



Federal Communications Commission
Washington, D.C. 20554

February 23, 2017

Jeffrey D. Stern, Ph.D.
State Coordinator
Virginia Department of Emergency Management
10501 Trade Court
North Chesterfield, Virginia 23236

Dear Mr. Stern:

In response to your February 6, 2017 request on behalf of the Virginia State Emergency Communications Committee, I hereby grant a limited, one-time, waiver of Sections 11.31, 11.45, and 11.61 of the Federal Communications Commission's Emergency Alert System (EAS) rules, 47 C.F.R. Part 11, in order to permit EAS Participants in Virginia to utilize a live event code (TOR) in your state on March 21, 2017, with a back-up date of March 22, 2017.

This waiver is limited to the test to be conducted on the above referenced dates and applies only as that test is described in your February 6, 2017 letter to the Bureau and subsequent e-mail. The waiver is based on your representations that (1) Virginia Department of Emergency Management believes that such a test is necessary, including valid concerns that "Weather Radios do NOT activate an audio alarm for RWT or RMT codes," necessitating the use of a live "TOR" event code "to test the full system"; (2) a pre-test publicity effort will include "on-air broadcasts by television meteorologists, public service announcements from radio and television stations, National Weather Service Public Information Statements, news releases, and e-mail"; (3) partner organizations for the test include, "the Virginia Association of Broadcasters, Virginia Department of Education, state agencies, local emergency management, universities, colleges, and elementary and secondary schools throughout Virginia," and the live code test has been coordinated with Public Safety Answering Points, law enforcement, and other first responder organizations at the state and local levels; (4) "[b]roadcasters, with the exception of LP or SP facilities may choose to intercept and not broadcast the drill message"; and (5) the test message will include "wording clearly declaring that the event is a test before and after the test."

Additionally, I urge you to continue to conduct as wide-ranging a public information campaign as is practicable about the planned testing events.

This rule waiver is granted under delegated authority pursuant to Sections 1.3 and 0.392 of the Commission's rules, 47 C.F.R. §§ 1.3 and 0.392.

Sincerely,

A handwritten signature in blue ink, appearing to read "Michael Wilhelm".

Michael Wilhelm
Chief (Acting), Policy and Licensing Division
Public Safety and Homeland Security Bureau