



A dedicated wildland fire crew, or Hotshot crew, protecting tribal lands and resources. Photo credit: USDA

Homeland Security & Emergency Management

Tribal governments have broad emergency and first-responder responsibilities, extensive border security responsibilities, and law enforcement jurisdiction to deal with illegal immigration, terrorism, and smuggling. Many tribes have critical national infrastructure on their lands, including oil pipelines, nuclear facilities, missile sites, and dams. Tribal governments are the only major governmental presence in many rural and isolated locations, serving as the first, and oftentimes only, law enforcement authority and emergency responders for Native and non-Native communities alike. As an integral component of this country's homeland security and emergency management framework, tribes perform these functions with little or no funding despite the fact that funding may be available for these purposes. Tribal homeland security and emergency management operations funding is an essential component of the federal government's trust responsibility.

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 2008, the Department of Homeland Security has implemented a Tribal Homeland Security Grant Program (THSGP) out of the funds appropriated for the State Homeland Security Grant Program, as authorized by the Homeland Security Act of 2002. In recent years, the Department of Homeland Security (DHS) has tried to eliminate the THSGP and push tribes into competing with states for grants. Tribes have strenuously objected to this because states have access to more programs than tribes and often have greater grant writing capacity, which places tribes at a disadvantage in the competitive grant funding process. NCAI strongly urges the Congress to maintain the THSGP by creating a direct appropriation for the program and funding it 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 and is justified by the documented needs tribes report in their requests for assistance. DHS has made data available for 2010, 2011, and 2012 that shows that tribes have requested up to \$42 million a year in the THSGP. The requested appropriation will enable tribes to fulfill the crucial role as first-responders and border security officials in a broad array of key jurisdictions throughout the nation.

DEPARTMENT OF HOMELAND SECURITY

Homeland Security Appropriations Bill

Western Hemisphere Travel Initiative

- Provide \$10 million to enable tribal governments to work cooperatively with DHS in developing tribal identification cards.

Tribal governments are faced with the cost-prohibitive, unfunded mandate to comply with the Western Hemisphere Travel Initiative for enhanced tribal identification (ID) cards. Funding for these tribal ID cards will enable tribal government officials to continue to cross borders in accordance with longstanding treaty rights and agreements and enter into federal offices where they regularly conduct business.

DEPARTMENT OF HOMELAND SECURITY

Homeland Security Appropriations Bill

Federal Emergency Management Agency

- Provide \$500,000 for the creation and operation of a National Tribal Advisory Council.

The Federal Emergency Management Agency (FEMA) supports the National Advisory Council (NAC), which was established by the enactment of 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 NAC advises the FEMA Administrator on all aspects of emergency management. The authorizing statute requires participation from tribal government experts, but FEMA limits participation to two tribal representatives. Tribes are greatly concerned about the ability of the current NAC to adequately represent tribal perspectives as FEMA appointed a state employee to serve in one of the tribal representative slots although several tribal officials applied for the positions. To ensure that diverse tribal needs are adequately represented, FEMA should set up a National Tribal Advisory Council (Tribal NAC). This is particularly important as FEMA implements the new authorities created for tribal governments in the Stafford Act. Congress should provide \$500,000 for the creation and operation of a Tribal NAC.

DEPARTMENT OF HOMELAND SECURITY

Homeland Security Appropriations Bill

Federal Emergency Management Agency, Emergency Management Institute

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

Implementation of tribal government amendments to the Stafford Act is not complete and emphasis should be placed on developing tribal emergency management program staffing and capability. 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 the Congress to provide FEMA with budget support for delivery of tribal emergency management courses. Specifically, we request that \$1 million be included for tribal government emergency management training.