

United States Senate
WASHINGTON, DC 20510

June 8, 2020

The Honorable Peter T. Gaynor
Administrator
Federal Emergency Management Agency
U.S. Department of Homeland Security
500 C Street, S.W.
Washington, D.C. 20472

Dear Administrator Gaynor:

We are writing to urge the Federal Emergency Management Agency (FEMA), in consultation with the Indian Health Service (IHS) and other relevant federal agencies, to provide additional guidance to tribal governments regarding available disaster response resources. We also urge FEMA to streamline and standardize the process for tribes to request Public Assistance.

Many tribal governments contending with the coronavirus (COVID-19) outbreak have not previously worked directly with FEMA. Tribes that elect to seek direct assistance from FEMA must overcome a number of administrative hurdles, including current FEMA requirements that a tribal nation complete a FEMA-Tribal Agreement, provide proof of an active emergency response plan, and complete a Public Assistance Administrative Plan before they can apply for reimbursement. We urge FEMA to streamline this administratively burdensome process for the duration of the COVID-19 pandemic, thereby allowing tribal governments expedited access to the funding necessary to save lives and protect public safety.

Additionally, many tribal governments do not have the funding necessary to pay for emergency protective measures ahead of reimbursement. Therefore, we encourage FEMA to explore an alternative pathway for tribal governments. This pathway could allow for advance payments, possibly similar to Section 428 Public Assistance Alternative Procedures. After the pandemic subsides, we encourage FEMA to provide technical assistance to all tribal governments in completing the necessary paperwork, as has been previously provided to states. Moreover, we urge FEMA to ensure that all FEMA Regions are consistently providing the necessary support to tribal governments so they may complete these administrative tasks, apply for disaster declarations, and receive Public Assistance.

Tribes across the country are in dire need of disaster response resources. They tell us that obtaining necessary medical supplies from FEMA has been challenging, due to a lack of guidance from FEMA. This lack of information has affected both those tribes that have individually declared a state of emergency and those that have chosen to designate their nation as a subapplicant of the state government. Guidance to tribes needs to be an interagency effort that leverages established relationships with IHS. It is imperative that FEMA quickly publish guidance to give tribal

governments access to the resources necessary to address this pandemic and to ensure tribal governments avoid any future duplication of benefits issues.

The Centers for Disease Control and Prevention notes that American Indians and Alaska Natives are at a disproportionate risk for complications from COVID-19. This is due to health and socioeconomic disparities in these communities, which are only exacerbated by the lack resources available for tribal emergency preparedness programs. Moving forward, we must ensure tribal governments can access resources to protect their communities, both in preparing for future emergencies and battling current disasters. It is critical for FEMA to work with state, local, and tribal partners to tackle the challenges presented by COVID-19.

We appreciate your prompt attention to this matter.

Sincerely,



Kyrsten Sinema
United States Senator



Tom Udall
United States Senator



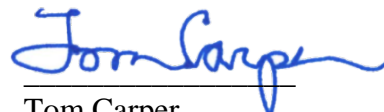
Charles E. Schumer
United States Senator




Gary C. Peters
United States Senator



Tina Smith
United States Senator



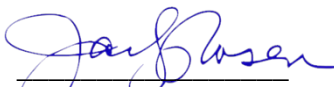
Tom Carper
United States Senator



Catherine Cortez Masto
United States Senator



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Jacky Rosen
United States Senator