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EXECUTIVE SUMMARY

The *Report on Participation and Cost-Share Capability of Indian Tribes in Emergency Management Programs* was required by Congress in Public Law 106-390, and signed into law on October 30, 2000. To collect necessary data, the Federal Emergency Management Agency (FEMA) developed surveys and mailed them to 579 federally recognized Indian Tribes and emergency management officials in all 50 States. The responses provided in these Tribal and State surveys form the basis of the following report.

The study employed two separate survey instruments—one for Tribes and one for States—designed to examine the participation and cost-share capability of Indian Tribes in emergency management programs and the level of State pre- and post-disaster involvement with the Tribes. The questions directed to Tribal representatives concentrated on the following five specific areas:

- Tribal demographics
- Planning, mitigation, and preparedness
- Experience with disasters and disaster relief assistance
- Capacity to participate in and manage cost-shared programs
- Tribal emergency management program participation and government relationships

The questions posed to State representatives covered the following five topic areas:

- General questions about Tribal presence in the State and background information about State personnel completing the survey
- Planning, mitigation, and preparedness
- Disasters and disaster relief assistance
- Factors influencing Tribal participation in emergency management programs
- State-Tribal relationship

The data collected through the surveys provide insight into the views of Tribal and State officials on these issues. The report's findings can be categorized generally into the following four areas: views on Tribal participation in emergency management; cost-shared emergency management programs; legal issues; and working relationships between Tribal, Federal, State, and local governments. A brief overview of the report's findings in each of the above areas follows.

TRIBAL PARTICIPATION IN EMERGENCY MANAGEMENT

- Nearly 60 percent of Tribes surveyed indicated that a disaster had taken place on their lands within the past 10 years. However, requests for a presidential declaration in the wake of these events were more rare, occurring just 20 percent of the time.
- Overall, 39 percent of the Tribes responding to the survey noted that they had an Emergency Operations Plan (EOP), although 46 percent reported that plans were in the process of being developed or updated at the time of the survey.
- Among the Tribes, there was no uniform designation of a lead entity for disaster response. In fact, nearly 25 percent of the time no organization was designated as the lead.
- Tribes and States were concerned about the level of emergency management staffing within Tribal governments. Tribal responses acknowledged staffing shortfalls, again pointing to funding shortages as a reason. When asked whether the Federal Government should contribute at least partial funding for Tribal emergency manager positions, the Tribal response was overwhelmingly in favor.
- Training was one of the most frequently requested improvements to the FEMA-Tribal relationship.
- Tribal and State respondents cited the amount of money dedicated to Tribal emergency management efforts as a key issue. From the Tribal perspective, their comments widely reflected interest in greater Federal funding for emergency management activities including training, equipment, technical assistance, and personnel.

COST-SHARED EMERGENCY MANAGEMENT PROGRAMS

- Survey responses indicated limited Tribal participation in cost-sharing programs and uncertainty about the capability to do so.
- Survey responses from the Tribes indicated widespread uncertainty about Tribal capacity to participate in cost-shared programs.
- One obstacle to Tribal cost-sharing capabilities is an absence of certain financial management system components that are required to track Federal money and cost-share disbursements.
- State respondents mirrored the financial concerns expressed in the Tribal survey. Ninety percent of the State responses indicated that current funding levels for pre- and post-disaster funding were inadequate to address Tribal mitigation and disaster relief activities.

LEGAL ISSUES

- Tribes and States expressed frustration with the Tribes' complicated legal situation. In fact, when asked to identify the most significant hurdle impeding Tribal participation in emergency management programs, States cited the issue of Tribal sovereignty as it relates to Federal, State, and local provisions governing these initiatives, highlighted by 82 percent of State respondents.
- Tribal comments from the survey included suggestions for a review of Tribal status in the Stafford Act, specifically to have them considered equal with States so that declaration requests for assistance can be steered directly to FEMA.

GOVERNMENTAL WORKING RELATIONSHIPS

- Tribal surveys showed low participation rates in or exposure to FEMA-sponsored emergency management programs. Yet Tribes had more experience with FEMA in disaster assistance efforts than with any other Federal agency.
- When asked to characterize their existing ties to FEMA in a variety of areas, Tribes frequently described themselves as satisfied or very satisfied. One significant issue raised in narrative comments centered on a lack of a FEMA contact. Several Tribes extended invitations to FEMA liaisons to visit Tribal lands and reenergize dialogue.
- Responses to the two surveys showed discrepancies between Tribal and State views of their working relationships with one another. Generally, the States had a more favorable view of the working relationship on emergency management matters.
- Both surveys requested estimates for how satisfied Tribes and States were with the existing working relationship in several specific functional areas. On average, State marks for satisfaction with their Tribal relationship were 47 percentage points greater than the corresponding Tribal satisfaction scores. On the other hand, Tribal responses indicating dissatisfaction were an average of 35 percentage points higher than the State replies.

INTRODUCTION

Public Law 106-390 required the Director of FEMA to conduct a study of participation by Indian Tribes in emergency management and to submit a report to Congress.¹ Specifically, FEMA was directed to do the following:

- Survey participation by Indian Tribes in training, predisaster and post-disaster mitigation, disaster assistance, and disaster recovery programs at the Federal and State levels.
- Review and assess the capacity of Indian Tribes to participate in cost-shared emergency management programs and to participate in the management of those programs.

The provisions in Public Law 106-390 requiring this report can be found in Appendix A.

The study employed two separate survey instruments—one for Tribes and one for States—designed to examine the participation and cost-share capability of Indian Tribes in emergency management programs and the level of State pre- and post-disaster involvement with the Tribes. The questions directed to Tribal representatives concentrated on the following five specific areas:

- Tribal demographics
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- Experience with disasters and disaster relief assistance
- Capacity to participate in and manage cost-shared programs
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The questions posed to State representatives covered the following five topic areas:

- General questions about Tribal presence in the State and background information about State personnel completing the survey
- Planning, mitigation, and preparedness
- Disasters and disaster relief assistance
- Factors influencing Tribal participation in emergency management programs
- State-Tribal relationship

Copies of the Tribal and State surveys are included in this report as Appendices B and C.

¹ Also known as the *Disaster Mitigation Act of 2000*, Public Law 106-390 was signed into law on October 30, 2000.

OVERVIEW OF REPORT

This report is divided into five major sections. Section 1.0 outlines the survey methodology. Section 2.0 provides an overview of the survey universe and response rates. Section 3.0 details the results of the Tribal survey, while Section 4.0 examines the State survey results. The final section of the report, Section 5.0, provides analysis of Tribal emergency management participation and cost-sharing capability, as well as other themes raised in the Tribal and State surveys. Additional resources are provided in this report's appendices.

SECTION 1.0 SURVEY METHODOLOGY

1.1 PRESURVEY DATA GATHERING

The survey questions were developed in three phases based on four 2-hour focus group sessions of eight people each. Participants, including Tribal leaders and State and FEMA officials, were carefully screened to meet certain criteria related to emergency management activities. No individual participated in more than one session.

In the first stage, participants were asked to identify key issues in emergency management and Tribal capabilities and participation. Sensitivity to Tribal policies and cultural aspects unique to respondents were factored into the questionnaire's development.

In the second phase, data gathered from the focus groups were synthesized into two draft questionnaires (one for Tribes and one for States) and submitted for review. Content validity was ensured by having multiple drafts reviewed by Tribal leaders and/or their representatives, as well as State and FEMA officials. All pertinent recommendations from reviewers were incorporated into the revised questionnaires.

In the third phase, the final questionnaire drafts—featuring 34 questions for the Tribes and 23 questions for the States—were tested to ensure clarity and consistency on issues related to question difficulty, sequence, skip patterns, layout, instructions, and other data entry activities. Final questionnaires were labeled “QA” for Tribes and “QB” for States.

1.2 SURVEY EXECUTION

A total of 629 questionnaires were mailed to Tribal and State respondents in early March 2002 along with a preaddressed and prestamped return envelope. Contact names and addresses were obtained from official mailing lists from the Bureau of Indian Affairs (BIA) for Tribal recipients and FEMA's Division of Congressional and Intergovernmental Affairs for State recipients. The final deadline for FEMA to receive completed questionnaires was May 31, 2002.

SECTION 2.0 SURVEY UNIVERSE AND RESPONSE RATES

The universe for the Tribal survey comprised 579 federally recognized Indian Tribes located in 34 States categorized as qualified States.² Because of the relatively small size of this population, no sampling was taken and all Tribes received the questionnaire. To accommodate the possibility of land contiguity (i.e., Tribal land holdings extending beyond a State's border), all 50 States received the questionnaire. Individual State respondents were given the opportunity to report the absence of Indian Tribe(s) in their jurisdictions, and those that did were instructed to terminate the survey. All State respondents were asked to return the questionnaire, regardless of whether any Tribes were located within the State.

To overcome low response rates on Tribal surveys, typically around 20 percent, Tribal liaisons and other FEMA officials contacted Tribal leaders several times after the initial mailing to encourage their participation. Four Tribes requested a second mailing, and only one questionnaire was returned as undeliverable after a second attempt.

The overall response rate for the Tribes was 24 percent or 140 completed questionnaires.³ Tribes from 28 of 34 qualified States returned surveys. Based on the total number of responses, individual State Tribal responses showed relative consistency with State Tribal presence as a percentage of total Tribes in the United States.

The response rate for the States was 72 percent or 36 completed questionnaires; however, when only the 34 qualified States were considered, the response rate declined to 65 percent or 22 completed questionnaires. One State categorized as a qualified State reported no Tribal presence within its jurisdiction, even though a completed questionnaire from a Tribe officially residing in that State was received.

Nearly two-thirds of the Tribal responses came from FEMA Regions IX and X, in light of the strong Tribal presence in these regions and the rate of response from Alaska, California, and Arizona. Region III has no Tribal presence and therefore was the only FEMA Region to have no Tribal responses. **Table 1** provides the regional distribution of Tribal responses.

Table 1. Regional Responses to Tribal Survey

FEMA Region	Tribal Responses
Region I	3
Region II	2
Region III	0
Region IV	3
Region V	15
Region VI	17
Region VII	4
Region VIII	5
Region IX	37
Region X	54

² A qualified State contains at least one Tribe within its jurisdiction. The 34 qualified States are Alabama, Alaska, Arizona, California, Colorado, Connecticut, Florida, Idaho, Iowa, Kansas, Louisiana, Maine, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Oklahoma, Oregon, Rhode Island, South Carolina, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming.

³ Defined as respondent answering at least 90 percent of the questions, after considering skip patterns when applicable.

SECTION 3.0 TRIBAL SURVEY RESULTS

The survey instrument provided to the Tribes contained 35 questions that were divided into the following five sections:

- Demographics
- Planning, mitigation, and preparedness
- Disasters and disaster relief assistance
- Cost-share capabilities
- Emergency management program participation and working relationship with government

The results from each survey section are examined separately in the following pages.

3.1 SECTION 1: DEMOGRAPHICS

Tribal respondents were asked to characterize their communities based on the following criteria: the total amount of land held by the Tribe both on and off the reservation; whether the reservation was located in urban, suburban, or rural territory; whether Tribal land was located in contiguous counties or States; and the total number of Indian and non-Indian people living on the reservation.

Of the 140 Tribes that participated in the survey, 59 percent reported land holdings of less than 25,000 acres, while more than three-quarters of the respondents (78 percent) said they were located in rural areas. Thirty-three percent replied that Tribal land was located in contiguous counties or States. Respondents reported sparse populations on the reservations, with 65 percent having populations of less than 1,000 people. Of the 131 respondents who provided population information, 93 percent estimated less than 10,000 people living on their reservation.

3.2 SECTION 2: PLANNING, MITIGATION, AND PREPAREDNESS

Tribes were asked 14 questions to gauge their experience to date with emergency planning and their level of preparedness to handle disasters on Tribal lands. Questions ranged from estimating the level of threat posed by a number of hazards to providing background on the Tribe's EOP to funding sources for emergency management programs within the reservation.

The hazards most frequently viewed by respondents as having a high probability of occurrence were winter storms, fires and wildfires, droughts, and floods. At the other end of the spectrum, an average of 80 percent of respondents put the level of threat from avalanches, hurricanes, volcanoes, and tsunamis at virtually none. **Table 2** shows the hazards with the four highest and lowest estimated threat levels, as indicated in the Tribal surveys.

Table 2. Tribal Views on Hazard Threat Levels

High	Percent	Virtually None	Percent
Winter Storms	48%	Avalanches	84%
Fires/Wildfires	47%	Hurricanes	82%
Droughts	28%	Volcanoes	80%
Floods	26%	Tsunamis	74%

Chemical or technological hazards were estimated to be a medium-level threat by 31 percent of Tribal respondents.

Tribes were also asked whether they had any enforceable building permit systems, building codes, fire codes, or land use planning and enforcement mechanisms. One half of the Tribal respondents stated they had none of the above. While 42 percent replied they employed land use planning and enforcement mechanisms, approximately one out of four noted that they had enforceable building permit systems, building codes, or fire codes.

3.2.1 Hazard Risk Assessments and Emergency Operations Plans

Thirty-eight percent of the Tribes that returned the survey said they had conducted a hazard risk assessment for their jurisdiction. EOPs were in place in 39 percent of respondents. In 38 cases (27 percent), Tribes had completed a risk assessment and an EOP. However, in a number of instances, Tribes had completed either one or the other. In 11 percent of the cases, a risk assessment had been done without an EOP; conversely, an EOP was developed by 12 percent of respondents without performing a hazard risk assessment.

In cases where an EOP was prepared, Tribes typically worked with a number of government entities during the plan’s development. For example, 44 percent coordinated with State and local governments; 19 percent worked in conjunction with FEMA; 13 percent with private non-profit organizations; and 11 percent with private contractors. Approximately 32 percent—nearly one third—of the Tribes with EOPs developed them without any external assistance.

Financial assistance in these efforts came largely from the Federal Government. In 44 percent of the cases where Tribes had EOPs, they were primarily funded with Federal monies. States served as the primary funder in 2 cases (4 percent). Thirty percent of the Tribes reported that plans were funded mainly with Tribal dollars and another 22 percent noted that the plans were not funded at all.

Most respondents said they were currently developing an EOP. Many reported that they were working with State and/or local government to finalize the plan, as shown in **Table 3**. In addition to FEMA, other Federal agencies involved in emergency planning efforts with the Tribes included the Environmental Protection Agency (EPA) and BIA.

Table 3. Emergency Operations Plan Development

Collaborating Entities	Assistance for EOP in Place	Assistance for EOP Under Development
FEMA	19%	22%
Other Federal Agencies	50%	29%
State/Local Government	44%	68%
Private Nonprofits	13%	19%
Contractors	11%	10%
Tribe Alone	32%	45%

3.2.2 Personnel

Nearly half (44 percent) of the Tribes participating in the survey reported having an appointed official with responsibilities over emergency operations. In 43 percent of these cases, these emergency manager positions were primarily funded by Tribal resources. One quarter reported that the Federal Government provided most of the resources for emergency manager positions. Approximately 15 percent of respondents said that the emergency manager served in a volunteer capacity. When asked whether Tribal emergency manager posts should receive at least a portion of their required funding from the Federal Government, 81 percent of respondents replied affirmatively. Fourteen percent said they did not know or were unsure.

3.2.3 Disaster Response Leadership

Tribes were asked to identify which program has been designated as the lead for disaster response. Surveys found that a little more than 20 percent replied that the Tribal council served that function. Of the 29 instances where respondents marked “other,” one third of those respondents noted that environmental agencies had a leadership role, while one quarter reported that the disaster response lead was shared by a combination of emergency managers, fire, police, and Tribal councils. In 23 percent of overall responses, no Tribal program had been designated as the lead entity in disaster response.

The Tribes were asked to note which of the listed emergency management program components currently existed in their Tribe. Law enforcement and medical services were the most prevalent functions, while animal shelters and stockpiles of emergency supplies were rare. **Figure 1** shows the percentage of Tribal respondents reporting elements of an emergency management program.

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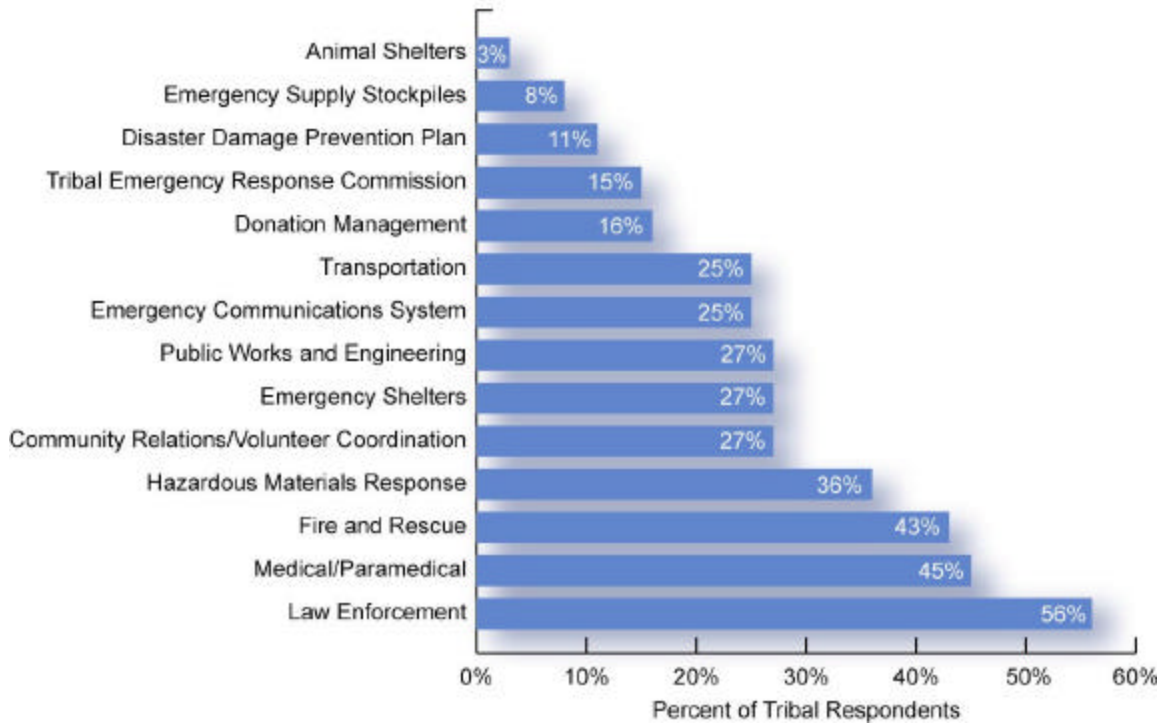


Figure 1. Tribal Emergency Management Program Elements

3.3 SECTION 3: DISASTERS AND DISASTER RELIEF ASSISTANCE

Tribes were asked a series of eight questions about their historical experience with disasters and disaster relief assistance.

3.3.1 Disasters on Tribal Lands

Fifty-nine percent of respondents reported that a disaster had occurred in the past 10 years with direct repercussions on their lands. The types of disasters most frequently cited as examples included flood, fire, drought, and tornadoes. Much of the damage suffered from these disasters harmed key infrastructure elements, including roads and electric plants. More than three-quarters of the respondents (77 percent) reported damage of this type. In some cases, loss of housing or community facilities (33 percent) or sacred and/or archeological sites (24 percent) resulted. Injuries or loss of life were reported by 10 percent of the respondents.

3.3.2 Disaster Relief Assistance

In the wake of these disasters, just over half the Tribal respondents had requested assistance from relevant State or local authorities. In 20 percent of the cases, the impact of the disasters was severe enough that the Tribe requested via the State a Presidential Disaster Declaration under the terms of the Robert T. Stafford Disaster Relief and Emergency Assistance Act. Thirty percent of respondents said that Tribal losses resulting from these disasters were

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incorporated into their State's report on the disaster; 44 percent said they were not; and 27 percent were unsure.

Nearly half the time, the cost estimates for Tribal losses were carried out via a joint assessment by FEMA and State and Tribal emergency managers. States handled these estimates themselves in 4 percent of the reported instances.

Tribes were asked to detail the resources directed to their disaster recovery. In 35 percent of the cases, disaster costs confronting Tribes were defrayed through a combination of Federal and State funds. Twenty-eight percent of respondents reported that Federal funds were channeled to Tribal governments not through the States, but through a direct agreement between FEMA and the Tribe. In 3 percent of the cases, cost-sharing requirements were waived or reduced. **Table 4** shows the funding sources for Tribal disaster assistance and the percent of Tribal respondents that received it.

Table 4. Paying for Disaster Assistance

Source of Assistance	Percent
Combination Federal and State	35%
Direct Federal Funding	28%
Tribal Funds Only	25%
Private Funding Sources	25%
Federal Funds Only	24%
Adequate Available Funds	10%
State Funds Only	3%
Cost-Sharing Waived	3%

One Tribe reported that its request for inclusion in a Presidential Disaster Declaration had been denied by the State. The respondent reported that the request was refused because of the Tribe's status as a sovereign nation.

3.4 SECTION 4: COST-SHARE CAPABILITIES

The Tribal survey instrument included six questions addressing the Tribes' capacity for cost-sharing in emergency management programs.

Eighteen of those Tribes surveyed (13 percent) were currently participating in or receiving emergency management funding from Federal assistance programs that require the Tribe to pay a percentage of the program costs or to match funds. In the majority of those cases, the cost-share requirements were established by a predetermined percentage. Thirty-six percent reported that a combination of predetermined percentages and demographic or economic formulas were developed to set cost-share thresholds.

Difficulties in meeting cost-sharing obligations were reported by 41 percent of the respondents, versus 52 percent who noted no difficulties and 7 percent who did not know. When

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asked whether they foresaw difficulties in meeting cost-share requirements in the future, the Tribal representatives divided equally into three categories: 34 percent said yes; 33 percent said no; and 34 percent said they were unsure. Nine out of 10 Tribes responding to this series of questions noted that a main source of difficulty in meeting cost-sharing obligations was the level of funding required. Given these Tribes' resources, they responded that a 25 percent cost-share requirement was too high.

Tribes were then asked to identify their existing financial management components that are required to track Federal funds and matching disbursements. In 68 percent of those surveyed, specific personnel had accountability over fiscal operations and reporting responsibilities, while computer capability for tracking financial records existed in 67 percent. Fewer than half of the Tribal survey participants reported having budgeting and accounting systems for tracking costs during emergencies, procedures for coordinating and acquiring necessary supplies, equipment, and services for emergency response, or procedures for allocating of funds by the governing body to meet spending requirements during an emergency. Sixteen percent of respondents reported having none of the necessary financial management components. **Table 5** shows the percentage of Tribal respondents possessing various financial management system elements.

Table 5. Tribal Financial Management Capability

System Components	Percent
Accountable fiscal operations personnel	68%
Computer data processing capability	67%
Emergency cost budgeting/accounting system	49%
Procedures for supply coordination/acquisition	46%
Procedures for allocating disaster funds	41%
None	16%

3.5 SECTION 5: EMERGENCY MANAGEMENT PROGRAM PARTICIPATION AND WORKING RELATIONSHIP WITH GOVERNMENT

The fifth section of the Tribal survey contained five questions that explored Tribal participation in emergency management programs and the working relationship with Federal, State, and local governments, as well as outside private organizations.

3.5.1 Emergency Management Program Experience

Tribes were asked to indicate which Federal Government agencies had provided disaster assistance to their jurisdiction during the previous 10 years. Twenty-eight percent of Tribes noted that they had received assistance from the BIA, while 34 percent (48 respondents) reported having received funds from FEMA. Tribes indicated having little experience with or exposure to other agencies, including the Department of Education (DOEd), Department of Housing and Urban Development (HUD), Department of Health and Human Services (HHS), and U.S. Department of Agriculture (USDA).

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Next, Tribes had to identify the specific FEMA programs in which they had participated in the past or were currently participating. Most frequently cited from the list of 16 choices provided were FEMA’s Hazardous Material Training Program for Implementation of the Superfund Amendment and Reauthorization Act of 1986 and its Fire Grant Program. However, Tribal participation for those two programs was by no means widespread, standing at 13 percent and 9 percent, respectively. Other participation rates are shown in **Table 6**. Of the 140 Tribes participating in the survey, 77 (or 55 percent) responded they had no experience with any of the listed FEMA programs.

Table 6. Tribal Participation in FEMA Programs

FEMA Emergency Management Assistance Program	Percent
Hazardous Material Training Program for Implementation of the Superfund Amendment and Reauthorization Act of 1986	13%
Fire Grant Program	9%
Disaster Assistance Program – Public Assistance	7%
Flood Mitigation Assistance (FMA)	7%
Hazardous Material Assistance Program (Comprehensive Environmental Response, Compensation, and Liability Act [CERCLA])	7%
Disaster Assistance Program – Individual Assistance	6%
Comprehensive HazMat Emergency Response – Capability Assessment Program (CHER-CAP)	5%
National Fire Academy Educational/Training Program	5%
Fire Suppression Assistance	4%
Hazard Mitigation Grant Program (HMGP)	4%
Disaster Assistance Program – Individuals and Family Grant Program	4%
National Flood Insurance Program (NFIP)	2%
Emergency Management Performance Grant (EMPG)	1%
Project Impact	1%
Radiological Emergency Preparedness (REP) Program	1%
Chemical Stockpile Emergency Preparedness Program (CSEPP)	0%

In terms of emergency management technical assistance or training efforts, the most frequently identified focus area was hazard identification and risk assessment, noted by 27 percent of the participating Tribes. Other categories of technical assistance appear in **Table 7**. Most (55 percent) surveyed Tribes reported they had received no technical assistance or training in the listed areas. (Respondents could select as many programs as appropriate.)

Table 7. Tribal Technical Assistance and Training Experience

Type of Assistance	Percent
Hazard identification and risk assessment	27%
Application process for FEMA grants	19%
Disaster prevention and/or mitigation planning	17%
Development/deployment of emergency response teams	11%
Communications and warning systems	11%
Development of Federal/State/local mutual-aid agreements	10%
Implementation/management of FEMA grant programs	9%
Public education and information program	8%
Adoption/implementation/enforcement of building/land use codes	5%
Damage assessment procedures	5%
Federal disaster assistance application	5%
Emergency response personnel/financial resource management	3%

3.5.2 Working Relationships with Government

Tribes were asked to characterize their working relationship with different levels of government and private organizations. Sixty-two percent of the Tribal respondents cited good or very good relationships with the Federal Government; 55 percent ranked their local government ties as good or very good; 42 percent made that same determination about their links to State government. On the other hand, 8 percent of respondents indicated that their relationship with the State government was not at all good. Relationships with local government and Federal Governments ranked as not at all good by 4 percent and 1 percent of respondents, respectively. **Figure 2** compares Tribal perspectives of working relationships.

Respondents explored in greater depth different facets of their intergovernment working relationships and grade their level of satisfaction with the status quo. Specifically, they were asked to comment on five areas, rating performance on a scale of 1 to 5 (1 being *very dissatisfied* and 5 being *very satisfied*):

- Understanding of unique Tribal needs
- Responsiveness to Tribal needs
- Technical assistance offered to Tribes
- Timeliness of services offered to Tribes
- Communication with the Tribes

When it came to *understanding of unique Tribal needs*, 52 percent of responding Tribes said they were satisfied or very satisfied with the Federal Government’s performance. Forty-three percent indicated satisfaction with local government and 18 percent with State government efforts. In contrast, 36 percent expressed dissatisfaction with State government’s understanding of Tribal needs, 27 percent dissatisfaction with local government, and 18 percent dissatisfaction with Federal Government performance in this area.

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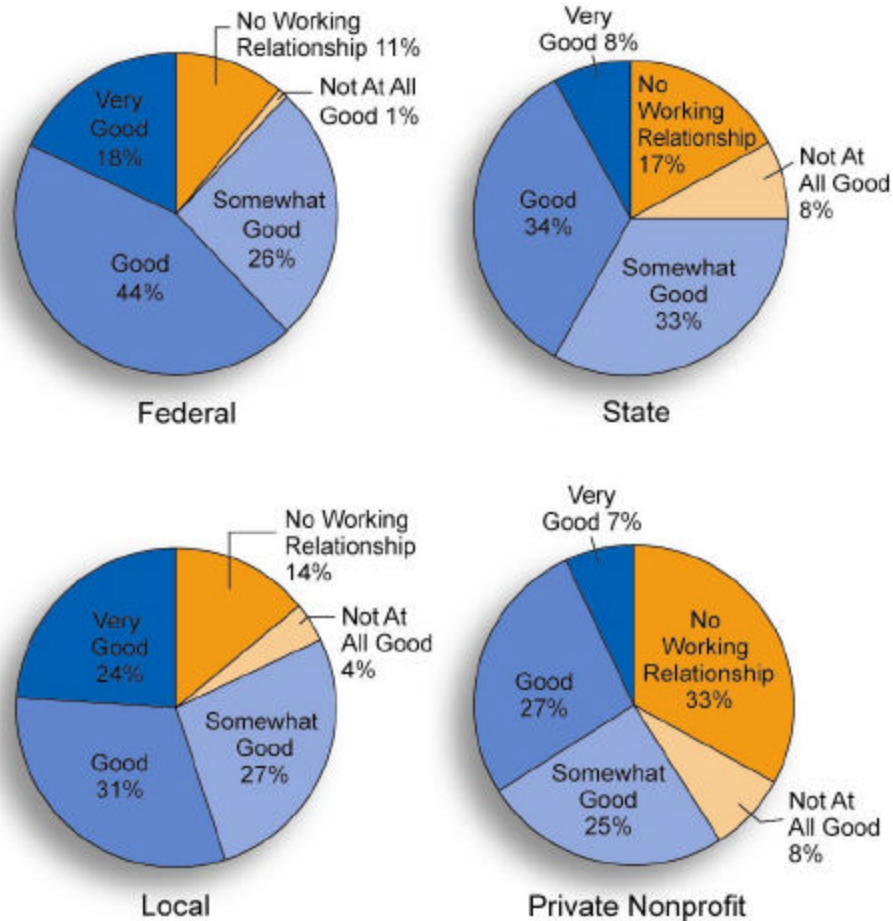


Figure 2. Comparison of Tribal Working Relationships

The level of local government *responsiveness to Tribal needs* was deemed satisfactory in 41 percent of Tribal responses. Forty percent expressed satisfaction with Federal Government responsiveness, as opposed to a 18 percent satisfaction mark for State governments. On the other hand, 46 percent of Tribes were unhappy with State government responsiveness, 30 percent with local government, and 21 percent with the Federal Government.

Technical assistance offered to Tribes from the Federal Government left Tribes satisfied or very satisfied in 47 percent of cases. Tribal respondents posted 30 percent satisfaction with local governments' efforts at technical assistance and 19 percent satisfaction with corresponding State efforts. Thirty-eight percent of Tribes were dissatisfied with the performance of local government and 37 percent with State government. Twenty percent were unhappy with Federal Government efforts.

Satisfaction dropped noticeably across the board in assessing the *timeliness of services* provided. Thirty-four percent said they were pleased with Federal and local performance, while 18 percent expressed satisfaction for State government efforts. Dissatisfaction with government

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timeliness ranged from 28 percent for Federal and local government to 43 percent for State government.

Finally, *communication with the Tribes* elicited higher marks for the Federal Government, with 42 percent saying they were satisfied or very satisfied. Satisfaction rates for State and local government were 22 percent and 38 percent, respectively. Forty percent of Tribal respondents reported dissatisfaction with State government communications. Local government fared somewhat better with 33 percent of Tribes conveying dissatisfaction, while 22 percent of Tribes expressed dissatisfaction with the Federal Government on this front.

Tribes were also asked about their working relationships with private nonprofit organizations. Most Tribal responses provided in each of the five areas indicated that they were neither satisfied nor dissatisfied with the performance of nonprofit organizations. However, 41 percent of the Tribes surveyed did not reply at all to the questions about the private nonprofits.

3.6 TRIBAL NARRATIVE COMMENTS

In the survey's final question, Tribes could provide narrative addressing specific steps FEMA could take to improve Tribal capabilities to plan for and respond to disasters. Comments covered a range of topics including funding, training opportunities, personnel, and relationships with Federal and State government. Examples of comments provided in this section are included in Appendix D.

SECTION 4.0 STATE SURVEY RESULTS

The survey provided to the States consisted of 23 questions in the following five topic areas:

- General questions about Tribal presence in the State and background information about State personnel completing the survey
- Planning, mitigation, and preparedness
- Disasters and disaster relief assistance
- Factors influencing Tribal participation in emergency management programs
- State-Tribal partnership

The results from each survey section are examined separately in the following pages.

4.1 SECTION 1: GENERAL BACKGROUND INFORMATION

Sixty-one percent (22) of the 36 responding States reported having a Tribal presence within their borders. States without Tribes were not required to continue further with the survey. In total, surveys indicated that 436 Tribes held jurisdiction within the respondent States, covering a Tribal population of approximately 1.3 million. Generally, the responses to the State survey were provided by either the State emergency management director or a governor's authorized representative.

4.2 SECTION 2: PLANNING, MITIGATION, AND PREPAREDNESS

States were asked to rate on a scale of 1 to 4 (ranging from *high* to *virtually none*) the level of threat associated with a number of hazards, taking into consideration the Tribal locations across the State. The hazards rated as high by respondents were floods, fires, and droughts. Tsunamis, hurricanes, and avalanches were most commonly ranked as representing virtually no hazard. **Table 8** shows the hazards with the highest and lowest estimated threat levels, as indicated in the State surveys.

Table 8. State Views on Hazard Threat Levels

High	Percent	Virtually None	Percent
Floods	64%	Tsunamis	82%
Droughts	55%	Avalanches	71%
Fires/Wildfires	55%	Hurricanes	73%
Tornadoes	36%	Mudslides	55%

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For chemical and technological hazards, most respondents ranked the threat as medium (55 percent).

Of qualified States participating in the survey, 44 percent reported having conducted a hazard risk assessment that included Tribal land. The most common types of outreach activity used to engage Tribal representatives in that process were official communications to the Tribal leader or designee and contacts with Tribal advocate or liaison organizations. Six States with Tribal presence (27 percent) reported that they had not conducted any outreach activity.

Fifty percent of qualified States reported that a Tribe within its jurisdiction had solicited assistance to develop a written emergency response plan. Frequently cited forms of assistance that were requested by the Tribes included the following:

- Public education materials
- Access to available Federal, Statewide, and/or local resources
- Training

Sixteen States (44 percent of total State respondents or 73 percent of qualified States) were involved in developing or coordinating the disaster preparedness plan. Several respondents explicitly stated that the plan was an all-hazards effort encompassing a number of potential threats. Of those 16 States, seven reported that the plan was primarily funded with Tribal money while six States reported that the plan was funded with Federal money.

States were asked to report on the requests for assistance or information received from any Tribe in the past year. The most common responses were the following:

- All-Hazard Planning Assistance (11 States)
- Training (11 States)
- Inquiries regarding the Hazard Mitigation Program (9 States)
- Interpretation of Federal and/or State Regulations (8 States)

The survey also found that 65 percent of responding qualified States made response capabilities located outside of the borders of the Tribal land available to the Tribes. Some States clarified their affirmative responses, noting that while the State stood ready to offer its resources in support of Tribes via Statewide aid agreements, neighboring local jurisdictions also had mutual-aid arrangements in place. Specific examples of services cited as available through mutual aid—at State and/or local levels—included general emergency management services, fire, Emergency Medical Services (EMS), law enforcement, and hazardous materials (HazMat) expertise.

4.3 SECTION 3: DISASTERS AND DISASTER RELIEF ASSISTANCE

Twenty-one States (95 percent of participating qualified States) responded that a disaster had taken place that directly affected Tribal land. As a result of the disasters, 86 percent of those States reported that affected Tribes requested inclusion in the State's disaster declaration. None

of the States responded that they had ever denied inclusion of a Tribe in the State's disaster declaration.

Fifty-nine percent of qualified States reported that Tribal losses are factored into the State's report through cost estimates conducted via a joint assessment by FEMA, State, and Tribal emergency managers. Fourteen percent reported that cost estimates were carried out exclusively by the Tribe.

4.4 SECTION 4: FACTORS INFLUENCING TRIBAL PARTICIPATION IN EMERGENCY MANAGEMENT PROGRAMS

When asked if the current levels of pre- and post-disaster funding were adequate to cover Tribal mitigation and potential disaster relief activities, 9 percent of qualified States responded that funding was sufficient, while 82 percent said it was not enough.

States were asked to rank in order of importance five factors potentially representing an impediment to Tribal participation in emergency management programs. The most important issue cited by the States was Tribal sovereignty as it relates to Federal, State, and local laws governing emergency management programs. Second came poor Tribal understanding and/or awareness of available disaster mitigation and disaster relief assistance. The third most critical factor impeding Tribal participation was limited Tribal resources to meet cost-sharing obligations and comply with mandated tracking and reporting of funds. A fourth hurdle was historical skepticism and/or mistrust of government on the part of Indian Tribes. Finally, cultural and religious beliefs regarding nature and natural events were cited as the least important impeding factor in Tribal emergency management participation.

4.5 SECTION 5: STATE-TRIBAL PARTNERSHIP

States were asked to assess their working relationship with Tribes regarding emergency planning and response. Of the 22 qualified States participating in the survey, 13 (59 percent) described their relationship as good or very good. Twenty-seven percent said the relationship was somewhat good, while the remaining 14 percent said they had no working relationship with the Tribes. No State reported a Tribal working relationship that was not at all good.

Next, States were asked to rate on a scale of 1 to 5 (with 1 being *very dissatisfied* and 5 being *very satisfied*) their degree of satisfaction with their ability to support a working relationship with the Tribes in a number of areas. Most participating States⁴ (an average of 57 percent) responded that they were satisfied or very satisfied with their relationship in the following five of six areas:

- Understanding of unique Tribal needs
- Responsiveness to Tribal needs
- Technical assistance offered to Tribes

⁴Three of 22 qualified States did not answer questions about their working relationships with Tribes.

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- Timeliness of services offered to Tribes
- Communication with the Tribes

Regarding the sixth factor, nearly 60 percent of States reported they were neither satisfied nor dissatisfied with the availability of funds and other resources.⁵ Thirty-seven percent said they were dissatisfied or very dissatisfied with resource availability, versus 5 percent of respondent States that said they were satisfied or very satisfied.

4.6 STATE NARRATIVE COMMENTS

States were invited to provide comments and feedback on the challenges they face in providing assistance to Tribes on issues of emergency management. Areas touched on in the narrative included funding, coordination and communication, training, and personnel. Examples of their comments appear in Appendix E.

⁵ This sixth topic area addressing availability of funds was not included in the Tribal survey.

SECTION 5.0 ANALYSIS

Congress requested that FEMA assess Tribal participation in training, pre- and post-disaster mitigation, disaster preparedness, and disaster recovery programs at Federal and State levels, as well as Tribal capability to join in cost-shared emergency management programs. The following pages address those themes, based on findings from Tribal and State surveys.

5.1 TRIBAL PARTICIPATION IN EMERGENCY MANAGEMENT

Nearly 60 percent of Tribes surveyed indicated that a disaster had taken place on their lands within the past 10 years. However, requests for a presidential declaration in the wake of these events were more rare, occurring just 20 percent of the time. Cost estimates of losses sustained by the Tribes were developed mostly in conjunction with State and FEMA representatives.

Tribal respondents indicated a range of sophistication when it came to their emergency management programs. Some reported having EOPs in place, dedicated personnel, and procedures relevant to responding to disasters. However, in other cases, there were no plans, personnel, or funding to develop response components.

Overall, 39 percent of the Tribes responding to the survey noted they had an EOP, although 46 percent reported plans were being developed or updated at the time of the survey. Forty-four percent of Tribes with EOPs collaborated with State and local governments on their development. FEMA involvement in plan development was cited in 20 percent of the cases. Thirty-two percent of Tribes responded that they had worked alone on their EOPs, a source of frustration that was evident in the narrative comments provided at the end of the survey.

Among the Tribes, there was no uniform designation of a lead entity for disaster response. In fact, nearly 25 percent of the time no organization was designated as the lead. In cases where a point of contact was identified, the Tribal council was often pinpointed as the disaster response lead. The range of programs cited by survey respondents also included fire and police departments, environmental agencies, public works, and casino security.

Not all Tribal governments had a dedicated emergency manager position. An emergency management coordinator was confirmed by 44 percent of the Tribal respondents. Almost half the time, these coordinators were funded mainly with Tribal money; an additional 15 percent were volunteer positions that were not funded at all. Outside financial assistance came more from the Federal Government than State or local sources.

Tribes and States were concerned about the level of emergency management staffing within Tribal governments. Tribal responses acknowledged staffing shortfalls, again pointing to funding shortages as a reason. They noted that requiring acting emergency management officials to wear multiple hats and perform multiple functions contributed to communications and coordination concerns with all levels of government. State representatives echoed those frustrations, adding that turnover within Tribal governments frustrated programmatic continuity and made it

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difficult to keep priorities intact. When asked whether the Federal Government should contribute at least partial funding for Tribal emergency manager positions, Tribal responses were overwhelmingly in favor.

Training was one of the most frequently requested improvements to the FEMA-Tribal relationship. Narrative comments provided at the end of the survey identified training as a consistent area of Tribal interest. Tribes were eager for a broad spectrum of training opportunities, including disaster mitigation and response, as well as financial management that would allow them to better handle and track incoming emergency management funds. State comments noted that improvement in training options should be a priority, although one State's narrative comments noted that in the past Tribes had not taken advantage of opportunities provided.

Tribal and State respondents cited the amount of money dedicated to Tribal emergency management efforts as a key issue. From the Tribal perspective, their comments widely reflected interest in greater Federal funding for emergency management activities including training, equipment, technical assistance, and personnel.

One State commented that most Tribes were eager to take advantage of mitigation opportunities presented to them, but that State resources were insufficient to complete even the less costly mitigation activities, such as planning. States were also concerned about the potential for dollars channeled to the Tribes to dilute the State's Emergency Management Performance Grant, which they pointed to as a primary source of emergency management financial assistance for counties.

5.2 COST-SHARED EMERGENCY MANAGEMENT PROGRAMS

Survey responses indicated limited Tribal participation in cost-sharing programs and uncertainty about the capability to do so. Of the 140 Tribes that participated in the survey, only 18 indicated that they received emergency management funding under any Federal program requiring it to contribute a percentage of the program's costs. The matching cost format always involved a fixed percentage contribution, sometimes on its own or sometimes coupled with demographic or economic factors.

Survey responses from the Tribes indicated widespread uncertainty about Tribal capacity to participate in cost-shared programs. For example, one third were unsure whether they would have difficulty in meeting cost-share obligations arising from current or future participation in Federal programs. Of the respondents who did expect difficulties, all but three pointed to the 25 percent match requirement, noting it was too high considering the Tribe's financial resources. Another 25 percent of those expecting difficulties pointed to a lack of understanding about the procedures involved in a presidentially declared disaster as a reason for anticipated difficulties in meeting cost-share requirements.

One obstacle to Tribal cost-sharing capabilities is an absence of certain financial management system components required to track Federal money and cost-share disbursements. Some of these financial components are relatively widespread, including personnel accountable for fiscal operations and reporting responsibilities and computer data processing systems adequate

for recording and tracking financial transactions. However, other elements are not nearly as prevalent.

State respondents mirrored the financial concerns expressed in the Tribal survey. Limited Tribal resources to meet cost-sharing obligations and to enhance financial tracking mechanisms were ranked as an important factor impeding Tribal emergency management efforts. Ninety percent of the State responses indicated that current funding levels for pre- and post-disaster funding were inadequate to address Tribal mitigation and disaster relief activities.

5.3 LEGAL ISSUES

Indian Tribes occupy a unique legal status within the United States. Considered as sovereign nations with the rights and benefits thereof, Tribes recognized by the U.S. Government are eligible to participate in Federal assistance programs.

FEMA has had in place since 1998 an agency policy for government-to-government relationships with the Tribes. In that policy, FEMA commits to consulting Tribes before taking actions that affect federally recognized Tribal governments to ensure Tribal rights and concerns are addressed. FEMA also pledges to take appropriate steps to eliminate or diminish procedural impediments to working directly and effectively with Tribal governments and to encourage cooperation among Federal, Tribal, State, and local governments to address emergency management issues.

In addition, several statutes address Tribes, outlining the vehicles through which they can receive Federal funding for disaster mitigation and relief. For example, under the Robert T. Stafford Disaster Relief and Emergency Assistance Act that forms the foundation of Federal disaster relief assistance, Tribes are included in the definition of local government. However, Stafford Act support is provided to the States by FEMA following a request from the governor. As a result of this arrangement, Tribes must direct requests for Federal aid through the States and cannot receive assistance from FEMA directly. Additional complications arise in certain States where existing State law prohibits States from providing funds to Tribes directly, such as Arizona and Oregon.

Other laws permit the disbursement of Federal emergency management funds directly to Tribes, even when they are included in the definition of local government. The Disaster Mitigation Act of 2000 established a national disaster hazard mitigation program and allowed predisaster hazard mitigation funding to both State and local governments to assist in implementing effective hazard mitigation measures. Tribes are also able to apply for these funds and serve as the grantee.

Tribes and States expressed frustration with the Tribes' complicated legal situation. Indeed, when asked to identify the most significant hurdle impeding Tribal participation in emergency management programs, States cited the issue of Tribal sovereignty as it relates to Federal, State, and local provisions governing these initiatives, highlighted by 82 percent of State respondents.

Tribal comments from the survey included suggestions for a review of Tribal status in the Stafford Act, specifically to have them considered equal with States so that declaration requests for assistance can be steered directly to FEMA.

5.4 GOVERNMENTAL WORKING RELATIONSHIPS

Tribal surveys showed low participation rates in or exposure to FEMA-sponsored emergency management programs. Yet Tribes had more experience with FEMA in disaster assistance efforts than with any other Federal agency. Tribal narrative comments indicated interest in maintaining and bolstering the relationship with FEMA, regardless of State involvement.

When asked to characterize their existing ties to FEMA in a variety of areas, Tribes frequently described themselves as satisfied or very satisfied. One significant issue raised in narrative comments centered on lack of a FEMA contact. Several Tribes extended invitations to FEMA liaisons to visit Tribal lands and reenergize dialogue.

Responses to the two surveys showed discrepancies between Tribal and State views of their working relationships with one another. Generally, the States had a more favorable view of the working relationship on emergency management matters. For instance, Tribal respondents noted that the relationships with their respective States were good or very good in 42 percent of the cases, versus 59 percent of corresponding State estimates. On the other hand, 8 percent of Tribes reported relationships as being not at all good, whereas there were no State responses in this category. **Figure 3** compares the answers provided by Tribes and States.

Both surveys requested estimates for how satisfied Tribes and States were with the existing working relationship in several specific functional areas. Factors included in this assessment were the State's understanding of unique Tribal needs; responsiveness to Tribal needs; technical assistance offered to Tribes; timeliness of services offered to Tribes; and communications with the Tribes. A comparison of responses to these questions also shows differences in the perceptions of the working relationship. On average, State marks for satisfaction with their Tribal relationship were 47 percentage points greater than the corresponding Tribal satisfaction scores. On the other hand, Tribal responses indicating dissatisfaction were an average of 35 percentage points higher than the State replies.

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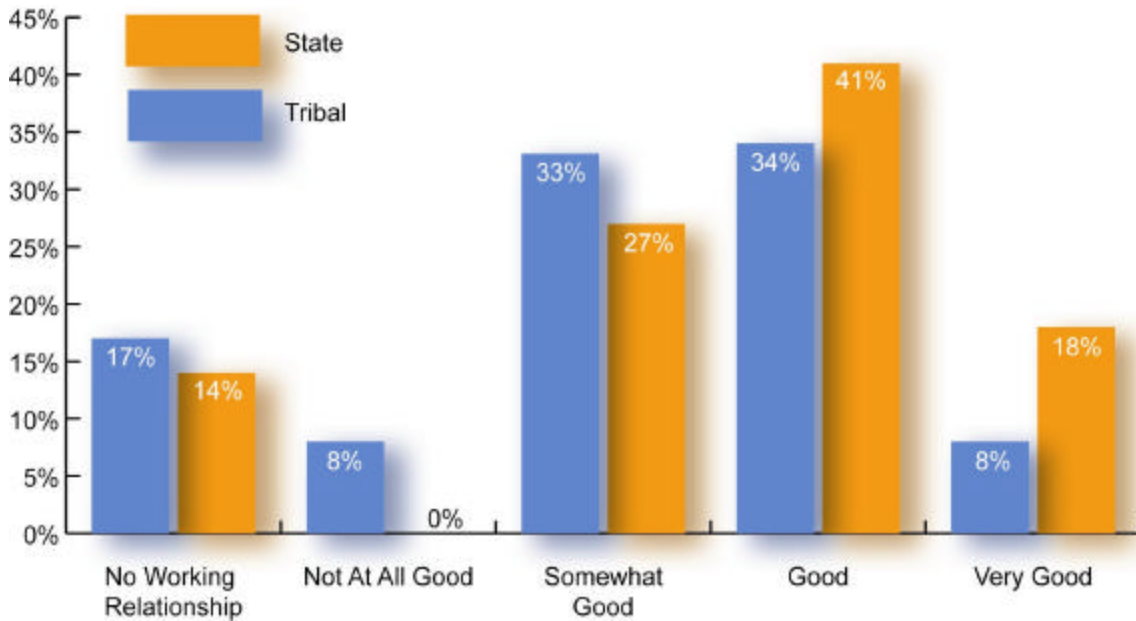


Figure 3. Comparison Tribal and State Views on Working Relationships

List of Appendices

- Appendix A: Excerpt from the Disaster Mitigation Act of 2000 (Public Law 106-390)
- Appendix B: Survey of Participation and Cost-Share Capability of Indian Tribes in Emergency Management Programs (Tribal Survey Instrument)
- Appendix C: Survey of Participation and Cost-Share Capability of Indian Tribes in Emergency Management (State Survey Instrument)
- Appendix D: Select Tribal Narrative Comments
- Appendix E: Select State Narrative Comments

APPENDIX A
EXCERPT FROM THE DISASTER MITIGATION ACT OF 2000
(PUBLIC LAW 106-390)

**SEC. 308. STUDY OF PARTICIPATION BY INDIAN TRIBES IN EMERGENCY
MANAGEMENT.**

(a) DEFINITION OF INDIAN TRIBE.—In this section, the term “Indian tribe” has the meaning given the term in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(b) STUDY.—

(1) IN GENERAL.—The Director of the Federal Emergency Management Agency shall conduct a study of participation by Indian tribes in emergency management.

(2) REQUIRED ELEMENTS.—The study shall—

(A) survey participation by Indian tribes in training, predisaster and post-disaster mitigation, disaster preparedness, and disaster recovery programs at the Federal and State levels; and

(B) review and assess the capacity of Indian tribes to participate in cost-shared emergency management programs and to participate in the management of the programs.

(3) CONSULTATION.—In conducting the study, the Director shall consult with Indian tribes.

(c) REPORT.—Not later than 1 year after the date of the enactment of this Act, the Director shall submit a report on the study under subsection (b) to—

(1) the Committee on Environment and Public Works of the Senate;

(2) the Committee on Transportation and Infrastructure of the House of Representatives;

(3) the Committee on Appropriations of the Senate; and

(4) the Committee on Appropriations of the House of Representatives.

APPENDIX B
TRIBAL SURVEY INSTRUMENT



SURVEY OF PARTICIPATION AND COST-SHARE CAPABILITY OF INDIAN TRIBES IN EMERGENCY MANAGEMENT PROGRAMS

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this questionnaire is estimated to average 30 minutes per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the questionnaire, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0292). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this questionnaire. **Please do not send your completed questionnaire to the above address.**

November 2001

SURVEY INSTRUCTIONS

Please enter your answer(s) on the line(s) provided at the left-hand side of each question. For your convenience, instructions on specific questions are provided in capital letters within parenthesis.

Please note that some questions ask you to mark only one answer, while others allow you to mark more than one. In other cases, based on your answer, you may be asked to skip some questions that do not apply to your Tribe.

For those questions that require your individual input, a bordered space has been provided for you to write in your answer. If you need additional space, please use the back of the page and provide the question number.

A comment section is included for you to share with us your opinions and suggestions. If you need more space, please use the backside of the last page.

Please mail your completed questionnaire in the enclosed self-addressed stamped return envelope.

If you need assistance to fill in this questionnaire, please contact your Tribal liaison.

Once again, we appreciate your participation in this survey and your contribution in helping us better understand your Tribe's needs regarding emergency management programs.

DEMOGRAPHICS

The following questions ask for general information about your Tribe, which is needed to provide basic tribal characteristics.

Q1. In terms of land holdings, geographic location and population size, which of the following characteristics best describe your reservation or jurisdiction.

a. Total Land Holdings including both On and Off the Reservation (size in acres)
(PLEASE MARK ONLY ONE)

- 1. None, the Tribe has no land base
- 2. Less than 25,000 acres
- 3. 25,000 acres but less than 50,000 acres
- 4. 50,000 acres but less than 75,000 acres
- 5. 75,000 acres but less than 100,000 acres
- 6. 100,000 acres or more

b. Geographic Location (PLEASE MARK ONLY ONE)

- 1. Urban
- 2. Suburban
- 3. Rural
- 4. Combination of any two above ----->

SPECIFY:

(PLACE AN "X" IN THIS SQUARE IF TRIBAL LAND IS LOCATED IN CONTIGUOUS COUNTIES/STATES)

c. Reservation Population (total number of people Indian and Non-Indian)
(PLEASE MARK ONLY ONE)

- 1. Less than 1,000 people
- 2. 1,000 people but less than 5,000 people
- 3. 5,000 people but less than 10,000 people
- 4. 10,000 people but less than 15,000 people
- 5. 15,000 people or more

PLANNING, MITIGATION, AND PREPAREDNESS

The following questions relate to how your Tribe plans and prepares to handle future disasters.

Q2. In the lands within your Tribal jurisdiction, what is the level of threat (i.e. probability of occurrence) associated with the following hazards? (PLEASE ENTER A NUMBER FROM THE SCALE BELOW FOR EACH HAZARD)

Scale: 1=High 2=Medium 3=Low 4=Virtually None 99=Don't Know

- _____ a. Avalanches
- _____ b. Chemical/Technological
- _____ c. Droughts
- _____ d. Earthquakes
- _____ e. Extreme Heat
- _____ f. Fires/Wildfires
- _____ g. Floods
- _____ h. Hurricanes
- _____ i. Landslides
- _____ j. Mudslides
- _____ k. Severe Winter Storms
- _____ l. Tornadoes
- _____ m. Tsunamis
- _____ n. Volcanoes
- _____ o. Other ----->

SPECIFY:

Q3. Does your Tribe have any of the following? (PLEASE MARK ALL THAT APPLY)

- _____ 1. Enforceable building permit system
- _____ 2. Enforceable building codes
- _____ 3. Enforceable fire codes
- _____ 4. Land use planning and enforcement
- _____ 5. My Tribe does not have any of the above.

Q4. Has your Tribe done a hazard risk assessment for your tribal jurisdiction? (Example: identifying all hazards and the likelihood of their occurrence)

- _____ 1. Yes
- _____ 2. No

Q5. Does your Tribe currently have an emergency operations plan even if a risk assessment has not been done? (Example: Written plan to respond to a flood or any other hazard or threat facing your jurisdiction)

- _____ 1. Yes
- _____ 2. No (GO TO QUESTION 8)

Q6. How was this emergency operations plan developed?

(PLEASE MARK ALL THAT APPLY)

- 1. Worked with FEMA on the development of the plan.
- 2. Worked with other federal agencies on the development of the plan.
- 3. Worked with the State and/or local government on the development of the plan
- 4. Worked with private non-profit organizations in the development of the plan.
- 5. The Tribe worked alone on the development of the plan.
- 6. The Tribe hired a private contractor to work with the Tribe on the development of the plan.

Q7. How was this emergency operations plan funded?

(PLEASE MARK ONLY ONE AND THEN GO TO QUESTION 10)

- 1. Primarily funded with federal dollars
- 2. Primarily funded with state dollars
- 3. Primarily funded with tribal dollars
- 4. Primarily funded with private dollars
- 5. The plan was not funded at all

Q8. Is your Tribe currently involved in the process of developing an emergency operations plan?

- 1. Yes
- 2. No (GO TO QUESTION 10)

Q9. How is this emergency operations plan being developed?

(PLEASE MARK ALL THAT APPLY)

- 1. The Tribe is working with FEMA.
- 2. The Tribe is working with other federal agencies.----->
- 3. The Tribe is working with local and/or state government.
- 4. The Tribe is working with private non-profit organization(s).
- 5. The Tribe is working on this plan by itself.
- 6. The Tribe is working with a private contractor to assist in the development of the plan.

Agencies:

Q10. Does your Tribe have an emergency operations center?

- 1. Yes
- 2. No

Q11. Does your Tribe have an appointed official with responsibilities over emergency operations?

- 1. Yes
- 2. No (GO TO QUESTION 13)

Q12. How is this position funded? (PLEASE MARK ONLY ONE)

- 1. Primarily with federal dollars
- 2. Primarily with local and/or state dollars
- 3. Primarily with private sector dollars
- 4. Primarily with tribal dollars
- 5. Other ----->

SPECIFY:

Q13. In your opinion, should the federal government provide at least some of the funding for an emergency manager for the Tribes, even if the money is given through the State?

- 1. Yes
- 2. No
- 3. Don't Know/Not Sure

Q14. Which Tribal program, if any, is currently designated the lead for responding to disasters? (PLEASE MARK ONLY ONE)

- 1. Emergency Response/Emergency Manager
- 2. Fire Chief/Fire Department
- 3. Police Department
- 4. Tribal Council
- 5. Other ----->
- 6. No tribal program has been designated as the lead for disaster response.

SPECIFY:

Q15. Which of the following components of an emergency management program currently exist in your Tribe? (PLEASE MARK ALL THAT APPLY)

- 1. Animal sheltering areas
- 2. Community relations and coordination of volunteer services
- 3. Disaster Damage Prevention Strategy or Plan
- 4. Emergency Communications System (public information)
- 5. Emergency shelters
- 6. Fire and Rescue
- 7. Hazardous material response (spills, releases, etc)
- 8. Law enforcement/police force
- 9. Management of donated goods and services
- 10. Medical and paramedical (EMS)
- 11. Public Works and Engineering
- 12. Stockpile of emergency supplies and equipment (food, water, generators, etc.)
- 13. Transportation
- 14. Tribal Emergency Response Commission (TERC)
- 15. Other ----->

SPECIFY:

DISASTERS AND DISASTER RELIEF ASSISTANCE

The following questions relate to your Tribe’s experience with disasters and disaster relief assistance.

Q16. During the past 10 years, has any disaster (such as flood, fire, drought, tornado, etc.) taken place that directly affected lands under your jurisdiction?

- 1. Yes
- 2. No (GO TO QUESTION 24)

Q17. What was the impact of any or all disasters on your Tribe, your land, and people? (PLEASE MARK ALL THAT APPLY)

- 1. Damage to infrastructure (damage to roads, electric plants, etc.)
- 2. Damage to sacred and/or archeological sites
- 3. Injury and/or loss of life
- 4. Loss of agriculture or livestock
- 5. Loss of employment or income sources
- 6. Loss of housing and community facilities
- 7. Other ----->

SPECIFY:

Q18. Has the Tribe ever requested assistance from the county and/or the State in any of these disasters?

- 1. Yes
- 2. No
- 3. Don’t know/Not sure

Q19. Was the impact of any of these disasters severe enough for the Tribe to request a U.S. presidential declaration through the state as required by the Stafford Act?

- 1. Yes
- 2. No
- 3. Don’t know/Not sure (GO TO QUESTION 22)

Q20. Were tribal losses factored into the State’s report on the disaster?

- 1. Yes
- 2. No (GO TO QUESTION 22)
- 3. Don’t know/Not sure (GO TO QUESTION 22)

Q21. How were tribal losses factored into the state’s report on the disaster? (PLEASE MARK ONLY ONE)

- 1. Cost estimates were done through a joint assessment by FEMA, State, and Tribal emergency managers.
- 2. Cost estimates were done by Tribal emergency managers or other tribal officials who reported to the State.
- 3. Cost estimates were done by the Bureau of Indian Affairs or any other external organization representing the Tribe(s).
- 4. Cost estimates were done exclusively by the State.
- 5. Other ----->

QA-5

SPECIFY:

Q22. Which of the following statements regarding the cost of any of those disasters apply to your Tribe? (PLEASE MARK ALL THAT APPLY)

- 1. The Tribe provided full funding for this disaster.
- 2. Only federal funds were provided to help cover the cost.
- 3. Only state funds were provided to help cover the cost.
- 4. A combination of federal and state funds were provided to help cover the cost.
- 5. Funds from private sources, including insurance, were provided to help cover the cost.
- 6. Any or all of the cost-share requirement(s) was/were waived or reduced for this disaster.
- 7. Available funds from all sources were adequate to cover all the replacement and repair costs.
- 8. After the disaster declaration, federal funds were made directly available to the tribal government through a FEMA-Tribe agreement, not through the state.

Q23. For a U.S. presidential declaration, has the State ever denied the Tribe's request for inclusion in a disaster declaration?

- 1. Yes ----->
- 2. No

REASON (S) FOR DENIAL:

COST-SHARE CAPABILITIES

The following questions relate to your Tribe's capacity to participate in and administer an emergency management program requiring matching funds (cost-sharing).

Q24. Does your Tribe participate and/or receive emergency management funding under any federal program(s) that require the Tribe to pay a percentage of the cost(s) of the program or to provide a match?

- 1. Yes ----->
- 2. No (GO TO QUESTION 27)

Program Name(s):

Q25. How are your current cost-share programs determined? (PLEASE MARK ONLY ONE)

- 1. A predetermined percentage is applied (Example: 75/25)
- 2. A formula based on population or other economic factors is applied
- 3. Depending on the program, either a predetermined percentage or a formula is applied.
- 4. Other method(s) ----->

SPECIFY:

Q26. Has the Tribe experienced any difficulty meeting its cost-sharing obligation?

- 1. Yes
- 2. No
- 3. Don't Know/Not Sure

Q27. Assuming current or future participation in federal cost-sharing programs, do you foresee any difficulty for the Tribe to meet its cost-share obligation?

- 1. Yes
- 2. No (GO TO QUESTION 29)
- 3. Don't Know/Not Sure (GO TO QUESTION 29)

Q28. In your opinion, what is (are) the reason(s) for the Tribe's current or future difficulty meeting its cost-sharing obligation? (PLEASE MARK ALL THAT APPLY)

- 1. The 25% cost-share is too high considering the Tribe's financial resources.
- 2. No clear understanding of the procedures involved in U.S. presidentially-declared disasters
- 3. Lack of a financial management system in place
- 4. Other ----->

SPECIFY:

Q29. Which of the following components of a financial management system required to track federal money and cost share disbursements currently exist in your Tribe? (PLEASE MARK ALL THAT APPLY)

- 1. Established procedures for the governing body to appropriate or allocate funds to meet disaster expenditures.
- 2. Established budgeting and accounting system to track and document costs during an emergency.
- 3. Internal procedures for the coordination and acquisition of supplies, equipment, and services in support of emergency response efforts
- 4. Personnel with accountability over fiscal operations and reporting responsibilities
- 5. Computer data processing capability to record and track financial transactions.
- 6. The Tribe has none of the above components.

**EMERGENCY MANAGEMENT PROGRAM PARTICIPATION AND WORKING RELATIONSHIP
WITH GOVERNMENT**

The following questions look into your Tribe's participation in emergency management programs and your Working relationship with different levels of government.

Q30. From which of the following federal agencies has your Tribe received disaster assistance during the last ten years? (PLEASE MARK ALL THAT APPLY)

- 1. Army Corps of Engineers
- 2. Bureau of Indian Affairs (BIA)
- 3. US Department of Agriculture (USDA)
- 4. US Department of Education
- 5. US Department of Health and Human Services (HHS)
- 6. US Department of Housing and Urban Development (HUD)
- 7. Environmental Protection Agency (EPA)
- 8. Federal Emergency Management Agency (FEMA)
- 9. Small Business Administration (SBA)
- 10. Other ----->

SPECIFY:

Q31. Has your Tribe participated or is currently participating in any of the following FEMA programs? (PLEASE MARK ALL THAT APPLY)

- 1. Chemical Stockpile Emergency Program (CSEPP)
- 2. Comprehensive HAZMAT Emergency Response-Capability Assessment Program (CHER-CAP)
- 3. Disaster Assistance Program-Individual Assistance
- 4. Disaster Assistance Program-Individuals and Family Grant Program
- 5. Disaster Assistance Program-Public Assistance (PA)
- 6. Emergency Management Performance Grants (EMPG)
- 7. Fire Grant Program
- 8. Fire Suppression Assistance
- 9. Flood Mitigation Assistance (FMA)
- 10. National Flood Insurance Program (NFIP)
- 11. Hazardous Material Assistance Program (CERCLA)
- 12. Hazardous Material Training Program for Implementation of the Superfund Amendment and Reauthorization Act (SARA) of 1986.
- 13. Hazard Mitigation Grant Program (HMGP)
- 14. National Fire Academy Educational/Training Program
- 15. Project Impact
- 16. Radiological Emergency Preparedness Program (REP)
- 17. Other ----->
- 18. None of the above

SPECIFY:

Q32. For which of the following areas of emergency management has your Tribe received technical assistance or training? (PLEASE MARK ALL THAT APPLY)

- 1. Hazard identification and risk assessment
- 2. Disaster prevention and/or mitigation planning
- 3. Application process for FEMA grants
- 4. Implementation and management of FEMA grant programs
- 5. Adoption, implementation, and enforcement of building codes and land use planning
- 6. Development and deployment of emergency response teams
- 7. Development of mutual aid agreements with federal, state and local government
- 8. Personnel and financial resources management for emergency response activities.
- 9. Development of communication and warning systems and procedures for emergency response activities
- 10. Procedures to conduct damage assessment after a disaster
- 11. Application for federal disaster assistance, including presidential disaster declarations
- 12. Establishment of a public education and information program to inform people about emergencies
- 13. My Tribe has not received technical assistance or training in any of the above areas.

Q33. Overall, how would you rate your working relationship with each one of the following levels of government or other organizations regarding emergency management? (PLEASE ENTER A NUMBER FROM THE SCALE BELOW FOR EACH LEVEL OF GOVERNMENT OR ORGANIZATION)

Scale: 0=No Working Relationship 1=Not at all Good 2=Somewhat Good
3=Good 4=Very Good

- Local Government
- State Government
- Federal Government
- Private non-profit organizations (Example: Red Cross, Salvation Army, etc.)

Q34. How satisfied are you with the following factors of the working relationship? (PLEASE ENTER A NUMBER FROM THE SCALE BELOW FOR EACH LEVEL (S) OF GOVERNMENT OR ORGANIZATION (S) FOR WHICH YOU INDICATED A WORKING RELATIONSHIP IN Q33)

Scale: 1=Very Dissatisfied 2=Dissatisfied 3=Neither Satisfied nor Dissatisfied
4=Satisfied 5=Very Satisfied

<u>Factors of Working Relationship</u>	<u>Level of Government/Organization</u>			
	<u>Local</u>	<u>State</u>	<u>Federal</u>	<u>Organization</u>
a. Understanding of Tribal unique needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Responsiveness to Tribal needs	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Technical assistance offered to Tribes	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Timeliness of services	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Communication with the Tribe	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

APPENDIX C
STATE SURVEY INSTRUMENT



SURVEY OF PARTICIPATION AND COST-SHARE CAPABILITY OF INDIAN TRIBES IN EMERGENCY MANAGEMENT

PAPERWORK BURDEN DISCLOSURE NOTICE

Public reporting burden for this questionnaire is estimated to average 30 minutes per response. Burden means the time, effort and financial resources expended by persons to generate, maintain, retain, disclose, or to provide information to us. You may send comments regarding the burden estimate or any aspect of the questionnaire, including suggestions for reducing the burden to: Information Collections Management, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, Paperwork Reduction Project (3067-0292). You are not required to respond to this collection of information unless a valid OMB control number appears in the upper right corner of this questionnaire. **Please do not send your completed questionnaire to the above address.**

November 2001

SURVEY INSTRUCTIONS

The Federal Emergency Management Agency is aware that there may not be any federally recognized tribal land or jurisdiction within your State. If this is true in your state, please answer “No” in Question A and mail the questionnaire back in the enclosed return envelope. All others, please answer “Yes” in Question A and proceed with the questionnaire.

Please enter your answers on the line provided at the left-hand side of each question. For your convenience, instructions on specific questions are provided in capital letters within parenthesis.

Please note that some questions ask you to mark only one answer, while others allow you to mark more than one. In other cases, based on your answer, you may be asked to skip some questions that do not apply to your state.

For those questions that require your individual input, a bordered space has been provided for you to write in your answer. If you need additional space, please use the back of the page and provide the question number.

A comment section is included for you to share with us your opinions and suggestions. If you need more space, please use the backside of the last page.

Please mail your completed questionnaire in the enclosed self-addressed stamped return envelope.

Once again, we appreciate your participation in this survey.

— — —

QA. Does your State have any federally recognized Indian Tribe or Reservation within its jurisdiction?

_____ 1. Yes → (PLEASE CONTINUE)

_____ 2. No → (YOU DON'T NEED TO CONTINUE. PLEASE MAIL THE ENTIRE QUESTIONNAIRE IN THE ENCLOSED RETURN ENVELOPE.)

GENERAL QUESTIONS

The following questions ask for general information about your State and your emergency management position for classification purposes.

Q1. In terms of tribal presence and population, how many federally recognized tribes hold jurisdiction within your state and what is the approximate Indian population (number of people)?

- a. Number of federally-recognized tribes ----->
- b. Indian population (number of people)----->

SPECIFY:
a. _____
b. _____

(PLACE AN "X" IN THIS SQUARE IF ANY TRIBAL LAND IS LOCATED IN CONTIGUOUS COUNTIES/STATES)

Q2. What is your primary position?

- _____ 1. State Director
- _____ 2. Governor's Authorized Representative
- _____ 3. Public Affairs Officer
- _____ 4. State Coordinating Officer
- _____ 5. Other ----->

SPECIFY:

Q3. What is your primary area of responsibility?

- _____ 1. Administrative Systems/Support
- _____ 2. Communications
- _____ 3. Emergency Management
- _____ 4. Financial
- _____ 5. Flood Plain Management/Natural Resources
- _____ 6. Mitigation
- _____ 7. Planning
- _____ 8. Public Safety (Fire/Police Departments, Emergency Medical Services)
- _____ 9. Technical Assistance
- _____ 10. Training
- _____ 11. Other ----->

SPECIFY:

PLANNING, MITIGATION, AND PREPAREDNESS

The following questions relate to how your State assists Tribes to plan and prepare for future disasters.

Q4. Considering tribal locations across geographic areas within your state, what is the level of threat (i.e. probability of occurrence) associated with the following hazards? (PLEASE ENTER A NUMBER FROM THE SCALE BELOW FOR EACH HAZARD.)

Scale: 1=High 2=Medium 3=Low 4=Virtually None 99=Don't Know

- _____ a. Avalanches
- _____ b. Chemical/Technological
- _____ c. Droughts
- _____ d. Earthquakes
- _____ e. Extreme Heat
- _____ f. Fires/Wildfires
- _____ g. Floods
- _____ h. Hurricanes
- _____ i. Landslides
- _____ j. Mudslides
- _____ k. Severe Winter Storms
- _____ l. Tornadoes
- _____ m. Tsunamis
- _____ n. Volcanoes
- _____ o. Other ----->

SPECIFY:

Q5. Has your State conducted a hazard risk assessment that includes tribal land?

- _____ 1. Yes ----->
- _____ 2. No (GO TO QUESTION 7)

SPECIFY: Risk(s) Assessed (Q4)

Q6. Which type(s) of outreach activity, if any, did your state conduct to get tribal involvement or interest in the assessment process? (PLEASE MARK ALL THAT APPLY)

- _____ 1. Official communications to Tribal Chief or designee (letter, phone call)
- _____ 2. Site visit by state or local official(s)
- _____ 3. Contacts with tribal advocate and/or liaison organizations
- _____ 4. State or local media (i.e. Internet, press releases, flyers)
- _____ 5. The state did not conduct any outreach activity.

Q7. Has any Tribe within your jurisdiction requested State assistance to develop a written response plan for emergencies and other hazards, even if a risk assessment has not been done?

- _____ 1. Yes
- _____ 2. No (GO TO QUESTION 9)

Q8. Which of the following types of assistance was/were requested?
(PLEASE MARK ALL THAT APPLY)

- _____ 1. Access to available federal, local and/or statewide resources
(i.e. monetary, manpower, equipment, supplies)
- _____ 2. Disaster prevention guidance (i.e. building/fire codes, land use)
- _____ 3. Public education materials
- _____ 4. Training
- _____ 5. Other ----->

SPECIFY:

Q9. Has your State been involved with any Tribe in developing or coordinating a disaster preparedness plan?

- _____ 1. Yes ----->
- _____ 2. No (GO TO QUESTION 11)

SPECIFY: Hazard Type(s) (Q4)

Q10. How was this plan funded? (PLEASE MARK ONLY ONE)

- _____ 1. Primarily funded with tribal money
- _____ 2. Primarily funded with local money
- _____ 3. Primarily funded with state money
- _____ 4. Primarily funded with federal money
- _____ 5. Primarily funded with money from
other sources ----->

SPECIFY:

Q11. Which of the following advanced preparation measurements for hazard risks, if any, are shared with Indian Tribes in your state?
(PLEASE MARK ALL THAT APPLY)

- _____ 1. Training emergency management staff
- _____ 2. Regional coordination with other states (multi-jurisdictional)
- _____ 3. Coordination with FEMA
- _____ 4. Helping establish disaster plans for local communities that include
tribal land and/or reservation(s)
- _____ 5. No advanced preparation measurements are shared with Tribes.

Q12. Which of the following requests for assistance or information has your State received from any Tribe in the last 12 months? (PLEASE MARK ALL THAT APPLY)

- _____ 1. All Hazard Planning Assistance
- _____ 2. Computer Reviews
- _____ 3. Damage Survey Report Processing
- _____ 4. Financial Assistance for Non-Federal Disasters
- _____ 5. Financial Reviews
- _____ 6. Individual Family Grant Reviews
- _____ 7. Inquiries regarding the Flood Plain Management Program
- _____ 8. Inquiries regarding the Hazard Mitigation Program
- _____ 9. Inquiries regarding the National Flood Insurance Program
- _____ 10. Interpretation of state and/or federal regulations
- _____ 11. Report processing for site designation
- _____ 12. Technical Manuals
- _____ 13. Training
- _____ 14. Other ----->

SPECIFY:

Q13. Does your State make available to the Tribes emergency response capabilities located outside the borders of tribal lands (Mutual Aid Pacts)?

- _____ 1. Yes ----->
- _____ 2. No

SPECIFY:

DISASTERS AND DISASTER RELIEF ASSISTANCE

The following questions relate to how your State assists Indian Tribes during disasters.

Q14. During the last ten years, has a disaster taken place in your State that directly affected tribal land?

- _____ 1. Yes
- _____ 2. No (GO TO QUESTION 18)

Q15. As a result of any or all disasters in those ten years, did affected Tribe(s) request inclusion in the State's disaster declaration?

- _____ 1. Yes ----->
- _____ 2. No (GO TO QUESTION 18)

Number of requests:

Q16. During the last ten years, has the State ever denied inclusion of any tribe or reservation area in a state's disaster declaration?

- _____ 1. Yes ----->
- _____ 2. No (GO TO QUESTION 18)

Number of Denials: _____
Percent of Total Requests: _____%

Q17. What reasons (explanations) for denial did the State give affected tribe(s)?
(PLEASE PROVIDE THE TWO MOST COMMON REASONS.)

<p>SPECIFY:</p> <p>1. _____ _____</p> <p>2. _____ _____</p>

Q18. How are tribal losses factored into the State's report on a disaster?
(PLEASE MARK ONLY ONE.)

- _____ 1. Cost estimates of damage are done through a joint assessment by FEMA, State, and Tribal emergency managers.
- _____ 2. Cost estimates of damage are done by Tribal emergency managers or other tribal officials who report to the State.
- _____ 3. Cost estimates of damage are done by the Bureau of Indian Affairs or any other organization representing the Tribe.
- _____ 4. Cost estimates of damage are done exclusively by the State.
- _____ 5. Other ----->

SPECIFY:

**FACTORS INFLUENCING TRIBAL PARTICIPATION IN EMERGENCY
MANAGEMENT PROGRAMS**

The following question asks for your assessment of several factors that may influence tribal participation in emergency response programs.

Q19. Based on your experience, please rank in order of importance the following factors as they represent an impediment to tribal participation in emergency management programs. (PLEASE ENTER A NUMBER FROM 1 to 5, 1 BEING THE MOST IMPORTANT.)

- _____ a. Cultural and religious beliefs regarding nature (i.e. land, water) and natural events (i.e. floods, wildfires)
- _____ b. Historical skepticism and/or mistrust of government.
- _____ c. Limited tribal resources to meet cost-sharing obligation and comply with mandated tracking and reporting of funds.
- _____ d. Poor understanding and/or awareness of available disaster mitigation and disaster relief assistance.
- _____ e. Issues of tribal sovereignty as it relates to federal, state, and local laws governing emergency management programs.

Q20. In your opinion, are the current levels of pre-disaster and post-disaster funding (estimated) adequate to cover tribal mitigation and potential disaster relief activities?

- _____ 1. Yes
- _____ 2. No ----->

SPECIFY:

STATE-TRIBAL PARTNERSHIP

The following questions relate to the working relationship between your State and Tribe(s) regarding matters of emergency management.

Q21. Overall, how would you rate your State's working relationship with Tribes concerning emergency planning and response?

- _____ 1. Not at all Good
- _____ 2. Somewhat Good
- _____ 3. Good
- _____ 4. Very Good
- _____ 5. No working relationship exists.

Q22. Overall, how satisfied are you with your State’s ability to support a working relationship with the Tribe(s) as it relates to the following factors?
(PLEASE ENTER A NUMBER FROM THE SCALE BELOW FOR EACH FACTOR.)

Scale: 1=Very Dissatisfied 2=Dissatisfied 3=Neither Satisfied nor Dissatisfied
4=Satisfied 5=Very Satisfied

Factors:

- _____ a. Understanding of tribal unique needs
- _____ b. Responsiveness to tribal needs
- _____ c. Technical assistance offered to Tribes
- _____ d. Timeliness of services offered the Tribes
- _____ e. Availability of funds and other resources
- _____ f. Communication with the Tribes

YOUR COMMENTS

The following question asks for your opinion and suggestions. Please provide as much detail as possible. Feel free to add any other comments that you deem necessary.

23. What challenges does your State face in providing assistance to Tribes on issues of emergency management? (PLEASE BE SPECIFIC AND, IF POSSIBLE, PROVIDE YOUR VIEWS ON WAYS TO IMPROVE TRIBES’ EMERGENCY MANAGEMENT PARTICIPATION AND CAPABILITIES.)

APPENDIX D

SELECT TRIBAL NARRATIVE COMMENTS

In the final question of the Tribal survey, Tribes could provide narrative addressing specific steps FEMA could take to improve Tribal capabilities to plan for and respond to disasters. Examples of comments and themes touched on in this section appear below.

▶ ***Funding***

- Many comments provided by the Tribes included funding requests for emergency management activities such as training, equipment, and technical assistance, as well as personnel.
- One respondent urged 100 percent Federal funding for these activities and release of Tribes from requirement to match funds.
- Some Tribes made specific requests for funding, including reimbursement for emergency response vehicles and damage done to houses by mudslides.

▶ ***Relationship with Federal/State Government***

- One consistent contact person would be helpful, as would better coordination with Federal and State representatives.
- Several Tribes requested that FEMA regional representatives and Tribal liaisons visit Tribal leaders on their lands for government-to-government consultations. This type of effort would help officials gain a better sense of Tribal needs. One Tribal representative also requested more FEMA regional Tribal training conferences and waivers for Tribal matching funds. Overall, Tribes want increased flexibility for Tribal programs to qualify for grant funds.
- FEMA should stand behind the Tribal partnership, even without State involvement. One respondent noted it had had very little consistent communication with FEMA. Another requested that each FEMA Region appoint Tribal liaisons and communicate directly with Tribal emergency management personnel rather than channeling through the States.
- The status of Tribes vis-à-vis the Stafford Act and FEMA policy results in a lack of understanding about consultation procedures with Tribes. One Tribe noted that its area representative promised to contact the Tribe 2 years ago but has yet to make an effort.
- One respondent requested that FEMA seek changes to the Stafford Act as it relates to Tribes, perhaps allowing Tribes to function as States.
- One Tribe asked for full implementation of FEMA's policy on government-to-government relationships with American Indian and Alaska Native Tribal Governments.

**Report on Participation and Cost-Share Capability of Indian Tribes
in Emergency Management Programs**

- One Tribe noted that its State has developed a Statewide response system for disasters, but that the Tribe is unaware of how the plan relates to Tribal lands. One useful tool could be the organization of regional conferences that bring together key State and Tribal officials to pull together a regional system and help villages create their own response plans.
- States have not been responsive to Tribal needs, according to some Tribes. One Tribe noted that it worked with local county officials, but still needs Federal assistance.

▶ ***Training and Technical Assistance***

- Training proved to be one of the most frequent requests of Tribal representatives in the comments section of the survey. Generally, respondents asked for training in several broad categories, including disaster mitigation and response and financial management.
- Several functional categories of training topics were suggested, including natural disasters, emergency operations, HazMat, terrorism, and school violence. Training for pulling together mutual-aid agreements and improving communications and warning systems was also requested in one Tribal comment.
- Assistance for writing, implementing, and evaluating EOPs was widely requested in the Tribal comments section. One Tribe noted that it was putting together an all-emergency response plan, but that it needed assistance in doing so. Another respondent reported that officials did not know what work was needed on the Tribe's EOP.
- One comment suggested that FEMA provide examples of different EOPs as a way of offering some generic examples, formats, and layouts to get Tribes started in the right direction.
- Another training request mentioned interest in receiving assistance in application, implementation, and management of FEMA grant programs. Along similar lines, others asked for workshops about grant opportunities.

▶ ***Equipment***

- Tribal requests for equipment included personal protective equipment (PPE), search-and-rescue gear, emergency shelters, generators, pumper trucks, first-aid materials, sirens, and blankets.
- Several respondents requested communications equipment, including two-way radios and satellite telephones.
- One Tribe replied that wildfires were its primary concern, noting that they were in dire need of firefighting equipment and training.

**Report on Participation and Cost-Share Capability of Indian Tribes
in Emergency Management Programs**

▶ *Personnel*

- Multiple respondents expressed concern about a lack of dedicated emergency management personnel. Some Tribes simply do not have the funding for staff devoted to emergency management issues, therefore requiring staff to be double-hatted. Several Tribes suggested federally funded emergency management coordinator positions as an option.

▶ *Emergency Operations Center*

- Several Tribal narratives referenced interest in obtaining technical and financial assistance to establish an Emergency Operations Center (EOC) (including equipment, supplies, office space), even if on a cost-share basis.

APPENDIX E

SELECT STATE NARRATIVE COMMENTS

States were invited to provide comments and feedback on the challenges they face in providing assistance to Tribes on issues of emergency management. Following are some of the comments that were received.

▶ ***Funding and Resources***

- With technical and financial assistance, most Tribes are eager to take advantage of mitigation opportunities; the limiting factor is funding. Many other less costly mitigation measures, such as developing local emergency plans and mitigation plans, are incomplete because of insufficient funding.
- Many States feel there is a lack of personnel and resources to provide specific technical assistance (i.e., developing emergency plans).
- Even if some States were able to make additional funding available, it would be difficult for the Tribal governments to find non-Federal funding sources to meet matching requirements.
- The State Emergency Management Performance Grant (EMPG) allocation is inadequate to cover county requests, yet funding is shared with Tribal governments. The small amount is insufficient to fund a strong program.

▶ ***Distribution of Funds***

- By law, some States cannot administer FEMA monies to the Tribes, so FEMA must administer the funds directly to the Tribal governments.
- A primary issue for States is providing preparedness funding to Tribes without diluting EMPG funding to counties. Some States believe that it is unrealistic to expect State governments to fund Tribal emergency management efforts when Tribes are independent, sovereign nations.

▶ ***Coordination and Communications***

- Coordination of planning efforts and damage assessments with State and county emergency management agencies is difficult.
- Lack of information and coordination from FEMA when presenting State programs to Indian Tribes.
- The Bureau of Indian Affairs (BIA) is emergency management deficient in all areas. FEMA should train the BIA to do its job to protect the Indian trust.
- Communications between Tribes and States should be continued and improved.
- The State and the Tribes have been involved in legal proceedings for many years about a host of issues. As a result, distrust exists on both sides.

**Report on Participation and Cost-Share Capability of Indian Tribes
in Emergency Management Programs**

- Tribes have not responded to some State requests and offers in a timely manner.
- Follow-through from the Tribes on disaster assistance programs has been slow.
- One State noted that, except for post-disaster circumstances, the State made initial contacts and offered its services, but received very few requests from the Tribes.

▶ ***Training***

- States should improve training to Tribal staff.
- Although training courses are offered without charge, Tribes seldom take advantage of these opportunities.
- State personnel and services should provide support and train-the-trainer opportunities.

▶ ***Personnel***

- Many Tribes have not identified an emergency manager for their communities. This makes it difficult for planning and coordination purposes because there is no single point of contact.
- Many Tribes experience a turnover in leadership every couple of years. This leads to changes in priorities and policies, including those related to emergency management.

▶ ***Sovereignty***

- Some States expressed concern about Tribes not complying with State and local regulations.
- There are issues that arise with the issue of sovereignty and the Stafford Act.
- Tribes prefer to deal directly with the corresponding Federal agencies.
- Difficulties emerge when State representatives try to address issues with the Tribes and work with them as equals with the State and/or local jurisdictions. One State noted that it has often worked through its governor's Office of Indian Affairs on particularly complex issues and has achieved some success.
- Encouraging Tribes to participate in the National Flood Insurance Program has been challenging.

▶ ***Geography***

- Tribal land can be scattered across States in checkerboard patterns. As a result, Tribes must work with multiple local county and city governments to establish mutual-aid agreements.
- Tribal land can also be scattered across State borders as well as FEMA Regions.