

APPENDIX D: EXCERPTED COMMENTS FROM NWR ADVOCATES TO THE
UNITED STATES DEPARTMENT OF JUSTICE CONCERNING THE PROPOSED
HOMELAND SECURITY ALERT SYSTEM

The following material is excerpted from the NWR Advocates' response²⁸³ to a request for comments by the United States Department of Justice concerning the proposed HSAS. It is included here for reasons of the strong case made by NWR Advocates for more effective utilization of NOAA Weather Radio.

NWR Advocates comprise eight weather-radio receiver manufacturers: RadioShack Corporation, Midland Radio Corporation, Topaz3, LLC, ShareCom Inc., SIMA Power and Communication, The Whistler Group, Inc., and Cobra Electronics.

While HSAS provides a uniform process for the nation to implement, the Administration recognizes that it would not be practical to create an entirely new public warning system solely for the purpose of disseminating HSAS warnings of potential terrorist attacks to the public. An entirely new system would be expensive to develop and deploy and would leave the public without an effective warning system for an extended period of time. It would also require acceptance by the public of an entirely new system with which they had no previous experience or confidence. What is needed is a warning system that can be used immediately and with which the public is already familiar while plans for a future system are considered and developed. The NWR system provides the procedural framework and technological infrastructure in which to insert the HSA System to provide the necessary and appropriate level of warning to the public in the event of a terrorist event.

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The NWR System is capable of operating on a national level or in a very precise and direct manner to provide hazard alerts directed to the specific localities where the threat exists. This local messaging capability conforms well to the Administration's interest in assigning Threat Conditions for the entire nation, or for particular geographic areas, or hazardous industrial sites. The NWS has developed over a number of years the technology that provides the localization of its NWR alerts. NWS' Specific Area Message

²⁸³ NWR System Advocates. "Comments to the Department of Justice on Homeland Security Advisory System." 26 Apr. 2002.

Encoding (SAME) technology is now capable of disseminating specific alerts within less than one minute in many cases to a target population within an area as small as one-ninth of a county, using the Federal Information Processing Standard (FIPS) codes. This technology was upgraded by NWS as recently as 1998. A growing application of the SAME technology includes the use of the NWR system by many states and localities with nuclear or other sites involving hazardous materials, as their primary alert system.

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In addition to the reception provided by stand-alone weather radios, NWR alerts have the capability to be received on many current and future communications products, including televisions (through the EAS system), pagers, cellular telephones, CB radios, automotive radios, AM/FM clock radios, FRS walkie-talkies and the Internet. Thus, with additional private and public sector effort, the public dissemination of all hazards alerts through the NWR System has the potential to penetrate significant portions of the U.S. population at very little additional cost. The federal government has previously concluded as the result of a number of studies that the NWR System should be expanded to ensure both 100% transmission coverage of the country and penetration to the public through encouraging increased sales of radios and the inclusion of NWR reception capability in other consumer electronics products. The NWS already identifies its system as "all-hazards." President Bush's confidence in the NWR system is evident both in his increased funding request for the NWS in FY 2003 and in his own use of the NWR System at his ranch in Crawford.

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The states and localities that have established all-hazard alert systems using the NWS system provide models for how a ubiquitous system might work. In Washington State, for example, county emergency management officials have the permission and capability to automatically access the NWR system to place an all-hazard alert. Other systems permit local emergency management systems to access the NWS system by a telephone call to the local NWS office. Given the positive experiences of the several states that have formal agreements with the NWS, the NWR System Advocates propose the establishment of a model agreement or protocol under which NWS offices would formalize access agreements as a baseline with state emergency management officials. These access agreements would include provisions incorporating the Administration's HSAS, in part by providing for state and local governments to issue terrorist threat alerts in coordination with the DOJ and the HSAS.

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The NWR advocates therefore make the following recommendations to DOJ...

- The Administration should endorse the NWR System as a primary means by which the federal government will disseminate Homeland Security Alerts to the public.
- DOJ, OHS and NWS should encourage NWS regional offices to standardize and formalize access agreements with all fifty states and territories to provide access to the NWR System for all-hazards purposes, incorporating the HSA System, and providing procedures for the communication of Threat Conditions by the Attorney General to NWS and/or state officials for NWR dissemination.
- DOJ should incorporate the HSAS' Threat Condition terminology into the NWR's warning and events codes system. In doing so, DOJ should urge the FCC to act expediently to adopt additional Event Codes to conform the HSAS Threat Conditions to both the EAS and NWR coding systems.