

May 21: USET SPF Alert: Tribal Govts May Use CRF Funding for FEMA Cost Share

Dear USET SPF Board of Directors and DC Tribal Reps,

We wanted to be sure you were aware of a recent announcement from the White House regarding the 25% cost share required of all units of government, including Tribal governments, accessing Public Assistance from the Federal Emergency Management Agency (FEMA) under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). As stated by the White House Office of Intergovernmental Affairs on this afternoon's Indian Country COVID-19 Response Update Call, **governments receiving this assistance may use resources from the Coronavirus Relief Fund** (under which Tribal governments have been allocated an \$8 billion set aside) to cover the cost share. This is a significant development because other federal resources are not typically permitted to be used for this purpose. While it is not the full waiver we requested in the below letter, this does represent progress in ensuring that FEMA disaster relief is more readily available to and accessible by Tribal Nations. Nonetheless, we remain committed to ensuring that in recognition of the trust obligation, the federal government ultimately waives any cost share or matching funds required to access FEMA Public Assistance during the COVID-19 emergency and beyond.

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*Because there is Strength in Unity*

*USET/USET SPF staff are currently teleworking until May 1, 2020. We will continue to assess the COVID-19 situation and its impact on our operations. We ask for your patience should you experience any challenges reaching any one of our staff. Additionally, please be aware that the USET/USET SPF organization has created a COVID-19 Resource & Information page which is being updated on a frequent basis. <https://www.usetinc.org/wp-content/uploads/2020/03/Coronavirus-Disease-LB.pdf>*

**From:** Liz Malerba

**Sent:** Tuesday, April 21, 2020 11:45 AM

**Subject:** USET SPF Signs onto Letter Urging Waiver of FEMA Cost-Share and Reimbursement

Dear USET SPF Board of Directors and DC Tribal Reps,

For your awareness, we share a [joint letter](#) [linked], to which USET SPF is a signatory, urging the President to waive the 25% cost-share imposed upon Tribal governments (and other units of government) as a condition of receiving direct Category B Public Assistance from the Federal Emergency Management Agency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act). Additionally, the letter advocates for the up-front payment of public assistance funds, rather than providing these dollars on a reimbursement basis.

As you are likely aware, both the cost-share and the nature of Category B funding distribution are currently serving as barriers to Tribal Nation access to this funding and by extension, the activities and resources it supports, including the purchase of emergency supplies and hiring necessary emergency management personnel. Unlike other units of government, Tribal Nations do not have access to tax revenue from which to draw in order to provide the cost-share and conduct these emergency activities pending reimbursement. And the federal government has unique trust and treaty obligations to Tribal Nations.

Under the Stafford Act, the President has the authority to waive the cost-share, as well as provide up-front funding to Tribal governments during the COVID-19 emergency. USET SPF will continue to call for this action from the White House in collaboration with our partners throughout Indian Country and beyond. We note that there is also the opportunity to engage your respective Congressional delegations in this effort and provide an [example letter](#) [linked] for your information and use.

Thank you,  
Liz Malerba ~ *Citizen of the Mohegan Tribe*  
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