



United South and Eastern Tribes, Inc.

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July 2, 2012



The Honorable Joseph Lieberman
Chairman
Senate Committee on Homeland Security &
Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Susan Collins
Ranking Member
Senate Committee on Homeland Security &
Governmental Affairs
340 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Lieberman and Ranking Member Collins:

This letter is written on behalf of the United South and Eastern Tribes, Inc. (USET), a non-profit, inter-Tribal organization that collectively represents its twenty six member Tribes on a regional and national level, to offer support for S. 2283 as introduced in the U.S. Senate, which would amend the Stafford Act in recognition of Tribal sovereignty. It is noted that parallel provisions appear in Section 210 of H.R. 2903, the FEMA Reauthorization Act as passed out of the House Transportation and Infrastructure Committee.

Indian Tribal governments have long held that the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act) incorrectly classifies Indian Tribes as "local governments" and deprives Indian Tribal Governments of the right to request emergency or major disaster declarations directly from the President. Instead, Tribes may only obtain Federal disaster assistance if the governor of the state in which they are located seeks and obtains a Stafford Act declaration applicable to that state. Allowing Tribes to make requests directly to the President would greatly increase efficiency and reduce unnecessary bureaucratic delays which cannot be afforded during and after a crisis. The increased efficiency and improved emergency response outcomes that would come from Tribes being able to make direct requests would not only benefit Tribes, but also their surrounding communities which whom they coordinate on emergency response matters.



"Because there is strength in Unity"

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The classification of Indian Tribes as "local governments" is now and has always been inconsistent with the United States' unique legal and political relationship with Indian Tribal governments. Consistent with the nation-to-nation relationship established by law, USET strongly believes that a Federally recognized Tribe should have the same access to see Federal response and recovery support under the Stafford Act as a state does.

USET has a long history of supporting amendments to the Stafford Act to ensure Indian governments are not dependent upon states to request and receive Federal disaster assistance. Resolutions have been passed by the USET Board of Directors dating as far back to June 8, 2000, again in November, 2000, and as recently as February of this year.

USET believes that amending the law is a critical action and that it will:

- Acknowledge the sovereignty of federally recognized Tribes;
- Allow federally recognized Tribal governments to prepare and respond more effectively to disasters in their jurisdictions;
- Ensure equal access for Tribal governments in applying for disaster funds, in the same manner that states can; and
- Provide fair and consistent consideration for assistance across Tribal Nations, including those tribes whose geographic boundaries cross multiple states.

Indian Tribal governments and communities are essential parts of our nation's emergency management team and USET strongly supports efforts consistent with nation-to-nation relationship to provide Indian Tribal governments with the opportunity for direct access to Federal disaster assistance programs.

Accordingly, USET recommends Congress take swift action to pass S. 2283 or comparable provisions in other legislative vehicles. If Congress passes and the President signs such legislation into law, USET will look to FEMA to provide prompt and collaborative development of appropriate regulations and policies for implementation.

Sincerely,



Brian Patterson
USET President

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