

112TH CONGRESS
1ST SESSION

H. R. 1953

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 24, 2011

Mr. RAHALL (for himself, Mr. COLE, and Ms. NORTON) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to include procedures for requests from Indian tribes for a major disaster or emergency declaration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. TRIBAL REQUESTS FOR A MAJOR DISASTER OR**
4 **EMERGENCY DECLARATION UNDER THE**
5 **STAFFORD ACT.**

6 (a) MAJOR DISASTER REQUESTS.—Section 401 of
7 the Robert T. Stafford Disaster Relief and Emergency As-
8 sistance Act (42 U.S.C. 5170) is amended—

1 (1) by striking “All requests for a declaration”
2 and inserting “(a) IN GENERAL.—All requests for a
3 declaration”; and

4 (2) by adding at the end the following:

5 “(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

6 “(1) IN GENERAL.—The Chief Executive of an
7 affected Indian tribal government may submit a re-
8 quest for a declaration by the President that a
9 major disaster exists consistent with the require-
10 ments of subsection (a).

11 “(2) REFERENCES.—In implementing assist-
12 ance authorized by the President under this title in
13 response to the request of the Chief Executive of an
14 affected Indian tribal government for a major dis-
15 aster declaration, references to State and Governor
16 in this title and in section 319 of this Act shall
17 mean Indian tribal government and the Chief Execu-
18 tive of an affected Indian tribal government, respec-
19 tively.

20 “(3) SAVINGS PROVISION.—Nothing in this sub-
21 section shall prohibit an Indian tribal government
22 from receiving assistance under this title through a
23 declaration made by the President at the request of
24 a State under subsection (a) if the President does

1 not make a declaration under this subsection for the
2 same incident.

3 “(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIB-
4 AL GOVERNMENTS.—Notwithstanding any other provision
5 of this title, any non-Federal contributions required under
6 this title to be paid by an Indian tribal government shall
7 be waived if the required contribution is less than
8 \$200,000. If any required non-Federal contribution is
9 more than \$200,000, it may be adjusted or waived in ac-
10 cordance with criteria established by the President.”.

11 (b) EMERGENCY REQUESTS.—Section 501 of the
12 Robert T. Stafford Disaster Relief and Emergency Assist-
13 ance Act (42 U.S.C. 5191) is amended by adding at the
14 end the following:

15 “(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

16 “(1) IN GENERAL.—The Chief Executive of an
17 affected Indian tribal government may submit a re-
18 quest for a declaration by the President that an
19 emergency exists consistent with the requirements of
20 subsection (a).

21 “(2) REFERENCES.—In implementing assist-
22 ance authorized by the President under this title in
23 response to the request of the Chief Executive of an
24 affected Indian tribal government for an emergency
25 declaration, references to State and Governor in this

1 title and in section 319 of this Act shall mean In-
2 dian tribal government and the Chief Executive of
3 an affected Indian tribal government, respectively.

4 “(3) SAVINGS PROVISION.—Nothing in this sub-
5 section shall prohibit an Indian tribal government
6 from receiving assistance under this title through a
7 declaration made by the President at the request of
8 a State under subsection (a) if the President does
9 not make a declaration under this subsection for the
10 same incident.

11 “(d) COST SHARE ADJUSTMENTS FOR INDIAN TRIB-
12 AL GOVERNMENTS.—Notwithstanding any other provision
13 of this title, any non-Federal contributions required under
14 this title to be paid by an Indian tribal government shall
15 be waived if the required contribution is less than
16 \$200,000. If any required non-Federal contribution is
17 more than \$200,000, it may be adjusted or waived in ac-
18 cordance with criteria established by the President.”.

19 (c) DEFINITIONS.—Section 102 of the Robert T.
20 Stafford Disaster Relief and Emergency Assistance Act
21 (42 U.S.C. 5122) is amended—

22 (1) in paragraph (7)(B) by striking “; and” and
23 inserting “, that is not an Indian tribal government
24 as defined in paragraph (6); and”;

1 (2) by redesignating paragraphs (6) through
2 (10) as paragraphs (7) through (11), respectively;

3 (3) by inserting after paragraph (5) the fol-
4 lowing:

5 “(6) INDIAN TRIBAL GOVERNMENT.—The term
6 ‘Indian tribal government’ means the governing body
7 of any Indian or Alaska Native tribe, band, nation,
8 pueblo, village, or community that the Secretary of
9 the Interior acknowledges to exist as an Indian tribe
10 under the Federally Recognized Indian Tribe List
11 Act of 1994 (25 U.S.C. 479a).”;

12 (4) by adding at the end the following:

13 “(12) CHIEF EXECUTIVE.—The term ‘Chief Ex-
14 ecutive’ means the person who is recognized by the
15 Secretary of the Interior as the chief elected admin-
16 istrative officer of an Indian tribal government.”.

17 (d) REFERENCES.—Title I of the Robert T. Stafford
18 Disaster Relief and Emergency Assistance Act is amended
19 by adding after section 102 the following:

20 **“SEC. 103. REFERENCES.**

21 “Except as otherwise specified, any reference to
22 ‘State and local’ or ‘State or local’ governments or officials
23 in this Act, and all references to ‘local government’ in sec-

1 tion 417, shall be deemed to refer also to Indian tribal
2 governments and officials, as appropriate.”.

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