



HOMELAND SECURITY & EMERGENCY MANAGEMENT

Foreign and domestic threats to homeland security, especially terrorism, are on the rise. These threats require tribal communities to develop and enhance homeland security response planning, training, and exercise efforts. However, funding to tribal governments 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 leave a significant and potentially dangerous gap in security.

Recently, the Department of Homeland Security showed that it provides \$17.6 million in federal assistance and \$4.4 million in homeland security grants daily to states. Tribal governments receive less than half of this daily allocation in an entire year (the Department of Homeland Security provides roughly \$10 million to tribal governments per year). In fact, it would take 803 years of funding at current levels just for Tribal Nations to receive what is allocated to states annually.

In addition, on average the federal government allocates \$26.24 for each state resident annually and roughly \$3.41 for each American Indian or Alaska Native citizen. Additionally, state governors have access to federally funded state-centric programs like the Emergency Management Assistance Program that exclude tribes.

President Trump's budget proposal includes an overall increase of \$2.8 billion, or 6.8 percent, to the Homeland Security budget, yet it also proposes cuts of \$667 million from the Federal Emergency Management Agency's state and local grant programs, which tribes rely upon to supplement tribal homeland security programs.

Congress and the Administration have a trust obligation to assist tribal governments to protect all citizens, native and non-native within their jurisdictions. Tribes must achieve greater parity with states for homeland security and emergency management purposes. Until such funding parity is realized, tribal communities will remain unable to fully participate in national homeland security strategies and will continue to be a weak link in protecting vital infrastructure from domestic and international threats.

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, Congress has allocated over \$50 billion in homeland security grant funds to state and local governments. In contrast, Tribal nations have only been allocated \$60 million in federal homeland security funding during the same period. DHS has acknowledged the need for the Tribal Homeland Security Grant Program (THSGP) but has yet to provide the minimum funding for tribes to develop the necessary homeland security capacity to ensure protection of the Nation.

Each 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, meaning there is generally a requested need of \$4 for \$1 funded. Of those tribes that do apply, several could use the entire amount budgeted for THSGP on their own.

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. Also, Congress must allow DHS to reallocate funding to federally recognized tribes if needed, and to prioritize tribal acquisition of homeland security equipment purchased with federal grant funds and 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 tribal ID cards has multiple benefits, such as enabling tribal governments to provide secure tribal cards, allowing tribal government officials and citizens to continue border crossing consistent with longstanding treaty rights and agreements, and allowing entrance to federal offices to 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. In carrying out this duty, it is critical that DHS receive funding to provide equipment, tested card stock, and technical assistance to tribes. Many tribes cannot afford the \$14+ per enhanced ID card for each of its members. If the Congress provides CBP the necessary funding to provide printers, issuable card stock, and technical assistance, a direct and supportive path to achieving increased border security would almost instantly occur. 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.*

Federal advisory committees, often composed of non-federal individuals, play an important role in developing 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 DHS, one of the largest and most recent federal agencies, does not have a National Tribal Advisory Committee to advise and make recommendations to the Secretary on all homeland security matters. DHS needs this tool to help ensure its programs adequately 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 that there are at least three tribal interest representatives on the FEMA NAC, but are greatly concerned that the FEMA NAC cannot consider all homeland security matters. For this reason, Congress must organize a DHS Tribal National Advisory Council (DHS Tribal NAC) to support homeland security initiatives in Indian Country. Additionally, Congress should require an annual report from the DHS Tribal NAC on projects, recommendations, accomplishments, meetings, membership, and other items. This is particularly important as threats continue to change and since DHS has not made significant steps toward addressing shortfalls in its support for tribal homeland security efforts. Congress should provide \$2 million annually for the staffing, creation and operation of a DHS Tribal NAC that would report 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. FEMA released the final draft of the Stafford Act tribal disaster declaration guidance early in January 2017. 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 on enhancing tribal government emergency management capacity. The current EMI budget is insufficient to ensure delivery of the courses in the field. NCAI urges Congress to provide FEMA with budget support, in the amount of \$1 million, for delivery of critical tribal emergency management courses. Further, Congress should authorize FEMA to schedule and ticket travel for tribal attendees.

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) – a mutual aid agreement between states and territories of the United States. The EMAC 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-nation emergency management assistance agreements similar to the EMAC system Congress has provided for the states. 80% of tribal disasters are never designated federal disaster declaration status. For this reason, providing funding to establish and operate tribal EMACs will help strengthen national homeland security by providing tribes a first resource between and among themselves similar to that of state-to-state EMACs. NCAI urges Congress to provide \$4 million 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 homeland security and emergency management curriculum at TCUs and Tribal non-profits.*

Tribal colleges and universities (TCUs) and tribal non-profits are the best resources 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 funding has been made available for tribal homeland security. Often curriculum is developed and the word “tribal” is inserted and that is the extent of pedagogy or cultural considerations. An investment in culturally appropriate training needs to be made to bridge this gap and build more resilient tribal communities. Much of the homeland security and emergency management activities are vocational in nature, like disaster preparedness, but some aspects are more theory-based, such as combating violent extremism. For these reasons, we request that Congress provide \$3 million 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, as established, are state-centric and 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 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. NCAI urges Congress provide \$2 million in funding for the establishment of a tribal homeland security center of excellence.