



# HOMELAND SECURITY & EMERGENCY MANAGEMENT

The threat to homeland security from domestic and foreign threats, especially terrorism, is on the rise. These threats require tribal and other communities to develop and enhance homeland security response planning, training, and exercise efforts. Funding to tribal governments and tribal communities for critical homeland security needs has remained stagnant for over a decade. Without necessary resources dedicated to Indian Country, federal efforts to create a cohesive and coordinated homeland security strategy will create a significant and potentially dangerous gap in security. Congress and the Administration have a trust obligation to assist tribal governments to protect all citizens, Native and non-Native within their jurisdictions. The Department of Homeland Security recently issued infographics showing that it provides \$17.6 million in federal assistance and \$4.4 million in homeland security grants daily. Tribal governments receive less than half of this daily allocation in an entire year. While the Department of Homeland Security provides this \$22 million every day to states, it provides roughly \$10 million to the Indian tribes in an entire year. On average states are allocated \$26.24 of federal funding for each resident annually and Native Alaskans and American Indian tribes are allocated roughly \$3.41 for each of their citizens. Additionally, state governors have access to federally funded state-centric programs like the Emergency Management Assistance Program that exclude tribes.

While significant funding shortfalls still exist, Department of Homeland Security outreach and communication has vastly improved due to the consistent presence of tribal affairs points of contact. However, funding has stagnated at detrimental levels for the past 8 years. This known funding shortfall places Indian Country, and the totality of the United States, at risk until tribes achieve greater capacity equal to the states for homeland security and emergency management purposes.

## Key Recommendations

### DEPARTMENT OF HOMELAND SECURITY (DHS)

#### Homeland Security Appropriations Bill

#### Tribal Homeland Security Grant Program

- *Provide \$20 million annually in additional funding for tribal direct grants for the next five years.*

Since 2003, the Congress has allocated over \$50 billion in homeland security grant funds to state and local governments. Tribal nations have only been allocated \$60 million in federal homeland security funding during the same period. The Department of Homeland Security has acknowledged the need for the Tribal Homeland Security Grant Program (THSGP) to be separated from the state grant program approach but has not provided the minimum funding for tribes to develop necessary homeland security capabilities and capacity to ensure protection of the nation. Unmet tribal homeland security needs are significant and every year tribal need is at least four times more than the funding amount provided at the discretion of the Secretary of Homeland Security for the program. Of those tribes that do apply, as current law excludes many tribes from applying and excludes Native Alaska Villages from eligibility, there is generally a requested need of \$4 for every \$1 funded. Several tribes could utilize the entire amount budgeted for THSGP. NCAI strongly urges Congress to fund the THSGP at \$20 million for the next five years. This would represent a significant increase over the \$10 million that DHS has made available for tribal grants in recent years in its attempt to address the funding shortfalls that Congress provides at under \$2 million per year for 567 federally recognized tribes. Additionally, Congress must allow DHS to reallocate funding to federally recognized tribes and prioritize tribal access to homeland security equipment purchased with federal grant funds that is considered surplus by state and local governments.

### DEPARTMENT OF HOMELAND SECURITY

#### Homeland Security Appropriations Bill

#### Customs and Border Protection

#### Western Hemisphere Travel Initiative

- *Provide \$10 million to enable tribal governments to work cooperatively with DHS in developing tribal identification cards.*
- *Provide technical assistance and materials for tribes to produce tribal IDs.*

Tribal governments are willing to comply with the Western Hemisphere Travel Initiative for enhanced tribal identification (ID) cards; however compliance is often cost-prohibitive. Funding for these tribal ID cards will be mutually beneficial enabling tribal governments to provide secure tribal cards allowing tribal government officials and citizens to continue to cross borders in accordance with longstanding treaty rights and agreements and enter into federal offices where they regularly conduct business and other matters. Some tribes have the human resource and logistical capacity to produce tribal IDs if materials and technical assistance were available. DHS is obligated to reach out to tribes to assist them when requested. This request should include \$5 million in direct assistance of equipment, tested card stock, and technical assistance. Many tribes cannot afford the \$14+ per enhanced ID card for each of its members. If Congress provided CBP resources to provide printers, issuable card stock, and technical assistance a direct and supportive path to achieving increased border security would almost instantly be realized. NCAI asks Congress to provide \$10 million to CBP for direct assistance to the 567 federally recognized tribes for enhanced ID efforts.

## DEPARTMENT OF HOMELAND SECURITY (DHS)

### Homeland Security Appropriations Bill

#### Department of Homeland Security

- *Provide \$2 million for the creation and operation of a DHS National Tribal Homeland Security Advisory Council.*

Generally composed of individuals from outside of the federal government, federal advisory committees play an important role in the development of public policy and government regulations by providing advice to policymakers on a wide array of issues. Thousands of federal advisory committees support the federal government however, the Department of Homeland Security does not have a National Tribal Advisory Committee to advise and make recommendations to the Secretary on all homeland security matters. The Department of Homeland Security is one of the largest, and is the youngest of the federal departments, and it needs this tool to continue to develop its programs to ensure they support the 567 federally recognized tribes. Congress created the Federal Emergency Management Agency (FEMA) National Advisory Council (NAC), in the Post-Katrina Emergency Management Reform Act of 2006 to ensure effective and ongoing coordination of federal preparedness, protection, response, recovery, and mitigation for natural disasters, acts of terrorism, and other manmade disasters. The FEMA NAC advises the FEMA Administrator on all aspects of emergency management. The authorizing statute requires participation from tribal government experts, and recently the FEMA Administrator established that there would be three tribal seats on the NAC. Tribes are thankful of the commitment that there will always be at least three tribal interest representatives on the NAC but is greatly concerned that the FEMA NAC cannot, nor has the charter to, consider all homeland security matters and that the Congress must organize a DHS National Tribal Homeland Security Advisory Council (DHS Tribal NAC). Additionally, Congress should require an annual report from the DHS National Tribal Advisory Council on projects, recommendations, accomplishments, meetings, membership, etc. This is particularly important as threats continue to change and DHS has not made significant steps toward addressing its shortfalls in providing for tribal homeland security efforts. Congress should provide \$2 million annually for the staffing, creation and operation of a DHS National Tribal Advisory Council that reports directly to the Secretary of Homeland Security.

## DEPARTMENT OF HOMELAND SECURITY (DHS)

### Homeland Security Appropriations Bill

#### Federal Emergency Management Agency, Emergency Management Institute

- *Provide \$1 million for tribal government emergency management training.*

More tribes have developed and enhanced emergency management capability. The Federal Emergency Management Agency is scheduled to release the final draft of the Stafford Act tribal disaster declaration guidance early in 2016. Tribes will need additional training for all departmental staff in order to understand and comply with the new guidance. The FEMA Emergency Management Institute (EMI) has developed several training courses for tribal officials toward enhanced tribal government emergency management capacity. The current EMI budget restricts delivery of the courses at EMI and in the field. NCAI urges Congress to provide FEMA with budget support for delivery of tribal emergency management courses. Knowing the challenges facing some tribes to attend this training, Congress should allow for FEMA to schedule and ticket travel for tribal attendees. Specifically, we request that \$1 million be included for tribal government emergency management training.

## DEPARTMENT OF HOMELAND SECURITY (DHS)

### Homeland Security Appropriations Bill

#### Federal Emergency Management Agency, Tribal Emergency Management Assistance Compact Development and Management

- *Provide \$4 million for tribal emergency management assistance compact development.*

Congress funded the development and continues to fund the operation of the state-to-state emergency management assistance compact (EMAC) as a mutual aid agreement between states and territories of the United States. It enables states to share resources during natural and man-made disasters, including terrorism. The 567 federally recognized tribes are not part of this agreement and there is no congressional mandate for them to become part of it. It is important for tribes to develop their own tribal nation-to-tribal nation system of assistance similar to that the Congress has provided for the states. 80 percent of tribal disasters are never designated federal disaster declaration status, however, providing funding for the establishment and operations of tribal EMACs will strengthen national homeland security by providing tribes a first resource between and among themselves similar to that of state-to-state EMACs. This effort will increase resiliency in our nation and NCAI urges Congress to provide \$4 million be included for tribal emergency management compact development.

## DEPARTMENT OF HOMELAND SECURITY (DHS)

### Homeland Security Appropriations Bill

#### Department of Homeland Security

- *Provide \$3 million for the development and delivery of homeland security and emergency management curriculum at TCUs and Tribal non-profits.*

Tribal colleges and universities (TCUs) and tribal non-profits are the best positioned to provide culturally appropriate homeland security and emergency management training for students in their communities. While Congress has allocated significant funding to top-tier universities for research and curriculum development virtually no effort has been spent on tribal homeland security. Often curriculum is developed and the word “tribal” is inserted and that is the extent of pedagogy or cultural considerations. To bridge this gap and build more resilient tribal communities an investment in culturally appropriate training needs to be made. Much of the homeland security and emergency management activities are vocational in nature, like disaster preparedness but more of it is theory, like combating violent extremism. Providing appropriate training to the tribal nations is important in our resiliency efforts. Specifically, we request that \$3 million be included for tribal government emergency management training through TCUs and non-profit organizations.

## DEPARTMENT OF HOMELAND SECURITY (DHS)

### Homeland Security Appropriations Bill

#### Department of Homeland Security

- *Provide \$2 million for Tribal Homeland Security Centers of Excellence.*

Congress has funded the establishment of homeland security centers of excellence that develop approaches for ensuring homeland security in prevention, protection, response, recovery, and mitigation. These centers have been state-centric in development of homeland security strategies, training, and development and they do not consider culturally appropriate pedagogy or approaches. The development of a tribally run and operated center, either at a tribal college or by a federally recognized Indian tribe or consortium of tribes will support tribes in developing their own and appropriate strategies, training, and development. Some tribes have shared their plans to develop such institutions and this funding would create and support at least two of these centers in congressional districts that have significant populations of American Indians and Alaska Natives or a significant number of Indian tribes.