



FEMA

Grant Programs Directorate Information Bulletin
No. 279
February 7, 2008

TO: All State Administrative Agency Heads
All State Administrative Agency Points of Contact
All State Homeland Security Directors

FROM: W. Ross Ashley
Assistant Administrator
Grant Programs Directorate
Federal Emergency Management Agency

SUBJECT: Eligibility of Tribes for the State Homeland Security Program

The purpose of this Information Bulletin (IB) is to provide all State Administrative Agency contacts with parameters for direct eligibility for tribal nations under the State Homeland Security Program (SHSP).

As noted in the Implementing Recommendations of the 9/11 Commission Act of 2007 (P.L. 110-53), a directly eligible tribe¹ may apply for SHSP by submitting an application to the FEMA Administrator that includes the following:

- The purpose for which the tribe seeks grant funds and the reasons why the tribe needs the grant to meet the target capabilities of that tribe;
- A description of how the tribe plans to allocate the grant funds within the tribe; and
- A budget showing how the tribe intends to expend the grant funds

To ensure consistency with any applicable State homeland security plan, a directly eligible tribe applying for a grant under this opportunity shall provide a copy of its application to each State within which any part of the tribe is located for review before the tribe submits such application

¹ DIRECTLY ELIGIBLE TRIBE. – The term ‘directly eligible tribe’ means – “(A) any Indian tribe – “(i) that is located in the continental United States; “(ii) that operates a law enforcement or emergency response agency with the capacity to respond to calls for law enforcement or emergency services; “(iii)(I) that is located on or near an international border or a coastline bordering an ocean (including the Gulf of Mexico) or international waters; “(II) that is located within 10 miles of a system or asset included on the prioritized critical infrastructure list established under section 210E(a)(2) or has such a system or asset within its territory; “(III) that is located within or contiguous to 1 of the 50 most populous metropolitan statistical areas in the United States; or “(IV) the jurisdiction of which includes not less than 1,000 square miles of Indian country, as that term is defined in section 1151 of title 18, United States Code; and “(iv) that certifies to the Secretary that a State has not provided funds under section 2003 or 2004 to the Indian tribe or consortium of Indian tribes for the purpose for which direct funding is sought; and “(B) a consortium of Indian tribes, if each tribe satisfies the requirements of subparagraph (A).

to FEMA. If the Governor of a State determines that the application of a directly eligible tribe is inconsistent with the State homeland security plan of that State, or otherwise does not support the application, not later than 30 days after the date of receipt of that application, the Governor shall notify the FEMA Administrator in writing and provide an explanation of the reason for not supporting the application. However, an eligible tribe may still submit an application to FEMA for SHSP funding if a Governor chooses not to support a tribe's application.

The FEMA Administrator shall have final authority to approve any application of a directly eligible tribe. The Administrator will notify each State within the boundaries of which any part of a directly eligible tribe is located of the approval of a direct application by the tribe. The Administrator will then distribute the grant funds directly to the tribe and not through any State.

Any tribe wishing to apply must submit an application through the grants.gov website. Application procedures are provided in the Homeland Security Grant Program Guidance and Application Kit located at <http://www.fema.gov/grants>. As well, any tribe applying for a grant shall designate an individual to serve as a tribal liaison with FEMA and other Federal, State, local, and regional government officials engaged in the SHSP mission of preventing, protecting against, and responding to acts of terrorism.

Additional information regarding application procedures for interested tribes will be forthcoming shortly. Should you have any questions, please contact your Preparedness Officer at (800) 368-6498.