



July 12, 2012

Honorable Joseph Lieberman
Committee on Homeland Security
and Governmental Affairs
706 Hart Office Building
Washington, D.C. 20510

RE: ***H.R. 1953 to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act***

Dear Senator Lieberman,

I am writing today to provide support for HR 1953 and ask that the Senate Committee on Homeland Security and Governmental Affairs approve this bill. I am the Executive Director for the Inter Tribal Long Term Recovery Foundation. The ITLTRF is a tribal nonprofit organization in San Diego County which is home to the most federally-recognized tribal nations in any county in the contiguous US (10 of the 18 tribal nations sit on our executive board of directors) Our mission is to strengthen and enhance the coordination of area-wide disaster recovery efforts on tribal lands located in Southern California affected by wildfires and other disasters by working with tribal, federal, state, and local government agencies to: 1) Share disaster relief information, 2) Simplify access to disaster relief services, and 3) Provide mutual assistance to tribal communities that have experienced natural disasters.

As the Executive Director for the ITLTRF, I was appointed as the local tribal liaison for San Diego County's Unified Disaster Council, and I witness firsthand the disparity that exists for tribal governments regarding access to and control over resources to manage a disaster on tribal lands. Working in the field of tribal emergency management is daunting. There are inadequate resources, defective mechanisms for equitable funding streams to strengthen tribal preparedness and recovery at the federal and state levels, and there are a myriad of confusing federal, state, and local policies and practices to deal with tribal issues in a disaster. With the passage of HR 1953, the morass can end.

HR 1953 affirms tribal sovereignty and the unique trust obligation of the United States of America. H.R. 1953 will 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.



It is critical that governments, including tribal governments, be able to (i) respond quickly and decisively to a disaster or an imminent emergency. It is imperative that Indian tribes, to whom the federal government owes a unique trust responsibility, be able to directly request a declaration by the President that a major disaster or emergency exists for the tribe. To date, tribes must wait on a state governor, who owes no unique trust obligation to the tribe, to request a Presidential declaration. If H.R.1953 is approved, the Chief Executive of an affected Indian tribe may directly request a Presidential Declaration of Emergency.

In addition to addressing the declaration issue, H.R.1953 will improve tribal access to direct assistance from FEMA. Under existing law, Indian tribes may elect to receive disaster and emergency funds directly from FEMA as a grantee or through a state as a sub-grantee. However, if a tribe receives such funds through a state, the tribe must generally enter into a pass-through agreement with the state, which will often request a waiver of the tribe's sovereign immunity. This puts Indian tribes in a very difficult position, especially during an emergency or disaster, and it can impede critical assistance during the crisis. H.R. 1953 will allow tribes to exercise their sovereign right of self governance on tribal lands.

The Inter Tribal Long Term Recovery Foundation formally supports and requests that the 112th Congress approves H.R. 1953 to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act as presented.

Sincerely,
Theresa Gregor, PhD (Kumeyaay)
Executive Director