



Choctaw Nation of Oklahoma

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TESTIMONY OF MATT GREGORY CHOCTAW NATION OF OKLAHOMA

Before the U.S. Senate Committee on Indian Affairs

Oversight Hearing on
"When Catastrophe Strikes: Responses to Natural Disasters in Indian Country"
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Good Afternoon. Mr. Chairman, Members of the Committee, my name is Matt Gregory and I am the Executive Director of Risk Management for the Choctaw Nation of Oklahoma. On behalf of our Chief, the Honorable Gary Batton, I thank you for this opportunity to testify.

I am responsible to the Choctaw Nation for oversight of its Emergency Management Program. Our job is to ensure that the Choctaw Nation is prepared for, and ready to respond to, the next disaster. I've held this responsibility for 13 years, and have many years of experience in the fields of risk management, insurance and public safety. The Choctaw Nation has grown our emergency response program over the past 5 years and we expect that we will need to further expand our capabilities.

The Choctaw Nation jurisdictional boundaries cover a 10 ½ county-wide area in southeastern Oklahoma, including Bryan, Atoka, Coal, Pittsburg, Haskell, Latimer, LeFlore, Hughes, McCurtain, Choctaw, and Pushmataha counties. We are responsible for approximately 11,000 square miles. This mostly rural area has a Census 2010 population of 233,126. Of that, approximately 42,000 are Choctaw tribal members. The Choctaw Nation shares governmental responsibilities with various local units of government. Because of our checkerboard land ownership and the generations of non-members who now live among tribal citizens in our communities, our challenges are somewhat different from tribal governments who exercise jurisdiction over an intact reservation land base. Our tribal government responsibilities are necessarily intertwined with the governmental responsibilities of our neighboring towns, cities, and counties.

Along with our neighbors, the Choctaw Nation of Oklahoma usually is confronted by several natural disasters each year; including tornadoes, ice storms, high winds, extreme cold, hail storms, lightning, life-threatening heat, drought, wildfires, earthquakes, hazardous material releases, dam failures, and transportation accidents. In 2007, Oklahoma endured nine separate federally-declared disasters.

Throughout our history the Choctaw Nation has been plagued by significant disasters that disrupt our lives. According to the National Climatic Data Center, between 1950 and 2014, Choctaw Nation communities experienced 336 tornado events, with 48 deaths, and a total of \$73 million in damages. In the last decade alone, Choctaw Nation communities lived through more than 1,450 events from all hazards and suffered damage totaling nearly \$37 million, half of which was associated with 16 ice storms.

The 2007 winter ice storm had a significant impact on the citizens of Pittsburg and surrounding counties. 28,399 power outages were reported lasting for approximately two weeks. The Choctaw Nation responded immediately and worked with city, county, and state agencies to help those in need. Some of our activities included:

- Renting and placing generators in McAlester, Crowder, and Stigler at Community Centers used as shelters;
- Supplying water, food, toiletries, tarps, batteries, flashlights, lamp oil, and many other necessities to our tribal members and other citizens in the affected areas; and
- Collaborating with the National Guard to place a generator at our Travel Plaza which we opened to allow responding emergency vehicles to fuel up and get supplies.

In April 2011 an EF3 tornado (winds measuring between 136-165 mph) struck the town of Tushka, just 26 miles from our Choctaw Tribal Headquarters, killing two people and injuring 40. The Choctaw Nation had many tribal members, employees, and neighbors deeply affected by this storm. The Choctaw Nation again responded immediately and had support on the ground within hours after the storm hit. At one point there were 100+ volunteers working in the area. Some of the activities included:

- Operating a feeding station at the Command Center for volunteer workers and displaced citizens;
- Delivering food, water, and basic necessities to several distribution points within the community;
- Opening the Atoka Community Center as a shelter and access point for tribal members needing services; and
- Setting up a first aid center for injured citizens and workers.

I want to note that a survey after the tornado indicated that nearly one-half of the residents of Tushka did not have property insurance coverage. We found that after that

disaster, the cost of insurance became even more expensive, increasing by as much as 50%. The growing lack of insurance coverage makes the Choctaw Nation's disaster assistance all the more vital.

The Choctaw Nation has also responded to disasters like flooding events, microbursts, and winter storms. Our most recent response was to the winter ice storm that hit Choctaw, McCurtain, Leflore, and Pushmataha counties. During this event we performed the following activities:

- Renting and placing generators in Hugo and Antlers at Community Centers used as shelters;
- Renting and placing generators in Bethel and Smithville at Community Centers used as warming stations and water distribution sites;
- Supplying water, food, toiletries, tarps, batteries, flashlights, lamp oil, and many other necessities to our tribal members and other citizens in the affected areas; and
- Coordinating with the Red Cross and the Southern Baptist Disaster Relief to cook and deliver meals to several shelters and feeding stations.

The Choctaw Nation of Oklahoma has responded to disasters outside our geographical boundaries as well. All citizens of Oklahoma are faced with these various disasters and the leadership of the Choctaw Nation of Oklahoma understands that unity in these times is critical to recovering from a disaster. After the tornado struck Chickasaw communities in Moore, Oklahoma in 2013, the Choctaw Nation responded with equipment, personnel, and financial resources to assist in cleanup and recovery. Disasters affect every aspect of life, and require a wide variety of responses (for example, one of the many things we did was deliver chicken feed in Moore to keep flocks alive in the days after the tornado destroyed their community). For its efforts in Moore, the Choctaw Nation was honored to receive the "Doing the Most Good" award from the Salvation Army, which is one of many great organizations with whom we cooperate in disaster relief.

The Choctaw Nation considers itself blessed to have resources available to assist our tribal members and neighbors during these disasters. In 2010 the Choctaw Nation received FEMA approval of our tribally adopted Tribal Multi-Hazard Mitigation Plan. We are currently working on updating this plan for resubmittal to FEMA. In 2012 we developed our Choctaw Nation Emergency Response Plan and established our Choctaw Nation Emergency Response Team. The Choctaw Nation currently utilizes the National Incident Management System and maintains current compliance with the program.

In 2012 the Nation hired a full time Emergency Manager and began to expand the development of the program. As of July this year the Nation has developed a joint Continuity of Operations/Continuity of Government or COO/COG plan, emergency communications plan, and is updating our Emergency Operations Plan or EOP. In addition the Nation will be developing several other plans to meet our needs and FEMA

requirements (e.g., warning notification, public assistance administration, donation/volunteer management, other needs assistance, strategic development, and debris management).

In addition, the Choctaw Nation is also working closely with the State of Oklahoma and FEMA on a pilot project through the Emergency Management Accreditation Program, and we hope to be the first Tribe in the Nation to receive this accreditation. The Choctaw Nation has also been working on a project with the State and several Voluntary Organizations Active in Disasters or VOAD groups to ensure that the needs of children are met after a disaster strikes. In addition, the Choctaw Nation has been coordinating with the State to identify points of distribution for supplies in an effort to consolidate resources and coordinate more effective disaster response.

The Choctaw Nation is an active member of the Oklahoma Emergency Management Association (OEMA) and of the Inter-Tribal Emergency Management Coalition (ITEMC). ITEMC was developed to allow tribes to coordinate and share information regarding disaster response and preparedness activities. ITEMC has worked very closely with the State of Oklahoma and FEMA Region VI to bring training opportunities and vital information to the tribes regarding hazard mitigation and preparedness activities.

Planning efforts are very important and are vital to our success but we also realize the need for improvements through mitigation activities. The Choctaw Nation has completed several mitigation projects, including the following activities:

- Installed generators at several critical facilities;
- Developed a public information campaign;
- Implemented a storm shelter/safe room program and funded 1,136 shelters for elder and special needs tribal members;
- Purchased equipment for the delivery of supplies;
- Established a GIS department;
- Developed an EOP and response team;
- Secured equipment for our Public Safety division for disaster response; and
- Secured an off-site solution for data backup and recovery.

The Office of Emergency Management and the Emergency Management Program for the Choctaw Nation remains active in times when there are no disasters. Much of our effort focuses on the preparedness and capacity of the Tribe to recover from a disaster. Our vast coverage area can be a challenge but with strategic mitigation projects we hope to lessen the effects of a disaster on our tribal members and the communities in which we reside. As we move forward we hope to complete the following mitigation measures:

- Purchasing and installing generators at all of our Community Centers;
- Purchasing and installing generators at all of our Travel Plazas;

- Building multiple warehouses in specific locations for the quick disbursement of water and supplies;
- Building a hardened Emergency Operations Center;
- Purchasing a mass notification system to communicate with our employees and tribal members during a disaster or emergency situation; and
- Creating an arbor program to help mitigate falling tree limbs on power lines during winter events.

These are just a few of the new measures that will be in our Hazard Mitigation Plan and of course will depend on available funding through the Tribe and state and federal funding sources. Federal grant programs like PDM (Pre-Disaster Mitigation) and HMGP (Hazard Mitigation Grant Program) are critical to the success of any mitigation strategy and the Tribe is thankful for the opportunity to apply for these resources. We applaud the recent changes to the Stafford Act which strengthen the sovereignty of tribal governments and allow a Tribe like the Choctaw Nation to seek a disaster declaration directly from the President of the United States.

As we work with you and the Administration to implement our Stafford Act authority, there are some issues that may require further refinement. For example, the Stafford Act set \$1 million in damage as its threshold for applying for a declaration. This may not work well for a Tribe like the Choctaw Nation, with small communities spread out over a wide rural area. A tornado can wipe out a small impoverished town of 30 homes and not meet the \$1 million damage threshold. However, for the 30 families in that community, the devastation is overwhelming and the destruction is total. A one-size-fits-all, cookie-cutter approach never works very well in Indian Country, especially in Oklahoma, where tribes typically do not own utilities, roads, or other infrastructure that during a disaster help a county or state reach the \$1 million damage threshold.

When the Choctaw Nation, as well as other tribes, responds to a disaster we are responding to the entire community not just our tribal members. This creates a list of other concerns with our new Stafford Act authority:

- If the State is not awarded a declaration but our Tribe is, can a county come to our Tribe for reimbursement of its costs related to the disaster?
- If the State and our Tribe or several tribes are awarded a declaration, how is that funding allocated?
- If our Tribe responds to the entire community are the costs related to non-tribal response efforts eligible for reimbursement?

These are just a few of the many unknowns regarding the changes to the Stafford Act. We do support changes to policy that strengthen tribal sovereignty and are committed to working with you to make these changes actually work in Indian Country.

We do not have all of the answers. But we do want to be included in the discussion and an opportunity to help shape some of the recommended solutions. We need the help of this Committee to persuade FEMA to open up a constructive dialogue with all Indian tribes to develop and implement a disaster response policy that makes sense for all of Indian Country. These answers need to come quickly. We are faced with a number of disasters throughout the year, and without quick and specific direction, our new-found Stafford Act authority lacks some practical effect.

We would ask your help in expanding the opportunities for tribes to receive direct federal assistance for preparedness and mitigation projects. These capacity-building opportunities are critical to the recovery of any community, especially tribal communities. Over the last four years, Indian tribes have received just 1.3% of the U.S. Department of Homeland Security grant funds available for preparedness and capacity building. Tribal specific funding opportunities would assist Indian tribes to better prepare for and recover from disasters.

Currently very little if any information exists regarding preparedness response and recovery within American Indian or Alaska Native tribal communities. We know far too little about the existing disaster-response capacity, or lack thereof, of tribal governments. We would request that Congress utilize the Government Accountability Office (GAO) to study the homeland security and emergency management capabilities of tribal governments. A GAO report may help inform federal decision-makers about the challenges of disaster response and recovery in Indian Country and also assist tribal leaders as we apply federal policies and opportunities to the needs we must meet in Indian Country. Perhaps that GAO report could also identify specific legislative changes that may be necessary to make the Stafford Act work more effectively in Indian Country.

Finally, we ask that the Committee urge FEMA and the Department of Homeland Security to include a larger presence of tribal representation on federal committees engaged in disaster response and recovery. Tribal representation from a variety of tribes should be required on committees such as Federal Incident Management Teams, FEMA National Advisory Council, and the FEMA Floodplain Management Council. The most useful understanding of tribal disaster response operations will come from those who deal with these situations on a daily basis.

Again, we are honored by this opportunity to testify and thank you for it. We appreciate the Committee's leadership and commitment to Indian Country and our needs in response to disaster situations. The Choctaw Nation is committed to continuing this dialogue and to better preparing our people to respond to and recover from disasters. Your continued support in these matters is critical to the success of emergency preparedness in Indian Country.