

October 28, 2026

Marlene H. Dortch
Secretary
Federal Communications Commission
45 L Street NE
Washington, D.C. 20554

Re: Notice of *Ex Parte* Communication, PS Docket Nos. 25-224 and 15-94

Dear Ms. Dortch:

On October 26, 2026, Steve Shultis of New York Public Radio (NYPR), Roswell Clark of Cox Media Group, Dan Mettler and Sara Morris of iHeart Media, Rob Bertand of Inrush Broadcast Services, William Harrison of WETA (FM), Mike DePolo of Urban One, Inc., and the undersigned of the National Association of Broadcasters (NAB) met with Keelin Ferris in Chairman Carr's office regarding the Notice of Proposed Rulemaking in the above-captioned docket.¹ We focused on the FCC's proposal to allow the use of software-based encoder/decoder technology instead of a legacy physical hardware device to process Emergency Alert System messages (EAS).²

We explained that EAS is one of the last remaining elements of a modern broadcast air chain that requires a physical hardware device, and described how a software-based model would allow broadcasters to optimize integration of EAS into their system. The group highlighted the broad support for a software option in the record for the Further Notice from television and radio broadcasters, the cable industry, a leading provider of EAS systems, accessibility groups, and other stakeholders. We emphasized that adopting this approach would be voluntary, and in response to a question from Ms. Ferris, stated our expectation that many EAS Participants will choose to continue using their existing EAS equipment for the foreseeable future, perhaps until their device malfunctions or some technical or policy development makes it worthwhile to explore a software option.

The group outlined the benefits of a software EAS model, such as enabling EAS Participants to implement system repairs and updates through software patches instead of requiring an engineer to manually modify every device or ship a device to a manufacturer. We also noted that a software model would improve EAS readiness by

¹ *Modernization of the National Alerting Systems, Protecting the Nation's Communications Systems from Cybersecurity Threats, Wireless Emergency Alerts, Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System*, Report and Order in PS Docket Nos. 25-224 and 22-329 and Further Notice of Proposed Rulemaking in PS Docket Nos. 25-224, 15-94, and 15-91 (rel. June 29, 2026) (Order or Further Notice).

² Further Notice at ¶¶ 88-117.

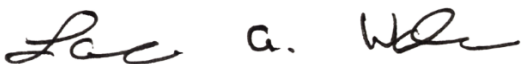
allowing the immediate failover to a redundant, geographically diverse EAS system if a disaster disrupts EAS at a station's studio or transmitter. We further explained that a software EAS model would not raise any unique cybersecurity-related concerns beyond those already relevant to existing EAS equipment. In response to a question from Ms. Ferris, the group confirmed that the marketplace for new EAS equipment has shrunk to only one major vendor and that the EAS provider for the vast majority of radio stations is no longer making hardware devices, further increasing the urgency for a reliable software option.

Regarding testing of EAS software, the group explained that a new software-specific certification requirement is unnecessary, and instead supports a process similar to that used for existing equipment, including rigorous FEMA IPAWS conformity testing and extensive supporting documentation.

Finally, we expressed concern about the implementation timeline for authorizing the use of a software EAS option proposed in the Notice. The FCC proposes that rules allowing the use of EAS software become effective either twelve months after publication of the rules in the Federal Register or 30 days after the Bureau publishes a notice in the Federal Register that Paperwork Reduction Act (PRA) review of rules by the Office of Management and Budget (OMB) is complete, whichever is later.³ We believe that such a delay is unnecessary. If a software product has been sufficiently tested and certified, there is no compelling reason to make EAS Participants wait to leverage the advantages of a software EAS approach. In fact, at least one leading EAS provider has already partnered with a large provider of audio systems and services to broadcasters to demonstrate the functionality of a prototype software EAS model. Given this progress, the group does not believe that a 12-month (or longer) delay is needed before allowing entities to submit authorization applications.

Please direct any inquiries regarding this matter to the undersigned.

Respectfully Submitted,



Larry Walke
Associate General Counsel
Legal and Regulatory Affairs

Attachment

³ *Id.* at ¶ 139.



Modernization of EAS operations

**National Association of Broadcasters
Washington, DC
October 26, 2026**



Emergency Alert System (EAS) Modernization



- NAB Petition for Rulemaking filed March 31, 2025 requests rule changes to allow voluntary use of software-based encoder/decoders
- Comments demonstrate broad support for petition
 - Radio, television, and cable/MVPD sectors
 - Marketplace urgency
 - Software is more efficient and flexible
 - Public safety benefits
- FCC NPRM issued August 8, 2026
 - *Modernization of the Nation's Alerting System*

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of	)	
Amendment of Part 11 of the Commission's	)	PS Docket No. 15-94
Rules Regarding the Emergency Alert System	)	
Protecting the Nation's Communications	)	PS Docket No. 22-329
Systems from Cybersecurity Threats	)	

PETITION FOR RULEMAKING

Pursuant to Section 1.401 of the Commission's rules,¹ the National Association of Broadcasters (NAB)² hereby requests certain clarifications or amendments of the Commission's rules, as necessary, to allow, but not require, Emergency Alert System (EAS) participants to use software-based EAS encoder/decoder (endec) technology instead of a legacy physical hardware device to process EAS messages. As discussed below, modernizing the EAS rules to permit this voluntary approach would enhance the reliability and security of EAS, without compromising the system's effectiveness.

I. BACKGROUND

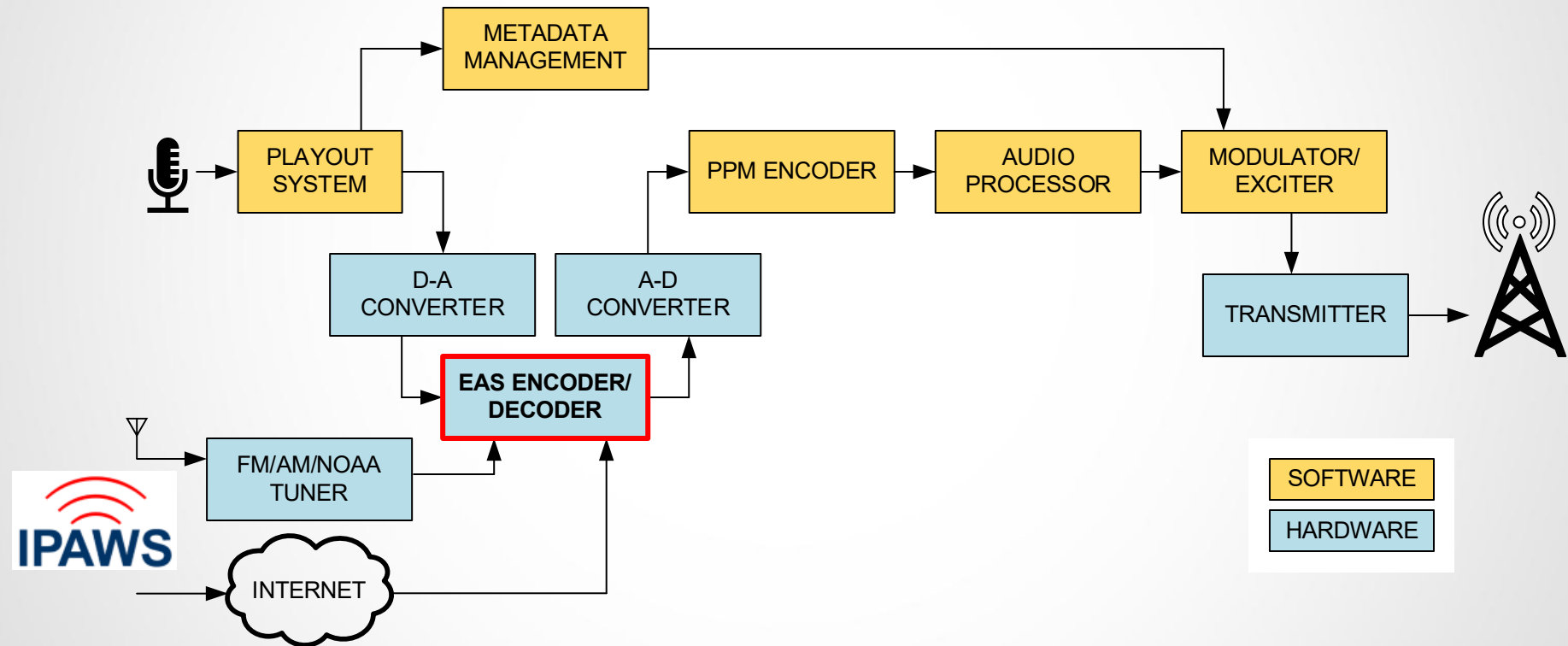
NAB developed this proposal with the advice of chief technology officers and senior engineers from many of the nation's leading radio and television groups, as well as small and medium-sized broadcast companies, and noncommercial broadcasters. We first proposed this EAS option in December 2022 in comments on a Notice of Proposed

¹ 47 C.F.R. § 1.401.

² The National Association of Broadcasters (NAB) is a nonprofit trade association that advocates on behalf of free local radio and television stations and broadcast networks before Congress, the Federal Communications Commission and other federal agencies, and the courts.

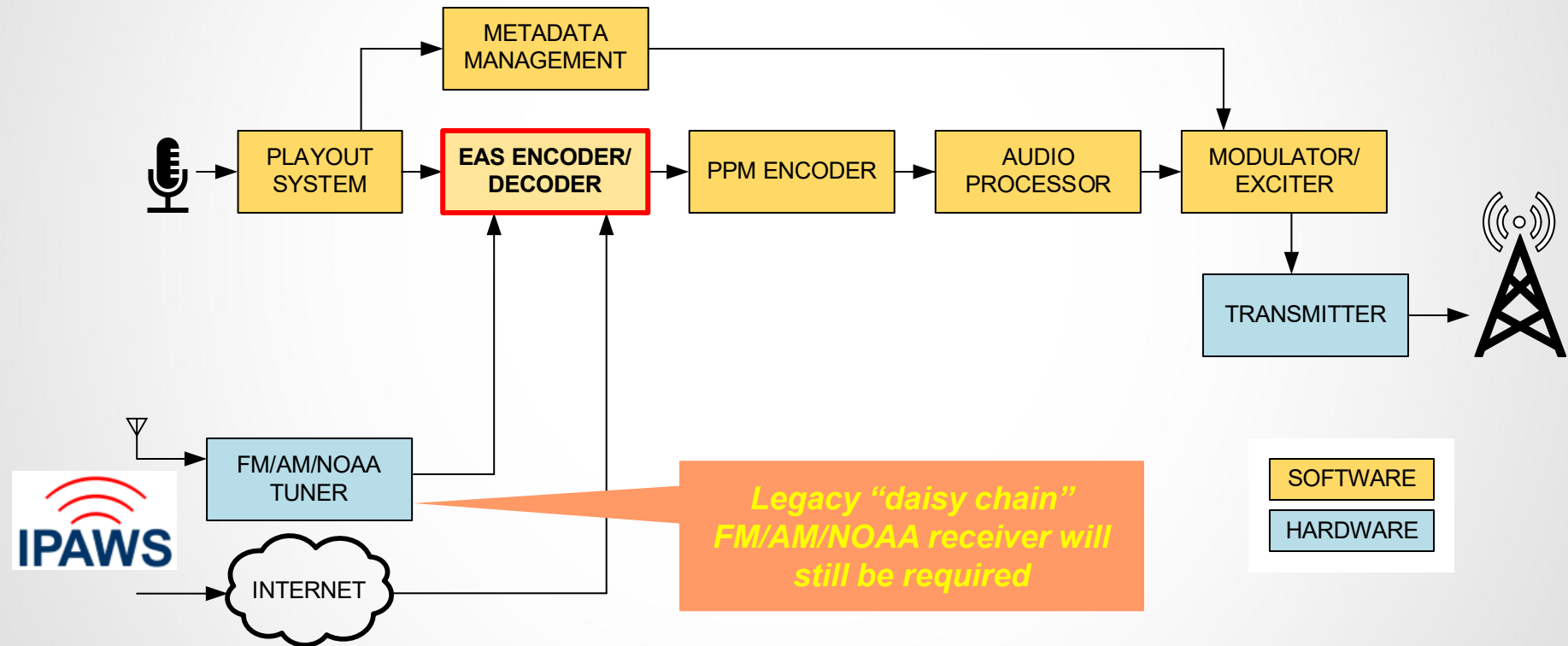


EXISTING





PROPOSED





Guiding principles of NAB's Proposal

- Voluntary: EAS Participants' option whether to adopt software-based approach (Hardware still an option)
- Seamless Functionality: software-based model must be backward and forward compatible with existing EAS system
- Security: implementation must not reduce EAS security
- Flexibility: can improve Resilience and Operational Readiness



Benefits of allowing software-based EAS solutions

- Greatly improve EAS resiliency and operational readiness
 - Eliminate down-time to repair malfunctioning equipment
 - Reduce time to implement security-related patches
 - Enable immediate fail-over to redundant systems in diverse geographic locations in case of disaster



Benefits of allowing software-based EAS solutions

- Streamline radio/television broadcast and cable architectures
 - Align EAS with majority broadcast systems that already run on software
- Help avoid supply-chain problems
 - Sage Alerting Systems discontinued new hardware devices
 - Sage serves 90% of radio industry, all PEP stations, and many TV stations and MVPDs
 - Software solution is not dependent on supply chain
- Facilitate EAS upgrades and enhancements (e.g., multilingual alerts, future accessibility initiatives)