

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 legislative measures 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 TV to disseminate critical messages in the public interest during emergencies. It can be used nationally by the President or FEMA, but it is more commonly used locally by the Vermont Department of Public Safety, the Vermont State Police for Amber and Blue Alerts, and the National Weather Service for severe weather alerts. EAS is not the only way the state communicates with Vermonters during emergencies, they also use the registration-based VT Alerts database, their social media pages, state-owned digital road signs and digital Vermont Lottery signs to disseminate emergency information. There are a lot of communication tools in the tool box and all of them have pros and cons, which is why they 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 good!

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 radio stations in each of Vermont’s five EAS Areas are showing their age and are no longer being serviced by telecom providers. The Vermont Emergency Communications Committee is collaborating with Radio Technology Services, a division of the Vermont Department of Public Safety, to explore a modern connection 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.

That is why as the Vice Chair of the State Emergency Communications Committee, I am asking your committee to consider adding a one time \$15,000 appropriation to S.310 so the work can be completed immediately and Vermont’s EAS system can be improved in preparation for the next emergency.

I also would like to propose that your committee consider adding a modest appropriation to fund a one-time multi-media outreach campaign that could be placed by Vermont Emergency Management with a dual goal of educating Vermonters on how to prepare for an emergency as well as increase the number of Vermonters registered with VT Alert.

VT Alert is an 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. Using the Public Education Partnership program offered by the Vermont Association of Broadcasters that guarantees state-wide coverage and a 4-to-1 return on investment ratio, just a small appropriation such as \$20,000 could create an effective multimedia outreach campaign to help raise awareness about and connect Vermonters directly with emergency information.

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 section 16.

I would like the opportunity to respond to testimony by representatives of the deaf and hearing impaired community given to this committee on January 24th, as well as ask a few questions about the intent of draft language added as a result of their testimony.

Broadcasters are dedicated to the communities we serve and agree that no Vermonters should be left without access to emergency information. For broadcast television viewers who are deaf or hearing impaired, closed captioning service is included in all content (except commercials) that is broadcast over-the-air. I can say this with certainty because the broadcast industry is heavily regulated by the Federal Communications Commission (FCC) and providing closed-captions for over-the-air content is a rule all broadcasters follow.

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. We are not sure if this is the same as Communication Access Realtime Translation (CART), but if it is, broadcasters are already doing it.
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 and it mostly has to do with how they're watching. For example, if someone is watching content produced for and only shown on a stream, the FCC closed caption rule does not apply. 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. Although extremely rare, it's possible content that should be closed-captioned may not be *if* there is an undetected malfunction with the software that generates and encodes the text, but again, that is extremely rare.

The way the language in section 16 subsection (a) is written, it is unclear as to what organization is responsible for providing CART and Picture in Picture (PIP). Is it this committee's intent to have that responsibility lie with the Division of Vermont Emergency Management? Whereas they do hire and provide an ASL interpreter at all-hazard events, they do not have the capability, equipment, training or workforce to facilitate what is needed to deliver CART or the PIP technique to the viewer. In order to create PIP, two video cameras, two bonded cellular transmitters and two video camera operators are needed; one focused on the speaker and one focused on the ASL interpreter. If the PIP is created on site, then a moderately-featured field production switcher is needed. If the PIP is created at the studio of the station airing the all-hazards event press conference, then a director in the control room is needed to combine the two feeds coming from the camera transmitters. If it is the intent of this committee to have the Division of Vermont Emergency Management provide CART and PIP service, then an appropriation of at least \$40,000 is recommended to buy two sets of required equipment and budget for training and overtime pay to operate the cameras.

Please allow me to offer your committee an alternative to consider. Instead of including a costly and unenforceable mandate in statute, instead, give the Vermont Association of Broadcasters the responsibility of facilitating a meeting between representatives from the deaf and hearing impaired community and the network and public TV stations to navigate a mutually agreeable set of broadcast best practices to ensure the ASL interpreter is always visible during all-hazards press events and to make closed-captioning more widely available where it is not right now, which is via streaming.

Broadcasters do not want any Vermonter to feel like they are missing out on important emergency information because that's not how we better serve our communities. We hear the very clear message that has come from the deaf and hearing impaired community and are willing to change current practices so our broadcasts can be enjoyed by all Vermonters.