



FEMA

U.S Department of Homeland
Security
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Washington, D.C. 20472

Sandy Recovery Improvement Act of 2013

SEC. 1110

TRIBAL REQUESTS FOR A MAJOR DISASTER OR EMERGENCY DECLARATION UNDER THE STAFFORD ACT

- (a) Major Disaster Requests- Section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170) is amended--
- (1) by striking 'All requests for a declaration' and inserting '(a) In General- All requests for a declaration'; and
 - (2) by adding at the end the following:
- (b) Indian Tribal Government Requests-
- (1) IN GENERAL- The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that a major disaster exists consistent with the requirements of subsection (a).
 - (2) REFERENCES- In implementing assistance authorized by the President under this Act in response to a request of the Chief Executive of an affected Indian tribal government for a major disaster declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.
 - (3) SAVINGS PROVISION- Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.
- (c) Cost Share Adjustments for Indian Tribal Governments-
- (1) IN GENERAL- In providing assistance to an Indian tribal government under this title, the President may waive or adjust any payment of a non-Federal contribution with respect to the assistance if--
 - (A) the President has the authority to waive or adjust the payment under another provision of this title; and
 - (B) the President determines that the waiver or adjustment is necessary and appropriate.
 - (2) CRITERIA FOR MAKING DETERMINATIONS- The President shall establish criteria for making determinations under paragraph (1)(B).'
- (b) Emergency Requests- Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191) is amended by adding at the end the following:
- (c) Indian Tribal Government Requests-

(1) IN GENERAL- The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

(2) REFERENCES- In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

(3) SAVINGS PROVISION- Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.'

(c) Definitions- Section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) is amended--

(1) in paragraph (7)(B) by striking `; and' and inserting ` , that is not an Indian tribal government as defined in paragraph (6); and';

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

(3) by inserting after paragraph (5) the following:

(6) INDIAN TRIBAL GOVERNMENT- The term `Indian tribal government' means the governing body of any Indian or Alaska Native tribe, band, nation, pueblo, village, or community that the Secretary of the Interior acknowledges to exist as an Indian tribe under the Federally Recognized Indian Tribe List Act of 1994 (25 U.S.C. 479a et seq.); and

(4) by adding at the end the following:

(12) CHIEF EXECUTIVE- The term `Chief Executive' means the person who is the Chief, Chairman, Governor, President, or similar executive official of an Indian tribal government.'

(d) References- Title I of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) is amended by adding after section 102 the following:

SEC. 103 REFERENCES

Except as otherwise specifically provided, any reference in this Act to `State and local', State or local', `State, and local', `State, or local', or `State, local' (including plurals) with respect to governments or officials and any reference to a `local government' in sections 406(d)(3) and 417 is deemed to refer also to Indian tribal governments and officials, as appropriate.'

(e) Regulations-

(1) ISSUANCE- The President shall issue regulations to carry out the amendments made by this section.

(2) FACTORS- In issuing the regulations, the President shall consider the unique conditions that affect the general welfare of Indian tribal governments.