

My name is Wendy Mays and although I am the Executive Director of the Vermont Association of Broadcasters, in the first part of my testimony, I come to you as the Vice Chair of the Vermont Emergency Communications Committee.

As your committee discusses legislation to make Vermont more prepared for emergencies, I thought it would be helpful to give you some background on one of the many tools the state uses to disseminate emergency information; the Emergency Alert System (EAS).

Established by the Federal Communications Commission decades ago, EAS utilizes broadcast radio and television, satellite radio and television and cable television to disseminate critical messages in the public interest during emergencies. Although it was originally established to give the President of the United States a fast way to communicate nationally, it is more commonly used locally by the Vermont Department of Public Safety, by the Vermont State Police for Amber and/or Blue Alerts, and by the National Weather Service to disseminate severe local weather alerts. EAS is not the only way the state communicates with Vermonters during emergencies, the state also uses the registration-based VT Alert database, their social media pages, state-owned digital road signs and digital Vermont Lottery signs to disseminate wireless emergency alerts. There are many different communication tools that are used in combination with one another to reach as many Vermonters as possible. Communications is one of the few areas of government where redundancy is a good thing!

Although the Emergency Alert System was created decades ago, it continues to play a critical role during every state of emergency. During the flooding in July and December and Tropical Storm Irene for example, Vermonters tuned into their trusted stations to learn about road and bridge closures, dangerous areas to avoid and places to go for help. But the original telco “dry pair” lines that connect the Vermont Department of Public Safety directly to the designated state relay radio stations in each of Vermont’s five EAS Areas are old and no longer being serviced by telecom providers. The Vermont Emergency Communications Committee is collaborating with the Vermont Radio Technology Services division of the Department of Public Safety to create modern direct links using Vermont’s Microwave Network. To ensure the Emergency Alert System remains a reliable communication tool, Radio Technology Services is estimating a cost of about \$15,000 to make the new connections, which is not in the Department of Public Safety’s budget. The Senate Government Operations Committee agreeing this update is important included this modest appropriation in Section 22 of S.310. But like all appropriations in S.310, it was removed by the Senate Appropriations Committee. We hope they will find a way to fund it to ensure Vermont’s EAS system is functioning properly before the next emergency and would appreciate any support you can give in that regard.

VT Alert is another effective tool for reaching Vermonters on their home, work and mobile phones, email, the Everbridge App, SMS and Teletype/Telecommunications Devices for the Deaf and hearing impaired. But currently, there are less than 60,000 Vermonters registered to receive the alerts. The Senate Government Operations Committee also included a \$25,000 appropriation for Vermont Emergency Management to run a multi-media public education partnership program campaign to both encourage Vermonters to register for VT Alert and to educate them on ways to prepare for natural disaster emergencies in advance. The State Emergency Communications Committee supports this initiative and although it was removed along with all appropriations for S.310, we ask for your support in encouraging the appropriations committee to find a way to fund the outreach and get as many Vermonters registered for VT Alert as possible.

I am now taking my State Emergency Communications Vice Chair hat off and putting my Vermont Association of Broadcasters Executive Director hat on to discuss another portion of S.310 and that is sections 21 and 23 starting on page 67, regarding Language Assistance Services for State Emergency Communications.

Broadcasters are dedicated to the communities we serve and support that all Vermonters should have access to critical information during all-hazard events. That is why broadcast newsrooms voluntarily send journalists to cover important press conferences and/or interrupt regularly scheduled programming to air them. You will recall that during the COVID pandemic, stations broadcast most of the Governor's press conferences in their entirety, even when they lasted for several hours.

During testimony given to the Senate Government Operations Committee while discussing S.310, representatives of the deaf and hard-of-hearing community reported that in some instances, the person providing American Sign Language (ASL) interpretation was not included on the screen. They also reported that in some instances there was no closed captioning. Although I understand this is a different committee, I anticipate some of the same reports will come up, so I would like the opportunity to speak to both.

For broadcast television viewers who are deaf or hard-of-hearing, closed captioning service is included in all television content, except commercials, that gets broadcast over-the-air and comes through your TV via an antenna, a cable receiver or a satellite dish. The broadcast industry is heavily regulated by the Federal Communications Commission (FCC) and providing closed-captions for all over-the-air content except commercials is a regulation all broadcasters take very seriously.

There are two types of captioning broadcasters use:

1. Live captioning, where a stenographer listens to the audio of a broadcast, types the words in real time, which are fed to captioning generators and applied on air, which is why it appears the captions are 3-5 seconds behind what is being said.
2. AI speech-to-text systems, which are used on a limited basis, most often for weather forecasts when meteorologists tend to ad lib. Because of the fallibility of the speech-to-text rubric, broadcasters try not to use it often.

There are many possible reasons why a viewer might not see closed captioning. For example, if someone is watching a news story that was only produced to be shown on the station's stream, the FCC closed caption regulation does not apply because that's internet content, not broadcast content. Another possible reason could be that the closed caption function on a person's television or screen needs to be enabled or rebooted; a process that varies depending on the make, model and version of the device being used.

Whereas Vermont Emergency Management hires and provides an ASL interpreter at all-hazard event press conferences, they do not have the capability, equipment, training or workforce to facilitate technical services like CART or the Picture-In-Picture technique to the viewer. We appreciate the fact that representatives of the deaf and hard-of-hearing community brought to our attention the fact that the ASL interpreter was sometimes not included in tight shots of whomever was speaking during all-hazard press conferences and that is something we hope to correct in the future. Which is why the Vermont Association of Broadcasters suggested the idea of a working group to the Senate Government Operations committee. Although broadcast stations operate independently from one another and there is no standard for how a press conference should appear on a television screen, Vermont's broadcast leaders are voluntarily willing and ready to work with the Vermont Deaf, Hard of Hearing and DeafBlind Advisory Council, the Office of Racial Equity and other relevant stakeholders to develop best practices for the provision of language assistance services in emergency communications during and after all-hazard events.

Thank you for allowing me to testify in support of S.310 and I am happy to answer any questions you may have.