



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-12-072

TITLE: Support all Legislative Efforts by the U.S. Congress to Amend PL 92-288 (the Stafford Act) to Allow the Tribal Governments to Request Disaster Declarations Directly from the President of the United States

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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, 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, disasters and emergencies often disrupt the normal functioning of governments and communities and adversely affect individuals, and families; and

WHEREAS, Tribes desire to insure that tribal governments, businesses, and communities are prepared and have resources to protect health, safety, welfare, and property on the reservation during emergencies and disasters; and

WHEREAS, the United States Federal Emergency Management Agency (FEMA) provides disaster aid to State, Tribal and local governments after the declaration of a disaster, but current federal law PL 92-288 (the Stafford Act) requires all disaster declaration requests to be channeled through a State governor; and

WHEREAS, in many cases, tribal governments' requests have been delayed at the State level due to inaction, or to difficulty in convincing a State Governor that a localized disaster within a tribe's territory constitutes an emergency at the State level.

NOW THEREFORE BE IT RESOLVED, that NCAI supports the amending of the Stafford Act to include authorization for tribal governments to request a disaster declaration directly from the President of the United States without routing such requests through State governor offices would better serve the public safety needs of Indian Country and specifically of all tribal lands; and

BE IT FURTHER RESOLVED, that NCAI supports legislation in the United States Congress such with bills that have been introduced (HR 1953, Rahall 2011) that would amend the Stafford Act to provide for tribal governments to directly access the Presidential Disaster Declaration Process thus improving public safety and security throughout Indian Country; and

BE IT FURTHER RESOLVED, that NCAI approves and supports legislative efforts to amend PL 92-288, the Stafford Act, to allow tribal governments to request disaster declarations directly from the President of the United States; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.


CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2012 Annual Session of the National Congress of American Indians, held at the Sacramento Convention Center from October 21-26, 2012 in Sacramento, California, with a quorum present.



President

ATTEST:



Recording Secretary