



FEMA

CISA-FEMA Tribal Cybersecurity Grant Program

Framing Paper for Tribal Consultation

Wednesday August 17, 2022 | 1:30PM ET

Overarching Consultation Questions

What courses of action can the Cybersecurity and Infrastructure Security Agency (CISA) and Federal Emergency Management Agency (FEMA) take to ensure the Tribal Cybersecurity Grant Program (TCGP) is accessible and meets the cybersecurity needs of Tribal Nations to the maximum extent possible? What additional barriers and challenges do Tribal Nations face in accessing and leveraging the TCGP?

Background

In November 2021, the State and Local Cybersecurity Improvement Act was signed into law as part of the Infrastructure Investment and Jobs Act of 2021, and incorporated into the Homeland Security Act of 2002, as amended, as [the Bipartisan Infrastructure Law \(Public Law 117-58\)](#), Section 2220A ([6 U.S.C. § 665g](#)). This law provides \$1 billion over four years for cybersecurity grants to state, local, tribal, and territorial governments to address cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, state, local, tribal, and territorial governments. The law designates 3 percent of the funding each year to tribal governments. Both CISA and FEMA are involved in administration of the TCGP. CISA will provide subject-matter expertise and determine allowable activities, program goals, and funding priorities, while FEMA will provide grant administration and oversight to include conducting eligibility reviews, issuing grant awards, and financial management and oversight consistent with all applicable laws, regulations, and policies.

FEMA and CISA remain committed to their responsibility under Executive Order 13175: [Consultation and Coordination with Indian Tribal Governments](#), reaffirmed by President Biden's [January 26, 2021, Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#), and reflected in [FEMA's Tribal Consultation Policy](#), to engage in meaningful consultation and collaboration with tribal officials. In addition, [FEMA's Tribal Policy](#) outlines a framework for nation-to-nation relations between FEMA and Tribal Nations that recognizes tribal sovereignty, self-governance, and FEMA's responsibilities, consistent with applicable authorities.

The purpose of the August 17th tribal consultation is to receive feedback on how CISA and FEMA can maximize tribal access to the TCGP. The virtual consultation will be hosted on the Zoom for Government platform. Please register [here](#) to attend.

Discussion Questions

CISA and FEMA seek input on how the TCGP can better serve tribal cybersecurity needs. Below are questions for your consideration. These are intended to guide the discussion, and are not an exhaustive list of potential topics:

1. Regarding the TCGP:
 - a. What are your recommendations for cost-sharing requirements?
 - b. What are your recommendations for how the tribal apportionment should be

distributed amongst the 574 federally recognized Tribal Nations?

- c. What are your recommendations to streamline the grant application process and make it more efficient?
 - d. What are your thoughts on alternatives to a Cybersecurity Planning Committee, required participation on and supervision of that Committee,
 - e. What are your thoughts on requiring the Chief Information Officer or Chief Information Security Officer to approve the Cybersecurity Plan?
2. What additional challenges do tribal governments face in requesting, receiving, and managing DHS Grants?
 - a. What support could FEMA and CISA provide to assist tribal governments in managing grant funding throughout the grant lifecycle (e.g., planning, project development, application, grants management, close out)?
 3. Are there any tribal cultural needs that FEMA and CISA should be aware of during the lifespan of the TCGP?
 4. What additional flexibilities would be helpful in using grant funding to support the completion of grant requirements?
 5. What would tribal leaders like to see in the future in terms of using these grants to help reduce cyber risks?

All consultation materials may be found at [Tribal Consultations | FEMA.gov](#). The consultation record will remain open for 30 days after the virtual session for tribal leaders to submit feedback or comments to gpd-comms@fema.dhs.gov Final feedback and comments are due by Friday, September 16, 2022.