

**RESOLUTION OF THE
LAW AND ORDER COMMITTEE
23RD NAVAJO NATION COUNCIL - Fourth Year, 2018**

AN ACTION

**RELATING TO LAW AND ORDER; AMENDING PLAN OF OPERATION FOR NAVAJO
NATION DEPARTMENT OF EMERGENCY MANAGEMENT**

BE IT ENACTED:

SECTION ONE. AUTHORITIES

- A. The Law and Order Committee is a standing committee of the Navajo Nation Council. 2 N.N.C. § 600 (A).
- B. The Law and Order Committee has oversight over the Department of Public Safety and its programs. 2 N.N.C. § 601(C)(1).
- C. The Law and Order Committee, pursuant to 2 N.N.C. § 601(B)(4) is authorized to approve and amend plans of operation for programs over which it exercises oversight authority.

SECTION TWO. FINDINGS

- A. Enabling legislation in 1995 was enacted by the Navajo Nation Council through resolution CO-86-95 establishing the Navajo Nation Division of Public Safety as well as the adoption of its Plan of Operation. By the same resolution, the Council acknowledged that Plans of Operation for various programs within the division would be enacted through standing committee. *Id.* Accordingly, through standing committee resolution GSCAU-61-95 (passed August 22, 1995), Plans of Operation for the various programs with the Division of Public Safety, including the Department of Emergency Management, were approved.
- B. Purposes of the Department of Emergency Management include providing effective and efficient emergency management services on a 24-hour basis within the territorial jurisdiction of the Navajo Nation. The Plan of Operation for the department must be generally updated, clarifying duties

and responsibilities of the program pursuant to its purposes and objectives.

SECTION THREE. AMENDING PLAN OF OPERATION FOR NAVAJO DEPARTMENT OF EMERGENCY MANAGEMENT

The Navajo Nation hereby amends the Plan of Operation for the Navajo Department of Emergency Management as follows:

**NAVAJO DEPARTMENT OF EMERGENCY MANAGEMENT
PLAN OF OPERATION**

I. ESTABLISHMENT

There is hereby established the Navajo Department of Emergency Management within the Navajo Division of Public Safety of the Navajo Nation Government, Executive Branch. The Emergency Manager of Navajo Department of Emergency Management shall be under the general direction and guidance of the Executive Director of the Navajo Division of Public Safety.

II. PURPOSE AND OBJECTIVES

The purpose of the Navajo Department of Emergency Management is to provide effective and efficient emergency management services on a 24-hour basis to everyone within the territorial jurisdiction of the Navajo Nation, as defined by Title 7 N.N.C § 254 and 18 U.S.C. §1151. An objective of the department is coordinating such services with other Navajo Nation divisions, departments, programs and local communities as well as other tribal, federal, state and county organizations.

III. STAFFING AND ORGANIZATION

- A. All personnel shall be employed and compensated in accordance with applicable Navajo Nation Personnel Policies Manual.
- B. The Emergency Manager of the Navajo Department of Emergency Management shall be selected by the Executive Director of the Navajo Division of Public Safety, in accordance, with the established Navajo Nation Personnel Policies Manual.

- C. The Navajo Department of Emergency Management shall be staffed sufficiently to accomplish the purpose and objectives stated herein. See *attachment 1, organizational chart*. The Emergency Manager shall be authorized to recommend additional professional, technical and clerical positions as needed to carry out the organizational purpose(s) as stated herein. Additional positions shall be acquired within applicable personnel policies and applicable budget rules established for conducting the annual Navajo Nation budget process.

IV. AUTHORITY AND RESPONSIBILITY

- A. The responsibility of the Navajo Department of Emergency Management shall include, but is not limited to, the following:
 1. Serve as the Emergency Management Authority for the Navajo Nation.
 2. Coordinate and direct emergency management services during all declared emergencies and/or disasters that involve life threatening situations to human beings through an established and approved emergency operations plan.
 3. Empower individuals, families, communities, chapters and the Navajo Nation divisions, departments and programs by providing emergency management education and training.
 4. Provide information and direction for any Navajo Nation division, department or program which is mitigating, preparing, responding and carrying out recovery operations within the territorial jurisdiction of the Navajo Nation.
 5. Utilize to the highest degree possible, agencies affiliated with Non-Governmental Organizations when providing emergency assistance to victims of fire or other catastrophic disasters within the territorial jurisdiction of the Navajo Nation.
 6. Through the National Incident Management System (NIMS) under the Commission of Emergency Management Resolution CEM-070913, Homeland Security Presidential Directive-5 (HSPD-5) and Homeland Security Presidential Directive-8 (HSPD-8), establish and activate an emergency operation

center (EOC) and/or incident command post (ICP) with trained personnel during a state of declared emergency and/or disaster within the territorial jurisdiction of the Navajo Nation.

7. Carry out, from time to time, other activities not specifically described herein, designed to respond to emergency management situations throughout the Navajo Indian Reservation in an effective and efficient manner.
 8. Develop resilience within the Navajo Nation communities after a major disaster declaration.
- B. The responsibilities of the Emergency Manager of the Navajo Department of Emergency Management shall include, but are not limited to, the following;
1. To negotiate contracts, grants and agreements on behalf of the Navajo Department of Emergency Management, in compliance with applicable Navajo Nation laws, rules and regulations.
 2. To develop and implement policies and procedures for the effective and efficient operation of emergency management services within the territorial jurisdiction of the Navajo Nation.
 3. To develop and implement an emergency management network with other tribal, federal, state and county emergency management organizations.
 4. To supervise and control emergency management services in cooperation and coordination with local communities and chapters during a state of declared emergency within the territorial jurisdiction of the Navajo Nation.
 5. To assist Navajo Nation divisions, departments, programs and local communities with developing emergency preparedness and response plans.
 6. To monitor, evaluate and make recommendations regarding the emergency preparedness and response plans of Navajo Nation divisions, departments, programs and local communities.

7. To report directly to the Executive Director regarding all activities of the Navajo Department of Emergency Management on a regular basis.

V. LEGISLATIVE OVERSIGHT

The Navajo Department of Emergency Management, Navajo Division of Public Safety, shall operate under legislative oversight of the Law and Order Committee of the Navajo Nation Council, pursuant to the powers granted that Committee by 2 N.N.C. § 601.

VI. AMENDMENTS

- A. For purposes of maintaining provisions up-to-date, the department shall review its Plan of Operation at least every five years, beginning January 2020. It shall recommend any necessary amendments.
- B. Pursuant to 2 N.N.C. § 601(B)(4), this Plan of Operation may be amended from time to time by the Law and Order Committee of the Navajo Nation Council as deemed appropriate.

CERTIFICATION

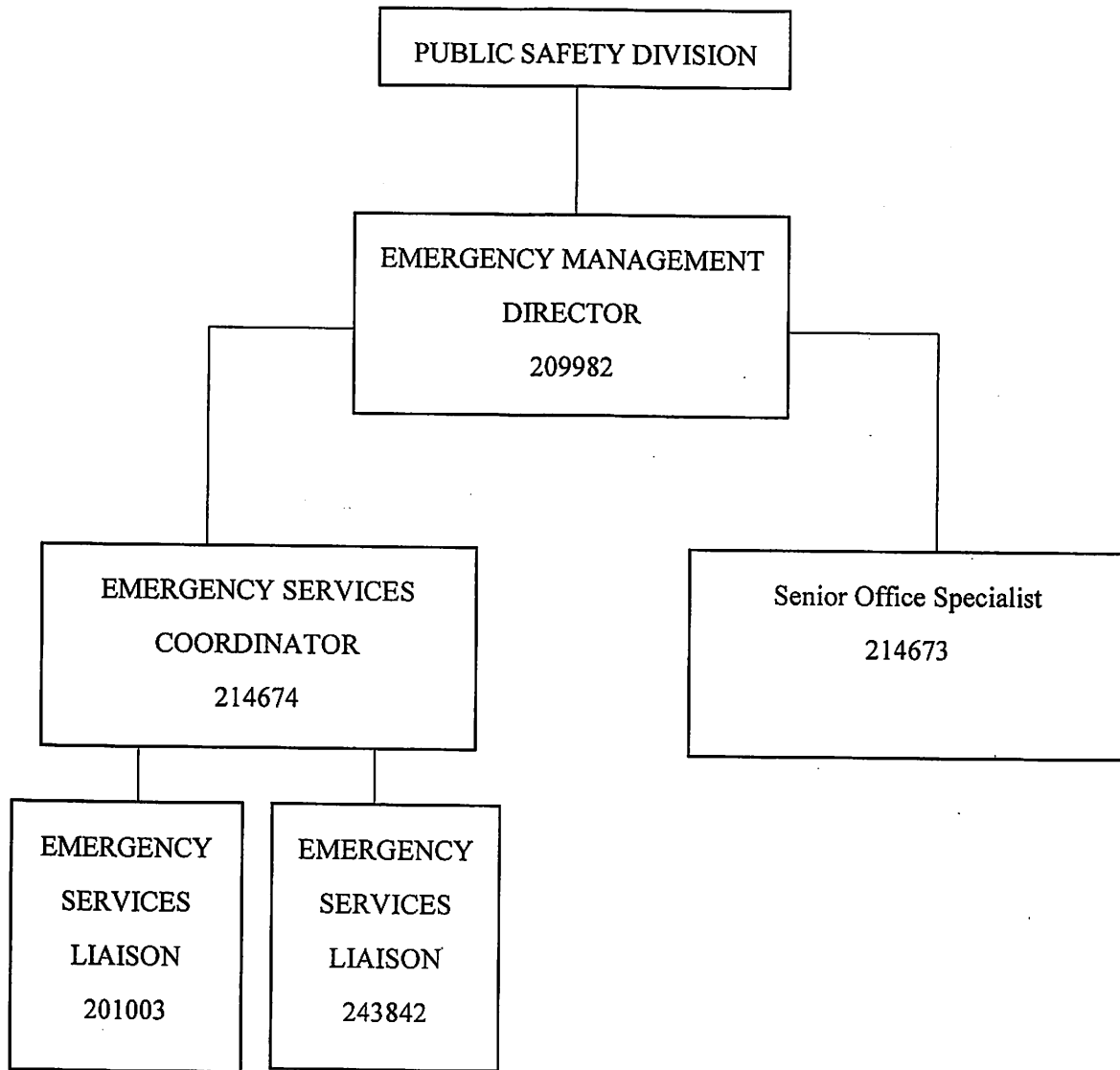
I, hereby certify that the foregoing resolution was duly considered by the Law and Order Committee of the 23rd Navajo Nation Council at a duly called meeting in Window Rock, Navajo Nation (Arizona), at which a quorum was present and that the same was passed by a vote of 2 in favor and 0 oppose, this 9th day of April, 2018.



Honorable Herman M. Daniels
Pro Tempore Chairperson
Law and Order Committee
of the 23RD Navajo Nation Council

Motion: Honorable Otto Tso
Second: Honorable Raymond Smith, Jr.

NAVAJO NATION
DEPARTMENT OF EMERGENCY MANAGEMENT
ORGANIZATIONAL STRUCTURE



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