



AMBER ALERT NETWORK

DOJ Efforts to Include Tribes and U.S. Territories

Report to Congressional Addressees

September 2024

GAO-24-106670

United States Government Accountability Office

Accessible Version

GAO Highlights

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Highlights of [GAO-24-106670](#), a report to congressional addressees

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Why GAO Did This Study

AMBER Alerts quickly communicate information to the public in certain child abduction cases. DOJ oversees the AMBER Alert network, which is made up of law enforcement and other involved stakeholders. DOJ created the AMBER Alert program to help carry out its AMBER Alert responsibilities.

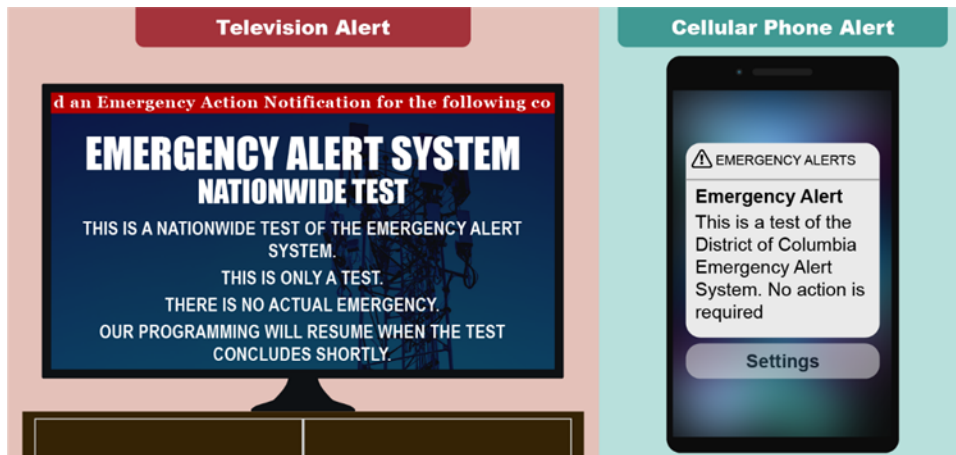
The National Defense Authorization Act for Fiscal Year 2021 (2021 NDAA) required DOJ to take additional actions related to the AMBER Alert network. It also includes a provision for GAO to assess the extent to which DOJ implemented these requirements and identify any challenges or needs in the U.S. territories.

This report addresses (1) U.S. territories' processes for and challenges in responding to missing and exploited children's cases, including issuing AMBER Alerts; (2) DOJ actions to integrate U.S. territories into the AMBER Alert network; and (3) DOJ efforts to address certain 2021 NDAA requirements related to the AMBER Alert network, including assisting Tribes and U.S. territories. Among other methods, GAO analyzed DOJ documents, such as its AMBER Alert Best Practices document. GAO interviewed DOJ and Fox Valley officials and relevant U.S. territory officials. GAO also interviewed officials from a nongeneralizable selection of six federally recognized Tribes.

What GAO Found

Officials in all five permanently inhabited U.S. territories—American Samoa, Commonwealth of the Northern Mariana Islands, Guam, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands—reported having processes for responding to missing and exploited children's cases and alerting the public but identified challenges. Specifically, two locations—the Commonwealth of Puerto Rico and the U.S. Virgin Islands—have an AMBER Alert plan. These plans outline the stakeholders involved and criteria for activating an AMBER Alert delivered through cell phones, radio, or television (see figure). However, officials from all five locations reported challenges related to knowledge and training, resources, public awareness, and geographic location.

Example of Emergency Alerts Delivered to Televisions and Cellular Phones



Source: GAO graphics; kathayut/stock.adobe.com (background photo). | GAO-24-106670

The Department of Justice (DOJ) leverages Fox Valley Technical College (Fox Valley)—the award recipient of its AMBER Alert Training and Technical Assistance Program (AMBER Alert program) cooperative agreement since 2010—to help integrate the U.S. territories into the AMBER Alert network. However, Fox Valley’s interaction with the U.S. territories has varied over time—with limited contact with most territories prior to November 2023. Since then, Fox Valley has visited, or plans to visit, all the U.S. territories to assess their AMBER Alert-related needs. To help ensure coordination with the U.S. territories moving forward, in July 2024, DOJ required, and plans to continue to require, the award recipient to conduct outreach to the U.S. territories.

DOJ and Fox Valley took various actions to address certain 2021 statutory requirements related to AMBER Alerts. For example, Fox Valley held symposiums to facilitate coordination and encouraged Tribes and U.S. territories to develop AMBER Alert plans. In addition, in July 2024, DOJ required, and plans to continue to require, the award recipient to develop a process to include Tribes and U.S. territories in its annual report on AMBER Alert plans—as it had not done so before.

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Abbreviations

2021 NDAA	The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021
AMBER	America's Missing: Broadcast Emergency Response
AMBER Alert program	AMBER Alert Training and Technical Assistance Program
DHS	Department of Homeland Security
DOJ	Department of Justice
EAS	Emergency Alert System
Fox Valley	Fox Valley Technical College
IPAWS	Integrated Public Alert and Warning System
NCMEC	National Center for Missing and Exploited Children
PROTECT Act	Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003
WEA	Wireless Emergency Alert

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September 4, 2024

Congressional Addressees

America’s Missing: Broadcast Emergency Response (AMBER) Alerts were created in 1996 as a legacy to 9-year-old Amber Hagerman, who was kidnapped and brutally murdered.¹ The goal of an AMBER Alert is to quickly communicate information to the public so they can assist in the search and safe recovery of an abducted child. According to the National Center for Missing and Exploited Children (NCMEC), at least 1,200 children have been found due to AMBER Alerts, as of December 2023.² AMBER Alert plans form a voluntary partnership between law enforcement agencies, broadcasters, and the wireless industry to activate an urgent bulletin in certain child abduction cases (i.e., if a child is in imminent danger of serious injury or death).³ These plans can be specific to Tribes, states, U.S. territories, or other localities.⁴

In 2003, the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act required the Department of Justice (DOJ) to assign an official to be the National Coordinator of the AMBER Alert network and established duties and other responsibilities for the position.⁵ The network is designed to bring together stakeholders involved in AMBER Alerts across the country and internationally. After the abduction and murder of 11-year-old Ashlynnne Mike of the Navajo Nation, Congress passed the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018. This Act amended the PROTECT Act to include tribal governments in DOJ’s AMBER Alert efforts.⁶ It also required DOJ to assess the needs and challenges encountered by Tribes, and DOJ issued a report on its findings in 2019.⁷

In 2003, DOJ created its AMBER Alert Training and Technical Assistance Program (AMBER Alert program) to help carry out its AMBER Alert responsibilities. DOJ has awarded the funding for this program to the National

¹Although some local jurisdictions began using AMBER Alerts in 1996, the federal law establishing a National AMBER Alert Coordinator at the Department of Justice was not enacted until 2003. See Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003, Pub. L. No. 108-21, tit. III, subtit. A, 117 Stat. 650, 660-64 (codified as amended at 34 U.S.C. §§ 20501-20504).

²NCMEC serves as a clearinghouse and national resource center for information related to missing and exploited children.

³Not all missing or abducted children’s cases result in an AMBER Alert. According to the Department of Justice, AMBER Alerts are used in the most serious cases that also meet criteria discussed later in the report.

⁴For the purposes of this report, we use the term “Tribes” to refer to federally recognized Indian Tribes. Tribes use a variety of terms when referring to themselves, such as band, pueblo, and Native village. Federally recognized Tribes have a government-to-government relationship with the United States and are eligible to receive certain protections, services, and benefits by virtue of their status as Indian Tribes. The Secretary of the Interior is required by law to annually publish a list of all Tribes recognized by the Secretary. As of January 8, 2024, there were 574 federally recognized Tribes in the contiguous United States and Alaska. 89 Fed. Reg. 944 (Jan. 8, 2024). Further, for the purposes of this report, we use the term “states” to include the District of Columbia.

⁵34 U.S.C. § 20501.

⁶Pub. L. No. 115-166, 132 Stat. 1274 (codified as amended at 34 U.S.C. § 20504).

⁷Specifically, the law required DOJ to assess law enforcement readiness, education and training needs, technological challenges, and other specific obstacles encountered by Tribes. Accordingly, DOJ surveyed 100 Tribes. The survey did not include the 229 federally recognized Alaska Native villages, among others. Department of Justice, *Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018: A Report to Congress*, NCJ 252671 (Washington D.C. May 2019).

Criminal Justice Training Center of Fox Valley Technical College (Fox Valley) since 2010. In addition, other federal agencies have a role in issuing AMBER Alerts. For example, the Department of Homeland Security (DHS) operates the system used to send AMBER Alerts to the public.

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (2021 NDAA) made additional changes to the PROTECT Act.⁸ Specifically, the 2021 NDAA required DOJ to (1) cooperate with DHS on AMBER Alert-related activities; (2) seek to eliminate gaps in the AMBER Alert network at ports and border crossings; (3) ensure the AMBER Alert network's regional coordination includes Tribes and U.S. territories; and (4) encourage Tribes and U.S. territories to develop local AMBER Alert plans.⁹

The 2021 NDAA includes a provision for us to identify any challenges related to integrating U.S. territories into the AMBER Alert network and the needs of territorial law enforcement agencies in responding to cases involving missing, abducted, or exploited children. It also included a provision for us to assess the extent to which DOJ addressed amendments to the PROTECT Act made by the 2021 NDAA.¹⁰

This report addresses (1) how U.S. territories respond to missing and exploited children's cases, including issuing AMBER Alerts, and the challenges or needs they reported; (2) DOJ actions to integrate U.S. territories into the AMBER Alert network; and (3) DOJ efforts to address certain 2021 NDAA requirements related to the AMBER Alert network, including assisting Tribes and U.S. territories.

To address all objectives, we conducted site visits with agency officials in two of the five permanently inhabited U.S. territories—the Commonwealth of Puerto Rico and the U.S. Virgin Islands. We conducted video conferences with officials in the other three U.S. territories—American Samoa, the Commonwealth of the Northern Mariana Islands, and Guam. Specifically, for each U.S. territory, we interviewed officials from relevant government, law enforcement, cellular, and broadcast agencies. In addition, we also interviewed officials from DOJ and its training and technical assistance partners, including Fox Valley and NCMEC. We also interviewed relevant DHS officials, including officials from Homeland Security Investigations and the Federal Emergency Management Agency. We observed a demonstration of the Federal Emergency Management Agency's Integrated Public Alert and Warning System (IPAWS), which is used to disseminate AMBER Alerts. We also attended Fox Valley's 2024 National AMBER Alert and AMBER Alert in Indian Country Symposium.

To determine U.S. territories' processes and challenges responding to missing and exploited children's cases, we analyzed relevant DOJ and Fox Valley documents and reports. For example, we analyzed DOJ's 2019 report related to AMBER Alert implementation for Tribes to identify any similar challenges reported by U.S. territories.¹¹

⁸Pub. L. No. 116-283, div. H, tit. C, § 10001, 134 Stat. 3388, 4860-63 (codified as amended at 34 U.S.C. §§ 20501-20504).

⁹See generally 34 U.S.C. §§ 20501-20504. DOJ is also required to consult Tribes and U.S. territories when creating minimum standards related to children's special needs and geographic dissemination of AMBER Alerts. We discuss this in conjunction with the requirement to encourage Tribes and U.S. territories to develop local AMBER Alert plans later in the report. For additional information on all requirements, see appendix I.

¹⁰See Pub. L. No. 116-283, div. H, tit. C, § 10001(d), 134 Stat. at 4862-63.

¹¹Department of Justice, *Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018: A Report to Congress*, NCJ 252671 (Washington, D.C.: May 2019).

To determine actions DOJ has taken to integrate U.S. territories into the AMBER Alert network, consistent with the 2021 NDAA, we analyzed DOJ's AMBER Alert program documents. For example, we reviewed the fiscal year 2020 and fiscal year 2023 cooperative agreement solicitation for the AMBER Alert program—the two most recent solicitations—and associated performance reports.

To examine how DOJ has addressed certain 2021 NDAA requirements related to the AMBER Alert network, we analyzed the PROTECT Act, as amended, to determine DOJ's responsibilities. In addition, we analyzed DOJ and Fox Valley documents related to these responsibilities, including reports that Fox Valley is required to submit to DOJ and DOJ's AMBER Alert best practices guide.¹² We evaluated DOJ's efforts against requirements in the 2021 NDAA. We also analyzed the information included in Fox Valley's annual reports on AMBER Alert plans. Further, we interviewed officials from six Tribes to obtain their perspectives on Fox Valley's services that DOJ was required to provide under the 2021 NDAA requirements. We selected three Tribes that Fox Valley reported they had contact with and three they had not. We selected these Tribes to ensure a mix of different regions, including some located in states that are next to international borders and those with higher rates of missing children.¹³ The results of our interviews are not generalizable to all Tribes, but they provide context and illustrative examples of the types of assistance received from Fox Valley that Tribes found most helpful.

We conducted this performance audit from March 2023 to September 2024 in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

Background

Key AMBER Alert Stakeholders

Several federal, state, and local government agencies, as well as nongovernmental entities, have a key role in AMBER Alert-related activities. These entities may also have roles in investigating missing and exploited children's cases, including those that do not result in the issuance of an AMBER Alert.

¹²Department of Justice, Office of Justice Programs *AMBER Alert Best Practices: Second Edition*, NCJ252759 (Washington D.C.: April 1, 2019).

¹³We utilized a 2020 NCMEC report to identify Tribes with higher rates of missing children, see NCMEC, *Native American Children Reported Missing to NCMEC*, NCJ 303101 (Washington, D.C.: January 2020). We identified and reached out to 22 Tribes that met our selection criteria. Fourteen of the 22 Tribes we reached out to either stated they did not have a need for AMBER Alert-related assistance and did not wish to be interviewed or did not respond to our request for interview. Further, two Tribes did not have law enforcement officials for us to interview.

DOJ. The Office of Justice Programs administers the AMBER Alert program through a cooperative agreement.¹⁴ The purpose of the AMBER Alert program is to fund the award recipient’s design and implementation of training and technical assistance to support stakeholders—such as law enforcement agencies within Tribes, states, and U.S. territories—involved in investigating cases and issuing AMBER Alerts.¹⁵ The Office of Justice Programs issues a competitive solicitation for the AMBER Alert program every 3 fiscal years. The fiscal year 2020 and fiscal year 2023 award recipient received \$4.4 million, which included \$1 million specifically dedicated for the AMBER Alert in Indian Country program.¹⁶ Other agencies within DOJ may also play an important role in investigating missing and exploited children’s cases and AMBER Alert-related activities.¹⁷

Fox Valley. The award recipient of DOJ’s AMBER Alert program since 2010, Fox Valley provides training and technical assistance to stakeholders involved in AMBER Alert-related activities.¹⁸ Fox Valley officials told us they have 11 full-time employees for the AMBER Alert program, two of whom specifically focus on working with Tribes.¹⁹

DHS. The Federal Emergency Management Agency manages IPAWS, the national system for alerting the public of emergency and life-saving information, including AMBER Alerts. In addition to managing the system, officials can send alerts on behalf of Tribes, states, or U.S. territories. Other DHS component agencies, such as Homeland Security Investigations and U.S. Customs and Border Protection, may have a role in assisting with AMBER Alert-related activities or missing and exploited children’s investigations in their area of operation.

¹⁴A cooperative agreement is a legal instrument for a type of project under which substantial involvement, such as joint action or collaboration, between the federal awarding agency and the recipient during project performance is considered necessary or desirable to achieve successful project implementation. See 31 U.S.C. § 6305. The PROTECT Act established a grant program to provide grants to Tribes and states to enhance or develop their AMBER Alert plans and to integrate tribal and state AMBER systems. 34 U.S.C. § 20504(a). Although DOJ’s AMBER Alert program, administered via cooperative agreement, assists states in their AMBER alert activities, it is not under 34 U.S.C. § 20504, according to DOJ officials. Officials explained that the AMBER Alert program is similar to the grant program under 34 U.S.C. § 20504 and that the 2021 NDAA amendments to the program made clear that territories were to be included. Further discussion on how this program is administered is included in appendix I.

¹⁵For the purposes of this report, we use the term “award recipient” to mean the recipient of DOJ’s cooperative agreement solicitation for the AMBER Alert Training and Technical Assistance Program. The award recipient uses the funding to provide training and technical assistance.

¹⁶The fiscal year 2020 and fiscal year 2023 solicitations state that DOJ may, in certain cases, provide additional funding in future years through continuation awards. In July 2024, DOJ issued a non-competitive solicitation for fiscal year 2024 for an additional \$2 million. DOJ officials stated they awarded the funds to Fox Valley.

¹⁷For example, the Federal Bureau of Investigation can deploy Child Abduction Rapid Deployment teams to the site of kidnappings. Additionally, under federal law, when a child (under the age of 21) is reported missing to law enforcement, officials must enter their data in the Federal Bureau of Investigation’s National Crime Information Center’s database. See 34 U.S.C. §§ 41307, 41308.

¹⁸In addition to the AMBER Alert program, DOJ has awarded Fox Valley its Missing and Exploited Children Training and Technical Assistance Program cooperative agreement—a related program that provides training to law enforcement agencies and other relevant stakeholders—since 2010.

¹⁹In addition to its 11 permanent full-time employees, Fox Valley also utilizes adjunct faculty to help facilitate its work.

For example, Homeland Security Investigations can help investigate internet crimes against children, including sexual exploitation.²⁰

NCMEC. NCMEC collects and maintains national data on AMBER Alerts and is a training and technical assistance partner for DOJ.²¹ NCMEC also disseminates AMBER Alerts to its partners, such as a motel chain and certain internet sites and federal agencies, to ensure that the alert reaches a broad audience.

Local officials. Various officials at the local level have a key role. For example, each state has a designated AMBER Alert coordinator who oversees related activities and collaborates with law enforcement to determine if an AMBER Alert should be issued.²² Local law enforcement in the Tribes, states, and U.S. territories respond to and investigate missing and exploited children's cases. Local emergency management or homeland security officials may assist law enforcement with investigations. Public information officers, sometimes part of local law enforcement, use the media to convey accurate and timely information from law enforcement to the public. They work with broadcast or wireless officials to establish agreements on issuing emergency alerts. In addition, state or local Department of Transportation offices can display AMBER Alerts on signs along highways that alert drivers to the suspect's vehicle information.

AMBER Alert Plans and Dissemination Process

According to DOJ, 82 entities, including all 50 states, have an AMBER Alert plan. Plans can be specific to Tribes, states, U.S. territories, or regional areas within a state. While AMBER Alert plans may vary, they generally include certain elements. For example, the plan may outline which stakeholders are involved in issuing AMBER Alerts. In addition, it may include the criteria for issuing an alert, as not all cases of abducted children result in the issuance of an AMBER Alert.

²⁰Homeland Security Investigations conducts this work in conjunction with DOJ's Internet Crimes Against Children task forces. The purpose of the task forces is to help state and local law enforcement agencies develop an effective response to technology-facilitated child sexual exploitation and internet crimes against children.

²¹Under federal law, DOJ makes an annual grant to NCMEC to carry out various responsibilities related to missing and exploited children. 34 U.S.C. § 11293(b). In addition to AMBER Alert-related activities, NCMEC also provides education resources related to missing and exploited children more broadly and operates a CyberTipline, among other activities.

²²According to Fox Valley officials, many Tribes and each U.S. territory have a point of contact who handles AMBER Alerts. Officials stated that they are working with the Tribes and territories to transition the points of contacts to designated AMBER Alert coordinators. Each state also has a designated missing child clearinghouse manager—in some cases, the manager of this clearinghouse is the same as the AMBER Alert coordinator. The clearinghouse manager provides resources for missing children, their families, and law enforcement professionals.

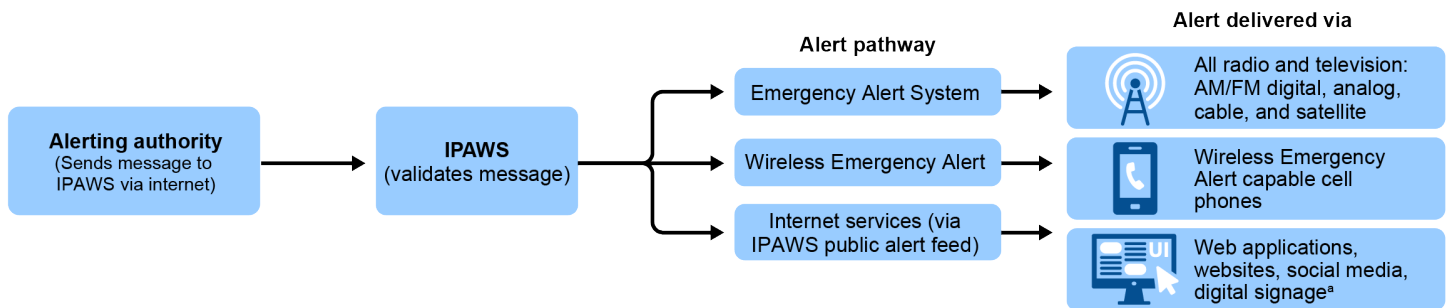
Suggested Criteria for AMBER Alert Issuance

1. There is reasonable belief by law enforcement that an abduction has occurred.
2. The law enforcement agency believes that the child is in imminent danger of serious bodily injury or death.
3. There is enough descriptive information about the victim and the abduction for law enforcement to issue an AMBER Alert to assist in the recovery of the child.
4. The abduction is of a child aged 17 years or younger.
5. The child's name and other critical data elements, including the Child Abduction flag, have been entered into the National Crime Information Center system.

Source: Department of Justice 2019 AMBER Alert Best Practices | GAO-24-106670

DOJ's 2019 AMBER Alert Best Practices document provides suggested criteria for when to issue an AMBER Alert.²³ Officials will determine whether to issue an alert based on the plan they have in place. For example, some state AMBER Alert plans may require that law enforcement have the suspect's vehicle information before issuing an AMBER Alert. If officials do not have enough information to issue an AMBER Alert, they can issue other types of emergency alerts or issue an AMBER Alert once more information is gathered.²⁴ Once an official has determined that an AMBER Alert should go out, they can use IPAWS to disseminate the alert through various channels, including the Emergency Alert System (EAS) and a Wireless Emergency Alert (WEA), as shown in figure 1.

Figure 1: Pathway of Alerts through the Integrated Public Alert and Warning System (IPAWS)



Source: GAO analysis of Federal Emergency Management Agency information; Icons-Studio/stock.adobe.com (icons). | GAO-24-106670

^aDigital signage includes signs along highways that alert drivers to the suspect's vehicle information.

EAS alerts interrupt television and radio broadcasts with emergency tones, followed by a brief audio recording and text display to relay important information to the public. WEAs are governmental messages delivered free of charge to all cell phones from cellular towers in a selected geographic area. WEAs can only be issued through IPAWS. EAS alerts can be issued through IPAWS or other systems.

The Federal Emergency Management Agency must grant alerting authority for entities to be able to access IPAWS. An alerting authority can be, for example, a state's emergency management or homeland security agency. To send EAS alerts and WEAs using IPAWS, an alerting authority must use a private third-party application that interfaces with IPAWS. Some third-party applications also have mass-messaging services that

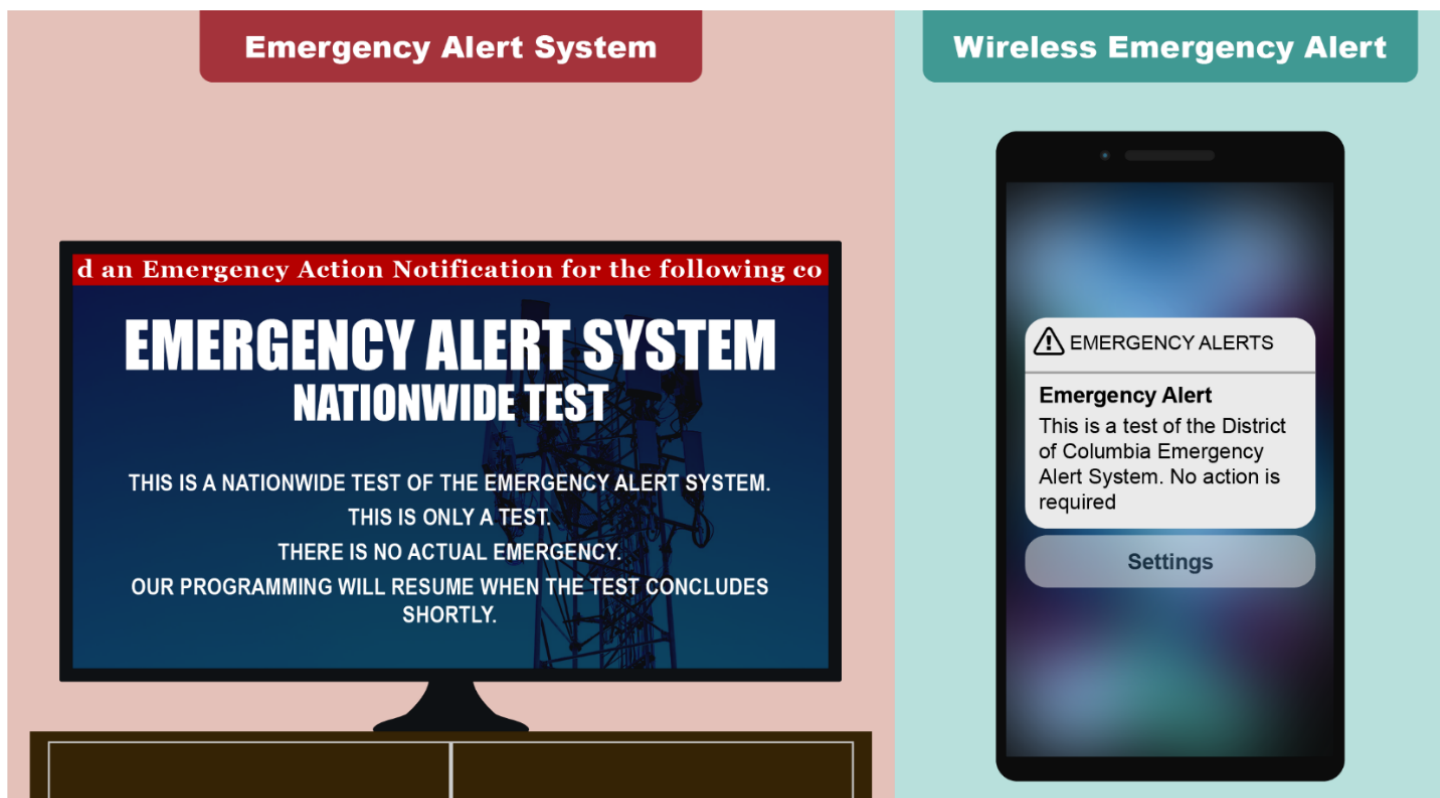
²³Department of Justice, Office of Justice Programs *AMBER Alert Best Practices: Second Edition*. DOJ issued its first edition in 2012.

²⁴For instance, states may issue an Endangered Missing Persons Advisory if a missing person's case does not satisfy all of the AMBER Alert criteria.

entities can purchase to send out notifications, which are not WEAs. In those instances, the alert would only be received by individuals who have subscribed to receive the company's alerts.

Figure 2 shows examples of how EAS alerts and WEAs may appear on television screens and cellular phones.

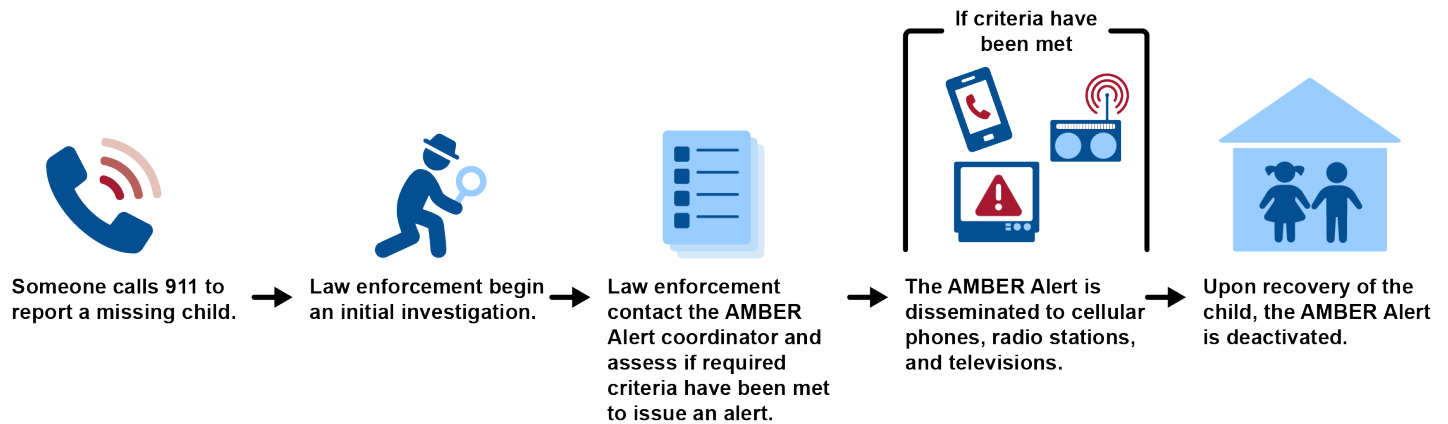
Figure 2: Example of Emergency Alerts Delivered to Televisions and Cellular Phones



Source: GAO graphics; kathayut/stock.adobe.com (background photo). | GAO-24-106670

Once the child has been located, law enforcement and the AMBER Alert coordinator should relay information about the conclusion of the AMBER Alert to the media, according to the DOJ's 2019 AMBER Alert Best Practices document. Additionally, those involved in the AMBER Alert process may conduct a review of the incident to assess the efficiency and effectiveness of their response. If the child remains missing, officials determine whether it is beneficial to continue using the AMBER Alert. Figure 3 depicts an example of this process.

Figure 3: Example of the AMBER Alert Dissemination Process



Source: GAO analysis of Department of Justice documents, Icons-Studio/stock.adobe.com (icons). | GAO-24-106670































U.S. Territories Have Processes for Responding to Missing and Exploited Children’s Cases but Reported Some Challenges



Each U.S. Territory Has a Process for Responding to Cases and Alerting the Public

While two U.S. territories—the Commonwealth of Puerto Rico and the U.S. Virgin Islands—have AMBER Alert plans, officials in all five U.S. territories reported having processes in place for responding to missing and exploited children’s cases. Additionally, all U.S. territories reported having capabilities for alerting the public of key case details, as illustrated in figure 4.²⁵ While officials in the U.S. territories reported varying frequency of missing and exploited children’s cases, they all generally agreed that they would like to be prepared. According to NCMEC, neither the Commonwealth of Puerto Rico nor the U.S. Virgin Islands issued an AMBER Alert in 2022, the most recent year available.

²⁵Alerting authorities in a U.S. territory can issue EAS alerts and WEAs through IPAWS, regardless of whether the U.S. territory has an AMBER Alert plan.

Figure 4: Presence of AMBER Alert Plans, Processes for Investigating Missing and Exploited Children’s Cases, and Alerting Capabilities in the U.S. Territories

	AMBER Alert plan 	Processes for investigating missing and exploited children’s cases 	Capabilities for alerting the public of missing or abducted children		
			Emergency Alert System capabilities ^a 	Wireless Emergency Alert capabilities ^b 	Other alerting methods ^c 
American Samoa					
Commonwealth of the Northern Mariana Islands					
Guam					
Commonwealth of Puerto Rico					
U.S. Virgin Islands					

 Yes  No

Source: GAO analysis of interviews with the U.S. territories and Department of Justice; Icons-Studio/stock.adobe.com (icons). | GAO-24-106670

^aAlerts from the Emergency Alert System interrupt television and radio broadcasts with emergency tones, followed by a brief audio recording and text display. These alerts can be issued through Integrated Public Alert and Warning System (IPAWS) or other systems. To issue an alert through IPAWS, officials must be a U.S. Department of Homeland Security-approved alerting authority. As of May 2024, American Samoa, the Commonwealth of Puerto Rico, and the U.S. Virgin Islands have an approved alerting authority. The Commonwealth of the Northern Mariana Islands and Guam do not. Officials in the Commonwealth of the Northern Mariana Islands told us they are working on technology updates to begin using their Emergency Alert System capabilities.

^bWireless Emergency Alerts are text-like messages delivered free of charge to all cellular phones in a selected geographic area and can only be issued through IPAWS.

^cOther alerting methods used for missing children may include social media notices, SMS text messages, or third-party alerting applications not issued through IPAWS.

American Samoa. Officials stated they did not have an AMBER Alert plan in place but have an interest in developing one. They stated they utilize the guidelines used in Hawaii to inform their missing and exploited children’s investigations. Their Department of Public Safety, which includes law enforcement, investigates missing and exploited children’s cases in the same way that they investigate missing adult cases.

Officials told us that if someone reports a child as missing, their territory’s Director of Homeland Security would contact the appropriate officials and instruct them to alert the public using EAS alerts and WEAs. Additionally, local emergency management officials told us they have a voluntary agreement in place with local broadcasters that would allow them to alert the public using radio and television as a part of the territory’s Emergency Operations Plan.

Commonwealth of the Northern Mariana Islands. Officials stated they did not have an AMBER Alert plan in place but have an interest in developing one. Officials told us their Department of Public Safety works with its federal partners to conduct joint investigations for missing and exploited children's cases.

Officials stated that, while they do not have the technology needed to send EAS alerts and WEAs, they would alert the public through announcements on local radio stations and social media if a child went missing. Officials told us that one of the cellular carriers in the territory could also send alert information through SMS text messages, which are different than WEAs.²⁶

Guam. Officials stated they did not have an AMBER Alert plan in place but are interested in developing one. However, officials in Guam told us they have a plan for responding to missing and exploited children's cases and that under this plan, the Guam Police Department investigates such cases.

If a child went missing, officials stated the Public Information Officer would work with radio stations and media partners to alert the public of key details, and they could alert the public through SMS text messages and social media. Officials also stated they could alert the public using EAS alerts, but they do not have WEA capabilities because the local cellular companies do not have the technology needed to interface with IPAWS.²⁷

Commonwealth of Puerto Rico. The Commonwealth of Puerto Rico has an AMBER Alert plan, which includes criteria for determining whether to issue an AMBER Alert. The Puerto Rico Police Department, located within the Department of Public Safety, investigates missing and exploited children's cases.²⁸ According to officials, a board comprised of stakeholders working with cases involving domestic violence, missing children, and sexual offenses review the details of the missing child case.

After the board's review, the Commissioner of the Department of Public Safety decides whether to approve the issuance of an AMBER Alert and how widely to distribute it. Once approved, a division within the Puerto Rico Police Department would utilize IPAWS to notify the public through EAS alerts and WEAs. Officials told us that law enforcement may also use social media to distribute information to the public.

U.S. Virgin Islands. U.S. Virgin Islands has an AMBER Alert plan. The Virgin Islands Police Department investigates missing and exploited children's cases.

Officials from three departments determine whether to alert the public. According to officials, radio broadcasts remain the main tool for alerting the public in the territory. However, officials stated they can also alert the

²⁶WEAs are sent to all cell phones within a geographically specified alert area through IPAWS, while SMS text messages are sent to subscribers of the cell provider. SMS text messages take longer to reach phones because they are subject to network congestion.

²⁷Because officials in Guam are not DHS-approved alerting authorities, EAS alerts in Guam are not sent through IPAWS. Further, according to officials, Guam has not used EAS for missing and exploited children's cases and stated they utilize its social media platform, which includes broadcasting companies and other public information officers.

²⁸The Commonwealth of Puerto Rico has 78 municipalities, some of which have their own local law enforcement. We spoke with law enforcement officials in three municipalities, and each told us they do not investigate missing and exploited children's cases. Rather, they turn any information over to the Puerto Rico Police Department for investigation and to determine if a case meets the AMBER Alert criteria. According to officials, cases involving kidnapped or missing children are reported to the Division of Theft and Fraud Investigations to Banking Institutions within the Puerto Rico Police Department. This division is also responsible for utilizing IPAWS to send AMBER Alerts during normal business hours.

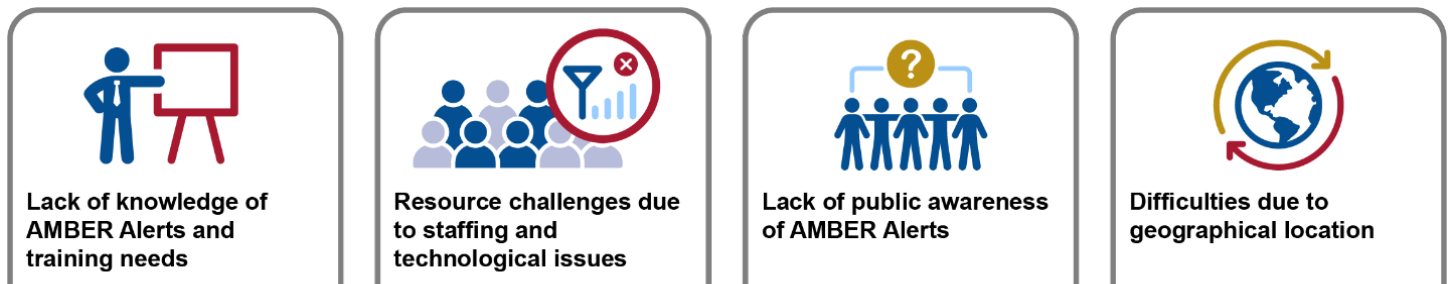
public through EAS alerts and WEAs but that they mostly send alerts to those who have opted into a third-party application for receiving messages via email, text, or both.²⁹ In addition, officials told us they make the public aware of information through social media and news outlets. When alerting the public, officials told us they include an image of the child and any descriptive information.

Officials from U.S. territories stated that they may work with their local federal partners, such as DHS’s Homeland Security Investigations, to investigate missing and exploited children’s cases. According to federal officials we spoke with that have responsibilities in the U.S. territories, they can assist in various ways. For example, officials from Homeland Security Investigations in the Commonwealth of Puerto Rico told us they use their forensic lab to investigate any paraphernalia, such as cellular phones, that may provide key information to the case, as needed. In another example, officials from Homeland Security Investigations in Guam told us they assist by notifying U.S. Customs and Border Protection, Guam Customs and Quarantine Agency, and Guam police when someone takes an abducted child to a port or border.

Officials in the U.S. Territories Reported Various Challenges that Affect Response and Alerting Capabilities

Officials in all U.S. territories reported facing various types of challenges in responding to missing and exploited children’s cases, including AMBER Alert cases, as illustrated in figure 5.

Figure 5: Common Types of Challenges in Responding to Cases of Missing and Exploited Children Reported by Officials in the U.S. Territories



Source: GAO analysis of interviews with officials in the U.S. territories; Icons-Studio/stock.adobe.com (icons). | GAO-24-106670

Specifically, U.S. territory officials identified challenges related to four main categories, though not all officials from all territories reported the same challenges.³⁰

Knowledge and training. Officials from two U.S. territories expressed a lack of knowledge of AMBER Alerts. For example, they stated they were uncertain which cases would result in an AMBER Alert or when one would be issued.

²⁹Officials told us they use the third-party application to issue non-AMBER alerts, such as missing minor alerts or be-on-the-lookout alerts.

³⁰We asked an open-ended question for various officials in each U.S. territory to identify their specific challenges in responding to missing and exploited children’s cases. We did not ask every official in every territory about each of these challenges. Therefore, we reached no conclusions about challenges they did not raise during the interview.

Officials from all five U.S. territories expressed the need for more training for both law enforcement and other stakeholders involved in investigating and responding to missing and exploited children's cases. For example, officials from one territory stated that a training that addressed legal authority and laws would help police officers have more confidence when making decisions and investigating cases. Further, officials noted access challenges related to participating in training. For example, officials in one U.S. territory told us it is difficult for staff to participate in trainings because not all staff speak English. In another example, officials stated it can be difficult to attend virtual trainings because it may require attendees to work inconvenient hours if the training is offered in a time zone in the continental U.S. For example, one official told us that virtual trainings may start at 1:00 am in their time zone. Others stated it can be difficult to attend in-person trainings located outside of their U.S. territory due to the cost of traveling. Officials stated that it would be helpful if in-person training were provided in their U.S. territory, as this would be more cost effective and allow more staff from their departments to attend, as well as other stakeholders who work with children, such as staff from day cares and schools.

Resources. Officials from all five U.S. territories told us they experience resource challenges, such as limited staffing or technological capabilities. For example, officials stated their law enforcement agencies experience low staffing, high rates of turnover, or a need for specialized positions to help with investigations for missing and exploited children's cases. More specifically, a law enforcement official in one U.S. territory told us it would be helpful to have a victim advocate on staff to assist with conducting interviews with children and a comfortable room to conduct those interviews. For another U.S. territory, officials told us that the territory only has one staff member who can access IPAWS to issue EAS alerts and WEAs and that the official only works during business hours Monday through Friday.³¹ They stated that this limits the territory's ability to issue EAS alerts and WEAs outside of those hours, preventing urgent information from reaching the public in a timely manner.

In addition to staffing challenges, officials described challenges with their current technology, or their lack of technology, for issuing AMBER Alerts through EAS or WEAs. For example, officials in three U.S. territories told us some smaller-sized cellular carriers that primarily provide services in their territory do not have the technology needed to connect with IPAWS or the funds to purchase or maintain such technology. Additionally, officials from one U.S. territory told us they do not have the necessary equipment to interface with some broadcasting stations.

In addition, officials noted experiencing technological challenges, such as poor cellular service in certain parts of their territory or frequent natural disasters that disrupt cellular and radio coverage. For example, one official told us about a typhoon that caused damage to both cellular towers and radio antennas, resulting in limited cellular and broadcast services immediately after the storm.

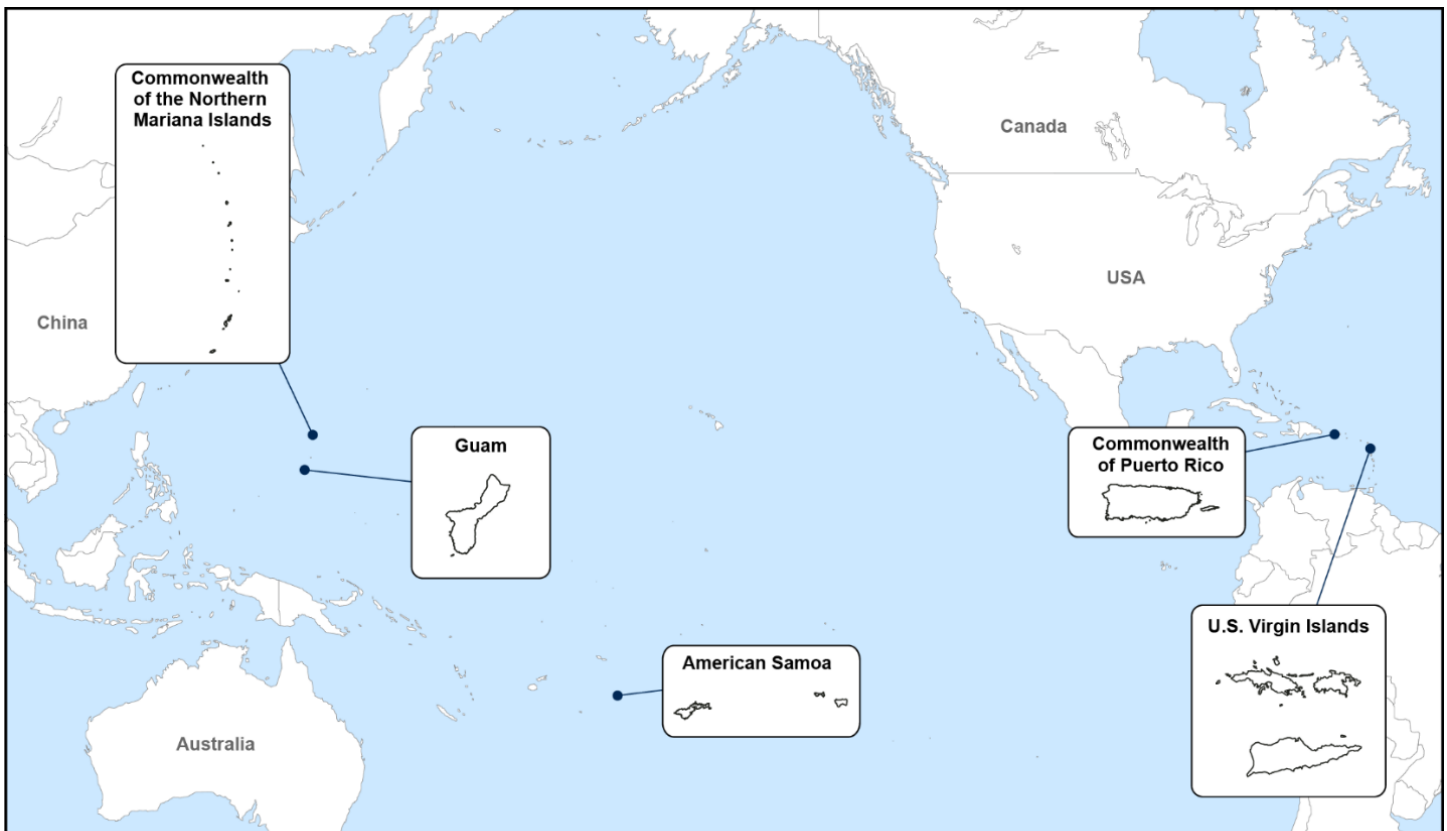
Public awareness. Officials told us a lack of public awareness of AMBER Alerts poses challenges. For example, officials in one U.S. territory told us they use a third-party application that requires the public to opt in to receive alerts about missing children but that the public may not understand the importance of opting in. Additionally, people have the option to opt out of WEAs, including AMBER Alerts, in their cellular phone's settings. Officials told us that some people may choose to opt out of alerts because they feel oversaturated with the number of alerts on their cellular phone. For example, officials in one U.S. territory told us that after receiving numerous alerts regarding city curfews during the COVID-19 pandemic, some people chose to opt out of all alerts. Officials in the same territory also told us that in some cases the public has expressed

³¹Only a DHS-approved alerting authority can access IPAWS, which requires training.

frustration when a case does not lead to an AMBER Alert, which they attributed to the public being unaware of the criteria for issuing an AMBER Alert.

Geographic location. As illustrated in figure 6, some of the U.S. territories are closer to other nations than they are to the mainland U.S., which can pose certain challenges. For example, officials in one U.S. territory stated it can be difficult to coordinate with a country nearest to them because they may not have established relationships with them. Children traveling from the U.S. territories to the continental U.S. do not need identification to board the flight. An official in one U.S. territory told us that this makes it easier for children to be taken out of the territory and harder to identify the location of the child. In addition, an official from one U.S. territory noted it can be difficult to recover children taken to the continental U.S. because of the distance and lack of coordination between the states and the territory.

Figure 6: Map of the U.S. Territories



Source: U.S. Geological Survey. | GAO-24-106670

Some of the challenges described by U.S. territory officials were similar to the challenges described by Tribes in DOJ's 2019 survey in response to the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018. For example, the report found that some Tribes reported needing more in-depth training, including understanding how to determine if a case meets the criteria for an AMBER Alert. It also found that Tribes reported having

technological needs and staffing shortages and lacked the infrastructure needed to support an AMBER Alert plan.³²

Some of the challenges reported by U.S. territory officials may be addressed through DOJ's efforts described later in this report. Additionally, stakeholders in the Tribes, states, and U.S. territories can participate in or request training through Fox Valley—which may also help address some of these challenges. For a list of some of the trainings that Fox Valley offers through its AMBER Alert program, see appendix II.³³

DOJ Has Taken Actions to Integrate U.S. Territories into the AMBER Alert Network

DOJ's contact with the U.S. territories—through Fox Valley—has varied over time, with limited contact with most territories prior to November 2023. However, since then, Fox Valley has increased its efforts to engage with all U.S. territories and has plans to encourage the integration of them into the AMBER Alert network and assess their training and technical assistance needs.

Specifically, prior to November 2023, Fox Valley had some level of coordination with the two U.S. territories that have an AMBER Alert plan. Officials we spoke with from the Puerto Rico Police Department told us they were generally happy with their relationship with Fox Valley, receive regular alerts regarding upcoming trainings from Fox Valley, and participate in Fox Valley's online training.³⁴ For example, Fox Valley provided in-person training to Puerto Rico Police Department officials, with a Spanish language translator, in January 2023, and they have plans to provide future training.³⁵ According to Fox Valley officials, while they worked with officials from the U.S. Virgin Islands as they were creating their AMBER Alert plan in the early 2000s, the coordination no longer existed as of November 2023. Officials from the U.S. Virgin Islands we interviewed from August through October 2023 stated they were generally not familiar with Fox Valley.

However, other than the Commonwealth of Puerto Rico, Fox Valley has not been able to establish or maintain consistent contact with territory officials. From August through November 2023, officials from the four U.S. territories with whom Fox Valley did not have contact generally stated they were unaware of Fox Valley and its resources for AMBER Alerts but would be interested in assistance. A law enforcement official from one of the U.S. territories remembered receiving an email about training from the National Criminal Justice Training

³²While Alaska Native villages were not included in DOJ's 2019 survey, Fox Valley officials told us they conducted a visit to Alaska to meet with officials from some of the villages. These officials stated they modified some of the language in their trainings as a result of information they obtained during their visit.

³³In addition to the trainings that Fox Valley offers through the AMBER Alert program, it also offers training through the Missing and Exploited Children Training and Technical Assistance program.

³⁴Law enforcement officials we spoke with in three different municipalities around the Commonwealth of Puerto Rico told us they had not heard of Fox Valley or attended its training. Though they are not responsible for missing and exploited children investigations, officials in the municipalities indicated they would be interested in AMBER Alert-related training. Fox Valley officials told us that limited space in AMBER Alert-related trainings precludes them from inviting everyone who may be interested.

³⁵Fox Valley officials stated that it can be challenging to conduct trainings in the U.S. territories for various reasons. For example, they experienced challenges in scheduling training with the Commonwealth of Puerto Rico because of the lack of hotels within per diem. In addition, officials said that conducting trainings that are more costly require DOJ approval and can take time. However, in February 2024, Fox Valley officials stated that they currently can self-approve expenditures, including travel, up to a \$100,000 amount. They stated this is helpful because they have 30 days internally to self-approve versus waiting for DOJ approval.

Center but did not know it was a part of Fox Valley. Fox Valley officials attributed a lack of consistent contact to not receiving responses from officials in the U.S. territories and difficulties in contacting officials in other time zones.³⁶

In November 2023, officials from Fox Valley told us they met with congressional representatives in each of the U.S. territories to help establish contact with U.S. territory officials.³⁷ They stated this resulted in obtaining points of contact with officials in each of the U.S. territories.

After obtaining these additional contacts, Fox Valley conducted, or has plans to conduct, similar in-person visits in the other U.S. territories in 2024. Specifically, in February 2024, Fox Valley officials conducted in-person meetings in American Samoa to understand the territory's current alerting processes and capabilities, including its AMBER Alert training and technical assistance needs. Over 3 days of meetings with American Samoa officials, Fox Valley officials identified 10 key needs, such as expanding American Samoa's kidnapping statute. Fox Valley officials told us they are working to write a report on their findings from the visit and will work with stakeholders in American Samoa to develop a training curriculum that meets their needs. Fox Valley officials told us they will likely conduct another visit to American Samoa to provide in-person training. They also told us they plan to meet with NCMEC and Federal Emergency Management Agency officials to discuss the territory's technology needs. American Samoa officials told us that they appreciated the meeting and are looking forward to additional training and outreach opportunities with Fox Valley.

In addition, Fox Valley had virtual meetings with Guam and the Commonwealth of the Northern Mariana Islands in April 2024 and held an in-person visit with both territories in July 2024.³⁸ Officials from Guam told us that, in their virtual meeting with Fox Valley, they discussed technical assistance options and working with local government, federal government, and private company partners. Fox Valley is planning to conduct an in-person visit to the U.S. Virgin Islands in October 2024.³⁹ In addition, while they already had contact with the Commonwealth of Puerto Rico, Fox Valley conducted an in-person assessment of the territory's needs in May 2024. Figure 7 shows a summary of Fox Valley's work with the U.S. territories.

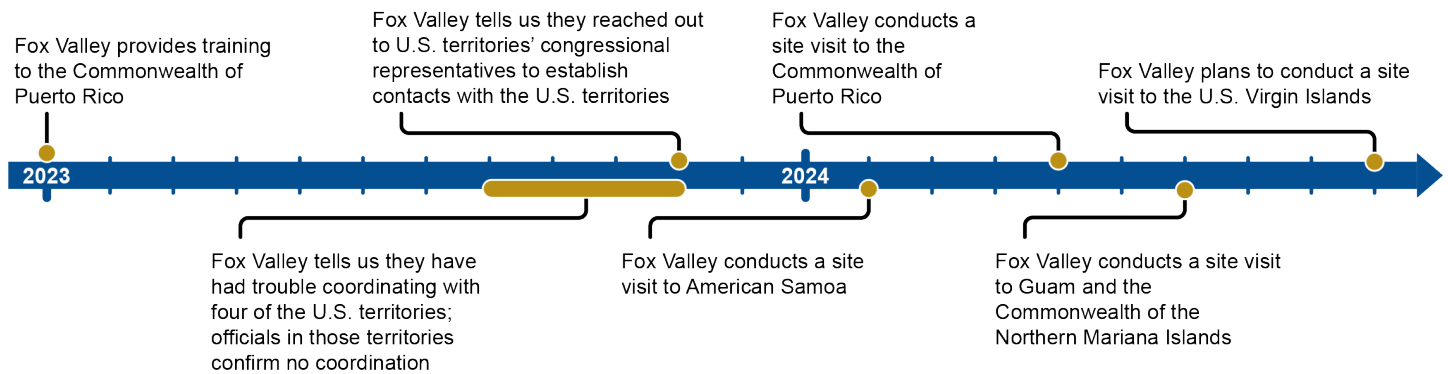
³⁶For instance, American Samoa is 6 hours behind Fox Valley, and the Commonwealth of Northern Mariana Islands and Guam are 15 hours ahead of Fox Valley, which is in Wisconsin. Fox Valley officials shared that they do not want to contact officials at late hours for them.

³⁷We also provided Fox Valley with a list of officials we interviewed in each U.S. territory to help with Fox Valley's efforts and provided U.S. territory officials with contacts at Fox Valley.

³⁸In addition, in May 2024, DHS officials stated they plan to visit Guam to meet with officials and discuss IPAWS access.

³⁹We provided Fox Valley with contact information for stakeholders in the U.S. Virgin Islands to help with this outreach.

Figure 7: A Timeline of Fox Valley Technical College’s (Fox Valley) Coordination Efforts with U.S. Territories, Starting in 2023



Source: GAO analysis of U.S. territory documents and interviews with Fox Valley and U.S. territory officials. | GAO-24-106670

Accessible Data for Figure 7: A Timeline of Fox Valley Technical College’s (Fox Valley) Coordination Efforts with U.S. Territories, Starting in 2023

Timeline:

- January 2023: Fox Valley provides training to Puerto Rico
- September and October 2023: Fox Valley tells us they have had trouble coordinating with four of the U.S. territories; officials in those territories confirm no coordination.
- November 2023: Fox Valley tells us they reached out to U.S. territories’ congressional representatives to establish contacts with the U.S. territories
- February 2024: Fox Valley conducts a site visit to American Samoa
- May 2024: conducts a site visit to Puerto Rico
- July 2024: Fox Valley plans to conduct a site visit to Guam and the Commonwealth of the Northern Mariana Islands
- October 2024: Fox Valley plans to conduct a site visit to the U.S. Virgin Islands

Source: GAO analysis of U.S. territory documents and interviews with Fox Valley and U.S. territory officials. | GAO-24-106670

Note: Timeline does not include every instance of Fox Valley’s correspondence with U.S. territories.

Fox Valley officials told us they are using funds carried over from the COVID-19 pandemic to conduct in-person visits to the U.S. territories. Because they were unable to use these funds during the pandemic, Fox Valley officials told us DOJ provided a no-cost extension for these funds. This funding will expire on October 1, 2024. If they are unable to visit in-person due to the lack of funds, Fox Valley officials told us they will continue their work with U.S. territories virtually.

Although Fox Valley’s efforts to work with the U.S. territories is promising, its coordination has varied over time, and, prior to July 2024, DOJ did not require its AMBER Alert program award recipient to outreach to the U.S. territories. For instance, DOJ’s 2023 AMBER Alert program solicitation tasks the recipient with “developing and maintaining a cadre of experts who can conduct [training and technical assistance] on national, state, local,

and tribal levels.” The solicitation does not require that the recipient conduct outreach to all the U.S. territories to offer training or technical assistance.⁴⁰

However, in July 2024, DOJ issued a non-competitive AMBER Alert program solicitation for fiscal year 2024 that officials stated DOJ awarded to Fox Valley. In its solicitation, DOJ requires the award recipient to increase capacity within U.S. territories to respond to incidents of endangered, missing, and abducted children’s cases and to encourage the development of AMBER Alert plans. It also requires the award recipient to address any challenges related to integrating U.S. territories into the AMBER Alert network. Furthermore, DOJ officials stated that they plan to include such requirements in future solicitations.⁴¹ DOJ officials stated that they specifically added these requirements in the solicitation as a result of our audit work. By adding such requirements, DOJ is providing formal expectations and ensuring that its AMBER Alert program award recipient includes U.S. territories in its efforts. This is consistent with the 2021 NDAA, which requires DOJ’s National AMBER Alert Coordinator to encourage U.S. territories to develop and strengthen AMBER Alert plans.

DOJ Leveraged Its Cooperative Agreement to Address Certain 2021 NDAA Requirements Related to AMBER Alerts

DOJ reported taking various actions to address the 2021 NDAA requirements. Specifically, DOJ officials told us that they meet the intent of the 2021 NDAA’s amendments to the PROTECT Act through activities conducted by the AMBER Alert program award recipient, Fox Valley, and that they have generally been carrying out these activities before the 2021 NDAA required such actions.

Cooperating with DHS. The PROTECT Act, as amended by the 2021 NDAA, requires DOJ to engage in interagency cooperation with DHS.⁴²

To address this, DOJ officials stated they rely on the award recipient, Fox Valley, to review tribal, state or U.S. territory AMBER Alert plans and recommend that the plans include key DHS stakeholders, as relevant. In addition, DOJ’s AMBER Alert Best Practices document also provides strategies for stakeholder involvement in the AMBER Alert plan, including DHS. For example, the document states that DHS agencies, such as the Transportation Security Administration and Customs and Border Protection, may also become involved early in an AMBER Alert activation. Whether plans include DHS, however, may vary from state to state depending on factors such as if the state has ports or international borders. According to DOJ officials, they will generally leave it to state AMBER Alert coordinators to reach out to DHS, as needed. As noted earlier in this report, U.S. territory officials stated that they will work with their local DHS partners in investigating missing and exploited children’s cases.

⁴⁰DOJ officials told us they did not update their 2023 AMBER Alert program solicitation language to include U.S. territories. However, they stated they expect that resources are made available to U.S. territories upon request, regardless of what the solicitation states. Since this is a cooperative agreement and not a grant program, officials stated they can require the recipient to conduct activities beyond what is written in the solicitation. See also 31 U.S.C. § 6305 (describing cooperative agreements and the substantial involvement expected); cf. 34 U.S.C. § 6304 (describing grant agreements and the lack of substantial involvement expected).

⁴¹DOJ’s Office of Justice Programs issues a competitive solicitation for its AMBER Alert program every 3 years. As such, the next competitive program solicitation will be for 2026.

⁴²34 U.S.C. §§ 20501(d), 20502(c)(1).

In addition, DOJ officials also stated they rely on their award recipients, Fox Valley or NCMEC, to coordinate with DHS's Federal Emergency Management Agency, given that it is responsible for IPAWS. For instance, in May 2024, IPAWS officials told us that they met with Fox Valley representatives to discuss a proposed rule on alert codes for missing and exploited children's cases. Fox Valley and NCMEC officials added that they can also help to set up meetings for a Tribe, state, or U.S. territory to work with the Federal Emergency Management Agency to discuss technology needs for AMBER Alerts.

Eliminating gaps at ports and borders. The PROTECT Act, as amended by the 2021 NDAA, requires DOJ to seek to eliminate gaps in the AMBER Alert network at ports and border crossings.⁴³

To address this, DOJ officials stated they rely on Fox Valley officials to meet with state AMBER Alert coordinators and key stakeholders to ensure that port and border officials are involved and incorporated into AMBER Alert plans. Through these partnerships, DOJ officials stated that they can learn about any trends that local law enforcement agencies are identifying. DOJ also included language in the most recent AMBER Alert program solicitation to include expectations about the borders.⁴⁴

Fox Valley conducted targeted training at the U.S. borders. Specifically, Fox Valley has Northern and Southern Border Initiatives, where it provides trainings and works with Canadian and Mexican authorities. For instance, it held a Northern Border Initiative meeting in New York in 2023 and a Southern Border Initiatives meeting in Texas in 2022, among other international border trainings. In addition, Fox Valley has a classroom training called Southern Border Initiative Cross Border Child Abduction Training.

Fox Valley officials stated that stakeholders may identify and raise training needs—related to ports and borders or other issues—through the proper channels, including an online portal on their website to submit training requests. For example, officials from California identified a need for sex trafficking training—Fox Valley delivered the training alongside Mexican law enforcement officials. In another example, Fox Valley convened a panel of subject matter experts on cross-border child abductions to identify prevailing trends. Fox Valley officials told us they developed new curriculum to address the identified trends. For instance, at their 2024 National AMBER Alert Symposium, Fox Valley included a session on trends in child abductions at the southern border and another session walking through a case study where the abductor traveled from the United States to Mexico with the child.

Ensuring regional coordination. The PROTECT Act, as amended by the 2021 NDAA, requires DOJ to include Tribes and U.S. territories when ensuring appropriate regional coordination for the AMBER Alert network.⁴⁵

Fox Valley took various actions to ensure regional coordination—some of which incorporated Tribes and U.S. territories. Fox Valley divides the United States into six regions, including one dedicated specifically to U.S.

⁴³34 U.S.C. § 20501(b)(1).

⁴⁴In addition, in July 2024, DOJ added requirements to its fiscal year 2024 AMBER Alert program solicitation for the award recipient to coordinate with DHS, the Department of Transportation, and the Federal Communications Commission to eliminate gaps in the AMBER Alert network in areas of interstate travel, including airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States. These requirements are consistent with the 2021 NDAA. See 34 U.S.C. § 20501(b)(1), (d).

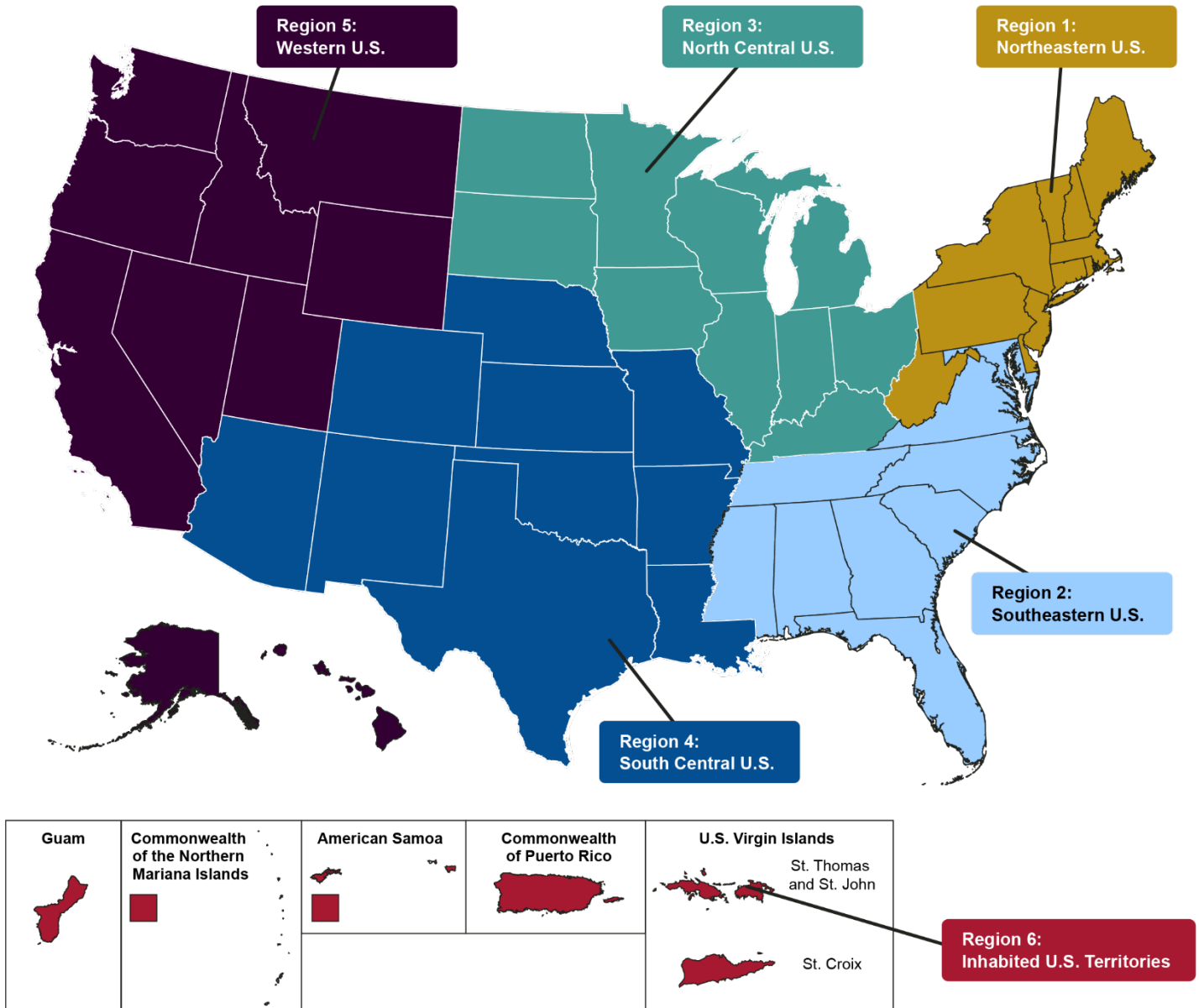
⁴⁵34 U.S.C. § 20501(b)(3).

territories, as shown in figure 8.⁴⁶ Prior to November 2023, Fox Valley had a system of five regions to facilitate interstate coordination. Since then, Fox Valley has added a sixth region for the U.S. territories. Previously, the Commonwealth of Puerto Rico was in Region 1, and Guam was in Region 5. The other three U.S. territories were not in any region. Fox Valley assigns each region a liaison, which may be a state or local official from within the region. These regional liaisons are to meet with local officials to discuss resources and maintain periodic communication.⁴⁷

⁴⁶Fox Valley assigns one of its staff members to work specifically with U.S. territories and other countries.

⁴⁷While these U.S. territories are included in a region, it does not mean that officials from the territories have participated in regional coordination.

Figure 8: Map of Fox Valley Technical College's Regions



Source: GAO analysis of Fox Valley Technical College data. | GAO-24-106670

Note: Prior to November 2023, Fox Valley had a system of five regions to facilitate interstate coordination. Since then, Fox Valley has added a sixth region for the U.S. territories.

Fox Valley also has a partner portal for every AMBER Alert coordinator to communicate with each other, locate contact information, and access resources—such as examples of AMBER Alert plans. According to Fox Valley officials, while they work with the Tribes and U.S. territories to establish designated AMBER Alert coordinators, the points of contact they have established in each Tribe or U.S. territory can access the portal, regardless of if they are an official AMBER Alert coordinator.

Fox Valley also holds an annual National AMBER Alert and AMBER Alert in Indian Country Symposium that offers regional and tribal breakout sessions.⁴⁸ This conference brings together AMBER Alert coordinators, clearinghouse managers, law enforcement personnel, and other stakeholders from across the country. Fox Valley has a media outreach team that promotes the symposium and anyone who previously attended an AMBER Alert training receives emails about upcoming trainings and the annual symposium. At the 2024 symposium, Fox Valley offered regional breakout sessions, where we observed attendees from the same region come together to discuss prevailing issues related to AMBER Alerts and missing children in their area. Fox Valley also used this session to identify training needs. The symposium had a tribal breakout session, where we observed individuals from Tribes across the country convening to share issues and connect with state and federal colleagues.

Tribal and U.S. territory participation in the symposium has been mixed. Officials from one Tribe we spoke to stated they attended AMBER Alert Symposiums in the past and found them beneficial. They also stated that at one symposium, Fox Valley shared their Tribe's AMBER Alert plan with other tribal governments as a model of success. While there were some officials from Tribes and Alaska Native villages at the 2024 symposium, no representatives from U.S. territories attended. Fox Valley officials told us that they were only able to give a limited number of travel scholarships for the symposium and that officials from the U.S. territories had not applied for them. However, the Commonwealth of Puerto Rico officials attended the 2023 symposium and told us that they met with colleagues from over 30 states to discuss lessons learned, which they found to be beneficial.

Encouraging AMBER Alert plan development. The PROTECT Act, as amended by the 2021 NDAA, requires DOJ to encourage Tribes and U.S. territories to develop local AMBER Alert plans.⁴⁹

According to DOJ, two of the five U.S. territories and one Tribe—the Navajo Nation—have an AMBER Alert plan.⁵⁰ Regarding U.S. territories, Fox Valley has conducted outreach to all U.S. territories to encourage the development of AMBER Alert plans.

Regarding Tribes, Fox Valley officials reported they have made attempts at contacting all 574 federally recognized Tribes, and have worked with, or are currently working with, 240 Tribes. Officials from the Tribe with an AMBER Alert plan, Navajo Nation, told us that they began setting up their AMBER Alert program in 2016. They said that Fox Valley frequently met with them as they built their AMBER Alert plan. The Navajo Nation conducted a practice AMBER Alert activation with Fox Valley, and Fox Valley provided suggestions to hone their plan. Fox Valley officials told us that if a Tribe expresses interest in developing an AMBER Alert plan, Fox Valley will schedule meetings with that Tribe as soon as possible to offer assistance.

⁴⁸According to Fox Valley officials, prior to 2023, the AMBER Alert in Indian Country Symposium and the National AMBER Alert Symposium were held on separate dates. Since 2023, the annual symposium has combined the National AMBER Alert Symposium and the AMBER Alert in Indian Country Symposium, meaning tribal officials and state stakeholders attend the same conference.

⁴⁹34 U.S.C. § 20501(b)(2).

⁵⁰A 2019 DOJ survey of Tribes found that 25 Tribes reported having an alerting system that can be used within tribal boundaries in the event of a child abduction. These systems are not specific to AMBER Alerts and not part of a state or regional AMBER Alert plan. Further, 86 Tribes reported that their Tribe was authorized to take part in the state AMBER Alert plan. Department of Justice, *Implementation of the Ashlynnne Mike AMBER Alert in Indian Country Act of 2018: A Report to Congress*.

In addition to assisting with the development of tribal AMBER Alert plans, Fox Valley officials stated they assist the integration of Tribes into their respective state's plan. According to Fox Valley officials, integration of a Tribe into a state plan is not the same as a Tribe being covered under a state plan. These officials stated all Tribes are covered under their state plans—which means they may receive AMBER Alerts or request the issuance of AMBER Alerts from state officials.⁵¹ They consider integration into a state plan to be a formal agreement between state and tribal law enforcement. As of July 2024, Fox Valley officials stated that of the 240 Tribes they have worked with, 164 Tribes have been integrated into their state's AMBER Alert plan. Officials from a Tribe integrated into their state's plan told us that for all alerts, including AMBER Alerts, their policy is to work with their state police's messaging center to create the AMBER Alert's message. The state would then issue the AMBER Alert.

Officials from the three Tribes we spoke to that had not worked with Fox Valley had varying views and interest in obtaining AMBER Alert training and technical assistance from DOJ. Officials from two of the three Tribes expressed interest in creating an AMBER Alert plan. For instance, officials from one Tribe stated that they would like to be integrated into an AMBER Alert plan with other Tribes, state, and local governments in their area because sometimes people from other Tribes go missing and are found on their reservation. Officials from another Tribe told us that because their Tribe is isolated, they are largely aware of who comes to and leaves the community, and as a result, there is minimal need for an AMBER Alert plan.⁵²

Fox Valley also provides a technology toolkit to interested Tribes to help them work more quickly and efficiently during missing child cases. Each toolkit includes a tablet, webcam, digital camera, wireless printer and scanner, and other equipment. Officials from one Tribe told us that Fox Valley supported them in developing their AMBER Alert plan and provided seven toolkits to help with their technological needs, which made it easier to attend webinars. An official from another Tribe told us about a previous experience where Fox Valley had also provided a toolkit and given the Tribe funding to attend a training.⁵³ Fox Valley officials told us that officials from some Tribes stated they already had the necessary resources and did not need the toolkit. According to these officials, they plan to deliver 150 toolkits to tribal communities that have their own AMBER Alert plan or participate in regional or state plans. Fox Valley officials told us that they developed the toolkits using funds carried over from the COVID-19 pandemic.

As part of their role in encouraging AMBER Alert plan development, DOJ officials stated that they rely on Fox Valley to consult with Tribes and U.S. territories on what to include in an alert, how widely to issue it, and when to issue it. The PROTECT Act, as amended by the 2021 NDAA, states that to the maximum extent practicable (as determined in consultation with state, territorial, tribal, and local law enforcement agencies) an AMBER

⁵¹Fox Valley officials also told us some Tribes may not be aware that they are covered under their state's AMBER Alert plan. Fox Valley and NCMEC officials explained that this is, in part, because high rates of tribal leadership turnover may result in discontinuity of information and partnerships. To help ensure Tribes are aware of their coverage under state plans, Fox Valley officials stated they try to have contact with multiple individuals in the Tribe. If one contact leaves, such as after an election, Fox Valley would still have other contacts. For example, officials stated they try to maintain contact with staff in tribal social services offices, child and protective services offices, and casinos. Officials from some Tribes we spoke with also acknowledged that turnover can make it challenging to ensure continuity.

⁵²In addition, one Tribe we contacted—but did not meet with—stated they were not interested in assistance.

⁵³This official was a contracted law enforcement officer from the Bureau of Indian Affairs. The official had been with the Tribe for 2 weeks and was not aware whether the Tribe we selected was integrated into the state's AMBER Alert plan. However, the official provided insights from his work with Fox Valley when he was providing law enforcement for another Tribe that we had not selected for our review.

Alert should (1) include information related to a child’s special needs and (2) only be disseminated to the geographic area most likely to facilitate the recovery of the child.⁵⁴

DOJ officials said that Fox Valley is to encourage Tribes, states, and U.S. territories to include language in their AMBER Alert plans related to children with autism, as Fox Valley had previously identified this as a gap.⁵⁵ Fox Valley officials share and encourage the use of NCMEC’s Law Enforcement Policy and Procedures for Reports of Missing and Abducted Children that has an Addendum for Missing Children with Special Needs. Regarding the dissemination of an AMBER Alert to a certain geographic area, DOJ said that this determination is largely automated through IPAWS.⁵⁶ DOJ’s AMBER Alert Best Practices document also includes suggested criteria for issuing AMBER Alerts, including when to issue them.⁵⁷ Fox Valley officials stated that while they share AMBER Alert best practices and encourage incorporation of certain language, they defer to local law enforcement to craft the exact language of their plan. Fox Valley officials said that local law enforcement know their local geographic area and AMBER Alert criteria the best. Officials from one Tribe with whom we spoke told us that Fox Valley provided them with NCMEC’s addendum and DOJ’s AMBER Alert Best Practices document, which they used to develop their plan.

In addition to assisting with AMBER Alert plan development, DOJ requires its AMBER Alert award recipient—currently Fox Valley—to produce an annual report on the status of AMBER Alert plans across the United States. The general aim of the annual report is to identify and assess the evolution of AMBER Alert plans and encourage local officials to align their plans with DOJ’s AMBER Alert best practices. The specific focus of the annual report has changed over time.⁵⁸ The 2023 report, for example, looked at states’ use of non-AMBER alerts that can serve missing persons who do not meet the AMBER Alert criteria, and the 2022 report included information from meetings with AMBER Alert coordinators and clearinghouse managers for each state. Some prior years’ reports, such as in 2021, addressed special topics such as the evolution of Amber Alert technology. Each report also offers general strategies for strengthening and increasing the consistency of AMBER Alert efforts across the AMBER Alert network.

DOJ began requiring its award recipient to provide these reports on an annual basis in 2017’s AMBER Alert program solicitation. Prior to that date, the award recipient provided them to DOJ every few years. While Fox Valley has provided these reports to DOJ, it has not consistently included Tribes and U.S. territories in its reports. In our analysis of Fox Valley’s three most recent reports (2021 through 2023), we found that Fox Valley did not include any Tribes in these reports. Further, Fox Valley included one U.S. territory in one of its last three reports. Inclusion of Tribes and U.S. territories is important because most Tribes and three of the U.S. territories do not have an AMBER Alert plan, according to DOJ, and some Tribes may not be aware that

⁵⁴34 U.S.C. § 20502(b)(2), (3). According to NCMEC, special needs include debilitating physical impairments, social impairments, cognitive impairments, or communication challenges.

⁵⁵In addition, in July 2024, DOJ added requirements to its fiscal year 2024 AMBER Alert program solicitation for the awardee recipient to coordinate with DHS, the Department of Transportation, and the Federal Communications Commission to establish minimum messaging guidelines. The solicitation requirements align with the requirements of the 2021 NDAA, codified at 34 U.S.C. § 20502(b)(2), (3).

⁵⁶The Federal Emergency Management Agency has an IPAWS Best Practices Guide that provides guidance and techniques for sending out alerts.

⁵⁷Department of Justice, Office of Justice Programs *AMBER Alert Best Practices: Second Edition*.

⁵⁸According to Fox Valley officials, this is because they did not want to report on the same criteria every year and wanted to take a more intentional approach.

they are integrated with or covered under their state’s plan. Further, according to the 2022 annual report, some state AMBER Alert coordinators were not aware if their state had tribal law enforcement agencies or did not have a relationship with them, among other things.

Prior to July 2024, DOJ did not require the AMBER Alert program award recipient to include Tribes and U.S. territories in these reports. However, in July 2024, DOJ issued a non-competitive AMBER Alert program solicitation for fiscal year 2024 that officials stated DOJ awarded to Fox Valley. In its solicitation, DOJ added a requirement for its award recipient to develop a process to include Tribes and U.S. territories in its annual report on AMBER Alert plans. Furthermore, DOJ officials stated that they plan to include such requirements in future solicitations. DOJ officials stated that they specifically added these requirements in the solicitation as a result of our audit work.

By requiring that its AMBER Alert award recipient includes Tribes—those with their own plans and those included in state plans—and U.S. territories in its annual report on AMBER Alert plans, DOJ is better positioned to identify ways to strengthen AMBER Alert plans in the network—such as helping to enhance consistency across plans and ensure the integration of Tribes into state and regional plans. This, in turn, may also help DOJ in its efforts to encourage Tribes and U.S. territories to develop AMBER Alert plans, consistent with the PROTECT Act.

Agency Comments and Our Evaluation

We provided a draft of this report to DOJ and DHS for review and comment. In the draft report we provided to DOJ and DHS for agency comment, we included two recommendations. Specifically, we recommended that DOJ (1) incorporate U.S. territories in its AMBER Alert program solicitation and (2) require the program’s award recipient to include Tribes and U.S. territories into its annual AMBER Alert report. During the agency comment period, DOJ provided comments via email that it had taken actions to address these recommendations. In addition, DOJ provided us with documentation showing that, as of July 2024, DOJ has included U.S. territories in its program solicitation and requires the award recipient to develop a process to include Tribes and U.S. territories in its annual AMBER Alert report. As such, we consider these recommendations to be implemented, and they are not included in this report. DOJ did not provide any further comments. DHS did not have any written comments on the report.

In addition, we provided draft excerpts of the report to officials in each of the Tribes that we interviewed and all five of the permanently inhabited U.S. territories. Officials from four of the five U.S. territories provided technical comments, which we incorporated as appropriate. The Tribes and one U.S. territory did not provide comments on the report.

We are sending copies of this report to the appropriate congressional committees, the Attorney General, the Secretary of Homeland Security, and other interested parties. In addition, the report is available at no charge on the GAO website at <https://www.gao.gov>.

If you or your staff have any questions about this report, please contact Gretta L. Goodwin at (202) 512-8777 or GoodwinG@gao.gov. Contact points for our Offices of Congressional Relations and Public Affairs may be found on the last page of this report. GAO staff who made major contributions to this report are listed in appendix III.

Letter

A handwritten signature in cursive script that reads "Gretta L. Goodwin". The signature is written in black ink and is positioned above the printed name.

Gretta L. Goodwin
Director, Homeland Security and Justice

List of Addressees

The Honorable Tom Carper
Chairman
The Honorable Shelley M. Capito
Ranking Member
Committee on Environment and Public Works
United States Senate

The Honorable Richard J. Durbin
Chair
The Honorable Lindsey Graham
Ranking Member
Committee on the Judiciary
United States Senate

The Honorable Jim Jordan
Chairman
The Honorable Jerrold Nadler
Ranking Member
Committee on the Judiciary
House of Representatives

The Honorable Sam Graves
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The Honorable Rick Larsen
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House of Representatives

The Honorable Jenniffer González-Colón
House of Representatives

The Honorable James Moylan
House of Representatives

The Honorable Stacey Plaskett
House of Representatives

The Honorable Aumua Amata Coleman Radewagen
House of Representatives

The Honorable Gregorio Kilili Camacho Sablan
House of Representatives

Appendix I: 2021 Amendments Related to AMBER Alerts

The William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021 (2021 NDAA) amended the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today (PROTECT) Act.¹ Table 1 below displays the statutory amendments specific to the AMBER Alert coordinator’s responsibilities and the relevant subheading under which we discuss the Department of Justice (DOJ)’s implementation of changes in our report.

Table 1: Fiscal Year 2021 National Defense Authorization Act Amendments to the National AMBER Alert Coordinator’s Responsibilities

Statutory citation	Summary of amended provision (bold text indicates 2021 NDAA amendments)	Report subheading in which amendment is discussed
34 U.S.C. §§ 20501(d), 20502(c)(1)	The AMBER Alert Coordinator must cooperate with the Secretary of Transportation, the Secretary of Homeland Security , and the Federal Communications Commission in carrying out activities under sections 20501 and 20502.	Cooperating with Department of Homeland Security
34 U.S.C. § 20501(b)(1)	The AMBER Alert Coordinator must seek to eliminate gaps in the network, including gaps in areas of interstate travel (including airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States).	Eliminating gaps at ports and borders
34 U.S.C. § 20501(b)(3)	The AMBER Alert Coordinator must work with States, U.S. territories, and tribal governments to ensure appropriate regional coordination of various elements of the AMBER Alert network.	Ensuring regional coordination
34 U.S.C. § 20501(b)(2), 20502(b)(2), (3)	The AMBER Alert Coordinator must work with States, U.S. territories, and tribal governments to encourage the development of additional elements (known as local AMBER plans) in the AMBER Alert network. In connection with these plans, and in consultation with State, territorial, tribal , and local law enforcement agencies, the AMBER Alert Coordinator must determine minimum standards related to (1) providing law enforcement with appropriate information about the special needs of an abducted child, and (2) disseminating alerts to geographic areas most likely to facilitate the recovery of an abducted child.	Encouraging AMBER Alert plan development

Source: GAO analysis of statutory requirements. | GAO-24-106670

In addition, the 2021 NDAA amended a DOJ grant program related to AMBER Alerts, as shown in table 2. This grant program was established by the PROTECT Act to provide grants to Tribes and states to enhance or develop their AMBER Alert plans and to integrate tribal and state AMBER systems.²

¹Pub. L. No. 116-283, div. H, tit. C, § 10001, 134 Stat. at 4860-63.

²34 U.S.C. § 20504(a).

Table 2: Fiscal Year 2021 National Defense Authorization Act Amendments to Department of Justice’s Statutory AMBER Alert Grant Program

Statutory citation	Summary of amended provision (bold text indicates 2021 NDAA amendments)
34 U.S.C. § 20504(b)(4)	Activities funded by grants under section 20504 may include the integration of State or regional AMBER Alert communication plans with a territorial government or a Tribe; and
34 U.S.C. § 20504(c)	The Federal share of the cost of any activities funded by a grant under section 20504 may not exceed 50 percent. If the Attorney General determines that American Samoa, Guam, the [Commonwealth of the] Northern Mariana Islands, [the Commonwealth of] Puerto Rico, the U.S. Virgin Islands , or a Tribe is unable to comply with that requirement, the Attorney General shall waive such requirement.
34 U.S.C. § 20504(d)	The Attorney General shall, to the maximum extent practicable, ensure the equitable distribution of grants under section 20504 throughout the various regions of the United States, including U.S. territories .

Source: GAO analysis of statutory requirements. | GAO-24-106670

However, DOJ officials told us that they do not operate a statutory grant program pursuant to the PROTECT Act. Instead, these officials stated that DOJ’s Office of Justice Programs created and currently operates the AMBER Alert Training and Technical Assistance Program (AMBER Alert program) pursuant to authority in Office of Justice Programs’ annual appropriation.³ The AMBER Alert program that DOJ operates provides, in part, training and technical assistance to enhance the AMBER Alert network and works to implement AMBER Alerts on tribal lands.⁴ In addition, officials told us that under the AMBER Alert program, efforts are underway to work with U.S. territories to develop AMBER Alert plans and integrate the U.S. territories into the network.

According to DOJ officials, because the AMBER Alert program that DOJ operates is authorized by an annual appropriations statute rather than the PROTECT Act, DOJ officials informed us that some aspects of the grant program described in the PROTECT Act are not included in the DOJ’s AMBER Alert program. Under the PROTECT Act, for example, DOJ would provide funds directly to Tribes, states, and territories. By contrast, the AMBER Alert program involves one funding recipient, which uses the funds to provide training and technical assistance to Tribes, states, and territories. According to DOJ officials, administering a program that funds one recipient, which then works with Tribes, states, and territories, ensures more efficient use of funds than would the direct distribution of funds among the Tribes, states, and territories.

Finally, the 2021 NDAA amended the PROTECT Act to require the Secretary of Transportation to provide grants for the development or enhancement of notification or communications systems at airports, maritime ports, border crossing areas and checkpoints, and ports of exit from the United States.⁵ These systems would be used for alerts and other information for the recovery of abducted children. At the time of our review, funds

³In this regard, DOJ cited the Consolidated Appropriations Act, 2023, Pub. L. No. 117-328, div. B, tit. II, 136 Stat. 4459, 4538-39 (2022). As such, 2021 NDAA amendments to the PROTECT Act that allow DOJ to waive the federal share requirement for territories and require DOJ to include territories when considering equitable distribution of grant funds are not relevant for our review. See 34 U.S.C. § 20504(b)(4), (c)(2), (d).

⁴The current AMBER Alert award recipient is Fox Valley Technical College.

⁵34 U.S.C. § 20503.





specific to these grants had not been appropriated, and according to Department of Transportation officials, the agency does not have funding that could be used to implement the grants.⁶

⁶The 2021 NDAA included a provision for us to review implementation of the amendments to the PROTECT Act no later than 5 years after enactment. See Pub. L. No. 116-283, div. H, tit. C, § 10001(d), 134 Stat. at 4862-63. We will continue to monitor appropriations for the Department of Transportation grant program in determining when we will review those amendments.

Appendix II. Fox Valley Technical College's Training and Technical Assistance Courses

Fox Valley Technical College's National Criminal Justice Training Center displays upcoming training opportunities on its website. Figure 9, below, is a screenshot taken from the training webpage. Interested parties can filter training corresponding to their area of interest.

Figure 9: Examples of Fox Valley's Technical College 2024 AMBER Alert Training and Technical Assistance Courses

	<h3>Unresolved Missing Person Cases in Alaskan Native Villages</h3> <p>Classroom</p> <p>Discover proven investigative strategies and acquire the requisite skills to investigate and manage unresolved homicides and long-term missing children and adult cases in Alaskan Native Villages. Explore the roles and responsibilities of an unresolved case team when working these investigations. Gain insight into the dynamics of violent crime investigations, missing persons, homicides, and no-body... More</p>	No Fee SELECT DATE
	<h3>AMBER Alert Activation Best Practices (AAABP)</h3> <p>Classroom</p> <p>Enhance your agency's AMBER Alert activations by utilizing new strategies. Examine training requirements and procedures for activating an AMBER Alert and gain an in-depth review of current best practices, trends and analytics, and industry leaders. Explore current abduction trends, laws related to mandatory notifications, yearly statistics, and resources available during an activation.</p>	MORE INFO
 	<h3>AMBER Alert Best Practices - Law Enforcement Field Guide</h3> <p>Webinar (Watch Now) ⌚ Duration: 1h 6m ▶ Recorded on May 14, 2020</p> <p>The AMBER Alert Best Practices - Law Enforcement Field Guide is a companion to the AMBER Alert Best Practices Guide and is aimed at law enforcement agencies and 1st Responders. It is designed to provide administrators with a document on what to expect in the event of an endangered missing or abducted child investigation, as well as provide their personnel with a reference manual to help jump start... More</p>	MORE INFO

Source: <https://ncjtc.fvtc.edu> (June 12, 2024). | GAO-24-106670

Appendix III. GAO Contacts and Staff Acknowledgments

GAO Contact:

Gretta L. Goodwin, 202-512-8777 or goodwing@gao.gov

Staff Acknowledgements:

In addition to the contact named above, Tracey Cross (Assistant Director), Aaron Safer-Lichtenstein (Analyst-in-Charge), Breana Stevens, Elizabeth Dretsch, Gabriel Jiménez-Barrón, Samantha Lyew, Dominick Dale, Benjamin Crossley, and James White made key contributions to this report. Sally Moino, Paige Gilbreath, and Latesha Love-Grayer provided essential support.

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