

**STATEMENT OF  
NICK J. RAHALL, II  
FOR THE CONGRESSIONAL RECORD  
ON H.R. 219, the SANDY RECOVERY IMPROVEMENT ACT OF 2013  
January 14, 2013**

I rise today in support of H.R. 219, the Sandy Recovery Improvement Act of 2013. This bipartisan bill would improve how the Federal Government helps state, tribal and local communities respond to and recover from disasters by expediting the delivery of Federal assistance. The provisions will have an immediate impact in helping to expedite recovery in those areas that suffered damage from Hurricane Sandy and will help all communities that may experience future disasters.

We must continue to improve our disaster response programs to ensure that timely assistance is provided to individuals in need. At my request, this bill would require, within one year, the Federal Emergency Management Agency (FEMA) to review and update its criteria for issuing Individual Assistance, in order to clarify the eligibility requirements, expedite the Federal government's decision-making process, and minimize bureaucratic delays.

Last year, the State of West Virginia received four Presidential disaster declarations, the last two in response to Hurricane Sandy and Derecho Storms. In both cases, West Virginians had to endure extended and widespread power outages, lasting weeks in some cases, as well as physical damage to their homes and businesses. The emotional trauma was severe with some areas literally cut off from basic necessities like food, water, and medicine. These disasters proved costly and expensive and dwarfed the limited means of individuals, many of them seniors on fixed incomes who have been pummeled by multiple storms, to absorb uninsured costs on their own.

In both cases, FEMA denied my State's initial request for Individual Assistance, forcing the State to redo its damage assessments and appeal FEMA's decision. FEMA later reversed itself and awarded Individual Assistance to some, but not all, of the requesting West Virginia counties in regard to the Derecho Storm; so far, the appeal related to Sandy is still pending.

These delays leave uninsured disaster victims in limbo for weeks, unable to begin home repairs because they do not know what costs are reimbursable. State emergency officials need better guidance from FEMA about eligibility criteria for Individual Assistance, so that these delays can be avoided. Similarly, the criteria must be flexible enough to ensure that the Individual Assistance program accomplishes what it was created to do, which is to make financial assistance for uninsured losses available to families and individuals unable to recover on their own.

Another important provision of this bill is one that recognizes tribal sovereignty by authorizing all federally recognized Indian tribes to directly request that the President declare a disaster or emergency. This provision is based on a bill, H.R. 1953, that I introduced last Congress after consulting with Indian country and Indian organizations. It would treat all federally recognized Indian tribes as the sovereign governments that they are and creates a mechanism that affords all tribes the option to request a disaster declaration when a State in which they are located fails to do so.

This important measure is necessary because current law limits FEMA's ability to work directly with all Indian tribes when major disasters or emergency situations occurred. This language would improve federal emergency response and recovery efforts on Indian reservations and would amend the Stafford Act to align with the Federal Government's trust responsibilities. For more than a decade, tribal governments have sought this authorization to work directly with FEMA on emergency and disaster declarations from the President. My bill, and this provision, is supported by Indian Country and the Administration without qualification.

I appreciate the manner in which this bipartisan bill was developed and look forward to working with my Republican colleagues on other issues in a similar manner.

I urge my colleagues to support this measure.