



FEMA

December 2, 2022

Dear Tribal Leader:

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 Aug. 17, 2022, Tribal Consultation about the Department of Homeland Security's Tribal Cybersecurity Grant Program (TCGP). Your feedback on the overall process to support the delivery of grant funds to Tribal governments was invaluable. Thank you also to those who submitted written comments during the open comment period from Aug. 17 to Oct. 17, 2022. The input received has been essential to our understanding of how to administer the new TCGP in a way that is most effective for Tribal Nations. Nations.

We asked Tribal leaders several questions during the consultation:

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 Nations face in requesting, receiving and managing DHS grants?
 - a. What support could the FEMA and the Cybersecurity and Infrastructure Security Agency (CISA) provide to assist Tribal Nations in managing grant funding throughout the grant lifecycle (e.g., planning, project development, application, grants management, closeout)?
3. Are there any Tribal cultural needs that FEMA and CISA should be aware of during the span of TCGP (calendar years 2023-2026)?
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?

Tribal leaders and representatives shared their feedback during the consultation discussion, including the following recommendations:

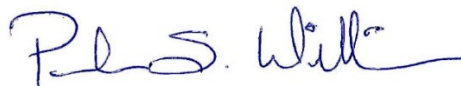
- TCGP should not be a competitive grant. It is unfair for smaller, less resourced Tribal Nations to compete with larger Tribal Nations.
- FEMA and CISA should consider Tribal entities other than Tribal Nations. Some Tribal Nations work together to form a tribal consortium to apply for certain federal grants.
- The structure of the TCGP Planning Committee may not be feasible for all Tribes. Some Tribes simply do not have the manpower capacity to have yet another committee steering or otherwise, and oftentimes, lack the required expertise.
- The TCGP cost share should be eliminated for all eligible Tribal entities since Tribal Nations do not have a tax base, and therefore, a cost-share requirement creates an additional financial burden for Tribal Nations.
- We should capitalize on the statutory waiver flexibility given to FEMA and the Department of the Interior regarding Tribal Nation cost share waivers, rather than following the scheduled outlined in the legislation: Fiscal Year (FY) 22: 90%; FY 23: 80%; FY 24: 70%; FY 25: 60%.
- TCGP should incorporate flexibility for Tribal Nations to adhere to cultural practices in their work under the grant. For example, allowing Tribal Nations to use language to craft their cyber plans for their neighbors rather than themselves so not to bring forward a attack.
- %,and the cost share for Tribes should be waived. The default cost-share outlined in the legislation (%) should not be followed.

As a result of the feedback received during the Tribal Consultation and the open comment period, FEMA and CISA are working to develop a TCGP Notice of Funding Opportunity (NOFO) that incorporates Tribal Nation recommendations, aligns to Tribal cybersecurity priorities, and creates a more equitable environment for all Tribal Nations to apply for federal grant funding. The TCGP NOFO is expected to be released in early 2023.

We will solicit additional feedback on the draft TCGP NOFO to ensure we continue to support and foster open communication with our Tribal Nations. If you would like to submit additional feedback on the TCGP please email gpd-comms@fema.dhs.gov

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

Sincerely,



Pamela S. Williams
Assistant Administrator
Grant Programs Directorate

Cc: Tribal Emergency Managers