

Direct Tribal Federal Disaster Declaration Option

State of Alaska Fact Sheet

The Federal Emergency Management Agency (FEMA) is supporting changes to the Stafford Act to enable federally recognized tribal governments to directly request a presidential disaster declaration. FEMA has not released its full analysis of the effects or implications of this proposed change to federal statute. This Fact Sheet is provided by the State of Alaska Division of Homeland Security & Emergency Management (DHS&EM) to raise awareness on the potential ramifications of this choice, should the federal Stafford Act be changed.

Federal Direct Tribal Government Disaster Declaration Impacts:

- Tribal governments must certify and provide the required 25% matching funds for all federal disaster assistance funding. For a \$1,000,000 disaster, tribal governments would have to provide in excess of \$260,000.
- Tribal governments must obtain a Statewide Single Audit to meet Federal Single Audit Act with no dedicated funding for this work.
- Tribal governments must demonstrate significant severe and widespread damages of their facilities to individually qualify for a federal disaster declaration.
- Tribal governments must demonstrate significant severe and widespread damages to request the Federal Individual Assistance Programs for losses to families. In 2011, Crooked Creek lost one third of its available homes and the President denied the State's request for Federal Individual Assistance.
- Tribal governments must have a current Hazard Mitigation Plan to be eligible for a federal disaster declaration.
- Tribal governments will be required to prepare all the documents to comply with the Environmental and Historic Preservation Act and obtain required federal approvals
- Tribal governments must manage complex grant management and reporting processes along with implementation of recovery work on their own.
- Tribal governments will be provided generic nationwide preparedness information with no correlation to Alaska specific issues or opportunities.

The State of Alaska is supportive of all communities affected by disaster and has worked to develop processes and techniques to support all our communities. The State has also worked to develop a strong partnership with our FEMA Regional and Alaska Area Offices. This partnership has provided strong and seamless support for all our communities, including our tribal governments. This allows us to ensure the needs of our small communities are met.

State Tribal Government Disaster Declarations – Current State Support:

- The State provides the required matching funds for all local government sub-grantees within a federal disaster regardless of tribal status.
- The State now provides up to \$10,000 per applicant, per disaster, for reimbursement of costs for compliance of a Statewide Single Audit for disaster sub grantees that meet the requirement for an audit – expending more than \$500,000 per year in state or federal funds.

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- Alaskan tribal governments may own and maintain only a few facilities within their community. It will be difficult to demonstrate significant, severe and widespread damages when requesting a federal disaster declaration. The current lowest threshold to support a federal declaration is \$1,000,000 worth of damage. The State looks at how severe and widespread a disaster event is within local communities with no minimum threshold and without regard to tribal status. It then compiles all communities impacted into a combined request for federal disaster assistance.
- The State ensures tribal governments are eligible as sub-grantees for federal disaster assistance by including all communities within the State of Alaska's Hazard Mitigation Plan.
- The State assists all communities in meeting requirements necessary for Environmental and Historical Preservation requirements.
- The State provides technical assistance to local communities for third party management of sub-grantee requirements and projects. The State may also provide procurement and direct vendor payments on behalf of communities that are too small to affect their own recovery. The goal is to ensure methods are in place for recovery regardless of capability.
- The State provides preparedness activities specific to small communities to ensure all our communities are prepared appropriately. Activities for Small Communities include: Small Community Emergency Response Plans in a checklist format; the Alaska Emergency Response Guide for Small Communities; Riverwatch, Outreach to small communities during spring flood and fall sea storm seasons; specific community evacuation plans; support for tsunami plans, exercises, and individual/family preparedness; and regional/statewide conferences and workshops.
- The State provides a State Disaster Individual Assistance Program and uses the assessment of severe and widespread damages to families within the impacted area to recommend a disaster. Therefore, in 2011 the State Individual Assistance Program funded, coordinated and implemented the rebuild of eligible homes in Crooked Creek.

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