



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians  
Resolution #FTL-04-044

Title: Calling For Amendments to the Stafford Act

**WHEREAS**, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States, to enlighten the public toward a better understanding of the Indian people and their way of life, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

**WHEREAS**, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

**WHEREAS**, the Stafford Act, specifically 42 U.S.C. § 5170, only allows the Governor of a State struck by a disaster to request the President of the United States to declare a major disaster exists in that State; and

**WHEREAS**, Indian Tribes are recognized sovereigns that operate on a government-to-government basis with the United States; and

**WHEREAS**, the Stafford Act, in its present form, does not recognize this relationship between Indian tribes and the United States and this Act does not allow Tribes to request the President of the United States to declare their Reservations disaster areas; and

**WHEREAS**, the NCAI believes that the Stafford Act should be amended to allow Tribal Governments to request the President of the United States to declare a disaster on their respective reservations in the event of a disaster.

**NOW THEREFORE BE IT RESOLVED**, that the NCAI hereby calls on Congress to work with Indian tribes to amend the Stafford Act to allow Tribal Governments to request the President of the United States to declare a disaster on their respective reservations in the event of a disaster; and

**BE IT FURTHER RESOLVED**, that the NCAI calls for consultation between the Department of Homeland Security, Federal Emergency Management Agency and tribal governments, and recommends improvements in the Act's definition of tribes, provisions for tribal exemptions for matching funding requirements that currently exist in the Act, and the Act's presidential declaration provisions.

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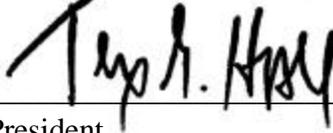
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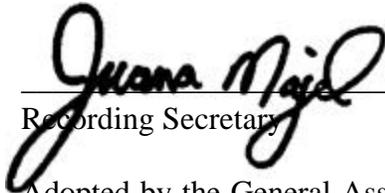
**CERTIFICATION**

The foregoing resolution was adopted at the 2004 Annual Convention of the National Congress of American Indians, held at the Broward County Convention Center, in Fort Lauderdale, Florida October 10-15, 2004 with a quorum present.



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President

**ATTEST:**



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Recording Secretary

Adopted by the General Assembly during the 2004 Annual Session of the National Congress of American Indians, held at the Broward County Convention Center, in Fort Lauderdale, Florida October 10-15, 2004.