



**Seattle Indian Health Board**  
*For the Love of Native People*  
611 12<sup>th</sup> Avenue South  
Seattle, WA 98144  
(206) 324-9360  
[www.sihb.org](http://www.sihb.org)

Esther Lucero (Diné), MPP  
President & CEO  
206-900-6272  
[EstherL@sihb.org](mailto:EstherL@sihb.org)

March 22, 2023

Jessica Rosenworcel  
Chairwoman, Federal Communications Commission  
Washington, D.C. 20554

**RE: Amendment of Part 11 of the Commission's Rules Regarding the Emergency Alert System**

Dear Chairwoman Rosenworcel:

Seattle Indian Health Board (SIHB) and Urban Indian Health Institute (UIHI) submit the following comments and recommendations to guide the Federal Communications Commission (FCC) regarding the proposed rules to create an event code for Missing and Endangered Persons (MEP) by designating an alert system for cases involving a missing American Indian and/or Alaska Native (AI/AN) individual as part of the Emergency Alert System (EAS). **We strongly believe this intention could be misaligned if the naming of the alert system does not reflect a designated code that specifically identifies the AI/AN population. It introduces the potential for misalignment and use for other purposes outside of the AI/AN population for which it is intended for. We request the FCC immediately meet with members of the Not Invisible Act (NIA) commission, Tribal leaders, and other Native leaders to develop a name for this alert system. In addition, we urge you to meet with Washington and California representatives who implemented such an alert that included specifically naming the alert in a manner that identified it for AI/AN. Abigail Echo-Hawk was part of leading that effort in Washington and is signer to this letter. Urgent action to create an appropriate name for the alert system will allow the new designated code to be responsive to missing cases involving AI/AN people while being swiftly implemented.**

**Background on Seattle Indian Health Board and Urban Indian Health Institute**

SIHB is a comprehensive Urban Indian Health Program (UIHP) as defined by Section 4 of the Indian Health Care Improvement Act and a HRSA 330 Federally Qualified Health Center, serving over 5,000 people in American Indian and Alaska Native (AI/AN) people in Seattle, WA. As a culturally attuned service provider, we offer integrated healthcare services including direct medical, dental, traditional health, and behavioral health services and a variety of social support services on issues of gender-based violence, youth development, and homelessness. We are part of the Indian Health Service (IHS) continuum of care, which is comprised of IHS Direct Service, Tribal 638, and UIHPs (I/T/U). As an UIHP, our role is to address the community and health needs of the 76% of AI/AN people that live in urban areas.<sup>1</sup>

The Urban Indian Health Institute (UIHI), our public health authority, is one of 12 Tribal Epidemiology Centers (TEC) and the only TEC with a national purview serving the AI/AN population. UIHI continues to bring nationwide attention and expertise to the Missing and Murdered Indigenous Women and Girls (MMIWG) crisis through groundbreaking research,

---

<sup>1</sup> U.S. Census Bureau. (2021). County Population by Characteristics: 2010-2020. Retrieved from: <https://www.census.gov/programs-surveys/popest/technical-documentation/research/evaluation-estimates/2020-evaluation-estimates/2010s-county-detail.html>.

identifying gaps in data collection methods, and developing culturally attuned frameworks for gender-based violence programming. In 2018, UIHI released a groundbreaking report titled, *Missing and Murdered Indigenous Women and Girls (MMIWG) Report*,<sup>2</sup> that revealed 5,712 cases of MMIWG were reported in 2016, and only 116 of them were logged in the Department of Justice (DOJ) database. The lack of efficient structures in place for identifying missing AI/AN women and people, has resulted in several states implementing a Missing Indigenous People (MIP) alert system including California,<sup>3</sup> Colorado,<sup>4</sup> and Washington.<sup>5</sup>

### **Comments Regarding the Proposed MIP Alert Code**

These comments are in response to questions posed by the FCC in the February 22, 2024, Notice of Proposed Rulemaking regarding the proposed MEP event code. The following information is necessary for the FCC to utilize to reduce risks of enacting a system that perpetuates gaps in public safety for AI/AN people by ensuring an alert system represents the best interests of AI/AN community through the naming, education, marketing, and swift implementation of the EAS.

- **Develop culturally appropriate public education and marketing for the MIP alert system:** In July 2022, Washington state launched their MIP alert. Washington ran a limited marketing ad in public spaces to educate the community about the new MIP alert. To support implementation of the system, law enforcement officers from Tribal and non-Tribal agencies are receiving training on how to document, utilize, and engage with community members when activating the MIP alert. Tribal liaisons within the Washington State Patrol have helped build bridges between law enforcement and the families of missing Indigenous persons. The liaisons assist families to identify the correct forms and file a report, and contact officers assigned to cases to ensure alerts are issued. Another way people are being educated is through a Missing and Murdered Indigenous Women and People (MMIWP) summit, brought together by the Washington MMIWP Task Force, which gives an opportunity for people to get involved, educated, and be heard by legislators, government agencies, and other community leaders. Washington State's Attorney General's Office is also creating a MMIWP toolkit to support families and law enforcement seeking to locate and recover missing persons, including education on when a MIP alert is activated.
- **Create an EAS event code activating a MIP alert on and off Tribal land:** Due to the large percentage of AI/AN involved in missing cases on and off Tribal land, the FCC must designate a culturally responsive code that increases the visibility and accessibility of the alert system to be immediately utilized by impacted community members. Established in 2022, Washington State designated a MIP Alert that is similar to Endangered Missing Persons Advisories except the missing person is identified as AI/AN. In 2023, California launched a Feather Alert for missing persons that identifies as Indigenous and Colorado launched a MIP alert in 2022 to broadcast notices of missing Indigenous persons. The lack of a designated AI/AN alert system is unacceptable, and the absence of a culturally responsive name can be detrimental to supporting victims and families. It is critical for the FCC to take the next steps of meeting with the NIA commission, Tribal leaders, and Native leaders to appropriately determine a name for this dedicated alert system.

---

<sup>2</sup> Urban Indian Health Institute. (2018). Missing and Murdered Indigenous Women & Girls. Retrieved from: <https://www.uihi.org/resources/missing-and-murdered-indigenous-women-girls/>

<sup>3</sup> California Highway Patrol. (2024). Feather Alert. Retrieved from: <https://www.chp.ca.gov/Pages/Feather-Alert.aspx>.

<sup>4</sup> Colorado Bureau of Investigation. (2024). Missing Indigenous Person Alert. Retrieved from: <https://cbi.colorado.gov/missing-indigenous-person-alert>

<sup>5</sup> Washington State Patrol. (2024). Missing Indigenous Persons Alert. Retrieved from: <https://www.wsp.wa.gov/crime/alerts-missing-persons/missing-indigenous-persons/>

- **Accelerate the timeframe for implementation of MEP event codes:** The FCC proposal suggests giving EAS equipment manufacturers 12 months to integrate the MIP alert event code into its equipment and making necessary software upgrades for other EAS participants. For states with existing MIP alerts, Washington and California took four months for the integration while Colorado took five months. We highly recommend the FCC reach out to these states to learn how the alert systems were integrated and how outreach was conducted to Tribes, law enforcement, and community members on how to utilize the alert system. Although software upgrades are an option under the drafted rulemaking, making equipment without upgrades in the first place increases the chances that upgrades are not done and that certain missing persons are not identified as a result. Other jurisdictions have been able to implement MIP alerts in a short time frame, and the FCC must accelerate its timeline to maximize the new MIP alert's impact.
- **Recognize the large benefits and small costs associated with the proposed addition of the MIP alert event code to the EAS:** In 2022, the Washington State Legislature estimated the cost of operating the state's MIP alert code to be \$1,103,000 from Fiscal Year (FY) 2023 through FY 2027. Within 5 months of being launched, the alert system in Washington was activated 33 times. Out of those instances, missing Indigenous people were located 27 times. While it can be hard to monetarily quantify this benefit, this alert system is proven to work, and any number of located people is worth the costs which, if similar to Washington, would be close to just \$1 million spread out over several years. The FCC must recognize the limited funding necessary to make these gains and proceed with implementing the new code to protect the wellbeing of Indigenous people.
- **Consider the MIP alert's potential to save lives:** As we mentioned above, the MIP alert system in Washington helped locate 27 missing Indigenous individuals over a 5-month span. A foreseen outcome of the use of the alert system has helped to locate one deceased person, ensuring closure for that person's family. Despite one casualty and 5 cases still being open at the time of the report, over 80% of the alert's activations helped locate a missing individual. To achieve this, the Washington bill created a missing children and endangered person clearinghouse which includes a toll-free telephone hotline. The clearinghouse distributes "information to local law enforcement agencies, school districts, the department of children, youth, and families, and the general public regarding missing children and endangered persons." Given the limited cost to operate such a code, the FCC should strongly consider the positive impact it can have on the safety of AI/AN people.
- **Engage in Tribal consultation and uphold Tribal sovereignty:** The FCC has indicated that "any revision to our rules implementing a dedicated MEP event code would benefit from Tribal consultation". However, the FCC has also expressed that "while the Commission recognizes consultation is critically important, we emphasize that the Commission will rely in its decision-making only on those presentations that are placed in the public record for this proceeding." We urge the FCC to rethink its position and to explicitly state that comments from Tribal consultation will be considered on par with comments placed in the public record. Tribal consultation is a government-to-government relationship between the federal government and Tribes, and not accounting for comments made during Tribal consultation erodes tribal sovereignty and jeopardizes relationships with communities the new alert is attempting to serve.

We look forward to your immediate action on the recommendations above including meeting with the NIA commission, Tribal leaders, and Native leaders to determine a culturally responsive

name for this alert system. If you have questions about implementing our recommendations, contact us using the information below.

Sincerely,



Esther Lucero (Diné), MPP  
President & CEO  
P. 206-900-6272  
E. [EstherL@sihb.org](mailto:EstherL@sihb.org)



Abigail Echo-Hawk (Pawnee), MA  
Executive Vice President  
Director of Urban Indian Health Institute  
P. 206-812-3030  
E. [AbigailE@uihi.org](mailto:AbigailE@uihi.org)



Andrew Guillen (Cahuilla/Luiseño), MS  
Chief Public Affairs Officer  
P. 206-356-6851  
E. [AndrewG@sihb.org](mailto:AndrewG@sihb.org)