



FEMA

April 11, 2023

Dear Tribal Leaders:

I would like to extend my appreciation and thanks to the Tribal leaders and representatives of Tribal Nations who were able to participate in the November 9, 2022, tribal consultation to discuss FEMA's proposed changes to the [Tribal Homeland Security Grant Program \(THSGP\)](#). Your feedback and input on our proposal was invaluable. Thank you also to those who submitted written comments during the open comment period from November 9, 2022, to January 9, 2023.

We asked Tribal leaders several questions during the consultation:

1. Does the proposed expansion of what a "directly eligible tribe" is meet tribal needs?
2. Does the proposed expansion in scope of the program to include "all hazards" (and removal of the required connection to terrorism) meet tribal needs?
3. Does the removal of the requirement that Tribes send their applications to state governments for review meet tribal needs?
4. Does the proposed amount of 5% of funds for expenses directly related to the administration of a grant meet tribal needs?
5. Does adding the acquisition of acquiring land, constructing buildings, or altering/remodeling existing buildings as eligible costs meet tribal needs?
6. Does expanding the program to allow for increased personnel costs meet tribal needs?
7. Does exempting the program from the Paperwork Reduction Act and Federal Advisory Committee Act meet tribal needs?
8. Does funding the program as its own standalone grant program (not as a carve-out of other programs) meet tribal needs?
9. What additional changes would Tribal leaders like to see to THSGP?

Tribal leaders and representatives shared the following recommendations:

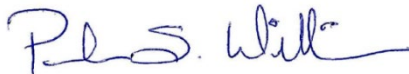
- Make the THSGP a standalone grant program, similar to the Emergency Management Performance Grant program (EMPG) with annual funding for all Tribal Nations but with no federal cost share in recognition to the treaty and trust responsibility for all Tribal Nations. The EMPG should also be amended to allow Tribal Nations to be directly eligible for and receive EMPG funds even with a standalone THSGP since Tribal Nations can only currently access the EMPG as a state pass through entity.
- The dollar amount for the grant program should increase in order to meet the needs of Indian Country and allow greater access for capability development across all Tribal Nations.
- The THSGP should be non-competitive, and it should be annual funding for all Tribal Nations.
- The grant should allow for more than 5% for grant administration and personnel costs. Allowing Tribal Nations to utilize their indirect costs for all overhead simplifies and streamlines a Tribal Nation's overhead expenses.
- FEMA should provide technical assistance to Tribal Nations that want to apply to the

- grant program.
- The paperwork burden for the grant program should be reduced and the application process should be streamlined for all Tribal Nations.
 - FEMA needs to ensure funding is simple to attain and administer.
 - FEMA should consider developing a pilot program for tribal self-governance, starting with the funding set-aside for the THSGP.
 - Tribal Nations should be able to apply for funding without going through a state since states do not have a treaty and trust responsibility to Tribal Nations. As an arm of the federal government, FEMA does have that responsibility.
 - FEMA's proposed expansion of the definition of "directly eligible tribe" meets Tribal Nation's needs.
 - FEMA's proposed expansion in scope and removal of the requirement for a specific connection to terrorism are good changes. Allowing for "all hazards" better meets the unique needs of Tribal Nations.
 - FEMA's proposal to remove the States' review of THSGP grant applications meets Tribal Nations needs and acknowledges Tribal Nation sovereignty as separate and distinct governments in their own right.
 - FEMA's proposed expansion of eligible costs to include land purchase and construction meets Tribal Nation's needs.

FEMA shared the feedback received during the tribal consultation with the Office of Management and Budget (OMB). Another tribal consultation will be held once we have additional information to share.

We thank you for your continued partnership and look forward to future opportunities to gather feedback from Tribal Nations on our programs to ensure that they work for Indian Country.

Sincerely,



Pamela S. Williams
Assistant Administrator
Grant Programs Directorate

Cc: Tribal Emergency Managers