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(Original Signature of Member)

112TH CONGRESS
1ST SESSION

H. R. _____

To 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, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. RAHALL introduced the following bill; which was referred to the Committee on _____

A BILL

To 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, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. TRIBAL REQUESTS FOR A MAJOR DISASTER OR**
2 **EMERGENCY DECLARATION UNDER THE**
3 **STAFFORD ACT.**

4 (a) MAJOR DISASTER REQUESTS.—Section 401 of
5 the Robert T. Stafford Disaster Relief and Emergency As-
6 sistance Act (42 U.S.C. 5170) is amended—

7 (1) by striking “All requests for a declaration”
8 and inserting “(A) IN GENERAL.—All requests for a
9 declaration”; and

10 (2) by adding at the end the following:

11 “(b) INDIAN TRIBAL GOVERNMENT REQUESTS.—

12 “(1) IN GENERAL.—The Chief Executive of an
13 affected Indian tribal government may submit a re-
14 quest for a declaration by the President that a
15 major disaster exists consistent with the require-
16 ments of subsection (a).

17 “(2) REFERENCES.—In implementing assist-
18 ance authorized by the President under this title in
19 response to the request of the Chief Executive of an
20 affected Indian tribal government for a major dis-
21 aster declaration, references to State and Governor
22 in this title and in section 319 of this Act shall
23 mean Indian tribal government and the Chief Execu-
24 tive of such government, respectively.

25 “(3) SAVINGS PROVISION.—Nothing in this sub-
26 section shall prohibit an Indian tribal government

1 from receiving assistance under this title through a
2 declaration made by the President at the request of
3 a State under subsection (a) if the President does
4 not make a declaration under this subsection for the
5 same incident.

6 “(c) COST SHARE ADJUSTMENTS FOR INDIAN TRIB-
7 AL GOVERNMENTS.—Notwithstanding any other provision
8 of this title, any non-Federal contributions required under
9 this title to be paid by an Indian tribal government shall
10 be waived if the required contribution is less than
11 \$200,000. If any required non-Federal contribution is
12 more than \$200,000, it may be adjusted or waived in ac-
13 cordance with criteria established by the President.”.

14 (b) EMERGENCY REQUESTS.—Section 501 of the
15 Robert T. Stafford Disaster Relief and Emergency Assist-
16 ance Act (42 U.S.C. 5191) is amended by adding at the
17 end the following:

18 “(c) INDIAN TRIBAL GOVERNMENT REQUESTS.—

19 “(1) IN GENERAL.—The Chief Executive of an
20 affected Indian tribal government may submit a re-
21 quest for a declaration by the President that an
22 emergency exists consistent with the requirements of
23 subsection (a).

24 “(2) REFERENCES.—In implementing assist-
25 ance authorized by the President under this title in

1 response to the request of the Chief Executive of an
2 affected Indian tribal government for an emergency
3 declaration, references to State and Governor in this
4 title and in section 319 of this Act shall mean In-
5 dian tribal government and the Chief Executive of
6 such government, respectively.

7 “(3) SAVINGS PROVISION.—Nothing in this sub-
8 section shall prohibit an Indian tribal government
9 from receiving assistance under this title through a
10 declaration made by the President at the request of
11 a State under subsection (a) if the President does
12 not make a declaration under this subsection for the
13 same incident.

14 “(d) COST SHARE ADJUSTMENTS FOR INDIAN TRIB-
15 AL GOVERNMENTS.—Notwithstanding any other provision
16 of this title, any non-Federal contributions required under
17 this title to be paid by an Indian tribal government shall
18 be waived if the required contribution is less than
19 \$200,000. If any required non-Federal contribution is
20 more than \$200,000, it may be adjusted or waived in ac-
21 cordance with criteria established by the President.”.

22 (c) DEFINITIONS.—Section 102 of the Robert T.
23 Stafford Disaster Relief and Emergency Assistance Act
24 (42 U.S.C. 5122) is amended—

1 (1) in paragraph (7)(B) by striking “; and” and
2 inserting “, that is not an Indian tribal government
3 as defined in paragraph (6); and”;

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

7 (3) by inserting after paragraph (5) the fol-
8 lowing:

9 “(6) INDIAN TRIBAL GOVERNMENT.—The term
10 ‘Indian tribal government’ means the governing body
11 of any Indian or Alaska Native tribe, band, nation,
12 pueblo, village, or community that the Secretary of
13 Interior acknowledges to exist as an Indian tribe
14 under the Federally Recognized Indian Tribe List
15 Act of 1994 (25 U.S.C. 479a).”.

16 (d) REFERENCES.—Title I of the Robert T. Stafford
17 Disaster Relief and Emergency Assistance Act is amended
18 by adding after section 102 the following:

19 “**SEC. 103. REFERENCES.**

20 “Except as otherwise specified, any reference to
21 ‘State and local’ or ‘State or local’ governments or officials
22 in this Act, and all references to ‘local government’ in sec-
23 tion 417, shall be deemed to refer also to Indian tribal
24 governments and officials, as appropriate.”.