
UPDATE

July 27, 2021

FCC Issues Enforcement Advisory: EAS Participants Must Ensure that EAS Alerts Are Accessible to Persons with Disabilities

In advance of the nationwide test of the Emergency Alert System (“EAS”) on August 11, 2021 at 2:20 pm EDT, the FCC Enforcement Bureau released an [Enforcement Advisory](#) reminding EAS Participants, which include cable operators, of the requirements to ensure that EAS alerts are visually and aurally accessible.

EAS Participants should take all necessary steps to ensure that visual messages are readily readable and that audio messages are spoken at a pace that allows for a listener to understand the content.

Under the FCC’s EAS rules, the visual message portion of an EAS alert, whether video crawl or block text, must be displayed (i) at the top of the television screen or where it will not interfere with other visual messages; (ii) in a manner (i.e., font size, color, contrast, location, and speed) that is readily readable and understandable; (iii) that does not contain overlapping lines of EAS text or extend beyond the viewable display (except for video crawls that intentionally scroll on and off the screen); and (iv) in full at least once during any EAS message. Moreover, the audio portion of an EAS message must play in full at least once during any EAS message to ensure it is accessible to viewers who are blind or have low vision.

This is an especially timely notice, as FEMA, in collaboration with the FCC, will conduct a nationwide test of the Emergency Alert System (“EAS”) on August 11, 2021, at 2:20 pm EDT with a backup date of August 25, 2021. EAS Participants were required to renew their identifying information in ETRS Form One by July 6, 2021.

If you have questions about EAS or about preparing your cable system for the upcoming nationwide EAS test, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

Enforcement Bureau Announces Deadline for MVPDs to File EEO Form 396-C

On July 1, 2021, the FCC’s Enforcement Bureau released a [Public Notice](#) announcing that multichannel video programming distributors (“MVPDs”), including cable operators, must submit Form 396-C, the FCC’s MVPD Equal Employment Opportunity (“EEO”) Program Annual Report, electronically by midnight on **September 30, 2021**. To file Form 396-C, login to the Media Bureau’s [CDBS Electronic Filing System](#).

MVPDs that have been randomly selected to file a Supplemental Investigation Sheet (“SIS”) along with their Form 396-C were listed in the Enforcement Bureau’s [Public Notice](#) and must complete the following:

- Include one job description for employees in the “Officials and Manager” category in Part I of the form.
- Answer questions 2, 4 and 6 in Part II of the form:
 - Describe the employment unit’s efforts to disseminate widely its EEO program to job applicants, employees, and those with whom it regularly does business.
 - Explain the employment unit’s efforts to promote in a nondiscriminatory manner to positions of greater responsibility.
 - Report the findings of the employment unit’s analysis of its efforts to recruit, hire, promote in a nondiscriminatory manner and explain any difficulties encountered in implementing its EEO program.
- Attach, as Part III, a copy of the unit’s EEO public file report created in 2021 covering the previous 12 months.

If you have any questions about EEO compliance, please contact Scott Friedman at (314) 462-9000 or sfriedman@cinnamonmueller.com.

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