

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Wireless Emergency Alerts)	PS Docket No. 15-91
)	
Amendments to Part 11 of the Commission’s)	PS Docket No. 15-94
Rules Regarding the Emergency Alert System)	

Comments of The National Tribal Telecommunications Association

The National Tribal Telecommunications Association (NTTA) files these comments in response to the Notice of Proposed Rulemaking (NRPM) released in the above-captioned proceedings.¹

NTTA consists of Tribally-owned communications companies and broadband providers including Cheyenne River Sioux Telephone Authority, Fort Mojave Telecommunications, Inc., Gila River Telecommunications, Inc., Hopi Telecommunications, Inc., Mescalero Apache Telecom, Inc., Mohawk Networks, Nez Perce Tribe, Saddleback Communications, San Carlos Apache Telecommunications Utility, Inc., Sacred Wind Communications, Siyeh Communications, Tohono O’odham Utility Authority, Warm Springs Telecom, and Yukon-Kuskokwim Delta Tribal Broadband Consortium, as well as associate members Alaska Tribal Broadband and Spokane Tribe Telecom Exchange. NTTA’s mission is to be the national advocate for communications and

¹ *In the Matter of Wireless Emergency Alerts and Amendments to Part 11 of the Commission’s Rules Regarding the Emergency Alert System*, PS Docket Nos. 15-91 and 15-94, Notice of Proposed Rulemaking (FCC 24-30, rel. March 15, 2024) (*NPRM*)

broadband service on behalf of its member companies and to provide guidance and assistance to members who are working to provide modern services to Tribal lands.

I. SUMMARY

NTTA supports the Commission's proposal to adopt a new Emergency Alert System (EAS) code dedicated to Missing and Endangered Persons (MEP). Furthermore, NTTA also supports the creation of a dedicated code for Missing and Endangered Indigenous Persons. Both dedicated codes, designed to bridge the gap between AMBER and Silver Alerts, have the potential of saving numerous lives, especially of those in most danger – missing Native American women.²

Given this life-saving potential, and the Commission's finding that it would take each EAS participant no longer than five hours to implement the changes necessary to adopt the new code³, the MEP and Missing and Endangered Indigenous Persons codes should be activated as soon as possible.

II. COMMENTS

The Commission presents a compelling case for introducing a dedicated EAS event code for Missing and Endangered Persons. Currently, there is a sizeable gap between the AMBER Alerts (for missing persons aged 17 years or younger) and Silver Alerts (in general for those 65 years in age or older). Furthermore, there is no national code dedicated to missing Indigenous persons,

² See National Congress of American Indians, Resolution #NO-23-001 (*NCAI Resolution*)

³ *NPRM* at 34

although such a system has been under consideration for nearly five years.⁴ This gap must be addressed. As the Not Invisible Act Commissioners Report states:

“There is a crisis in Tribal communities. A crisis of violence, a crisis of abuse, and a crisis of abject neglect affecting Indian Women & Men, Indian Children, and Indian Elders. The federal government must act now; not tomorrow; not next week; not next month; and not next year. Once and for all, the federal government must end its systematic failure to address this crisis and react, redress, and resolve this. We call on the federal government to declare a Decade of Action & Healing to address the crisis of missing, murdered, and trafficked Indian people.”⁵

Adopting a dedicated MEP and Missing Indigenous Persons emergency alert code would certainly help alleviate the crisis Native Americans, especially Native American women, are facing.

Besides adopting a dedicated national MEP alert code, the record also supports the adoption of a Missing and Endangered Indigenous Persons alert code. As recognized in the *NPRM*, “Native communities ‘have historically been disproportionately affected by missing persons cases, with Native Americans constituting 2.5% of all missing person cases despite comprising only 1.2% of the U.S. population...’” Additionally, as NCAI notes “Native American women are at an even greater risk of going missing or being endangered, with estimates suggesting that they are ten times more likely to fall victim to homicide than the average American woman...”⁶ Implementing a dedicated code for this vulnerable population will only serve to increase and enhance the tools available to save lives.

The Commission adequately addresses the costs and benefits of implementing the MEP code and concludes that adding a dedicated MEP event code would cost approximately \$12

⁴ See Ashlynnne Mike AMBER Alert in Indian Country Act (S. 772, 2018)

⁵ *Not One More, Findings & Recommendations of The Not Invisible Act Commission*, p. 8

⁶ *NCAI Resolution* p. 1

million nationwide.⁷ When compared to lives saved, it is a small price to pay – the *NPRM* notes the Department of Justice reports that “180 of the 181 AMBER Alerts issued in 2022 resulted in a recovery. As of December 31, 2023, 1,186 children were successfully recovered through the AMBER Alert system and 165 children were rescued because of wireless emergency alerts.”⁸ Assuming an equal or greater success rate, the only conclusion that can be drawn is implementing a dedicated MEP alert code, and a dedicated Missing and Endangered Indigenous Persons code, meets and greatly exceeds any cost/benefit analysis that can be conceived.

CONCLUSION

NTTA commends the Commission for tackling this difficult issue and proposing the MEP alert code. There is little or no doubt that a dedicated alert code of this type will save lives and will therefore greatly exceed any nationwide implementation costs. However, in addition to the dedicated MEP alert code, NTTA urges the Commission to adopt a dedicated Missing and Endangered Indigenous Persons alert code – one that can be focused solely on the current, historical, and disproportionate levels of missing and endangered Native American persons, especially Native American women.

Respectfully Submitted,

Godfrey Enjady
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May 20, 2024

⁷ *NPRM* at 34

⁸ *Id.*, at 32 (footnotes omitted)