaster that the cellular partners on this
5 committee would again consider that this amendment is
6 a complementary one and not one in conflict with the
7 WARN Act.

8 MR. MORAN: Okay. Yes?

9 MR. RUTLEDGE: Mr. Chairman, Dan Rutledge.
10 I have no problem with moving Line 27 to Line 30. I
11 think that's appropriate, but Lines 36 and 37 as it
12 existed originally I had a problem with it because we
13 did not get a chance to evaluate it and from an
14 engineering perspective did not study it.

15 I mean, as an engineer I don't know what an
16 existing addressable FM based broadcast system is or
17 how it works and whether it would work in its current
18 form or whether it meets the spirit even as amended.
19 I don't know that, and I can't definitively as a
20 representative of a Technology Group say that that is
21 a true statement. I'm sorry. It's just a little too
22 late. It may be.

23 If we had the opportunity to evaluate this
24 in committee it may very well be appropriate text, but
25 we never had a chance to look at this.

1 MR. ADAMS: The comment I have is that in
2 the spirit of working with all the engineers, which I
3 have some too, we're not sure if anything we discussed
4 in those committees is going to work yet. This is
5 only recommendations.

6 MALE VOICE: That's absolutely true. It's
7 not built or even been designed.

8 MR. MORAN: Okay. Mr. Melone?

9 MR. MELONE: One additional comment there.
10 I guess the Technology Group has been established for
11 months, and this is something that very well --

12 FEMALE VOICE: Could you please speak into
13 the microphone?

14 MR. MELONE: -- could have and should have
15 been evaluated in the Technology Group and not
16 something, a fundamental technology decision, on a
17 recommendation be brought up as an amendment on the --

18 MALE VOICE: We can't hear him at all.

19 MR. MELONE: Well, unfortunately for the
20 folks in the room they can hear me so I'm not sure
21 what the problem is with the microphone.

22 MALE VOICE: Apparently they can't hear us
23 either.

24 MALE VOICE: We can hear you.

25 MALE VOICE: Can they hear you? Can they

1 hear you now?

2 MR. MELONE: Can the bridge hear me right
3 now?

4 MALE VOICE: Yes.

5 MR. MELONE: Thank you. Can the bridge hear
6 me now?

7 MALE VOICE: Better.

8 MR. MELONE: Okay. So what I mentioned
9 earlier, a fundamental technology recommendation to be
10 evaluated needed to be made earlier in the process so
11 that the Technology Committee who was charged to look
12 at these types of options could have evaluated it
13 fairly.

14 Presenting it as an amendment at this late
15 stage I think is unfair to the group working on it,
16 and, as Doug said, it's impossible for us to make an
17 educated decision on that at this point in time.

18 The second point I will make is that I don't
19 agree that this is complementary. Well, I shouldn't
20 say that. It may well be complementary, but putting
21 this in this document, this document is rules for
22 commercial mobile service providers.

23 Commercial mobile service providers do not
24 provide devices, FM receivers, in their network. It's
25 not our business practice, so to say it's

1 complementary would suggest that we could implement
2 this technology.

3 That's not our business, so why that would
4 be in a recommendation for commercial mobile service
5 providers to opt in or opt out I think makes no sense,
6 and I will suggest that if that's part of a
7 recommendation we will all opt out because we don't
8 provide that service today.

9 MR. MORAN: Mr. Czarnecki, I think you had a
10 point?

11 MR. CZARNECKI: A brief point maybe along
12 the same lines. You know, I'm very well aware of RBDS
13 subcarrier paging capabilities, having built such
14 networks overseas.

15 Leaving aside the merits of such an
16 architecture, it's not a commercial mobile alerting
17 service as defined by the WARN Act, and it is coming
18 in late. Without the opportunity to really seriously
19 review the merits of it, it does put us at a
20 disadvantage in truly evaluating the merits of the
21 amendment.

22 MR. MORAN: Thank you.

23 Discussion from the bridge on this?

24 MR. ROBERTS: This is Pat Roberts. I'm with
25 the Florida broadcasters, and I'm chair of the state

1 Emergency Communication Committee down here since
2 1987. We have kind of a model EAS system.

3 I thought this amendment if nothing else
4 showed that we do have terrestrial being. We've got
5 EAS that works in Florida. Not all states do, and I
6 understand that. You talk about Amber. It was
7 founded by the broadcasters in the Dallas/Fort Worth
8 area.

9 To me this was an amendment that at least
10 gave recognition to the history of alerting this
11 country, which started with radio and includes TV and
12 cable, and we truly as the head of the state emergency
13 communications for emergencies in Florida look forward
14 to the cell guys joining us.

15 We all know you could have the chip. If
16 it's not in the phones, it could be in the phones. I
17 mean, in Europe it's there now. You can pick up FM
18 radio stations in Europe on your cell phone, so it's
19 not a technology question. It may be a policy
20 question. There's no question in my mind it could be
21 done.

22 You all obviously have the votes, so if you
23 want to not at least show some level of recognition to
24 the history of alerting and some recognition of the
25 participation of the broadcasters you're obviously

1 going to rule the amendment and kill it, but I would
2 ask your vote in support because it doesn't mandate
3 it. It says you need to look at it.

4 MR. MORAN: Thank you, Mr. Roberts.

5 Any other comments or discussion?

6 MR. ADAMS: Yes. I have a comment to Mr.
7 Czarnecki.

8 MR. MORAN: Go ahead.

9 MR. ADAMS: Just to inform the committee who
10 hadn't studied it, there's over a \$1.5 million pilot
11 funded by the Homeland Security dollars in the State
12 of Mississippi which is up and running not only with
13 wireless mobile devices, but also cell phones.

14 Thank you, Committee.

15 MR. BOTTERELL: Mr. Chairman?

16 MR. MORAN: Yes, Mr. Botterell?

17 MR. BOTTERELL: Just based on what I've
18 heard, I would ask the gentleman one last time if he
19 would entertain as a friendly amendment to delete
20 those last two lines.

21 MR. MORAN: Mr. Adams?

22 MR. ADAMS: That would be fine with me.

23 MR. ROBERTS: Let me understand it. You're
24 going to leave the lines on 30, right?

25 MR. BOTTERELL: Yes, that's my

1 understanding.

2 MR. MORAN: So, Mr. Adams, your current
3 proposal is to move the language from 27 to 30 and
4 eliminate the last two lines?

5 MR. ADAMS: Yes, sir. Thank you.

6 MR. MORAN: Thank you.

7 Any discussion on the bridge?

8 (No response.)

9 MR. MORAN: Any discussion here?

10 (No response.)

11 MR. MORAN: Let's go to vote. Let's vote on
12 Mr. Adams' amendment.

13 MR. WERTZ: Mr. Chairman, please repeat that
14 one more time.

15 MR. MORAN: Okay. The amendment on the
16 table is on Line 27 where it says FM/RBDS receivers,
17 that will come out of that line and it will go in on
18 Line 30 right after DVBH.

19 MR. WERTZ: Very good.

20 MR. MORAN: We'll make the grammar proper.
21 Lines 36 and 37 will be eliminated.

22 MR. ADAMS: That's correct.

23 MR. MORAN: Thank you.

24 Okay. So that's what we're voting on at the
25 table here. Everyone who votes for the amendment --

1 MR. PAESE: Mr. Chairman?

2 MR. MORAN: I'm sorry?

3 MR. PAESE: As a clarification, just
4 following along in the book, it is actually Section
5 5.2, subsection 7.

6 MR. ADAMS: That's correct. Thank you.

7 MR. MORAN: Okay. Thank you.

8 Okay. Those of us in the room, all who are
9 for this amendment raise your hand.

10 (Whereupon, a showing of hands.)

11 MR. MORAN: We have that. Thank you.

12 All opposed, raise your hand.

13 (Whereupon, a showing of hands.)

14 MR. MORAN: And abstain?

15 (Whereupon, a showing of hands.)

16 MR. MORAN: Okay. Sue, could you report the
17 vote at the table here?

18 MS. GILGENBACH: Twenty-eight yes, one no,
19 two abstain.

20 MR. MORAN: Thank you. Now we'll go to the
21 bridge.

22 Mr. Ban?

23 MR. BAN: Yes.

24 MR. MORAN: Ms. Brooks?

25 MS. BROOKS: Yes.

1 MR. MORAN: Ms. Dunn-Tutor?
2 MS. DUNN-TUTOR: Yes.
3 MR. MORAN: I'm sorry. Did you catch that?
4 MS. DUNN-TUTOR: Yes.
5 MS. GILGENBACH: Yes.
6 MR. MORAN: Yes. Okay.
7 Mr. Lyon?
8 MR. LYON: Yes.
9 MR. MORAN: Mr. McGinnis?
10 MR. MCGINNIS: Yes.
11 MR. MORAN: Mr. Prest?
12 MR. PREST: Yes.
13 MR. MORAN: Mr. Roberts?
14 MR. ROBERTS: Yes.
15 MR. MORAN: Mr. Rutkowski?
16 MR. RUTKOWSKI: Yes.
17 MR. MORAN: Mr. Wilcock?
18 MR. WILCOCK: Yes.
19 MR. MORAN: Mr. Gehman?
20 MR. GEHMAN: Yes.
21 MR. MORAN: Thank you. We have that vote.
22 That amendment carries.
23 Okay. We have a few more. Mr. Berardi, I
24 think you're front and center. We have a number of
25 amendments offered by Mr. Berardi.

1 MR. BERARDI: Thank you, Mr. Chairman. I
2 will try and keep this short.

3 Let me just say that following the release
4 of the final draft we pulled together a diverse group
5 of Commissioners and senior city officials to discuss
6 the technology, the operations and the human aspects
7 involved with this. With that, I will get right into
8 our first amendment.

9 On the issue of message size here, Section
10 5.3.1, I'd like to if possible vote concurrently on
11 these two amendments.

12 MR. MORAN: I agree.

13 MR. BERARDI: Okay. We have several other
14 paired amendments further throughout.

15 MR. MORAN: Yes.

16 MR. BERARDI: I think that the argument here
17 is pretty simple. If it's not written down it might
18 not happen.

19 We just believe that this is a point of
20 clarification that's important in terms of the process
21 ahead as different people become involved over time.
22 Most of our recommendations are just solidifying
23 things that we think have already been agreed upon
24 generally, and this is one of those cases.

25 We'd like to ensure --

1 MALE VOICE: Can you speak into the mic a
2 little bit more?

3 MR. BERARDI: Absolutely. Is that better,
4 sir?

5 MALE VOICE: Yes. Thanks.

6 MR. BERARDI: We'd like to ensure that the
7 Biennial Review Committee, which I gather may be
8 meeting more frequently than twice a year, gets an
9 opportunity to specifically look into the character
10 limit profile as technology changes over time.

11 We're not asking for any specific
12 recommendations in terms of increases in the character
13 limit. We understand the limitations of CDMA. We
14 understand all the technology components involved.
15 We're merely asking that it be a specific point of
16 review as that committee meets periodically.

17 MR. MORAN: Okay. Do we have a second?
18 Yes?

19 MR. GUTTMAN-McCABE: Can I just ask a point
20 of clarification?

21 MR. MORAN: Yes.

22 MR. GUTTMAN-McCABE: I think you meant
23 biennial and not biannual in each of those.

24 MR. BERARDI: Yes. I'm sorry. My
25 apologies. The text as written says biannual.

1 MALE VOICE: I'll second it.

2 MR. MORAN: Biennial with an E?

3 MR. BERARDI: An E, yes.

4 MR. MORAN: And that's what we talked about
5 earlier.

6 MR. BERARDI: Yes.

7 MR. GUTTMAN-McCABE: And you'd be happy to
8 accept that as a friendly amendment?

9 MR. BERARDI: Yes. Yes.

10 MR. MORAN: Okay. All right. Do we have a
11 second on this proposal?

12 MALE VOICE: I second it.

13 MR. MORAN: Okay. Thank you.
14 Any discussion?

15 MR. PITTS: Mr. Chairman?

16 MR. MORAN: Yes?

17 MR. PITTS: Briefly, I think really --

18 MR. MORAN: This is Mr. Pitts, by the way.

19 MR. PITTS: Billy Pitts. I think really
20 what you're asking for is for us to take a second look
21 at the character limitations that we currently
22 envision and see in the future as technology makes us
23 aware of what we are able to do that it could expand
24 beyond the 90 characters.

25 MR. BERARDI: A second look, perhaps a third

1 or fourth look if there's time for that depending on
2 the implementation schedule.

3 MR. PITTS: So noted. Several looks
4 potentially at it.

5 MR. BERARDI: Times change.

6 MR. MORAN: Okay. Any other discussion here
7 at the table?

8 (No response.)

9 MR. MORAN: How about on the bridge? Any
10 discussion on this issue?

11 MR. WILLIAMS: I'm confused about what we're
12 voting on.

13 MR. MORAN: Okay.

14 MR. WILLIAMS: Are we voting on, looking at
15 this page, there's a section marked Message Size?

16 MR. BERARDI: That's it.

17 MR. WILLIAMS: You said something about
18 concurrent.

19 MR. BERARDI: That's correct.

20 MR. WILLIAMS: So are we voting on
21 everything in this section?

22 MR. MORAN: Yes.

23 MR. BERARDI: We're voting on the two
24 sentences that begin with the Amendment word
25 underlined.

1 MR. WILLIAMS: Okay.

2 MR. BERARDI: The first is an addition
3 between the two sentences in the current text. The
4 second is a parenthetical addition that's going to be
5 added in several places.

6 FEMALE VOICE: So where does it stop?

7 MR. BERARDI: I'm sorry. Everything we're
8 voting on roughly stops before the word justification
9 at the top of the second page. It's the two amendment
10 lines above that.

11 MR. MORAN: Would you just like a minute or
12 so to take a look at those?

13 Gary? Mr. Jones?

14 MR. JONES: Gary Jones. Just to further
15 clarify that, in both these insertions -- there's more
16 than two, but in both of these texts -- the word
17 biannual is replaced with the word biennial?

18 MR. BERARDI: Yes.

19 MR. JONES: Yes? Okay. Thank you.

20 MR. MORAN: Any discussion of this? I
21 forget if I asked on the bridge. Anything on the
22 bridge on this?

23 (No response.)

24 MR. MORAN: Okay. Ann, did you need more
25 time to look at this before we vote?

1 (No response.)

2 MR. MORAN: Okay. Let's take this for a
3 vote right now.

4 All those at the table here who vote to
5 accept the amendments on message size offered by Mr.
6 Berardi, raise your hand.

7 (Whereupon, a showing of hands.)

8 MR. MORAN: Okay. We have that count.
9 Thank you.

10 All those opposed, raise your hand.
11 (Whereupon, a showing of hands.)

12 MR. MORAN: Abstain, raise your hand.
13 (Whereupon, a showing of hands.)

14 MR. MORAN: Okay. Sue, could you report the
15 count to the bridge?

16 MS. GILGENBACH: Twenty-six yes, one no,
17 three abstain.

18 MR. MORAN: Thank you.
19 Let's go on the bridge. Mr. Ban?

20 MR. BAN: Yes.

21 MR. MORAN: Ms. Brooks?

22 MS. BROOKS: Yes.

23 MR. MORAN: Ms. Dunn-Tutor?
24 (No response.)
25 MR. MORAN: Ms. Dunn-Tutor?

1 (No response.)

2 MR. MORAN: Mr. Lyon?

3 MR. LYON: Yes.

4 MR. MORAN: Mr. McGinnis?

5 MR. MCGINNIS: Yes.

6 MR. MORAN: Mr. Prest?

7 MR. PREST: Yes.

8 MR. MORAN: Mr. Roberts?

9 MR. ROBERTS: Yes.

10 MR. MORAN: Mr. Rutkowski?

11 MR. RUTKOWSKI: Yes.

12 MR. MORAN: Mr. Wilcock?

13 MR. WILCOCK: Yes.

14 MR. MORAN: Mr. Gehman?

15 MR. GEHMAN: Yes.

16 MR. MORAN: Once again, Ms. Dunn-Tutor?

17 MS. DUNN-TUTOR: Yes.

18 MR. MORAN: Thank you. We have the vote.

19 That amendment carries.

20 Okay. Mr. Berardi, your second one?

21 MR. BERARDI: Mr. Chairman, we'll see if we

22 can keep this pace up.

23 Our second issue is pertaining to message

24 content and specifically Section 5.3.2.1. What we're

25 proposing is that we delete the phrase in the middle,

1 "The message contains no phone numbers or URLs."

2 We're not looking to place a policy into
3 effect here or to change the recommendation as it
4 stands. We're merely looking for a little leeway for
5 additions or wiggle room perhaps moving forward.

6 We believe that as again technology changes,
7 as times change, as public expectations and media
8 expectations change it may be that a simple solution
9 is on the horizon not too far away, and we don't
10 believe that there's any need to limit the
11 recommendation as it stands.

12 MR. MORAN: Thank you.

13 Do we have a second?

14 MALE VOICE: Second.

15 MR. MORAN: We have a second. Okay.

16 Any discussion on this one? Yes, Mr. Daly?

17 MR. PREST: This is Art Prest calling in
18 from England.

19 MR. MORAN: Mr. Prest?

20 MR. PREST: I have some concerns about this
21 from both a procedural and a policy point of view.

22 This area was discussed at length in various
23 conference calls. We had joint conference calls. We
24 spent hours, days and weeks on this particular issue,
25 and I can't understand how it's come in over the

1 transom suddenly given the fact that there was ample
2 time at the various PNG meetings and joint conference
3 calls to raise this.

4 The reason that we do not want URLs or
5 telephone numbers in there is that people will stop to
6 either try to access the internet in the case of
7 emergency or make telephone calls, which is going to
8 totally congest the network and potentially take that
9 whole network down, which is not what you want.

10 To all of a sudden out of the blue have this
11 thing come in at us is just not right.

12 MR. BERARDI: I understand that. I'd like a
13 chance to respond.

14 We understand the concerns with network
15 capacity I think in New York better than anywhere
16 else. I think we have a very delicate partnership
17 that we're going to have to maintain with the public
18 to make various systems work. It's something that
19 we're doing this month in fact as we start our first
20 SMS pilot, and it's something that we'll be doing in
21 January as we start our first auto dialing or reverse
22 911 auto messaging pilot.

23 My concern here is that by having this
24 language included in the recommendation it's going to
25 seriously limit our ability to do targeted messaging

1 with a call back or URL feature once we get towards a
2 more geogranular alerting process down the road.

3 Now, we're not putting a timeline on that.
4 We're not looking to specify how the geogranular
5 targeting is going to be either recommended or
6 developed, but we do, for instance, in the case of a
7 small tsunami or in the case of coastal flooding
8 areas, the people that we're going to be alerting are
9 comparatively small with respect to the large number
10 of people in a city, and it's going to be spread out
11 over many different towers and many different knocks
12 or hubs.

13 If we can't let people that live within 12
14 feet of sea level know that they need to call 311 to
15 get some very detailed information very quickly,
16 something that we can respond to, it limits our
17 ability to help them.

18 We understand that it's going to require
19 again responsible management and cooperation by both
20 the alerting officials and the public. It's a little
21 bit of a wild card in some areas, but to limit it
22 today makes no sense.

23 MR. PREST: It makes sense given today's
24 technology unfortunately. Once in the future we get
25 to the ability to be able to provide more

1 geographically specific targeting maybe that would be
2 possible. It's not possible, and the way this is
3 worded just opens this up totally.

4 Now, I want you to be aware that I was the
5 big champion of free form text, and one of the
6 concerns that the carriers have is the fact that if
7 you have free form text are the emergency managers
8 going to put in a URL or a telephone number to call,
9 and that's why we put that language in there. No,
10 they're not going to be allowed.

11 MR. BERARDI: I understand that.

12 MR. PREST: One of the reasons for the
13 canned text was to prevent that from happening, and
14 all of a sudden this shows up in the eleventh hour.

15 MR. BERARDI: I can't speak for the rest of
16 the country, but I can speak operationally for the
17 City of New York and how we will interpret and
18 partnership with the carriers in using this
19 efficiently and responsibly.

20 MR. MORAN: Mr. Daly?

21 MR. DALY: Yes. Thank you. As Art
22 mentioned, we have addressed this several times within
23 the CTG, and in fact during one of the earlier
24 presentations to the Advisory Committee I did express
25 in my presentation one of the concerns of network

1 congestion that could be caused by sending wireless
2 alerts to mobile subscribers that have the device in
3 hand.

4 Encouraging them to call 311 enhances our
5 fear of what it will do to the network. We saw recent
6 examples in Minneapolis, a small area, just a bridge
7 area, where the network was congested because
8 everybody was trying to use the phones. The headlines
9 reported network outages. I saw headlines that public
10 safety couldn't do critical communications because the
11 network was congested.

12 Encouraging people to use voice services in
13 times of heavy network usage and congestion like that
14 is just asking for trouble in our view, and I think we
15 have to look at the CMAS as being one component in an
16 effective communication mechanism for the public.

17 We have to take into account that there are
18 more efficient ways to get more information out there
19 than picking up the phone and dialing 311.

20 MR. MORAN: Absolutely.

21 MR. DALY: So, yes, we definitely would find
22 a challenge to support such an open-ended
23 recommendation or amendment. We were very thoughtful
24 on the text that was in there. We did analyze the
25 impacts.

1 You mentioned in the justification that one
2 of our responsibilities should be to transmit the
3 message as sent out by the originator. I think one of
4 our key responsibilities as operator is to protect our
5 network and make sure that we have the ability to
6 provide the essential communication services to the
7 best of our abilities, and I think this would hamper
8 that.

9 MR. BERARDI: This is a collaborative work
10 effort, and I realize I'm a minority here, but it's
11 the position I have to represent today unfortunately.

12 MR. MORAN: Mr. Barr?

13 MR. BARR: Yes. We at the NCS studied this
14 sometime back after 9-11. We modeled it, and very
15 quickly the message that you send out gets replicated
16 and passed on to other people, and before you know it
17 you do saturate the switching center and you do bring
18 it down, so I agree with your findings, you know, from
19 experience and from modeling that we have done.

20 The limitation also on free form text comes
21 in. I'll give you an example. In the Moscow hotline
22 they very closely control the text that's on there so
23 that there's no ambiguity in the messages that are
24 sent back and forth.

25 I think the efforts that we have here to

1 control the ambiguity in the messages that goes out
2 are well intentioned and well put in and so I highly
3 recommend that you be very, very careful with putting
4 URLs and phone numbers in there -- 311, 911, whatever
5 it is -- because you will saturate the system.

6 MR. MORAN: Mr. Jones?

7 MR. JONES: Thank you. Gary Jones. As
8 Brian said, we talked about this quite extensively,
9 and the one key point that the carriers continually
10 made during this entire process was we couldn't do
11 anything that would cause harm to our network. Now,
12 harm in this case being it eliminates the capability
13 of the network to provide essential services.

14 When we looked at this proposal and
15 particularly the idea of calling an information
16 number, it really brought home to us a couple of
17 problems.

18 One, geotargeting doesn't help you because
19 when you target a specific area for an alert you're
20 targeting everybody who's in that area. That means
21 they're going to log on and try to make a call on
22 those particular cell sites; not ones that are spread
23 out and able to offload the traffic, but a specific
24 set of cell sites.

25 If you take New York, say a carrier has five

1 million customers in New York spread across the five
2 boroughs. New York wants us to subdivide that into
3 the five boroughs to be able to geotarget. That's a
4 million customers in that borough that we're going to
5 send an alert to that says immediately get on your
6 phone and call this number.

7 The rule of thumb I'm going to guess is
8 probably a ratio of 200 to one. That is, we provide a
9 radio channel for every 200 subscribers. You can see
10 very quickly how the radio resources get used up after
11 that alert is put out, but then when we examine this a
12 little further it got even worse.

13 There are mechanisms in place in the
14 networks to provide for wireless priority service;
15 that is, government officials being able to get
16 priority service, and priority treatment for 911
17 calls. Those priority treatments only work when there
18 are available radio channels.

19 When all the radio channels get used up the
20 911 calls do not go through. The priority access call
21 is not going to go through. If you tell people to
22 call an information number so they can hear two or
23 three minutes worth of a message giving them some
24 additional information, that's going to tie up the
25 network completely, giving us no ability to provide

1 the essential services that are needed maybe at that
2 particular moment.

3 That's the reason we have maintained
4 throughout the process of the committee that the
5 wireless service was a bell ringer. It could be a
6 first alert, but it simply tells people that something
7 has happened and they need to go seek additional
8 information. We want them to seek that additional
9 information off network -- the radio, TV, some
10 additional source, but not calling and tying up our
11 network.

12 That's the reason these words are there, and
13 that's the reason they're specific and why we think
14 that they should not be removed.

15 Thank you.

16 MR. MORAN: Thank you.

17 Yes?

18 MR. HAYES: Thank you. Stephen Hayes. It
19 was mentioned that one of the reasons for wanting this
20 is for the future to be able to provide a richer set
21 of information, but I think the recommendation we have
22 right now really provides for that.

23 There are profiles in there for the
24 transmission of additional audio information, video
25 information, multimedia information as the technology

1 evolves. That is what I think should be used to
2 really distribute the information because that's being
3 done over a multicast broadcast mechanism as opposed
4 to point-to-point and thereby preserves the integrity
5 of the network.

6 That's the way I think the CTG group really
7 saw that we would be able to provide a richer set of
8 information where it would be provided actually to the
9 phone in a broadcast mechanism. They could get it
10 there without actually having to go and retrieve it,
11 so I think it is catering for the future, but still
12 trying to protect the integrity of the network.

13 MR. MORAN: Thank you.

14 Any further discussion? Yes, Mr. Pitts?

15 MR. PITTS: Mr. Chairman, I think this is a
16 legitimate issue because we now have the Department of
17 Transportation urging communities to develop 511
18 call-in centers so that when people need to evacuate
19 they can get information as to the best route to
20 evacuate.

21 I hear and understand the concern about the
22 limitations on the existing system, but I do think
23 that this bears further discussion by the FCC because
24 we are going to be sending out messages potentially
25 telling people to evacuate at the same time the states

1 are going to be saying, you know, if there's an
2 evacuation call 511, so they're going to have the
3 phone. They're going to be calling anyway.

4 We need to look at what's happening both at
5 the federal level and at the state level with respect
6 to these and coordinate better so that we don't have
7 the kind of congestion that you all are concerned
8 about.

9 I think it's a legitimate subject. I think
10 it needs to be pursued at some point. Whether or not
11 the language now should be changed is a wholly
12 different thing, but I think it's definitely a subject
13 that the FCC needs to explore further.

14 MR. MORAN: Thank you, Mr. Pitts.

15 MR. MIRGON: Richard Mirgon with APCO
16 International.

17 I think this amendment is actually harmful
18 to the community. I think what we need to understand
19 is there are a lot of very well meaning policy makers
20 out there who would like to provide information who do
21 not understand network architecture.

22 When you look at today's even more robust
23 wire line infrastructure in disasters it becomes
24 quickly overloaded.

25 FEMALE VOICE: Please speak into the

1 microphone.

2 MR. MIRGON: Subsequently what you have is
3 you have people out here who are having heart attacks,
4 accidents, who have been injured, who have been
5 assaulted, who need immediate help. We are precluding
6 their ability to get that help in times of other
7 disasters.

8 Those events still occur on a day-to-day
9 basis, and we cannot remove that access phone.
10 Understanding band width and network architecture, I
11 don't see a foreseeable time in the next 20 years that
12 we can accommodate all those needs with the existing
13 physics that occur within our limited operation of
14 whether it's band width or telephone network, so I see
15 this as actually counterproductive and harmful to the
16 citizens that we're here to serve.

17 MR. MORAN: Okay.

18 MR. BERARDI: I thank you for that comment,
19 and I would just respectfully remind you I work two
20 blocks from Ground Zero. I have WPS priority on my
21 phone. I also oversee our ECTP transformation of the
22 911 center, so I'm not ignorant to the needs of the
23 band width. I just don't believe in closing doors
24 before they have to be shut.

25 MR. MORAN: Okay.

1 MR. BERARDI: We know how this vote is going
2 to go, but we'd still like it to go to a vote.

3 MR. MORAN: Any discussion from the bridge?

4 (No response.)

5 MR. MORAN: Hearing none, let's vote on this
6 amendment. All those who favor the amendment offered
7 by Mr. Berardi, raise your hand.

8 (Whereupon, a showing of hands.)

9 MR. MORAN: Okay. Thank you. We have that
10 count.

11 All those opposed, raise your hand.

12 (Whereupon, a showing of hands.)

13 MR. MORAN: Thank you.

14 Abstain?

15 (Whereupon, a showing of hands.)

16 MR. MORAN: Sue, could you report the vote
17 to the bridge?

18 MS. GILGENBACH: Six yes, 20 no, four
19 abstain.

20 MR. MORAN: Okay. Going down the bridge,
21 Mr. Ban?

22 MR. BAN: No.

23 MR. MORAN: Ms. Brooks?

24 MS. BROOKS: Abstain.

25 MR. MORAN: Ms. Dunn-Tutor?

1 MS. DUNN-TUTOR: Abstain.

2 MR. MORAN: Mr. Lyon?

3 MR. LYON: No.

4 MR. MORAN: Mr. McGinnis?

5 MR. MCGINNIS: No.

6 MR. MORAN: Mr. Prest?

7 MR. PREST: No.

8 MR. MORAN: Mr. Roberts?

9 FEMALE VOICE: Voting for Mr. Roberts,
10 abstain.

11 MR. MORAN: Mr. Rutkowski?

12 MR. RUTKOWSKI: No.

13 MR. MORAN: Mr. Wilcock?

14 MR. WILCOCK: No.

15 MR. MORAN: Mr. Gehman?

16 MR. GEHMAN: Yes.

17 MR. MORAN: Okay. Do you have a final
18 tally, Sue?

19 MS. GILGENBACH: I didn't hear the first
20 person vote.

21 MR. MORAN: Mr. Ban voted against the
22 amendment.

23 MS. GILGENBACH: Seven yes, 27 no, seven
24 abstain.

25 MR. MORAN: Okay. So that does not pass.

1 Okay. Mr. Berardi, next item?

2 MR. BERARDI: Yes. I'm sorry.

3 MALE VOICE: Could we have a five minute
4 recess?

5 MR. MORAN: Sure. Let's take a five minute
6 break. We've been here nearly three hours. We'll be
7 back at 12:50.

8 (Whereupon, a short recess was taken.)

9 MR. MORAN: Let's have a seat if you will.
10 We just have a few more of these to go.

11 Mr. Berardi, the floor is yours.

12 MR. BERARDI: Mr. Chairman, I'd like to
13 begin with our third recommendation here pertaining to
14 priority alert status.

15 First of all, I understand that FIFO, first
16 in/first out, is something that's been discussed at
17 great length, and what we are suggesting today is not
18 I believe either for or against the various positions
19 that were stated earlier in the process.

20 First of all, if I may, my counsel was
21 getting very, very tired on Monday as she was revising
22 the comments that we sent in Friday per the FCC specs.
23 We're just going to delete the second sentence of
24 this amendment in the interest of time and because
25 we're talking about phones receiving things when

1 they're turned off, so my apologies for that.

2 The amendment as it stands that we'd like to
3 put forward is the first sentence only, and what we're
4 asking here is again a forward thinking, progressive
5 acknowledgement in the recommendation that merely
6 allows for the possibility of amending FIFO later down
7 the road.

8 We think that as a principle obviously the
9 presidential alerts should be categorized as they are.
10 We think that first in/first out is a practical
11 solution in response to a very complicated scenario
12 that might be analogous to air traffic control with
13 information.

14 So we understand why FIFO was in place as a
15 guiding principle, but it may make sense further down
16 the road to acknowledge that some areas where you have
17 a number of originating authorities in close proximity
18 to one another some recognition needs to be given to
19 the originators that are going to have the best, most
20 timely information and the ability to communicate with
21 the public in the most effective way.

22 MR. MORAN: Thank you.

23 MR. WILLIAMS: What did you want to delete?

24 MR. BERARDI: We'd like to delete the second
25 sentence of our amendment.

1 MR. WILLIAMS: The sentence deleted is --

2 MR. BERARDI: Yes. SimSAC or its successor.

3 MR. WILLIAMS: Yes.

4 MALE VOICE: The one that ends turn off

5 their phones, right?

6 MR. BERARDI: Yes. That was one of the

7 problems, yes.

8 MALE VOICE: So delete that whole sentence?

9 MR. BERARDI: Delete that entire sentence.

10 MR. MORAN: So the amendment is just one

11 sentence?

12 MR. BERARDI: Correct.

13 MR. MORAN: Okay. Do we have a second on

14 this?

15 MALE VOICE: I second it.

16 MR. MORAN: Okay. Discussion?

17 MR. PITTS: Mr. Chairman, Billy Pitts. If I

18 might?

19 I think this does go to one of the questions

20 that the FCC seems to be struggling with in their

21 recent EAS report and order where they recommended

22 that governors now have the authority to essentially

23 activate the EAS system in their state. It's not

24 clear in that order, nor is it clear in what we do,

25 about priorities. We do say first in/first out.

1 Gene, if I'm reading what you say here you
2 really want to have a look at this and to try and see
3 if there could be in the future or possibly some
4 prioritization at the state or regional level?

5 MR. BERARDI: That's correct. My worst case
6 scenario is an event at Indian Point Nuclear Plant
7 north of the city -- it is not inside of the city --
8 where we have the state, we have county officials, we
9 have potentially a number of people trying to
10 originate messages that may or may not be correct.

11 We saw other sorts of localized emergencies
12 in the past few years, including the Cory Lidle plane
13 crash, where you had a very different response from
14 different elected officials and organizations, all of
15 whom could be a part or an input source to originating
16 sources for commercial mobile alerts.

17 You had people getting on CNN right away and
18 giving the wrong information. You had people that
19 waited six hours and gave the right information, but
20 not in a timely manner.

21 All we're asking for is as this process
22 develops, as we have real case examples of how the
23 system was used, we can take the lessons learned and
24 possibly make amendments to the FIFO priority status,
25 particularly when we have a situation where the queue

1 gets backed up by the people that want to release
2 first, but with the wrong information.

3 So again it's about lessons learned down the
4 road and coming back retroactively and maybe deciding
5 that certain people deserve a higher spot than others.

6 MR. MORAN: Yes, Mr. Daly?

7 MR. DALY: Yes. Thank you. Brian Daly.

8 This again was an issue which we discussed within the
9 CTG.

10 MR. BERARDI: I know, yes.

11 MR. DALY: And thank you for removing the
12 second sentence because it takes away a lot of my --

13 MR. BERARDI: My lawyer is about to drop.
14 It's been a rough couple weeks.

15 MR. DALY: One thing I'd like to just raise
16 is that as national service providers we may have one
17 redundant CMSP gateway pair, and we're dealing with
18 alerts that will be coming from across the nation.

19 MR. BERARDI: Yes.

20 MR. DALY: So while I understand the need
21 potentially for creating a procedure which gives some
22 alerts higher priority than another, I think that has
23 to be pushed back farther than the service provider.
24 It has to be part of the initiator and alert gateway
25 functions --

1 MR. BERARDI: Absolutely. Yes.

2 MR. DALY: -- because we won't have enough
3 information serving a nationwide area.

4 MR. BERARDI: We see an open forum because
5 we would still like the carriers to have input. We
6 don't believe you should be excluded from that
7 process. All we're asking is that it's reviewed
8 further.

9 MR. MORAN: Mr. Botterell?

10 MR. BOTTERELL: Mr. Chairman, yes. I'm in
11 support of this amendment as amended, but I just did
12 want to comment that I think priority schemes work
13 when you've got a backlog. When a message has already
14 passed through it's less relevant. I think that was
15 one of the reasons that the FIFO was an issue.

16 Also, the scope of this problem again goes
17 well beyond CMAS, and I think that the procedure that
18 is devised may ultimately be an organizational
19 procedure more than a technological one and so I'm not
20 sure whether it's something that will be really
21 successfully addressed only within the committee or
22 its successor, but I certainly support it as far as it
23 goes.

24 MR. MORAN: Thank you.

25 Any other discussion? Yes?

1 MR. RUTLEDGE: Doug Rutledge. This, as I
2 read it, is in reference to the CMSP gateway. The
3 document is written that when the CMSP gateway
4 receives an alert it's immediately sent to the cell
5 sites. There is no queuing, nor are we responsible
6 for maintaining an alert state of some sort where we
7 would balance our queue priority messages.

8 I would suggest that this first sentence be
9 more relevant if modified to say irrespective of their
10 ranking in the alert gateway queue because that is
11 where the time of processing, conversion and the
12 highest likelihood of multiple alerts will be stacked
13 up before they're sent to the carrier.

14 As a carrier, I'm going to get the alert and
15 send it. I'm not going to maintain a state and try
16 and balance and try and be responsible for priorities
17 or anything else. I get it. I send it. I'm done
18 with it.

19 MR. BERARDI: That was our intent, and I'm
20 sorry it wasn't more clear.

21 MR. MORAN: So would you accept it as a
22 friendly amendment?

23 MR. BERARDI: Absolutely, yes. A friendly
24 amendment to say alert gateway queue. Thank you.

25 MR. MORAN: So insert before the last word

1 in that sentence alert gateway.

2 MR. WILLIAMS: Excuse me. I'm confused
3 about something you just said.

4 You said there's no queue in the CMSP, but
5 it says move to the top of the queue. That's already
6 approved language, so I guess I'm confused about what
7 you mean.

8 MR. RUTLEDGE: Well, I think that language
9 was inserted there just in case multiple alerts were
10 coming in rather close together or coming in
11 simultaneously.

12 MR. WILLIAMS: Right. So it does apply
13 then?

14 MR. RUTLEDGE: Only in microseconds. I
15 think it's the alert gateway where you've got the idea
16 of a hurricane warning that's going on for a period of
17 time and maybe you retransmit it several times. You
18 might want a higher priority alert to insert itself
19 above an existing hurricane warning that may have a
20 longer duration.

21 For example, a tornado warning is probably
22 more relevant. Hurricanes span tornadoes. That would
23 have a higher priority within a global hurricane
24 warning is a tornado warning in the middle of it. It
25 would have a higher priority in the queue.

1 The alerting gateway is maintaining that
2 status in the state. The carrier is simply receiving
3 the message and transmitting it to the cell sites as
4 soon as it gets it without delay as fast as possible.
5 It's not going to maintain a priority queue at the
6 carrier site. The gateway retransmits.

7 MR. WILLIAMS: And that makes sense. That's
8 just not what this paragraph says, so I guess my
9 concern is that whatever edit we put in here doesn't
10 suggest that it's limited to the gateway. I'm sorry.
11 The aggregator site gateway. I have acronym dysnomia
12 here momentarily.

13 I mean, just the way the language was
14 structured here, and again I'm just looking at the
15 existing language in the document. It implies that
16 there is some ability for a message to pop before
17 other messages, even if it is at the microsecond
18 level.

19 I think that the comment is applicable, but
20 it's throughout both sides of the interface. Anyway,
21 that's just an observation.

22 MR. RUTLEDGE: Right. I think in the nature
23 of the geocoding, I think the processing time to
24 figure out how many thousands of cell sites must be
25 distributed a message to versus a local one targeted

1 to a couple of cell sites, we're going to process them
2 as fast as we can as they come in and not try and do
3 any queuing and prioritizing on the carrier side.

4 Since this sentence is related to the CMSP
5 gateway, I would suggest that we make the actual
6 priority based on the importance of it that it happens
7 at the alerting gateway, not at the CMSP gateway.

8 MR. MORAN: Any further discussion?

9 (No response.)

10 MR. MORAN: Any discussion on the bridge?

11 MR. ROBERTS: Should we change that first
12 sentence to reflect the fact that that happens at the
13 alerting gateway and not the CMSP gateway?

14 MR. WILLIAMS: We did.

15 MR. RUTLEDGE: Yes, we did.

16 MR. MORAN: We did that, yes. Yes.

17 MR. ROBERTS: So how does it read now?

18 MR. MORAN: At the end of the sentence it
19 says, "...certain messages' priority status,
20 irrespective of their rankings in the alert gateway
21 queue."

22 MR. ROBERTS: Okay. Thank you.

23 MR. MORAN: Okay. Let's have a vote on this
24 in the room here. Everyone for this amendment raise
25 your hand.

1 (Whereupon, a showing of hands.)
2 MR. MORAN: We have that? Thank you.
3 Opposed, raise your hand.
4 (Whereupon, a showing of hands.)
5 MR. MORAN: Abstain?
6 (Whereupon, a showing of hands.)
7 MR. MORAN: Okay. We have that.
8 Sue, could you report the vote here at the
9 table for the bridge?
10 MS. GILGENBACH: Twenty-six yes, two no, two
11 abstain.
12 MR. MORAN: Thank you. Let's go down the
13 bridge here.
14 Mr. Ban?
15 MR. BAN: Yes.
16 MR. MORAN: Ms. Brooks?
17 MS. BROOKS: Yes.
18 MR. MORAN: Ms. Dunn-Tutor?
19 MS. DUNN-TUTOR: Yes.
20 MR. MORAN: Mr. Lyon?
21 MR. LYON: Yes.
22 MR. MORAN: Mr. McGinnis?
23 MR. MCGINNIS: Yes.
24 MR. MORAN: Mr. Prest?
25 MR. PREST: Yes.

1 MR. MORAN: Mr. Roberts?
2 (No response.)
3 MR. MORAN: Mr. Rutkowski?
4 MR. RUTKOWSKI: Yes.
5 MR. MORAN: Mr. Wilcock?
6 MR. WILCOCK: Yes.
7 MR. MORAN: Mr. Gehman?
8 MR. GEHMAN: Yes.
9 MR. MORAN: Mr. Roberts?
10 (No response.)
11 MR. MORAN: Okay. That amendment passes
12 with the edit.
13 Okay. Mr. Berardi?
14 MR. BERARDI: Moving along, and again my
15 apologies. In this amendment there's an errant O in
16 there. There should be a T before that. That word
17 should be to, that the committee continue to study the
18 feasibility.
19 Again, this is another forward looking
20 recommendation, and we believe that again the issues
21 pertaining to language have been well vented and
22 certainly discussed at length.
23 All we're looking to do is slightly open
24 that door again so that there is discussion down the
25 road so that we can revisit the idea as technology

1 changes, as public and political and media
2 expectations change and as our operational abilities
3 develop both in terms of government, in terms of the
4 carriers, in terms of FEMA's role and in the AG.

5 Again, there's no need to be quite as
6 decisive as the earlier language was, and we'd like
7 the committee to consider this amendment.

8 MR. MORAN: Thank you.

9 Do we have a second?

10 FEMALE VOICE: Second.

11 MR. MORAN: Okay.

12 MR. BERARDI: Yes, and again biannual should
13 be biennial.

14 MR. MORAN: Okay. And it's the two parts
15 too, right?

16 MR. BERARDI: Correct. We would be voting
17 on them concurrently.

18 MR. MORAN: Okay. Any discussion?

19 (No response.)

20 MR. MORAN: I think you wore them down.

21 Yes? Go ahead.

22 MR. BARR: I am bilingual. As you bring in
23 the alert in other languages, you increase the latency
24 of the alert to one population or the other, so when
25 you model this, you realize that the more languages

1 you've got in there, à la lopatal (ph), the longer
2 it's going to take any one language to get replicated.

3 So along these lines I personally am very
4 strong for English as the primary language period.

5 MS. ARNOLD: We have second languages. We
6 have Spanish.

7 MR. BARR: I speak Spanish fluently.

8 MS. ARNOLD: We have Spanish primary
9 stations. It does not delay the delivery of the
10 English alert because the alert comes to the LP1 for
11 English. They broadcast it.

12 The Spanish station translates it and
13 broadcasts it for Spanish people, but it's already
14 gone out to the English people. It doesn't delay it
15 at all.

16 MR. BERARDI: But as far as the phones go,
17 we have the potential for multiple channels or other
18 possible modalities down the road. We're just looking
19 to keep that door open.

20 MR. MORAN: Okay. Any other discussion?

21 MR. WILLIAMS: Well, I think one --

22 MR. MORAN: Mr. Williams?

23 MR. WILLIAMS: Thank you. I'm sorry. Kelly
24 Williams, NAB.

25 One of the things that we talked about in

1 our group and I think what Ann is trying to point out,
2 the history of this is there was some presumption that
3 in some way CMAS would do the translation.

4 We historically in working with local
5 officials who choose to do so create the messages
6 either in multiple languages or if there is a station,
7 a television station or radio station, they do the
8 translation. I mean, human beings do the work.

9 MR. BERARDI: Right.

10 MR. WILLIAMS: There is no reliable
11 technology, and from the broadcaster perspective we
12 prefer it that way; that the emergency operations
13 center either create the multiple languages because
14 they know what the languages are for the community
15 that they're trying to reach.

16 If there is a Croatian station, the Croatian
17 station will take the English language and translate
18 it and make it available to that audience, but
19 certainly, you know, how that message gets passed
20 through CMAS I think kind of needs to be investigated,
21 and I think your amendment is appropriate that you
22 have to find a way to get those messages out to the
23 people.

24 MR. MORAN: Thank you.

25 MS. ARNOLD: Would it be appropriate to have

1 an amendment to your amendment to include reviewing
2 and looking at what can be done for persons with
3 disabilities or special needs such as the blind and
4 the deaf?

5 MR. BERARDI: I will always support that.

6 MS. ARNOLD: I mean, just to look at it
7 periodically. I brought someone who can translate
8 messages and offers that service for one of our
9 demonstrations, so I think it's possible to do if we
10 can begin to look at how to do it.

11 MR. MORAN: Mr. Ehrlich?

12 MR. EHRLICH: Thank you. This is a question
13 for clarification.

14 I think what I hear is the difference is
15 when you have a Spanish station or a Spanish speaking
16 station they don't transmit the alert in English or a
17 Croatian station doesn't transmit the alert in
18 English. It's just in the language of the station.

19 The point being made by Mr. Barr I believe
20 was that when you have to support multiple languages
21 you're not only sending it in English. You're sending
22 it in the other languages. That introduces delay
23 until the next alert can be updated in the original
24 languages.

25 We looked at this in the CDG, and having to

1 support many different languages of alerts over the
2 same facility increases the latency, as Mr. Barr
3 stated.

4 Thank you.

5 MR. BERARDI: Understood. Just one point of
6 clarification.

7 We're basing this recommendation or
8 amendment to the recommendation largely off of models
9 that we've seen work in Europe and other parts of the
10 world, and in fact my very own Black Berry, which has
11 a cell broadcasting menu feature on it, they've
12 decided to unhide those features and in fact has I
13 think even Norwegian included as one of the channels.

14 Again, we're not saying that the channels
15 are the answer. We're just saying that as time
16 progresses we'd like it to be revisited.

17 MR. MORAN: Mr. Botterell?

18 MR. WERTZ: For clarification again, to go
19 back to broadcast for a moment, the English language
20 broadcast would go out over that Spanish station
21 first, and then it would go out again when it was
22 translated into Spanish for those that do it.

23 I just want to confirm for this amendment
24 vote. We're not asking in our recommendation that we
25 do anything now. All you're asking is for us to

1 consider in the future when we can?

2 MR. BERARDI: Absolutely. When it's
3 appropriate.

4 MR. MORAN: Mr. Botterell?

5 MR. BOTTERELL: If I may, Mr. Chairman, I
6 think it's just important that we sort of -- what's
7 that wonderful word -- memorialize, that we bear in
8 mind that I don't believe this committee is taking a
9 position on multilingual. That's a matter of national
10 policy and a matter of legislation.

11 This committee has addressed some of the
12 implementation technical issues that arise and so, you
13 know, I don't think that we want to even get into a
14 discussion of what national policy should be at this
15 level. I think that's probably above our pay grade.

16 MR. MORAN: Okay. Mr. Daly?

17 MR. DALY: Yes. Expanding on what Mr.
18 Botterell just said, you know, we have had several
19 presentations where we did fully analyze the issues
20 with regard to multilanguage.

21 The text was really meant to do exactly what
22 you're saying. Let's keep the door open and continue
23 to study it as technology advances as we get
24 deployments out there, so I think your amendments are
25 very helpful and supports our intent.

1 MR. MORAN: Okay.

2 MR. DALY: We think everybody was headed the
3 right way. We just wanted to be clear.

4 MR. MORAN: Any further discussion here?
5 (No response.)

6 MR. MORAN: How about on the bridge? Any
7 discussion on this?
8 (No response.)

9 MALE VOICE: I move that we vote on the
10 amendment.

11 MR. MORAN: Okay. Let's have a vote on
12 this. All those in the room who support this
13 amendment, raise your hand.

14 MALE VOICE: Just to clarify, it says
15 biennial, right?

16 MR. MORAN: Yes. Yes. Biennial with an E.
17 (Whereupon, a showing of hands.)

18 MR. MORAN: Okay. Did you get that, Sue?

19 MS. GILGENBACH: Yes.

20 MR. MORAN: All opposed?
21 (No response.)

22 MR. MORAN: Abstain?
23 (Whereupon, a showing of hands.)

24 MR. MORAN: Okay. Sue, could you give the
25 count to the bridge?

1 MS. GILGENBACH: Twenty-six yes, two
2 abstain.

3 MR. MORAN: Thank you.
4 On the bridge, Mr. Ban?

5 MR. BAN: Yea.

6 MR. MORAN: Ms. Brooks?

7 MS. BROOKS: Yes.

8 MR. MORAN: Ms. Dunn-Tutor?

9 MS. DUNN-TUTOR: Yes.

10 MR. MORAN: Mr. Lyon?

11 MR. LYON: Yes.

12 MR. MORAN: Mr. McGinnis?

13 MR. MCGINNIS: Yes.

14 MR. MORAN: Mr. Prest?

15 MR. PREST: Yes.

16 MR. MORAN: Mr. Roberts?

17 (No response.)

18 MR. MORAN: Mr. Rutkowski?

19 MR. RUTKOWSKI: Yes.

20 MR. MORAN: Mr. Wilcock?

21 MR. WILCOCK: Yes.

22 MR. MORAN: Mr. Gehman?

23 MR. GEHMAN: Yes.

24 MR. MORAN: Okay. The amendment passes.
25 Okay. Mr. Berardi?

1 MR. BERARDI: Okay. Our fifth of six
2 amendments. We'd like to propose, and again I know
3 that this is an issue that's been debated at length,
4 but we would like to propose that we allow for at
5 least periodic end-to-end tests going to the
6 subscriber.

7 I think that the long history that many of
8 us have with EAS tells us that if you look back at
9 accidental activations such as my fifth day overseeing
10 EAS for New York City when there was an evacuation
11 sent out for Connecticut by mistake, nobody responded.

12 Nobody knew what it meant. They only knew
13 that there were tones on the radio once a month, if
14 that, and that they really didn't need to pay
15 attention, which is the wrong message to send for an
16 emergency alert system.

17 We're looking to build on and improve the
18 history of emergency alert in this country going back
19 to CONELRAD. There's no reason that periodic end-to-
20 end tests should not happen, and we've specifically
21 left that vague because potentially it could be every
22 several months. It could be annual.

23 But we believe there should be one time
24 before the big bomb hits that everybody gets this on
25 their phone and recognizes okay, this is valid. This

1 is the appearance it's going to have, and I should be
2 aware that if it happens in the future I need to
3 respond.

4 MR. MORAN: Okay. Do we have a second?

5 MALE VOICE: I second.

6 MR. MORAN: We have a second.

7 Any discussion? Mr. Jones?

8 MR. JONES: Gary Jones. I believe when we
9 discussed this we left it as to be up to the CMSP to
10 determine how this would be done, and it's quite
11 possible that it could go to the subscriber level or
12 probably more applicable or more realistic that it
13 would go to a small subset of the subscriber level.

14 I don't think any CMSP would support,
15 without them having any input, having a test message
16 go out to every handset that they had on their
17 network. In the first place, having every handset go
18 off at the same time and it be a test I think would
19 just aggravate the public considerably.

20 The whole reason we constructed it so that
21 it was up to the CMSP was not to prevent end-to-end
22 testings, but to give them control over the
23 environment and when and to what level and what degree
24 of participation would be done with those tests.

25 So I'm a little hesitant to support this.

1 Thank you.

2 MR. MORAN: Okay. Any further discussion?

3 (No response.)

4 MR. MORAN: Any discussion on the bridge?

5 MR. WILCOCK: Could I just clarify? We're
6 wanting to insert general after testing?

7 MR. MORAN: I'm sorry. Who is speaking?

8 MR. WILCOCK: It's Paul Wilcock. Sorry.

9 MR. MORAN: And, Paul, your question once
10 again is?

11 MR. WILCOCK: In the Provision 1 where we're
12 adding the word general.

13 MALE VOICE: Where was it added? It doesn't
14 read right if you add it after testing.

15 MR. WILCOCK: That's my point. Shouldn't it
16 be before?

17 MR. BERARDI: I'm sorry. That should be
18 before.

19 MR. WILCOCK: Okay. I thought you were
20 trying to say something I didn't understand. Okay.

21 MR. MORAN: Okay. Any further discussion?

22 (No response.)

23 MR. MORAN: Let's take it to a vote. Those
24 in the room here, all who vote yes for this amendment
25 raise your hand.

1 (Whereupon, a showing of hands.)
2 MR. MORAN: Okay. Thank you.
3 All opposed, raise your hand.
4 (Whereupon, a showing of hands.)
5 MR. MORAN: Thanks. Abstain?
6 (Whereupon, a showing of hands.)
7 MR. MORAN: Okay. Sue, could you report
8 that to the bridge?
9 MS. GILGENBACH: Yes four, 18 no, six
10 abstain.
11 MR. MORAN: Thank you.
12 Let's go to the bridge.
13 MR. WILCOCK: I'm sorry. I missed that.
14 What was the vote again?
15 MR. MORAN: Go ahead.
16 MS. GILGENBACH: Yes four, no 18, abstain
17 six.
18 MR. MORAN: Okay. Mr. Ban?
19 MR. BAN: Abstain.
20 MR. MORAN: Ms. Brooks?
21 MS. BROOKS: Abstain.
22 MR. MORAN: Ms. Dunn-Tutor?
23 MS. DUNN-TUTOR: No.
24 MR. MORAN: Mr. Lyon?
25 MR. LYON: No.

1 MR. MORAN: Mr. McGinnis?
2 MR. MCGINNIS: Abstain.
3 MR. MORAN: Mr. Prest?
4 MR. PREST: No.
5 MR. MORAN: Mr. Roberts?
6 (No response.)
7 MR. MORAN: Mr. Rutkowski?
8 MR. RUTKOWSKI: Abstain.
9 MR. MORAN: Mr. Wilcock?
10 MR. WILCOCK: No.
11 MR. MORAN: Did you catch that, Sue?
12 MS. GILGENBACH: Yes.
13 MR. MORAN: Okay. Mr. Gehman?
14 MR. GEHMAN: Yes.
15 MR. MORAN: Okay. And the final count is?
16 MS. GILGENBACH: Yes five, no 22, abstain
17 10.
18 MR. MORAN: Thank you. That does not carry.
19 Mr. Berardi?
20 MR. BERARDI: Okay. This is our final
21 amendment proposal.
22 As we began the meeting today, I believe at
23 least Mr. Goldthorp discussed the evolution from
24 static to geotarget alerting. All we're recommending
25 here is that in the interim period, which could be a

1 little while, there's a centralized information scheme
2 in place that emergency managers can maintain a degree
3 of situational awareness about exactly what options
4 are available with these various networks.

5 We see potentially CMAS messages coming
6 on-line at different places at different times. It
7 may be a scheme that makes sense. It may not. We've
8 already discussed other parts of this recommendation,
9 a website to list for consumers what devices are
10 capable and are not and years and models and other
11 specific information, and that is a great start.

12 We'd like to just go one step further by
13 ensuring that that website or another federally
14 maintained website has this information centralized to
15 make sure that emergency managers and other
16 operational people at the state, local and federal
17 level have a quick reference guide to understand what
18 areas are active and what areas are not.

19 MR. MORAN: Thank you.

20 Do we have a second?

21 MALE VOICE: Second.

22 MR. MORAN: We have a second.

23 Discussion?

24 MR. PREST: Yes. I've got a question about
25 the website.

1 MR. MORAN: Who is speaking? Who is
2 speaking?

3 MR. PREST: This is Art Prest.

4 MR. MORAN: Okay. We've got you. Go ahead.

5 MR. PREST: This is Art Prest. The website
6 will note if a CMAS does not participate. Did you
7 mean CMSP?

8 MR. BERARDI: Yes, we did, or if CMAS is not
9 active. We can do the CMSP correction. That's the
10 easiest amendment.

11 MR. PREST: Then it continues on. That
12 would also be CMSP?

13 MR. BERARDI: Correct.

14 FEMALE VOICE: And again at the end?

15 MR. BERARDI: Yes, and again in the second
16 part of the amendment that goes --

17 MR. MORAN: CMAS appeared three times in the
18 first one, but all those should be CMSP?

19 MR. BERARDI: Yes.

20 MALE VOICE: No. The first one stays CMAS.

21 MR. MORAN: Okay. Okay. So the last two.
22 Gotcha.

23 Okay. Any other discussion?

24 (No response.)

25 MR. MORAN: Okay. No discussion. Let's

1 take it to a vote.

2 Those in the room here who are for this
3 amendment, raise your hand.

4 (Whereupon, a showing of hands.)

5 MR. MORAN: Thank you.

6 Those opposed, raise your hand.

7 (Whereupon, a showing of hands.)

8 MR. MORAN: Abstain?

9 (Whereupon, a showing of hands.)

10 MR. MORAN: Okay. Sue, what's the tally so
11 far?

12 MS. GILGENBACH: Yes nine, no 11, abstain
13 10.

14 MR. MORAN: Okay. On the bridge, Mr. Ban?

15 MR. BAN: Abstain.

16 MR. MORAN: Ms. Brooks?

17 MS. BROOKS: Abstain.

18 MR. MORAN: Ms. Dunn-Tutor?

19 (No response.)

20 MR. MORAN: Mr. Lyon?

21 MR. LYON: Yes.

22 MR. MORAN: Mr. McGinnis?

23 MR. MCGINNIS: No.

24 MR. MORAN: Mr. Prest?

25 MR. PREST: No.

1 MR. MORAN: Mr. Roberts?
2 (No response.)
3 MR. MORAN: Mr. Rutkowski?
4 MR. RUTKOWSKI: Yes.
5 MR. MORAN: Mr. Wilcock?
6 MR. WILCOCK: No.
7 MR. MORAN: Mr. Gehman?
8 MR. GEHMAN: Yes.
9 MR. MORAN: Ms. Dunn-Tutor?
10 (No response.)
11 MR. MORAN: Mr. Roberts?
12 (No response.)
13 MR. MORAN: Okay. Sue, what's the final
14 tally?
15 MS. GILGENBACH: I have for yes 12, for no
16 14 and for abstain 22.
17 MALE VOICE: Twelve.
18 MS. GILGENBACH: I'm sorry. Twelve.
19 MR. MORAN: Okay. Somebody snuck in. So
20 that didn't pass. Okay.
21 MR. BERARDI: Thank you for the time, sir.
22 MR. MORAN: Thank you, Mr. Berardi.
23 That's all the amendments I'm aware of. Did
24 I miss any? Ann? You have another amendment you're
25 proposing today?

1 MS. ARNOLD: Yes, going back to Section 5.1.

2 MR. PREST: I'm sorry. Was that amendment
3 submitted before the 28th?

4 MS. ARNOLD: No.

5 MR. MORAN: Well, we had a process that
6 amendments had to be submitted by the 28th.

7 MR. PREST: Yes.

8 MR. MORAN: Okay.

9 MR. PREST: I would object on procedural
10 grounds that no more amendments can be accepted.

11 MR. MORAN: Okay. Well, we're looking on
12 the agenda. We have one large thing to do here and
13 that is we have to take up the draft system critical
14 recommendations on a vote here.

15 The vote would be the recommendations as
16 you've all seen them in the draft with these
17 amendments that we voted today. Nine of the
18 amendments passed today and so those amendments would
19 be appended to the draft and make it all fit together
20 there.

21 Can we have a motion on that to take the --

22 MALE VOICE: Mr. Chairman, I'll move to
23 adopt the report as amended.

24 MR. MORAN: Okay.

25 MALE VOICE: Second.

1 MR. MORAN: Okay. We have a second. Okay.
2 Discussion?
3 (No response.)
4 MR. MORAN: Discussion on the bridge?
5 (No response.)
6 MR. MORAN: Okay. We better take a vote.
7 All of those in the room, all in favor of the
8 recommendations with the amendments raise your hand.
9 (Whereupon, a showing of hands.)
10 MR. MORAN: Okay. We have it. Thank you.
11 All opposed, raise your hand.
12 (Whereupon, a showing of hands.)
13 MR. MORAN: Okay. Thank you.
14 All who abstain, raise your hand.
15 (Whereupon, a showing of hands.)
16 MR. MORAN: Okay. Let's go to the bridge.
17 Mr. Ban?
18 MR. BAN: Yes.
19 MR. MORAN: Ms. Brooks?
20 MS. BROOKS: Yes.
21 MR. MORAN: Ms. Dunn-Tutor?
22 MS. DUNN-TUTOR: Yes, and thank you for your
23 great leadership.
24 MR. MORAN: Mr. Lyon?
25 MR. LYON: Yes.

1 MR. MORAN: Mr. McGinnis?
2 MR. MCGINNIS: Yes.
3 MR. MORAN: Mr. Prest?
4 MR. PREST: From London, yes.
5 MR. MORAN: Mr. Roberts?
6 (No response.)
7 MR. MORAN: Mr. Rutkowski?
8 MR. RUTKOWSKI: From Berlin, yes.
9 MR. MORAN: Mr. Wilcock?
10 MR. WILCOCK: Yes.
11 MR. MORAN: Mr. Gehman?
12 MR. GEHMAN: Yes.
13 MR. MORAN: Okay. The recommendations with
14 amendments pass. Thank you very much. This has been
15 great.
16 Let's see. I do have a little bit. I have
17 a final thing here. On behalf of the Chairman and
18 Chief Poarch I'd like to thank all of you for giving
19 your time and energy to this process, and personally I
20 want to thank you for the lively discussion today.
21 It's clear that there's a high level of
22 expertise and experience on this committee and, even
23 more than that, you're all deeply committed to make
24 this thing work. That's what we need, and we
25 definitely appreciate all that.

1 I also would like to have a special thanks
2 for Judith Harkin for her work in assisting the User
3 Needs Group with accessibility issues.

4 So the recommendations that we adopted will
5 provide the Commission a basis for development of
6 rules to facilitate this voluntary transmission of
7 emergency alerts by commercial wireless carriers.
8 That was the goal, and that's where we are.

9 I thank you very much. Have a safe journey
10 home. Thank you.

11 MS. ARNOLD: Ken, can I say something,
12 please?

13 MR. MORAN: Yes. Yes.

14 MS. ARNOLD: I think it's been a phenomenal
15 accomplishment that the staff and the members of this
16 committee have been able to go together and provide a
17 document and a report like this as quickly as we have,
18 and I think it's particularly encouraging that FEMA
19 has been so directly involved in looking at how this
20 can work and how to make it work.

21 I think we need the same sort of effort to
22 see what needs to be done about EAS as it works now
23 and as it is the main alert system for this country,
24 and I would encourage the FCC to consider having the
25 same sort of organization of players that know

1 something about the situation to come up with some
2 recommendations on EAS.

3 MR. MORAN: Thank you. I will certainly
4 bring that to the management here at the Commission.
5 I appreciate that. Thank you.

6 It's too bad we couldn't get Kelly to vote
7 with it, but otherwise it was a great success.

8 Thank you very much. We're done.

9 (Applause.)

10 (Whereupon, at 1:35 p.m., the meeting in the
11 above-entitled matter was concluded.)

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REPORTER'S CERTIFICATE

DOCKET NO.: --
CASE TITLE: Commercial Mobile Service Alert
Advisory Committee Meeting
HEARING DATE: October 3, 2007
LOCATION: Washington, D.C.

I hereby certify that the proceedings and evidence are contained fully and accurately on the tapes and notes reported by me at the hearing in the above case before the United States Federal Communications Commission.

Date: October 3, 2007

Bernadette Herboso
Official Reporter
Heritage Reporting Corporation
Suite 600
1220 L Street, N.W.
Washington, D.C. 20005-4018

Heritage Reporting Corporation

(202) 628-4888