

**PRESIDENTIAL POLICY DIRECTIVE/PPD-8 REFRESH  
WORKING DRAFT—NATIONAL RESPONSE FRAMEWORK TRIBAL COORDINATION  
SUPPORT ANNEX  
NATIONAL ENGAGEMENT  
MAY 11, 2015**

Attached for your review is the working draft of the National Response Framework Tribal Coordination Support Annex, second edition. This annex describes the policies, responsibilities, and concept of operations for effective coordination and interaction with tribal governments, their members, and communities during incidents requiring a coordinated Federal response. The processes and functions described in this annex help facilitate the delivery of response programs, resources, and support to tribal governments, their members, and communities. It also outlines the processes and mechanisms that tribal governments may use to request Direct Federal Assistance (DFA) following an incident.

As part of the National Planning Frameworks National Engagement Period, this draft of the National Response Framework Tribal Coordination Support Annex containing proposed updates is being widely distributed for review and feedback. This is a draft document and we feel it is important to seek your input at this critical juncture.

This update of the National Planning Frameworks and Annexes focuses on discrete, critical content revisions, and confirming edits as a result of comments received on the National Preparedness Goal. Additional changes are the result of the lessons learned from implementing the Frameworks and recent events, as well as the findings of the National Preparedness Report. The attached draft National Response Framework Tribal Coordination Support Annex includes the following proposed changes (in the order in which they appear in the document):

- Relationship to Emergency Support Function (ESF) #15- External Affairs- placement updated.
- State Coordinating Official (SCO) - title updated.
- Tribal Division – Stafford Act description updated.

To ensure all feedback is properly handled, reviewers are asked to use the provided feedback submission located at <https://www.fema.gov/learn-about-presidential-policy-directive-8> to submit feedback and recommendations. Please provide any comments and recommendations, using the submission form, to [PPD8-Engagement@fema.dhs.gov](mailto:PPD8-Engagement@fema.dhs.gov) by **Wednesday, June 3, 2015 at 5:00 PM EDT.**

The feedback received supports the development of the second edition of the National Response Framework Tribal Coordination Support Annex. Please distribute the draft to any applicable partners, stakeholder, or individuals.

In the coming months, the FIOPs will also be refreshed to reflect the changes to the National Planning Frameworks.

We look forward to receiving your feedback and thank you for your continued contributions on this important endeavor.

V/R,  
National Integration Center

# TRIBAL COORDINATION SUPPORT ANNEX

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## Coordinating Agency:

Department of Homeland Security

## Cooperating Agencies:

Department of Agriculture  
Department of Health and Human Services  
Department of the Interior  
Department of Homeland Security/Federal  
Emergency Management Agency  
Department of Health and Human  
Services/Indian Health Service  
Department of the Interior/Bureau of Indian  
Affairs

## 1 INTRODUCTION

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### 2 Purpose

3 This annex describes the policies, responsibilities, and concept of operations for effective  
4 coordination and interaction with tribal governments, their members, and communities  
5 during incidents requiring a coordinated Federal response. The processes and functions  
6 described in this annex help facilitate the delivery of response programs, resources, and  
7 support to tribal governments, their members, and communities. It also outlines the  
8 processes and mechanisms that tribal governments may use to request Direct Federal  
9 Assistance (DFA) following an incident.

### 10 Scope

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11 This annex applies to all Federal departments and agencies working under the National  
12 Response Framework (NRF) in response to incidents requiring Federal coordination,  
13 including incidents involving federally recognized tribes. This annex can also be used as  
14 a guide in situations which involve incidents that do not result in a Stafford Act  
15 declaration.

16 This annex focuses on the non-public affairs aspects of Federal Governmental support  
17 for tribal governments, to include the unique and essential focus on Tribal All Hazards  
18 Emergency Response Operations (A-HERO).

19 The guidance provided in this annex does not supersede existing laws governing Federal  
20 relationships with federally recognized tribes.

### 21 Policies

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22 The Federal Government recognizes that the tribal right of self-government flows from  
23 the inherent sovereignty of American Indian and Alaska Native Tribes as nations and  
24 that federally recognized tribes have a unique and direct relationship with the Federal  
25 Government. Native American and Alaska Native Tribal governments are not political  
26 subdivisions of states, but are recognized by the U.S. as distinct sovereign entities.

27 The NRF acknowledges the inherent sovereignty of American Indian and Alaska Native  
28 Tribal governments, the trust responsibility of the Federal Government, as the nation-to-  
29 nation relationship between the U.S. Government and American Indian and Alaska  
30 Native Tribal governments as established by specific statutes, treaties, court decisions,  
31 executive orders, regulations, and policies. In addition, we recognize the need to support

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32 the unique status of American Indian and Alaska Native Tribal governments by  
33 enhancing the ability to assist tribal communities in building, sustaining, and improving  
34 their capabilities to respond to all incidents. In addition, the Federal Government policy  
35 also states that:

- 36 • Federal agencies respect tribal self-government and sovereignty, honor tribal  
37 treaties and other rights, and strive to meet the responsibilities that arise from  
38 the unique legal relationship between the Federal Government and tribal  
39 governments.
- 40 • Executive orders, presidential memoranda, and certain pertinent laws require  
41 Federal departments and agencies to maintain relations with tribes on a  
42 government-to-government basis, reflecting the inherent sovereignty of federally  
43 recognized tribes and their right of self-government.
- 44 • Federal departments and agencies involved in potential or actual incidents  
45 requiring a coordinated Federal response consult and collaborate with tribal  
46 governments on matters affecting tribes and must be aware of the social,  
47 political, and cultural aspects of an incident affecting tribes that might affect  
48 incident response operations.
- 49 • Federal departments and agencies are encouraged to include tribes in response  
50 operations that directly affect tribes.
- 51 • When an emergency or disaster impacts a tribe and the disaster is coordinated by  
52 a Federal Governments entity, a tribal representative may serve as a member of  
53 the Unified Coordination Group (UCG).
- 54 • Federal departments and agencies may share pertinent information on tribal  
55 resources, demographics, and geospatial information with response officials when  
56 it is appropriate.

## 57 **CONCEPT OF OPERATIONS**

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### 58 **General**

59 Federal departments and agencies conduct response operations involving federally  
60 recognized tribal governments in accordance with the NRF and the National Incident  
61 Management System. The Federal Government is responsible for the effective  
62 coordination, collaboration, and interaction of Federal response activities with those of  
63 tribal governments and communities during incidents requiring a coordinated Federal  
64 response to include tribal relations functions, resources, and liaison operations.

65 As outlined in the NRF, Emergency Support Functions (ESFs) are the primary, but not  
66 exclusive, Federal response coordinating structures for Stafford Act incidents. States,  
67 tribes, territories, insular areas, local jurisdictions, and other Federal departments and  
68 agencies may use the ESF construct, or they may employ other coordinating structures  
69 or partners appropriate to their location, threats, or authorities.

70 Tribal governments are encouraged to work in tandem with the appropriate response  
71 coordinating structures at the incident, regional, or headquarters levels.

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### 72 **Non Stafford Act**

73 Not all incidents impacting tribal communities will rise to the minimum required levels of  
74 damage to request and receive a Presidential Disaster Declaration. However, for some  
75 tribal communities the level of damage and/or the resources required for response will  
76 still overwhelm the tribe's capacity and capability to respond. In these instances tribes  
77 have the right to request federal assistance regardless of the available resources and  
78 capabilities of jurisdictions.

79 Disaster assistance to Tribes is also part of the mission of many other federal  
80 departments/agencies. These federal entities often implement their own disaster  
81 response or assistance programs pursuant to those agencies' laws, regulations, and  
82 policies, and such assistance may be available regardless of a Stafford Act declaration.

### 83 **Stafford Act<sup>1</sup>**

84 The Chief Executive of a federally recognized tribe may request a Presidential disaster  
85 declaration on behalf of their tribe under the Stafford Act. Additionally, a tribe may  
86 choose to request federal assistance under a State declaration.

### 87 **ORGANIZATION**

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88 Tribal governments are self-governing and, therefore, are responsible for coordinating  
89 resources to respond to emergencies and major disasters. When incidents are beyond  
90 the capabilities of tribal response resources, tribal governments may seek assistance  
91 from neighboring jurisdictions, states, and the Federal Government. For certain types of  
92 Federal assistance, tribal governments, as sovereign, self-governing entities, can elect  
93 to work directly with the Federal Government.

94 Tribal support elements are included in response organizations, such as emergency  
95 operations centers and Unified Coordination, when incidents affect tribal lands. These  
96 elements collect and share information, alert and deploy Federal tribal liaisons, identify  
97 needed resources, and ensure compliance with Federal laws relating to tribal relations.

98 Examples of tribal coordination organizations/personnel include:

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<sup>1</sup> Section 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5191)

The Chief Executive of an affected Indian tribal government may submit a request for a declaration by the President that an emergency exists consistent with the requirements of subsection (a).

#### (2) References

In implementing assistance authorized by the President under this title in response to a request of the Chief Executive of an affected Indian tribal government for an emergency declaration, any reference in this title or title III (except sections 310 and 326) to a State or the Governor of a State is deemed to refer to an affected Indian tribal government or the Chief Executive of an affected Indian tribal government, as appropriate.

#### (3) Savings provision

Nothing in this subsection shall prohibit an Indian tribal government from receiving assistance under this title through a declaration made by the President at the request of a State under subsection (a) if the President does not make a declaration under this subsection for the same incident.

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- 99 • Non Stafford Act Incident Coordination by the Tribal Assistance Coordination Group  
100 (TAC-G).
- 101 • Tribal representation in a UCG.
- 102 • Stafford Act Incident Coordination by the Tribal Assistance Coordination Group (TAC-  
103 G).
- 104 • Tribal Divisions.

### **105 Tribal Assistance Coordination Group (TAC-G):**

106 The TAC-G consists of Federal, state, and local emergency coordinators who foster  
107 effective government-to-government working relationships with tribal governments to  
108 achieve the common goal of responding to non-Stafford Act disasters impacting tribal  
109 lands. TAC-G is dedicated to cooperation and collaboration to strengthen emergency  
110 management as it relates to the over 560 federally recognized tribes.

111 The TAC-G:

- 112 • Serves as the tribal coordinating structure for non-Stafford Act incidents to  
113 coordinate all-hazards operations.
- 114 • In Stafford Act incidents, integrates with other response coordinating structures in  
115 coordinating, collaborating and sharing information among the TAC-G partners
- 116 • Coordinates with impacted tribal governments on all aspects of all hazards  
117 emergency response operations.
- 118 • Provides trained and experienced all-hazards emergency response personnel to  
119 national, regional, tribal, and incident operations coordination centers, as required.
- 120 • Provides incident awareness and response information to support decision making  
121 across the incident and assist in the development of a common operating picture for  
122 emergency response operations.
- 123 • Coordinates capability and resources requests.
- 124 • Coordinates with impacted tribal governments on all aspects of All Hazards  
125 Emergency Response Operations (A-HERO).

### **126 Emergency Support Function (ESF) #15 – External Affairs**

- 127 • Promotes Federal interaction with tribal governments for information and messaging.
- 128 • Notifies cooperating agencies for this annex when disasters occur or when alerted by  
129 the TAC-G about a situation that needs national level response operations attention.

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### **130 Tribal Coordinating Official (TCO) (Stafford Act Only)**

131 Tribes, whether they have requested a disaster declaration on their own, or through a  
132 State will normally appoint a representative to serve as a member of the UCG. This  
133 representative is normally a trained and experienced emergency manager.

134 • When a tribe receives an independent federal disaster declaration, this  
135 representative will fill the role of a State Coordinating Officer (SCO) as defined by the  
136 Stafford Act and will normally be referred to as the Tribal Coordinating Official (TCO).  
137 The TCO will be responsible for approving all costs that the tribe would incur by  
138 receiving Stafford Act assistance.

139 • When a tribe chooses to request a disaster declaration through the State the tribal  
140 representative will work with the SCO in regards to all financial responsibilities  
141 incurred by receiving Stafford Act support.

142 The Tribal Coordinating Officer on the UCG:

143 • Sets joint objectives with the rest of the Unified Coordination Group for the incident

144 • Has responsibility for coordinating tribal resources to respond to all types of  
145 incidents.

146 • Recommends to tribal leadership coordinated amendments or suspension of certain  
147 tribal laws or ordinances associated with all hazards emergency response operations.

148 • Coordinates and communications with the tribal community and Federal, state and  
149 local governments to help people, businesses, and organizations cope with the  
150 consequences of any type of incident.

151 • Facilitates the negotiation for mutual aid and assistance agreements with other tribes  
152 or other jurisdictions.

153 • Facilitates requests for Federal assistance under the Stafford Act through the  
154 Governor of the State or directly with the Federal government when it becomes clear  
155 that the incident is of such severity and magnitude that effective response is beyond  
156 the capabilities of the tribe.

157 • Additionally, regardless of whether a tribe receives a Federal Disaster declaration a  
158 tribe may coordinate Direct Federal Assistance (DFA) from the Federal government.  
159 Federal departments or agencies can work directly with the tribal government within  
160 existing authorities and resources, upon their request.

161 • Coordinates with the Tribal Disaster Recovery Coordinator (if applicable)

### **162 Tribal Division (Stafford Act Only)**

163 For Stafford Act incidents that impact tribal jurisdictions, a Tribal Division may be  
164 established as part of the Unified Coordination Staff, typically within the Operations  
165 Section at the incident-level (e.g., a Joint Field Office). A Tribal Division is managed by a  
166 Division Supervisor, normally appointed by DHS/FEMA. The Division can consist of  
167 representatives from the Tribal Assistance Coordination Group (TAC-G), various other

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168 Federal departments and agencies, nongovernmental organizations, private sector,  
169 state, or tribal representatives. This is especially important as there are numerous  
170 departments and agencies with authorities to assist tribes during an incident such as the  
171 Bureau of Indian Affairs and the Indian Health Service. The Division serves as an “on the  
172 ground” coordination mechanism for federal agencies and tribal officials seeking  
173 guidance and advice from the Federal and State governments on potential response  
174 assistance. The Tribal Division is responsible for:

- 175 • Processing essential needs requests for Federal assistance, resources, and personnel  
176 from the tribal emergency manager.
- 177 • Coordinating all Federal resources to the impacted tribe.
- 178 • Ensuring that tactical assignments are carried out and tribal jurisdictional needs are  
179 met efficiently and effectively.
- 180 • Assisting in the adjudication of logistical issues that may impact the response efforts  
181 in support of a tribe.
- 182 • Participating in the incident action planning process.

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### **RESPONSIBILITIES**

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#### **Coordinating Agency**

186 DHS, as the coordinating agency for this annex:

- 187 • Has primary responsibility for implementing consistent tribal relations policies and  
188 procedures during potential or actual incidents requiring a coordinated Federal  
189 response.
- 190 • Is responsible for coordinating data sharing by other agencies and departments that  
191 have responsibilities for collecting and maintaining data relevant to incidents that  
192 involve tribes, while providing all hazards emergency response operations incident  
193 awareness.
- 194 • Is responsible for coordinating and designating staff to support tribal response  
195 operations extended incidents impacting tribes. Staff may include representatives  
196 from other departments and agencies, as appropriate and as jurisdictions dictate.
- 197 • Coordinates with the Federal Emergency Management Agency (DHS/FEMA) in initial  
198 planning for response operations and the issuance of any pre-scripted mission  
199 assignments.
- 200 • Is responsible for integrating tribal support into NIMS-compliant structures (e.g.,  
201 TAC-Gs and Tribal Divisions).

### **COOPERATING AGENCIES**

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203 Cooperating agencies to this annex should:

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- 204 • Determine available staffing that has experience and training with tribes.
- 205 • Assist in the development of a tribal common operating picture and identify how to
- 206 incorporate tribes into planning efforts within their own departments or agencies.
- 207 The following table describes the actions of specific cooperating agencies.

Cooperating Agency	Actions
<b>Department of the Health and Human Services (HHS)</b>	<b>Indian Health Service (IHS):</b> Provides coordinated comprehensive public health services and acute (emergency) care directly, through contract health services (nontribal contractor), or through self-determination healthcare contracts or compacts with American Indian and Alaska Native organizations. These comprehensive health services include all aspects of environmental health, as well as mental health and social services.
	<b>Office of the Assistant Secretary for Preparedness and Response</b> <ul style="list-style-type: none"> <li>Leads HHS efforts in responding to the adverse health effects of public health emergencies and disasters.</li> <li>Oversees the HHS emergency response responsibilities, in coordination with IHS, to tribes through various HHS Operational Divisions and offices, including the US Public Health Service (PHS), the Administration for Children and Families, the National Disaster Medical System, and the PHS Medical Reserve Corps.</li> <li>Coordinates HHS assistance to tribes through HHS statutory authority, HHS Secretarial Public Health Emergency Declaration, Stafford Act Declaration, or by working directly with the tribal government, to augment tribal response capability during an emergency or disaster.</li> </ul>
	<b>Centers for Disease Control and Prevention</b> <ul style="list-style-type: none"> <li>Participates in the emergency response and provides expertise and epidemiological support in an incident involving a biological agent that impacts a tribe.</li> <li>Coordinates with tribal health officials and the IHS, assesses health impacts and needs in support of tribal efforts.</li> </ul>
	<b>Administration for Children and Families:</b> Provides human services and economic self-sufficiency programs for Native Americans
	<b>Food and Drug Administration:</b> Participates in any emergency response to terrorism that contaminates food or pharmaceutical industry products affecting tribal lands.
	<b>Department of Homeland Security</b>



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<p><b>Department of the Interior (DOI)</b></p>	<p><b>Bureau of Indian Affairs (BIA) Emergency Management</b></p> <ul style="list-style-type: none"> <li>• Provides—either by itself, by contract with a tribal government, or both—a broad variety of services in an emergency including basic law enforcement protection, fire protection, emergency social services assistance to affected individuals and households, and support for all Federal agencies responding to the incident.</li> <li>• Assesses impacts on trust and allotted lands, resources, and infrastructure and supports tribal government efforts commensurate with trust responsibilities.</li> <li>• Provides staff to ensure coordination with tribal governments on all aspects of incident management operations, and works closely with DHS and FEMA to ensure tribal government All Hazards Emergency Response Operations (A-HERO) coordination actions are carried out in accordance with established Federal Government policies and procedures.</li> <li>• Assists in providing an efficient and reliable flow of incident-related information between the tribes and the Federal Government.</li> <li>• Supports DHS for the tribal coordination element of ESF #15 by supplying staff and resources as requested at the appropriate incident, regional or headquarters level operations and coordination center.</li> <li>• Provides oversight and management of the TAC-G.</li> <li>• Leads the DOI efforts in preparing for and responding to emergencies and disasters impacting tribal nations.</li> <li>• Oversees the DOI emergency response responsibilities to tribes, including the National Park Service, Office of Environmental Policy Compliance, the Bureau of Indian Education, and other DOI Bureaus and Offices that provide emergency management services to tribes.</li> </ul>
	<p><b>Office of Emergency Management</b></p> <ul style="list-style-type: none"> <li>• Provides support to BIA and other DOI elements as needed including administrative, information technology and public messaging assistance.</li> <li>• In support of BIA, coordinates DOI technical and emergency response assistance to tribes through immediate need due to threats to life and property, DOI statutory authority, Stafford Act Declaration, or by working directly with the tribal government, to augment tribal response capability during an emergency or disaster.</li> </ul>

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Cooperating Agency	Actions
<b>United States Department of Agriculture (USDA)</b>	<ul style="list-style-type: none"><li>• Supports federally-recognized tribes by providing education, training, and support to enable the response to emergency incidents.</li><li>• Provides expertise and coordinated support concerning food security, the safety and defense of the nation's supply of meat, poultry and processed egg products, plant and animal health, and other homeland security issues, including border security.</li><li>• Provides coordinated technical assistance and subject-matter expertise for pet evacuation and sheltering activities.</li></ul>

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