January 2, 2025

Dear Tribal Leader:

The Federal Emergency Management Agency (FEMA) and Cybersecurity and Infrastructure Security Agency (CISA) hosted a virtual tribal consultation on September 24, 2024. Tribal governments and representatives were invited to provide feedback on the implementation of Tribal Cybersecurity Grant Program (TCGP) thus far and to suggest improvements to consider for Fiscal Years (FY) 2024 and 2025. This consultation was a continuation of the Nation-to-Nation dialogue which began in 2022. After the September 24, 2024, consultation, Tribal Nations were encouraged to submit additional feedback via an open comment period through November 8, 2024. Neither FEMA nor CISA received any additional comments.

The questions below informed the discussion during the Tribal Consultation:

1. **Overarching Consultation Questions**

   a. What feedback do Tribal Nations have for FEMA and CISA on their experiences with the FY 2023 TCGP?

   b. How can FEMA and CISA improve the upcoming fiscal years' programs?

   c. What should FEMA and CISA know about the cybersecurity needs of Tribal Nations?

   d. How can CISA better support Tribal Nations in mitigating cyber risks?

2. **Feedback on the FY 2023 TCGP to improve the FY 2024 and FY 2025 TCGP**

   a. Were the FY 2023 Pre-Notice of Funding Opportunity (NOFO) Webinars helpful in preparing you to apply for the TCGP? If so, what aspects of the webinar, in particular, do you feel went well? What additional information would you have found helpful to know before the FY 2023 TCGP NOFO was released?

   b. What aspects of the FY 2023 TCGP NOFO did you find helpful and what areas could be improved for the FY 2024 TCGP NOFO?

   c. Have you participated in any of the FEMA and CISA Post-NOFO Release Technical Assistance (TA) offerings, such as the FEMA TCGP Application Webinars, FEMA Grants 101 and Procurement Webinars, and CISA Cyber Planning and Project Development Webinars? If so, how have those been helpful?

   d. What additional training and technical assistance do you recommend for tribal applicants?

e. Do you know who to contact at FEMA and CISA for questions and/or technical assistance on the FY 2024 TCGP application process?

f. For Tribal Nations who applied for FY 2023 TCGP funding, did you find the TCGP Cybersecurity Plan Template useful in assisting your tribe with developing a Cybersecurity Plan to submit with your application? Were the Investment Justification (IJs), Cybersecurity Plan Template, and Project Worksheet (PW) User Guides helpful in preparing those application documents?

g. Do you feel that [CISA's cybersecurity best practices](#) are relevant to the cybersecurity needs of Tribal Nations? If not, how can the product be improved to meet the cybersecurity needs of Tribal Nations?

h. Are there any services that CISA offers which could be better tailored to accommodate the needs of Tribal Nations?

i. What challenges have tribal governments faced in requesting, receiving, and managing Department of Homeland Security (DHS) grants?

    i. What further support could FEMA provide to assist tribal governments in managing grant funding throughout the grant lifecycle (e.g., pre-award and application, award, monitoring, reporting, payments, audit, and closeout)?

    ii. What technical assistance can CISA provide to tribal applicants with cybersecurity planning, project development, or cyber resources?

j. Are there any tribal cultural needs that FEMA and CISA should be aware during the lifespan of the TCGP?

3. **Questions regarding Tribal Cybersecurity Needs**

a. Do you feel that your Tribal Nation has sufficient access to cybersecurity training?

b. What are some of the major barriers that might prevent Tribal Nations from participating in CISA's cyber services?

c. Would your Tribal Nation benefit from having a regional point of contact within CISA to discuss cybersecurity issues?

d. If offered, would Tribal Nations benefit from a free risk assessment service provided by CISA?

4. **Questions regarding the feasibility of utilizing a risk-based formula for TCGP:**

a. What types of information and operational technology systems and services is your Tribal Nation most concerned with protecting via cybersecurity efforts?

b. How do Tribal Nations define cybersecurity risk? (e.g., What are cybersecurity threats? What systems are most vulnerable? What is the consequence of a loss of data, denial of service, or physical damage?)

c. To what extent does your Tribal Nation collect data on these cybersecurity risks, threats, and consequences? How effective are current data collection efforts? What are potential barriers to describing and/or quantifying cybersecurity risk?

d. What are potential advantages, disadvantages, or barriers of using a risk-based formula as opposed to the tiered population-based approach used for FY 2023, to allocate funds apportioned to Tribal Nations?

Tribal leaders confirmed adjustments made to TCGP in response to feedback from Tribal Leaders during the 2022 and 2023 Tribal Consultations were responsive to those concerns and recommendations and should be continued for future fiscal years of the program. These include:

1. Blanket cost share waiver for Tribal Nations.

2. Discretionary allocation methodology using population-based funding categories to evaluate applications and determine funding recommendations.

3. Adjustment of the Cybersecurity Planning Committee for Tribal Nations to allow for existing governance bodies to be used to satisfy this requirement.

4. Provision of robust technical assistance, including Post-NOFO release webinars to review the Cybersecurity Plan Template, Investment Justification, and Project Worksheet.

Additionally, Tribal Leaders shared several important points and suggestions during this year's consultation. As a result, FEMA and CISA are exploring the suggestions below with the appropriate authorities. Some of these proposed suggestions will require legislative changes and input from DHS leadership.

- Communicating directly with Tribal Leaders on the points of contact (POCs) for each agency.

- Clarifying the Indirect Costs and the Management and Administration costs in successive iterations of the NOFO.

- Communicating to Congress that Tribal Nations would prefer to include Tribal businesses as eligible entities for potential future authorizations of the TCGP.

- Communicating to Congress that Tribal Nations would prefer to receive more than 3% of any potential future Bipartisan Infrastructure Law authorization for cybersecurity funding for the TCGP. More equitable access to cybersecurity funding would allow Tribal
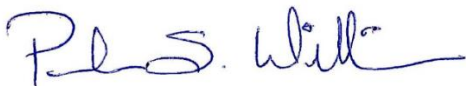
Nations to bolster their cybersecurity resilience, respond to cybersecurity attacks, and protect their infrastructure.

- Working in coordination with DHS to offer more Tribal-specific trainings. For example, the DHS Fiscal Responsibility for Grants training is only offered once, annually.

- Suggesting extension of the Period of Performance for the TCGP to provide more time for Tribal-specific processes and coordination with the Bureau of Indian Affairs.

- Amending the authorizing statute to waive the Cybersecurity Planning Committee requirement for Tribal Nations, as many smaller Tribal Nations do not have full-time Tribal counselors. In some cases, these individuals have full-time jobs, and to ask them to serve as Cybersecurity Planning Committee members is burdensome.

We plan on hosting another tribal consultation next year to continue these discussions and gather additional feedback from Tribal Nations on what changes are needed to make TCGP and the State and Local Cybersecurity Grant Program as accessible and equitable as possible.

We thank you for your continued engagement and look forward to future opportunities to gather your feedback about our programs.

Sincerely,

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