



July 20, 2022

Dear Tribal Leader:

The U.S. Department of Homeland Security' (DHS) Federal Emergency Management Agency (FEMA) remains committed to its responsibility to engage in consultation and collaboration with Tribal Nations, consistent with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, reaffirmed by President Biden's "[Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships](#)."

In November 2021, the State and Local Cybersecurity Improvement Act was signed into law as part of the Infrastructure Investment and Jobs Act of 2021 (<https://www.congress.gov/bill/117th-congress/house-bill/3684>). Based on the need for Tribal consultation and the difference between the apportionment for the State-Territory and Tribal governments, the Tribal Cybersecurity Grant Program was administratively separated from the State and Local Cybersecurity Grant Program.

The law provides \$1 billion over four years for cybersecurity grants to state, local, tribal, and territorial governments to address cybersecurity risks and cybersecurity threats to information systems owned or operated by, or on behalf of, state, local, tribal, and territorial governments. Per the legislation that created this new grant program the law requires tribal governments receive three percent of the annual funding apportioned to states and territories. To manage this grant program, FEMA will conduct eligibility reviews, issue, and programmatically and financially manage grant awards consistent with all applicable laws, regulations and policies, while the Cybersecurity and Infrastructure Security Agency (CISA) will provide subject-matter expertise.

President Biden directed federal executive departments and agencies to work more inclusively with Tribal Nations. To advance this priority and as directed by the law that created it, DHS is conducting consultations with Tribal Nations on the Tribal Cybersecurity Grant Program (TCGP).

Much of the TCGP program is stipulated by statutory requirements, but the Secretary of Homeland Security may prescribe an alternative, substantively similar requirement for tribal governments to create a prescribed cybersecurity planning committee and cybersecurity plan. In addition, the DHS Secretary may waive the cost-share requirement for tribal governments if it is determined that the waiver is in the public interest.

FEMA and CISA are seeking tribal feedback on the process to support the delivery of grant funds to tribal governments. Therefore, FEMA and CISA will host a virtual tribal consultation session on August 17, 2022, to receive input on policies and procedures under development to deliver funding to Tribal Nations for this new grant program. During the tribal consultation sessions, along with fielding stakeholder questions provided in advance, FEMA and CISA staff will provide background information, such as:

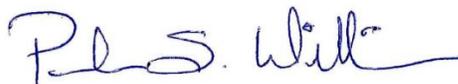
- Summary of the new law;
- Funding considerations;
- FEMA and CISA collaboration;
- Program goals and objectives;
- Planning committees;
- Cybersecurity plans;
- FEMA/CISA implementation approach; and
- Timelines.

FEMA and CISA will also solicit input on specific discussion topics, including but not limited to:

- Alternatives to a cybersecurity planning committee.
- Participation on the planning committee.
- Supervision of the planning committee.
- Chief Information Officer/Chief Information Security Officer requirement to be an approving authority for the cybersecurity plan.
- Elements required by the legislation to be included in the cybersecurity plan.
- Impacts of a cost-share requirement to your tribal government.
- Most reasonable alternative(s) for the distribution of grant funds to Tribal Nations.
- Administrative requirements to receive grant funding from FEMA.
- Allowable project types.
- Cost-share requirements and waivers.
- Other grant-related issues.

Please submit written comments and questions on the TCGP to the Office of External Affairs, Intergovernmental Affairs Division, at [FEMA-Tribal@fema.dhs.gov](mailto:FEMA-Tribal@fema.dhs.gov). FEMA and CISA look forward to working closely with you and your designated representatives during this process to listen to your concerns and comments and ensure that your input is given full consideration as we work to finalize the TCGP.

Sincerely,

A handwritten signature in blue ink that reads "P.S. Williams". The signature is fluid and cursive, with a long horizontal stroke at the end.

Pamela S. Williams  
Assistant Administrator  
Grant Programs Directorate

cc: Tribal Emergency Managers