



Embracing Tribal Partnerships for Regional Homeland Security Collaboration

Participant Manual

October 26, 2007



Homeland
Security

Office of Grants
and Training



Seat Time:	Lesson Plan/Overview
1 HOUR	<p>I. Introductions and Logistic</p> <ul style="list-style-type: none">• Welcome• Module I Overview and Objectives• Course Logistics• Introductions/Participant Expectations• Course Overview/Ground Rules• Course Goals and Objectives• Pre-test
2 HOURS	<p>II. Introduction to Tribal Homeland Security</p> <ul style="list-style-type: none">• Module II Overview and Objectives• Core Cultural Competencies• Community Policing• Unique Considerations
2 HOURS	<p>III. Understanding the Threat</p> <ul style="list-style-type: none">• Module III Overview and Objectives• All-hazards Incidents• Catastrophic Events of National Significance• Catastrophic Events of Regional and Local Significance• Identifying and Understanding Threats
1.5 HOURS	<p>IV. Defining the Vulnerabilities and Identifying Resources</p> <ul style="list-style-type: none">• Module IV Overview and Objectives• Critical Infrastructure• Emergency Response and Medical Capacity Resources• Tribal Resources• Community Resources• Private Industry Resources
1.5 HOURS	<p>V. Understanding the Unique Status of Tribes</p> <ul style="list-style-type: none">• Sovereignty Rights• Understanding the Federal Government• Understanding the Roles of States and Local Government• Government to Government Relations• Integration of Law Enforcement Efforts• Understanding Added Concepts



4 HOURS	VI. Gap Analysis/MOU and MOA <ul style="list-style-type: none">• Apply the gap analysis process to identify community gaps for regional collaboration • Describe the nature and styles of memorandums of understanding, Define Memorandums of Agreement• Identify and write a regional, collaborative MOU
4 HOURS	VII. Team Presentation, MOU, and Evaluation <ul style="list-style-type: none">• Describe the elements of MOU• Develop a team MOU for each team• Present each team's MOU to the other teams for evaluation



MODULE I: INTRODUCTIONS AND LOGISTICS

Welcome

Western Community Policing Institute (WCPI)

- Funded by the U.S. Department of Homeland Security, Office of Grants and Training
- Delivering training since 1996
- Located on the campus of Western Oregon University
- Part of a national network of regional community policing institutes (27 in the U.S.)

National Native American Law Enforcement Association (NNALEA)

- Non-profit organization established in 1993
- Promotes and fosters mutual cooperation between Native American and non-Native American law enforcement officers, agents, personnel, their agencies, tribes, federal and state agencies, private industry, and the public
- Holds annual training conferences to discuss issues of mutual concern
- Has produced several publications and reports that document the role that tribes play in homeland security

Purpose

Terrorism and other catastrophic events pose serious threats to Indian lands and our Nation. Indian lands are comprised of over 100 million acres. These lands contain 260 miles of national borders and many miles of seacoasts. In addition, these lands include hundreds of miles of nationally critical national infrastructure such as vital pipelines, electric transmission lines, important railroads and highways, power plants, over 145 critical dams (including the second largest producer of hydroelectric power in the U.S.), water resources, coal mines, oil and/or gas fields, agricultural lands, and tourist attractions. All of the above combine to present significant homeland security vulnerabilities on Indian lands, including the uncontrolled immigration of undocumented foreign nationals. These vulnerabilities can lead to terrorist attacks and increase losses due to other catastrophic events.



The United States Congress recognizes the need for federal programs that create vigilant, prepared, and resilient communities. As the threats of terrorism increase and evolve and significant natural and man-made disasters continue to threaten our communities, the U.S. Government has expanded its efforts in addressing homeland security. The U.S. Department of Homeland Security, Office of Grants and Training, is supporting several major initiatives, this training being one of them, to improve the capabilities of the tribes, public safety personnel, governmental and non-governmental organizations, school and post-secondary education officials, medical professionals, community members, and tribal members in creating vigilant, prepared, and resilient communities with respect to homeland security. This course, developed by the Western Community Policing Institute (WCPI) and the National Native American Law Enforcement Association (NNALEA), is one such initiative. It is designed to provide initial awareness-level training, followed by continued training and support that builds community capacity in support of improving homeland security.

The first step in program development will be to develop a foundational two-day awareness-level curriculum that provides participants with the information and structure needed to begin regional collaboration between multiple sectors, jurisdictions, regions and states in building cooperative capabilities. Training content will include specific instruction on coordinating homeland security preparedness assistance efforts on a regional basis, maximizing manpower, assets and resource inventories to produce effective collaborative efforts, resource tools and methodologies that promote a national approach for critical infrastructure protection, and improving responses in planning and community outreach. Course materials will also include instruction on how to identify and prepare vulnerable populations before and after a catastrophic event. Together these areas will be aligned and overlaid with national target capabilities, NIMS, and the National Response Plan, to ensure congruence and provide required guidance.

Due to the remoteness, isolation, and lack of adequate resources of some Tribal lands regional collaboration becomes invaluable for Tribal homeland security issues, in that, regional partnerships provide added resources needed for local homeland security.



Module I: Overview and Objectives

Overview: In this module, participants will receive an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration* course. Activities include the distribution and completion of required course administrative requirements, participant introductions, establishment of ground rules, identification of participant expectations, and the administration of a pre-test.

Terminal Learning Objective: To provide participants with an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration* course.

Enabling Objectives: At the conclusion of this module, participants are able to:

- Understand the goals of the course and summarize major objectives contained in the modules
- Recognize how course materials are to be utilized in the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration* course

Course Logistics

Introductions/Participant Expectations

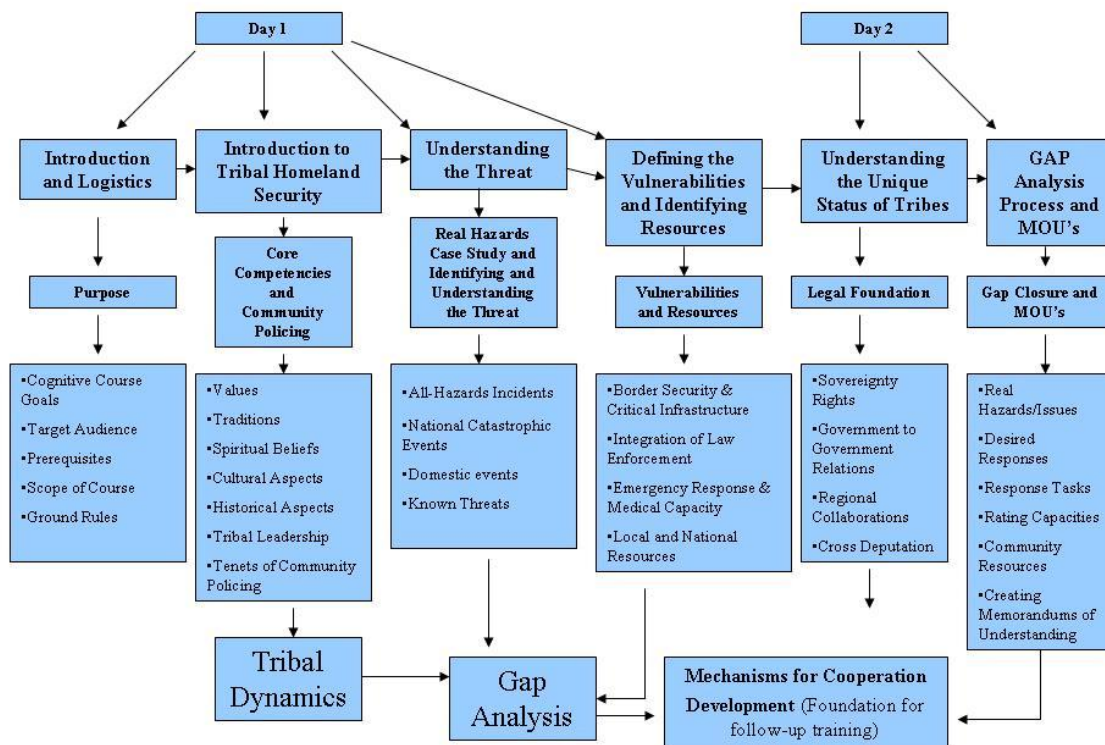
- What is one thing you want to get out of this course?



Course Overview

- Scenario-based
- Designed for tribal members and multi-jurisdictional community members
- Teach participants how to embrace tribal partnerships for regional homeland security collaboration
- Requires active participation and problem-solving
- Will teach gap analysis in the context of tribal needs in emergency preparedness, planning, and preparation.

Embracing Tribal Partnerships Program Mapping





Course Objectives

Module I: Terminal Learning Objective: To provide participants with an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration* course.

Module II: Terminal Learning Objective: To provide participants with an introduction to shared Native American core cultural competencies. Provide participants an understanding of community policing, team dynamics and team building, the basic components and value of critical thinking, the development of leadership skills, and how these skills can be applied in addressing their assigned homeland security problem.

Module III: Terminal Learning Objective: To provide participants with a basic understanding of the all-hazards concept in the unique context of Indian lands and of the manner in which threats to homeland security impact Indian tribes.

Module IV: Terminal Learning Objective: Participants will learn to recognize and define critical vulnerabilities, understand the process of security planning, identify critical infrastructure, learn gap analysis, learn to assess resource needs, and become aware of the NIMS compliance process. Participants will learn to apply the results of a gap analysis to understand the strengths of their tribe's current homeland security efforts and to also define additional actions and resources that are required for homeland security collaboration. Participants will further learn to identify sources of current and potential resources from entities outside their tribes such as the Citizen Corps Councils, ICE, CBP, DEA, ATF, EPA, FBI, FEMA, IHS, VA, BIA, CDC, state, county and local agencies, private industry, other tribes, and NGOs.

Module V: Terminal Learning Objective: Participants will understand the sovereign nature of tribal governments, the nature of Native American jurisdiction and the mechanisms by which tribal and non-tribal governments can successfully work together.

Module VI: Terminal Learning Objective: Participants will learn the gap analysis process to understand the strengths of their tribe's current homeland security efforts and to also define additional actions and resources that are required for regional homeland security collaboration.



Module VII: Terminal Learning Objective: To provide participants with the opportunity to describe their team MOU and to apply what they have learned throughout the course to develop an action plan to return to their communities with the skills necessary to conduct a gap analysis and assess the potential for regional MOU.

Pre-test

Module I Wrap-Up:

- What are your expectations from this course?



MODULE II: INTRODUCTION TO TRIBAL HOMELAND SECURITY

Overview: This module will provide participants with an understanding of tribal communities and will help establish the foundation for developing regional collaboration between multiple sectors and jurisdictions including: regions, tribes, states, and local entities, and the private sector with respect to building cooperative homeland security capabilities. A greater understanding of tribal core competencies will promote mutual understanding between all participants and will assist all parties in establishing collaborative relationships. Participants will be introduced to the tenets of community policing; the stages, basic components, and importance of team dynamics and effective team building, characteristics, and application of critical thinking, and the development of leadership skills.

Terminal Learning Objective: To provide participants with an introduction to shared Native American core cultural competencies, and also to provide participants an understanding of community policing, team dynamics and team building, the basic components and value of critical thinking, the development of leadership skills, and how these skills can be applied in addressing their assigned homeland security problem.

Enabling Objectives: At the conclusion of this module, participants will be able to:

- Discuss the importance of working within the American Indian cultural context to promote the development of response systems and the implementation of responses that are compatible with traditions and values characteristic of particular tribes and tribes in general, with respect to their social, cultural, or generational concerns
- Identify key tribal values – the tribal principles and standards of behavior that are generally considered by tribal communities to be right, worthwhile, or desirable with respect to relating to others and protecting the public, with special emphasis on all-hazards incidents
- Discuss tribal traditions – the handing down of statements, practices, customs, etc., from generation to generation by word of mouth and/or by example, with special emphasis on those traditions that impact protection of the public and response to all-hazards incidents including the protection of sacred places



- Identify historical aspects – of documented history or past events
- Discuss tribal leadership systems – the function of leaders in the various tribal systems of government, and how these different systems of governance affect the way in which tribes approach the promotion of public safety and protection of the public, especially in the context of all-hazards incidents
- Understand community policing, list the stages and principle components of group development, recognize the characteristics of effective teams, and identify individual critical thinking skills and characteristics of good leaders

Activity II-1: Team Building

- **What did you learn about yourself and each other?**

- **How can you use this information?**

- **How can you use the insight you gained about yourself and your team members to embrace tribal partnerships for regional homeland security collaboration?**



Section 1

Understanding Tribal Communities

Native America is made up of many cultures. To gain a better understanding between tribal and non-tribal groups of tribal communities and tribal core competencies is critical to form effective collaborative relationships. For the purposes of this training core competencies include the following:

1. Cultural Aspects-the behavior and beliefs characteristic of a particular social, ethnic, or age group, and its language, ceremonies/spiritual perspective, and medicines
2. Values – principles and standards used by a group to define concepts such as respect, what is right, worthwhile, and/or desirable
3. Traditions – the handing down of statements, beliefs, oral history, customs, etc., from generation to generation by word of mouth or practice, music, including the protection of sacred places.
4. Spiritual Beliefs – understandings about or pertaining to sacred things or matters
5. Historical Aspects – documented history or past events, and ancestry
6. Tribal Leadership – the position or function of a leader

Understanding Culture

There are multiple factors that have shaped American Indian culture. Some of these factors include; culture, family and community dynamics, tribal values, traditions, spiritual beliefs, historical events, and governments/leadership.

- **What people, beliefs, symbols, or geographical issues have helped to shape your culture?**



Cultural Iceberg Model

The iceberg is a simplistic model used to demonstrate aspects of culture. A majority of an iceberg is not seen from the surface. Only a small portion of the iceberg can be seen above the water surface. Culture can be understood the same way. Most cultural aspects cannot be detected at a glance or even through a single interaction. Culture has many underlying aspects.

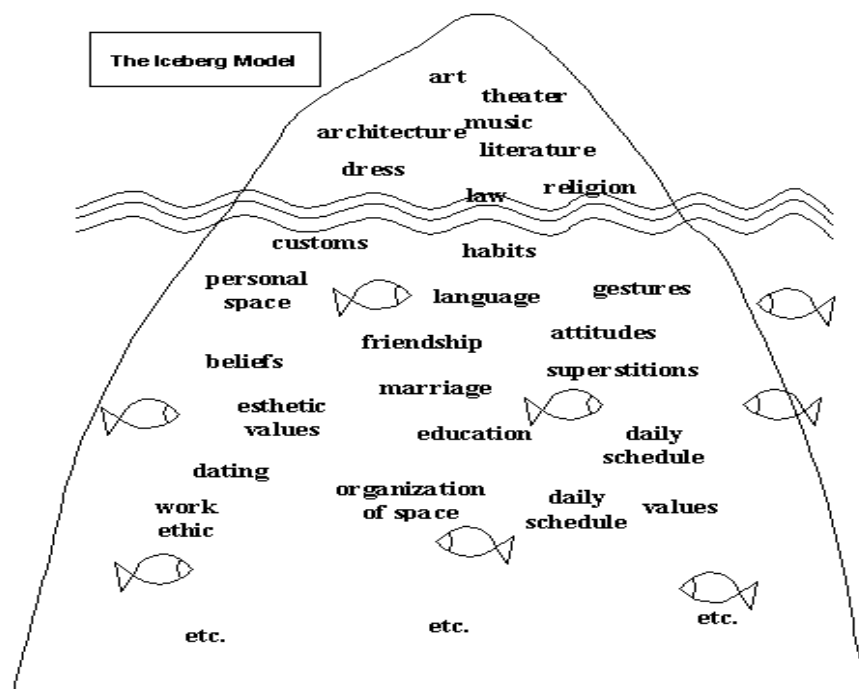


Image Source: www.bhomeica.com

Family and Community Dynamics

Family and Community Dynamics are important factors of tribal culture. These factors have influenced tribal culture and yet the culture influences how families and communities are organized, developed, and interact.

The American Indian Family is the central unit in most American Indian communities. Most American Indian families are fluid to ensure that everyone receives the support they need (Light, 1996).



There are four basic family structures that exemplify the fluid characteristics of American Indian families found in today's society. These four family structures are: Small Reservation Communities, Interstate Structure, Communities in Urban Areas, and Communities in Metropolitan Areas (Redhorse, 1980).

1. **Small Reservation Communities:** Geographic and Tribal circumstances influence the structural patterns of the family. Family structures in most small reservation communities assume a village-type configuration with several households in close geographical proximity.
2. **Interstate Structure:** Many Family systems cover a large geographic area. Historical Tribal mobility has influenced this system.
3. **Communities in Urban Areas:** This can be described as a community within a community. American Indian families that have voluntarily left the reservation usually find themselves living in close proximity to other American Indians, Tribal relations, or other family members.
4. **Communities in Metropolitan Areas:** These types of family households are often spread out among several communities or cities of a metropolitan area. Indian families in large metropolitan areas are influenced through informal incorporation of non-kin relations. These non-kin relations may not be blood related but they fulfill family roles within the community.

American Indian families are not static. They adapt to their surroundings. This style of living can be traced back through many generations. American Indians are survivors. They adapt, transform and create communities of support. These communities are designed to protect, secure, support and give strength to those within the community.

Tribal Values

They can be expressed through symbols, stories, clothing, signs, language, and rituals.



- **What are some of your values?**

- **What are some of the key values of the community you are embracing?**

- **How are these values expressed?**

- **Which of my values will influence homeland security?**

- **What values, of the community am I embracing, what will influence homeland security?**

- **What are some key tribal values?**



- **How are these expressed in tribal communities?**

Traditions

The people who belong to America's more than 561 federally-recognized American Indian tribes and Alaska Native Villages are descended from a broad variety of Native American cultures. The net result was a great deal of cultural diversity throughout North America.

This training course is designed around federally-recognized American Indian tribes but attendance is not restricted in that regard. There are numerous incidents in which various states have groups claiming American Indian ancestry. In those situations state and local governments may find this course of training to be useful, however, non-federally-recognized American Indian entities may not be eligible to participate in many of the federal programs available to federally-recognized Indian tribes.

At the time of European contact, the approximately 2,000 different Indian tribes and bands occupying what later became the United States, spoke at least 250 distinct languages. Approximately 175 of these are currently spoken by tribal members.

However, there are a number of common traditional Indian beliefs and practices which are present in American Indian and Alaska Native life today. These values include:

- The practice of making decisions by consensus
- Tribal decision-making often involved significant input from the older and more traditional elements of tribal societies
- The high value placed on preserving land is another element that is common to many Indian tribes today
- In many tribal belief systems, speech is believed to have a powerful influence on the balance of nature, and therefore, on future events



Traditions are cultural beliefs, values, and behaviors that have been handed down from generation to generation. Among American Indians today, one sees many aspects of their traditional cultures. For example, in many Indian communities today native languages spoken, traditional systems of governance, kinship and clan membership are maintained, traditional economic activities take place and traditional ceremonies are held.

These traditions are often central to daily life and decision-making. For example, many Navajo still make at least part of their living by herding sheep and practicing traditional crafts like weaving and silver-smithing. Clearly, when community decisions are made, anything that might impact the practice of these traditions would be a significant concern to individual families and the community at large. Therefore, it is important to work with Indian communities in a way that is compatible with the traditional activities the community practices.

Native American traditions also include the role of chiefs and council, elders, children, and the importance of tribal ceremonies. Teaching the young how to survive in difficult circumstances and how to live according to tribal custom was not left up to chance in American Indian communities. Well-defined customs, values, and practices, were handed down from generation to generation by parents and elders. In this way, they guided, nurtured, and protected children. They taught them to have self-control and how to get along with others. Each tribe had their own way of accomplishing this goal, but they all understood its importance (Positive Indian Parenting Manual). Traditionally nature or environment was used to understand basic concepts of life. Nature was the traditional classroom. The study of plants, animals, and environmental dynamics produced lessons that community lived by.

Spiritual Beliefs

Spiritual beliefs are very individualistic. Spiritual beliefs may include the role of the “Creator”, the Grandfathers, and the spirits of nature, relative to tribal communities’ interaction within their communities, one on one, and with their environment.



Holistic Living

Many cultures have represented holistic values as their need for being balanced. The medicine wheel is among many of the different spiritual beliefs. Some American Indians recognize the medicine wheel as a symbol of guidance through this life. It is a symbol of rebirth and origin. The medicine wheel is never beginning and never ending and all things flow from it. The medicine wheel has three major elements: 1) the circumference, 2) the directions, and 3) the center (Jones 1995).

1. The circumference is the sacred hoop, which reminds us of life's journey; it gives us the separation needed to understand life cycles.
2. "The four directions represent the balance we need in order to live fully" (Jones 1995, pg 80). To understand ourselves, we must understand the direction given to us by the east, south, west, and north.
 - a. East: symbolically, the east represents everything that is physical. This is where we begin life as an infant in a physical body.
 - b. South: This is the summer and adolescence.
 - c. West: This is the autumn of our life, the adult years.
 - d. North: This is the winter of life. It is the time of enlightenment, a time to become purified and refined into great wisdom.

Activity II-2: Rope Activity

- **How does the circumference of the medicine wheel relate to homeland security?**

- **What is at the center of the medicine wheel?**



- **How can we use the four directions to ensure we have a well balanced homeland security plan?**

Historical Events

The exact form of the traditions practiced by any tribal community is the result of a long historical process that began many thousands of years ago. This history is clearly shown in the archaeological record and in the millions of government documents and other accounts that have been written since American Indians first came into contact with European cultures over 500 years ago.

Contact with Europeans did have a powerful effect both on the development of Indian cultures and also had a strong effect on European cultures as well. However to understand traditional Indian life, it is important to understand that there was already a great diversity of Indian cultures in North America long before contact with Europeans. For example, Kroeber (1939) looked at the diversity of Indian cultures and stated that he believed that there were seventeen different culture areas and eighty-four sub-areas across the North American Continent. Each of these areas and sub-areas contained groups of tribes who shared cultural similarities such as language, kinship and economy, yet maintained their own unique identities.

Therefore, it is clear that each tribal culture must be viewed as a dynamic entity that has its own history that has been shaped by internal processes of invention, interaction with other tribes, natural events and contact with the world beyond North America. Working with a tribe requires that one understand that the tribe has a complex set of traditions that arose in a unique historical context. To be successful in working with people of other cultures both the traditions and history of that culture have to be understood and respected.



Throughout American Indian history the U.S. Congress has fluctuated between two conflicting themes in Indian affairs: self-government/self-determination for tribes vs. assimilation of reservations into the American mainstream. This fluctuation can be seen in the main eras in American Indian History.

1. Pre-constitutional Policy (1532-1789)

During the 17th centuries British and Spanish colonies began negotiating treaties with Indian Tribes. During the 18th century administrative power in dealing with tribes was turned over to the British crown. The practice of negotiating with the Indians through treaty had been well established by this time. The Articles of Confederation became effective in 1781. These Articles gave the federal government “sole and exclusive” authority over Indian affairs.

2. The Formative Years (1789-1871)

This era defined the Federal Power over American Indians. Congress implemented its power by establishing a comprehensive program regulating Indian affairs such as the Indian Trade and Intercourse Act of 1790. Until 1871 (when Congress put an end to making treaties with Indian nations) Tribes were dealt with through Treaties.

During this period, the Supreme Court defined the relationship between the federal government and tribes as a “trust” relationship. Indian nations were defined as domestic dependent nations within the Federal government. It is a relationship similar to that of a “ward to his guardian”.

Removal: During this period many tribes were removed from their historical aboriginal lands to other lands, including the Indian Territory.

Reservation System: The reservation system was established during the treaty-making era.



3. The Era of Allotment and Assimilation (1871-1928)

In 1877 the General Allotment Act or Dawes Act was passed. This Act delegated authority to the Bureau of Indian Affairs to allot parcels of tribal land to individual Indians. Before this time most tribal lands were communally owned. Under the Dawes Act, large amounts of tribal land not allotted to individual Indians were opened for homesteading by non-Indians. This created a “checkerboard pattern of ownership by tribes, tribal members and non-Indian homesteaders.

Many Indian Children were sent to Bureau of Indian Affairs (BIA) Boarding Schools where they were taught English and where the practice of traditional Indian religions were often strongly discouraged in the effort to rapidly assimilate them into mainstream society.

Major Crimes Act: Federal government took jurisdiction from the tribes for dealing with certain criminal acts. This is an example of the erosion of tribal sovereignty. (1855)

Indian Citizen Act: All Indians were made citizens of the United States by Congress. (1924)

4. Indian Reorganization (1928-1945):

Meriam Report of 1928: Set the tone for reform in Indian affairs. This report publicized poor living conditions on reservations and recommended that health and education funding be increased. It also recommended that the allotment policy be ended and that tribal self-government be encouraged.

Indian Reorganization Act of 1934 (IRA): This Act sought to promote tribal self-government and encourage tribes to adopt constitutions and to form chartered corporations. Indian preference hiring for the BIA was established and the trust period for existing allotments was extended.

181 tribes accepted the IRA

77 tribes rejected the IRA.



5. Termination Era (1945-1961):

House Concurrent Resolution 108 (HCR 108) adopted in 1953. This document defined the relationship between congress and Indian tribes. The document called for terminating the relationship as rapidly as possible. Through this policy these tribes were terminated.

(Asterisked tribes have since been restored to federal status):

- Alabama and Coushatta Tribes of Texas*
- Catawba Indian Tribe of South Carolina
- Klamath, Modoc, and Yahooskin Band of Snake Indians-Oregon*
- Ponca Tribe of Nebraska
- Mixed Blood Ute Indians of Uintah and Ouray-Utah
- 40 California Indian Rancherias
- Western Oregon Indians, Including Confederated Tribes of Siletz Indian, Confederated Tribes of the Grand Ronde Community, and Cow Creek Band of Umpqua*
- Menominee Tribe of Wisconsin*
- Ottawa Tribe of Oklahoma*
- Peoria Tribe of Oklahoma*
- Wyandotte Tribe of Oklahoma*
- Paiute Indian Tribe of Utah*

Public Law 280: Extended state jurisdiction on specified reservations.

6. The “Self-Determination” Era (1961-Present):

Indian Civil Rights Act of 1968 (ICRA): This Act extended most of the protections of the Bill of Rights to tribal members in dealings with their tribal governments.

ICRA allowed states, under certain circumstances, to transfer back jurisdiction to tribes that was assumed under Public Law 280.



Other Acts during this time period was:

- Alaska Native Claims Settlement Act of 1971
- Indian Self-Determination and Education Assistance Act of 1975
- Indian Child Welfare Act of 1978
- American Indian Religious Freedom Act of 1978
- Gramn-Rudman Act- Increased funds for Indian affairs

(Source: Indian Tribes as Sovereign Governments, 2000)

Governments/Leadership

Contemporary tribal governments reflect each tribe's individual culture, its history, and the current needs of its citizens. Today, many tribal governments combine their traditional governing institutions and/or programs that have been developed by the federal government. The result is that each tribal government has its own unique way of meeting the needs of its citizens. For example:

- Some tribes are governed by a tribal council which runs all government programs
- Some tribes divide their government into a tribal council and a separate tribal administration
- Some tribal leaders serve as volunteers, others may have full-time paid positions
- Larger tribes may have local governments which represent individual communities, chapters, or villages. In addition, some reservations have more than one resident tribe.
- Finally, in Alaska the Native Claims Settlement Act has established regional and tribal corporations. Therefore, programs and services for tribal members in that state may be provided by regional tribal corporations, separate tribal village corporations, individual traditional village councils, or the state.
- Many tribes have chosen to enter into agreements with the federal government to operate one or more federal programs on their reservations under the provision of the Indian Self-Determination and Education Assistance Act (P.L. 93-638, as amended).

(For a detailed discussion of tribal leadership see Module VI, Understanding the Unique Status of Tribes.)



Section 2

Community Policing

Regional community partnerships are a key component in the National Strategy for Homeland Security and other Federal policies, and these partnerships are critical in defining a regional leader's role in homeland security efforts. As noted in the National Response Plan, responses to domestic incidents are most effective when managed at the local level. Another key component is the involvement of the private sector in responding to domestic incidents. Regional partnerships between leaders, public safety officials and the community are central to embracing tribal partnerships for regional homeland security collaboration.

- **What are the roles of Tribal leaders and public safety officials, as described in the Federal mandates?**

Community Policing Definition

“Police, at all times should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only the members of the public that are paid to give full-time attention to the duties which are incumbent on every citizen in the interest of community welfare and existence.” (Sir Robert Peel, c 1835)

Community Policing is a “philosophy wherein the police and the community share resources and responsibility for solving recurring problems that directly or indirectly threaten community safety or livability.” (Western Community Policing Institute, 2004)



Community Policing Case Study

- **What was the public reaction to the request for help?**

- **What elements of prevention, partnership, problem solving, organizational structure, and ethics did you find?**

- **Do you see any connection to homeland security?**

- **What does this suggest about our own values?**

Community Policing can be defined by its tenets:

- Community Partnerships
- Problem Solving
- Organizational Change
- Ethics
- Prevention

In addition to the tenets of community policing, accountability is an essential part of ensuring that community policing is successful in an organization. There must be action with implementation to provide proof that community policing is working.



Eras of Policing

Political Era – 1800’s to 1930’s

The police were familiar with their neighborhoods and maintained order in them. However, this period was also characterized by abuse of immigrants’ civil rights and was marked by widespread corruption.

Professional Era – 1920’s to 1960’s

In this period the police relied heavily on new technology, such as radios, 911 emergency telephone systems, and automobile patrols to respond to calls for help from citizens. This is the period when police dealt only with crime; other community problems were seen as the responsibility of other city agencies.

Community Policing Era - 1960's to --

In the 60's, the beginning of the community policing era, police departments began to address some of the problems that had developed under the professional era style of policing. The reactive, rapid response to all 911 calls, regardless of their urgency, was viewed as a poor use of resources because it allowed too little time for in-depth investigations. In addition, the passive role of citizens had resulted in the loss of police ties with the people, those who typically had the information needed to solve crimes.

- **Have you considered that we may have entered a new era of policing?**

Considering the tragic events that occurred on September 11, 2001, answer the questions listed below:

- What would you call the new post-9/11 era?
- What would the new era include or be like?
- How would your relationship to your environment change?



- **In your opinion have any of the events of the Community Policing era affected the tribes?**

Paradigms: Widely agreed upon assumptions that form the basis for our actions and decision. Paradigms are the lens through which we view the world.

- **Has your worldview changed since September 11, 2001?**

- **How have the events of September 11, 2001 influenced how you function and interact in your community?**

- **How have the events of September 11, 2001 influenced your assumptions about community policing?**

Change Process

“You must be the change you wish to see in the world.” (Gandhi, c. 1920)

“Change in all things is sweet.” (Aristotle)



Change is all around us:

- Demographics
 - Technology
 - Economy
 - Global issues
 - Education
 - Families
 - Communities
 - Travel
-
- **How do the quotes by Gandhi and Aristotle apply to the types of change that is all around us?**

- **When have you experienced change, either personally or professionally?**

- **What occurred during the change and what made it difficult?**

People are naturally resistant to change, and in order for change to occur, a group must experience the following:

1. Be uncomfortable with the current situation
2. Have a vision for something better
3. See the change as 'doable' because they understand the required steps



- **What new insights on the need for regional partnerships did the community policing case study in addressing homeland security have you gained through this activity?**

- **Why is Embracing Tribal Partnerships for Regional Homeland Security Collaboration more important now than ever?**

- **How might this knowledge be applied to Embracing Tribal Partnerships for Regional Homeland Security Collaboration in creating regional collaborative partnerships for homeland security?**

Team Dynamics

Stages in Team Development

Forming: People come together and meet each other

- The identified/appointed leader directs
- Little agreement on group goals and purpose
- Individual roles and responsibilities unclear
- Communication level is low



Storming: People struggle through the discomfort of a new group

- The leader coaches
- Group members vie for position
- Struggles erupt over approaches, direction, and control
- Compromise may be necessary to enable progress

Norming: People find common ground

- The leader facilitates and enables
- Group roles and responsibilities become clearly defined and are accepted
- Commitment and unity are strong
- The group discusses and develops its processes and working style

Performing: The group is working!

- The leader delegates and oversees
- The group knows clearly why it is doing what it is doing
- Group members look after each other
- Members work proactively for the benefit of the team

Note: Whenever a new person joins, the whole group returns (briefly) to the forming stage.

- **What stage of group formation is our team currently experiencing?**

- **Which characteristics does your community team already have?**



- **Which characteristics does your community team need to work on?**

Trust

“There is one thing that is common to every individual, relationship, team, family, organization, nation, economy, and civilization throughout the world—one thing with, if removed, will destroy the most powerful government, the most successful business, the most thriving economy, the most influential leadership, the greatest friendship, the strongest character, the deepest love.

On the other hand, if developed and leveraged, that one thing has the potential to create unparalleled success and prosperity in every dimension of life. Yet, it is the least understood, most neglected and most underestimated possibility of our time. That one thing is trust.”

People want to trust and they want to be trusted. They respond positively and thrive on trust. Trust is also a powerful form of motivation and inspirations. Trust is a function of two things, character and competence. Your character is the combination of your motive, integrity, and your intent with people. Your competence is your ability, capabilities, your skills, your results, and your track record (Covey, 2006).

Five Waves of Trust:

1. Self Trust

- Self trust discusses how confident we feel about ourselves, our abilities to set and achieve goals, to maintain our obligations and keep our commitments. In self trust there are four cores of credibility.
 1. Core 1: Integrity
 2. Core 2: Intent
 3. Core 3: Capabilities
 4. Core 4: Results



2. Relationship Trust

- Relationship trust discusses how to establish and increase trust with others. There are 13 key behaviors that are common to high trust leaders around the world.
 1. Talk Straight
 2. Demonstrate Respect
 3. Create Transparency
 4. Right Wrongs
 5. Show Loyalty
 6. Deliver Results
 7. Get Better
 8. Confront Reality
 9. Clarify Expectations
 10. Practice Accountability
 11. Listen First
 12. Keep Commitments
 13. Extend Trust

3. Organizational Trust

- Principle of Alignment

4. Market Trust

- Principle of Reputation

5. Societal Trust

- Principle of Contribution

Critical Thinking

- Helps uncover bias and prejudice
- Is a path to freedom from half-truths and deceptions
- Requires the willingness to say “I don’t know”



Critical Thinking

- Inquisitiveness with regard to a wide range of issues
- Concern to become and remain well-informed
- Alertness to opportunities to use critical thinking
- Trust in the processes of reasoned inquiry
- Self-confidence in one's own abilities to reason
- Open-mindedness regarding divergent world views
- Flexibility in considering alternatives and opinions
- Understanding of the opinions of other people
- Fair-mindedness in appraising reasoning
- Honesty in facing one's own biases, prejudices, stereotypes, or egocentric tendencies
- Prudence in suspending, making, or altering judgments
- Willingness to reconsider and revise views where honest reflection suggests that change is warranted.

Method:

1. Display Qualities of Critical Thinking list.
2. In self-assessment, participants individually list the qualities of critical thinking that they have in the "have" column and those qualities they feel they need in the "need" column.
3. Participants discuss their self-assessment within their community teams.
4. Participants work together to brainstorm ideas to help each other develop or strengthen their critical thinking skills.

Activity: Qualities of Critical Thinking

- **List the critical thinking qualities that you have.**



- List the critical thinking qualities that you need.

- What did you learn about yourself and each other?

- How can you use this information?

- How can you use the insight you gained about yourself and your team members to develop tribal partnerships for regional homeland security collaboration?

Leadership Characteristics

- What characteristics should good leaders have?

Leader Defined

FEMA defines a leader as “someone who sets direction and influences people to follow that direction.” (FEMA, “Leadership and Influence,” December 2005)



Characteristics of Good Leaders

- **Self-Awareness:** ability to recognize and understand your moods, emotions and drives, as well as their effect on others.
- **Self-Regulation:** the propensity to suspend judgment, to think before acting, and to control emotions.
- **Motivation:** a passion to work for reasons that go beyond money or status.
- **Empathy:** ability to understand the emotional makeup of other people.
- **Social Skill:** ability to find common ground and build rapport.

Module II Wrap-Up:

- **What are examples of your tribal values?**

- **What were some of the key elements of tribal traditions?**

- **What are the historical events having influence of Indian lands?**

- **What are the stages and critical components of team development?**



- **What are the characteristics of effective teams?**

- **What are your critical thinking skills?**

- **What are the characteristics of good leaders?**



MODULE III: UNDERSTANDING THE THREAT

Overview: The historical, geographic, economic, and cultural diversity of Indian lands presents each tribal government and the communities it serves with a broad, unique and varied set of challenges and vulnerabilities with respect to the threats posed by all-hazard incidents including natural disasters, accidents, deliberate acts of terrorism, and other events of national and/or regional/local significance occurring on Indian lands.

Terminal Learning Objective: To provide participants with a basic understanding of the all-hazards concept in the unique context of Indian lands and of the manner in which threats to homeland security impact Indian tribes and their peoples.

Enabling Objectives: At the conclusion of the module, participants are able to:

- Understand the “all-hazards” approach to homeland security
- Understand how the “all-hazards” approach applies to the unique circumstances of Indian lands
- Identify threats to Indian lands
- Identify the type of catastrophic events and deliberate acts of terrorism that pose threats to contemporary Indian tribes

All-Hazards Incidents

Homeland Security Presidential Directives have expanded the concept of the threat of terrorism to include “all-hazards”. An all-hazards approach is presented to demonstrate the need for community preparedness for domestic incidents that pose serious harm. All-hazards incidents include natural and man-made disasters, both intentional and unintentional. An all-hazards approach incorporates best practices and procedures from various incident management disciplines – homeland security, emergency management, law enforcement, firefighting, hazardous materials response, public works, public health, emergency medical services, and responder and recovery worker health and safety—and integrates them into a unified coordinating structure to respond to any domestic incidents.



The focus of homeland security has expanded the focus from terrorist actions to also include all-hazards.

Homeland Security Defined:

“Homeland security is a concerted national effort to prevent terrorist attacks within the United States, reduce America’s vulnerability to terrorism, and minimize the damage and recovery from attacks that do occur” (The White House, National Strategy for Homeland Security, 2002). Because the U.S. Department of Homeland Security (DHS) includes the Federal Emergency Management Agency (FEMA) it has responsibility for preparedness, response and recovery to natural disasters as well (DHS website).

National Preparedness Goal:

- “To achieve and sustain risk-based target levels of capability to prevent, protect against, respond to, and recover from major events, and to minimize their impact on lives, property, and the economy, through systematic and prioritized efforts by Federal, State, local and tribal entities, their private and non-governmental partners, and the general public” (DHS, Interim National Preparedness Goal, 2005).

Homeland security is a four step process:

1. Prevention
2. Preparedness
3. Response
4. Recovery

The Range of Hazardous Events

When using an all-hazards approach it is important to understand the range of hazardous events that could occur. A four by four matrix can be used to help define and identify all types and hazardous or crises. While developing an all-hazards approach this matrix can help develop situational analyses (Coombs, 1995).



	Unintentional	Intentional
External	Faux Pas	Terrorism
Internal	Accidents	Transgressions

Examples:

Faux Pas: Lightening caused by fire

Terrorism: Bomb threat

Accident: A power line is cut during construction

Transgressions: Vital information is leaked

Catastrophic Events of National Significance on Indian lands

Hurricane Katrina:

- According to MSNBC Today, thousands of American Indians on the Gulf Coast were hit hard by the storm. According to the National Congress of American Indians (NCAI), several American Indian tribes were in harm's way across the damaged region, although early on there was little contact with affected members.
- In the immediate aftermath of Katrina, there was little information about the death tolls among the six federally recognized American Indian tribes in Alabama, Louisiana, and Mississippi. They are: the Poarch Band Creek Indian Tribe in Alabama; the Coushatta Indian Tribe, the Jena Band of Choctaw, and Tunica-Biloxi Tribe in Louisiana; and the Chitimacha Tribe in Louisiana and the Mississippi Band of the Choctaw.
- For one tribe near Chalmette, Louisiana, the local high school served as a tribal morgue, holding the bodies of American Indian workers, including shrimpers and other fishermen, who were drowned in the flooding near New Orleans.
- Members of the Mississippi Band of Choctaw Indians experienced power outages on their reservation and sought shelter at tribal hotels.
- The NCAI partnered with the National Indian Gaming Association (NIGA) to raise relief funds for American Indians in the Gulf States. (Today, "Did Hurricane Katrina reveal a historic reality?" (Website: <http://www.msnbc.msn.com/id/10995079/> , Retrieved July 12, 2007)



Catastrophic Events of Domestic Significance on Indian lands

Below are examples of recent catastrophic events of domestic significance that have occurred on Indian lands. These events include:

- Between July 25-August 4, 2006 the San Carlos Apache Tribe, suffered from the summer's monsoon storms (See <http://www.fema.gov/news/newsrelease.fema?id=31226>).
- In June 2002 proved to be a devastating month for the people of the White Mountain Apache Tribe in central Arizona. It was then that the Rodeo-Chediski Fire, the largest fire in state history, swept through the reservation over the course of several days. Nearly 500 homes and 250,000 acres of Indian lands burned.
- In 2002 Montana fires burned from Missoula through Bitterroot, causing tremendous damage and palpable grief for residents of those areas. Fires also burned areas on the Blackfoot reservation and destroyed many homes.
- During the winter of 1996-97, the snowfall in North Dakota was three times the normal amount. Early spring storms and warm temperatures brought a quick thaw and flooding over this flat northern plains land. The 50,000 residents of eastern North Dakota city of Grand Forks' were completely evacuated. (U.S.D.H.H.S., The Dialogue)
- On March 22, 2005, a 16-year-old entered Red Lake Senior High School through a door guarded by a metal detector and began shooting. The school has about 300 students and is located on a sovereign Indian reservation near the Canadian border. Five students were killed and many others were injured.

Identifying and Understanding Threats

1. *Demographics of Indian lands*

- There are approximately 275 Indian land areas in the U.S. administered as Indian reservations (reservations, pueblos, rancherias, communities, etc.).
 - i. The largest is the Navajo Reservation of some 16 million acres in Arizona, New Mexico, and Utah.



- ii. Many of the smaller reservations are less than 1,000 acres with the smallest less than 100 acres.
 - iii. On each reservation, the local governing authority is the tribal government.
- Approximately 55.7 million acres of land are held in trust by the United States for various Indian tribes and individuals.
- In total, the United States has 100 million acres of reservation and Alaskan Native lands and nearly 200 miles of tribal land borders with Canada and Mexico. Alaska has over 44 million acres of tribally-owned land.
- A considerable amount of federally owned or managed land lies adjacent to the international borders with Mexico and Canada.
 - i. Of the total 1,900-mile United States-Mexico border, about 43 percent, or 820 linear miles, are federally owned or managed lands.
 - ii. Of that, the National Park Service has the largest percentage, 19 percent, or 365 linear miles, of federal land on the Mexican border.
 - iii. On the total 4,000 linear miles of United States-Canadian border, about 1,016 miles, or 25 percent, border federal lands. The Forest Service is responsible for the largest percentage of miles along the Canadian borderlands—about 417 miles, or 10 percent.
 - iv. Of the approximately 561 federally recognized Indian tribes, at least 41 tribes have lands that are close to, adjacent to, or cross over international boundaries with Mexico or Canada. (NNALEA, 2006)

2. *Known threats to Indian lands*

- Drug Trafficking:
 - More than 100,000 pounds of marijuana, 144 grams of cocaine, and 6,600 grams of methamphetamine were seized on the Tohono O’odham Nation in 2003, according to that jurisdiction police department; whereas in the previous year, more than 65,000 pounds of narcotics were confiscated.
 - The St. Regis Band of Mohawk Indians of New York, located on the Canadian border, has serious, longstanding illegal activity that is border-related.



- “Tribal leaders describe a methamphetamine crisis that has the potential to destroy an entire generation if action isn’t taken,” Interior Secretary Kempthorne said. “They refer to it as the second smallpox epidemic and rank it as the number one public safety problem on their reservations.” Organized crime and foreign drug cartels have taken advantage of the limited law enforcement presence on Indian lands to produce and distribute the drug, resulting in a violent crime rate in some tribal communities that is ten to 20 times the national average.
(http://www.doi.gov/initiatives/indian_safe_communities.html, retrieved February 12, 2007)

- Illegal Immigration:
 - The total number of illegal immigrants entering the United States through Indian lands isn’t known with any certainty. It can be asserted the number is substantial. For instance, an estimated 1,500 undocumented aliens cross the Tohono O’odham Indian Reservation each day, according to the Tohono O’odham Police Department. Total apprehensions from October 2001 to November 2002 were 65,000—representing a 172 percent increase from the previous year.
 - Illegal immigration and smuggling on Indian lands along America’s Northern and Southern borders are two very serious and related problems. Indian lands on seacoasts are also highly vulnerable to the illegal entry of people and contraband. During the 1990s, illegal immigration and smuggling across Indian lands reached new dramatic new levels and impacted criminal activity both on and off Indian lands. For example in 2005, more than 1400 abandoned vehicles were seized on Indian lands in Arizona. In NNALEA’s 2005 survey of homeland security concerns among border tribes, more than half of the responding tribes indicated a problem with the smuggling of one or more types of contraband.



- The impact of smuggling on Indian lands is significant. On the tribal level, drug possession cases on Indian reservations rose to a rate of over 4,500 a year in 2001 and 2002. There have also been numerous cases of illnesses, injuries and deaths among illegal immigrants on Indian lands. The illegal immigrant death toll on one reservation in a recent five year period was 342.
- The remoteness of tribal lands located on the U.S. border may be especially appealing as an avenue to illegally enter the United States.
- Human Smuggling:
 - Indian lands are in a vulnerable position due to the growing problem of human smuggling occurring in the United States. The causes of human smuggling range from pure greed to financing a variety of terrorist activities. Due to the remoteness of Indian lands located on the U.S. border, human smuggling may be especially appealing as an avenue to enter the United States.
- Gang Activity:
 - Researchers have found that Native Americans and Alaska Natives experience a crime rate of 656 incidents per 100,000 residents, compared with a crime rate of 506 incidents per 100,000 residents in the general U.S. population (“Youth Gangs in Indian lands”, U.S. Department of Justice, Juvenile Justice Bulletin, March 2004).
- Terrorist actions:
 - Grand Coulee Dam was part of Al-Qaeda’s terrorist plan of destruction according to papers found in a cave in Afghanistan.
 - According to the July 2007 National Intelligence Estimate, *The Terrorist Threat to the U.S. Homeland*, published by the National Intelligence Council”...al-Qaeda...is likely to continue to focus on prominent political, economic, and infrastructure targets with the goal of producing mass casualties, visually dramatic destruction, significant economic aftershocks, and/or fear among the U.S. population.”



- Attacking vital economic centers:
 - Numerous Indian reservations, particularly along both the Atlantic and Pacific coasts are near major population centers with their attendant industrial, shopping, and recreation centers. Many of these locations viewed by security analysts are so-called “soft targets”. An attack in any of these locations would achieve terrorist goals of producing mass casualties, visually dramatic destruction, significant economic aftershocks, and/or fear among the population of large nearby cities.

- Critical Infrastructure:
 - Critical infrastructure refers to the vital systems and assets of a community—the incapacity or destruction of which would have a debilitating impact on that community and perhaps beyond. Protection of critical infrastructure vital to the United States is a target capability of the evolving Target Capabilities List, and is therefore relevant in assessing border security. The desired outcome is that “at-risk and vital targets are identified; vulnerability assessments are conducted, documented, and standardized, consequences are assessed, current mitigation capabilities are determined, and the threat to, and vulnerability of, high-risk targets are reduced.” (NNALEA)
 - Indian lands contain critical infrastructure that are key to National security. There are many potential terrorist targets on tribal lands. These include: dams, oil fields, gas fields, pipelines, railroads, interstate highways, communication facilities, tourist attractions, mines, hydroelectric power generation stations and power transmission facilities. Major topics of discussion were cooperative efforts necessary to secure and protect this infrastructure (CBP Today, December 2003).
 - When considering potential actions, terrorists value targets that invoke force multipliers, these include:
 - Fear
 - Damage to the economy
 - Disruption of essential services



- Environmental Degradation:
 - According to the Tohono O’odham Nation which is located along Arizona’s Mexican border, illegal border crossers left behind close to 4,500 abandoned vehicles in fiscal year 2002. According to the Tohono O’odham Nation Police Department, it removed over 7,000 such vehicles in 2003. The illegal immigrants also leave an estimated 4 million pounds of trash each year as they cross over Tohono O’odham lands.
 - On Saturday, May 27, 2000, about 11:48 a.m., Central daylight time, 33 of the 113 cars making up Eastbound Union Pacific Railroad train QFPLI-26 derailed near Eunice, Louisiana (population, 11,592). Of the derailed cars, 15 contained hazardous materials and 2 contained hazardous materials residue. The derailment resulted in a release of hazardous materials with explosions and fire. About 3,500 people were evacuated from the surrounding area, which included some of the business area of Eunice. Total damages exceeded \$35 million. There are a number of Indian reservations that have main railroad routes through them. (<http://ntsb.gov/Publicn/2002/RAR0203.htm>)

- **What are the threats that endanger your region on a level of national significance and also for domestic significance?**

Module III Wrap-up:

- **What is the “all-hazards” approach to homeland security?**



- How does the “all-hazards” approach apply to the unique circumstances on Indian lands?

- What types of catastrophic events and deliberate acts of terrorism threaten contemporary Indian tribes?

- What are some threats to Indian lands?



MODULE IV: DEFINING THE VULNERABILITIES AND IDENTIFYING RESOURCES

Overview: Successful prevention, response and recovery with respect to all-hazard incidents on Indian lands begins with the mitigation of threats through the recognition and definition of the unique vulnerabilities faced by each American Indian tribe and its constituent communities.

Terminal Learning Objective: Participants will learn to recognize and define critical vulnerabilities, understand the process of security planning, identify critical infrastructure, learn gap analysis, learn to assess resource needs, and become aware of the National Incident Management System (NIMS), and specifically the Incident Command System (ICS).

Participants will learn to apply the results of a gap analysis to understand the strengths of their tribe's current homeland security efforts and to also define additional actions and resources that are required for NIMS compliance. Participants will further learn to identify sources of current and potential resources from entities outside their tribes such as the Citizen Corps Councils, ICE, CBP, DEA, ATF, EPA, FBI, FEMA, IHS, VA, BIA, CDC, state, county and local agencies, private industry, other tribes, and NGOs.

Enabling Objectives: At the conclusion of this module, participants are able to:

- Understand the definition of a homeland security vulnerability
- Know how to identify critical infrastructure
- Be able to define threats and perform gap analysis
- Understand the NIMS compliance process and ICS
- Identify existing homeland security resources on or near their tribe's lands
- Estimate their tribe's need for specific additional homeland security plans and resources.
- Enumerate and evaluate existing partnerships and efforts at homeland security collaboration between their tribes and other entities.
- Identify and list additional potential partners that may/will help fill preparedness gaps as determined through the gap analysis process



Understanding Homeland Security Vulnerabilities on Indian Lands

Definition of Homeland Security Vulnerability: to understand what these vulnerabilities are, one first must define what a homeland security vulnerability is. In the simplest sense:

A homeland security vulnerability is any event, situation or condition that would create an increased likelihood that any man-made incident, natural disaster or terrorist event would cause significant harm to the community, economic systems and/or disrupt the continuity of government locally, regionally, and/or nationally.

Tribal Homeland Security Vulnerabilities: Several vulnerabilities have been identified on existing Tribal lands. Among these are:

1. The border and port security on Tribal lands
2. The critical infrastructure located on Tribal lands {i.e., dams, water impoundments and reservoirs, electrical generation plans, drinking water, waste systems}
3. The identification of non-integrated law enforcement and lack of jurisdictional clarity
4. Emergency response and medical capacity planning and implementation on Indian lands

A lack of preparedness makes mitigation of catastrophic natural events less likely. With respect to terrorism it makes terrorist attacks more likely and can magnify their potential impacts.

Problems in preparedness arise when a community does not have adequate emergency response and/or recovery resources and also lacks one or more of the following:

- An effective terrorism/emergency preparedness and recovery plan that identifies and proposes mitigation strategies for potential natural catastrophic events, man-made disasters and potential terrorist targets/activities
- A program for target hardening to reduce terrorism vulnerability



- Interoperable communications
- An emergency plan that is integrated with current regional and state emergency plans. These preparedness and emergency plans require the adoption and integration of the National Incident Management System (NIMS) and the National Response Plan (NRP) along with regular multi-jurisdictional/cross-discipline training and exercises.

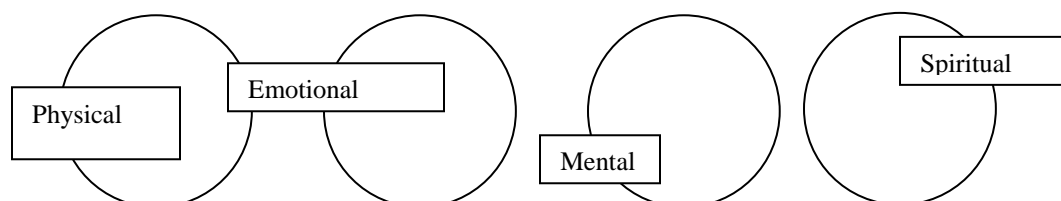
A lack of preparedness is primarily overcome by preparedness-enhancing activities including, but not limited to, assessing resources, identifying vulnerabilities and risks, conducting gap analyses, emergency capabilities planning, procuring equipment, conducting training and exercises, and evaluating emergency plans on a scheduled basis.

A second major resource-related vulnerability on Indian lands is a lack of capacity to respond and recover. This vulnerability can magnify the effects of terrorist attacks or man-made and natural catastrophes. Lack of response and recovery capacity generally involves, but is not limited to:

- a lack of planning and vulnerability and risk
- a failure to perform gap analysis
- uninformed equipment procurement
- inadequate training
- a lack of collaboration/integration with professionals from other jurisdictions and disciplines

Holistic Approach

In Module II, you were introduced to a holistic form of organization used by different indigenous groups. To put this holistic approach to work let's use it to brain storm possible vulnerabilities in our communities.





Reducing Vulnerabilities and Preventing Their Impacts: there are two ways to reduce vulnerabilities and prevent their potential impacts:

Build a Self-Contained Program: the first, most expensive and least effective strategy is for a community to attempt to establish a totally self-contained homeland security program. This solution may initially seem attractive, but in the long run, it can seriously deplete a community's resources and it does nothing to prevent terrorist organizations from staging activities in places beyond its borders.

Build Local and Regional Partnerships: The second way to reduce vulnerabilities and potential catastrophic impacts to a local community is to build local and regional partnerships and together collaboratively design a homeland security emergency preparedness program. A regional partnership is a program that is inclusive and in concert with other tribal, local, regional, state, and national emergency preparedness plans.

Before building a partnership, a tribe or other community must:

- Assess its emergency planning capability
- Assess its resources
- Identify potential vulnerabilities and targets
- Evaluate its risks
- Identify multi-jurisdictional, cross discipline partners that share the same or similar vulnerabilities and risks

Benefits of Partnerships: Once partnerships are established, a tribe/community can then develop a homeland security emergency program that combines available community, regional, state, and national capabilities and resources in efforts to prevent/mitigate, prepare for, respond to and recover from threats and events at to the community, region, state, and national levels.

Tribal governments that proactively seek partnerships with other jurisdictions often keep the cost of homeland security efforts within reason. Through effective partnerships agreements it is possible to:



- Plan collaboratively
- Communicate effectively
- Multiply resources and capabilities
- Mitigate injury, loss of life, and disruption
- Assure continuity of government
- Protect critical infrastructure
- Preserve economic systems
- Share intelligence and information
- Prevent terrorist attacks and crime
- Recover from catastrophic events

Assessing Vulnerabilities

One method of assessing vulnerabilities includes the following:

1. With respect to terrorism, identify who may cause an incident.
(The all-hazards approach also includes defining the types of natural and non-terrorism-related incidents that are possible)
2. Define vulnerabilities.
 - a. Look to see what threat and vulnerability assessments have already been done for your community.
 - b. Look for vulnerabilities of critical infrastructure in the following areas:

Commercial Activities

- banks
- communications facilities and towers
- gasoline stations
- natural gas works and major users
- hazardous material storage facilities
- hospitals
- major industrial users of water/potential



- polluters (paper mills, linoleum factories)
- manufacturing industries (type, location)
- reservoirs and water treatment facilities
- processing industries (types and location)
- retail weapons sales, storage facilities,
- ammunition caches, dynamite sellers and users
- sports stadiums and facilities

Energy Infrastructure

- dams and hydroelectric power plants
- gas and oil pipelines
- coal, nuclear, solar power generating
- plants, distribution systems, grids
- power lines
- gasoline, natural gas, oil storage facilities and tank farms

Government Building and Facilities

- archives—public, semipublic,
- ecclesiastical, historical
- historic monuments and sites
- military armories, equipment facilities,
- reserve centers
- municipal water systems, supplies,
- filtration plants
- post offices
- public works and utilities plants, line systems, nets and connecting grids
- radioactive waste, garbage and refuse disposal system
- sewage collection systems and
- disposal plants
- schools
- storm drainage systems
- telephone exchanges, long-line systems and connecting grids
- international/intercontinental wire and submarine cables



Population Centers

- casinos
- community centers, churches (particularly of minority religions)
- convention centers
- tourist attractions
- cultural & historical resources

Transportation Infrastructure

- airports and air fields—location size, runway length and capacities of all
- bridges and overpasses
- harbors and ports, port services and repair facilities
- railroads—locations of switch yards, major terminals, tunnels

Utilities

- power sources, transmission facilities, grids
- radio and TV transmitting stations
- (number, type, and location), channels,
- frequencies, trunk lines
- water control and supply
- sewage and waste disposal systems

- c. Once the vulnerabilities have been assessed then a severity of risk and probability assessment at each facility/type of infrastructure for terrorist incidents and various man-made and natural disasters must be made.

Here is one method that can be used to determine the levels of severity and probability. The following scale uses a color code method to define the level of severity a facility may have.



1. Severity

- Severity Level RED—Serious loss of life, casualties beyond ability of regional hospital system to cope; loss of critical asset or function; significant impairment of health and safety over a wide area.
- Severity Level ORANGE—Loss of life in a limited area; large number of hospitalizations within capability of tribal/local/regional government; loss of equipment, capacity or facilities requiring weeks or months to repair or replace; significant disruption to living conditions and commerce in a substantial area.
- Severity Level YELLOW—loss of life or severe injury to 50 or fewer people; deaths and injuries can be handled locally without straining facilities; limited or minor systems disruptions of fewer than 72 hours; no substantial danger to most of population.
- Severity Level PURPLE—no loss of life; few serious injuries; no asset loss or system disruption for more than 24 hours; damage covers a small and easily controlled area.

2. Probability

Then employ probability categories such as:

- Frequent—Possibility of repeated incidents
- Probable—possibility of isolated incidents
- Occasional—Possibility of occurring sometime
- Remote—not likely to occur
- Improbable—practically impossible

Measuring and tracking levels of terrorism and all-hazards incident risk is an important component of homeland security. These data provide insight into how current programs are reducing risk and when and where new terrorist threats may be emerging. Only event-based models of terrorism risk provide insight into how changes in assumptions or actual levels of threat, vulnerability, and consequences affect risk levels.



Other Threat Assessment Tools

- There are many types of event-based models in existence. Two examples are:
 - Risk Management Systems (RMS) Terrorism Risk Model. This and other insurance industry models could also be used to support homeland security policy.
 - RAMCAP, or Risk Assessment Methodology for Critical Asset Protection, which is based on a foundation for risk analysis consistent for methods used in reliability analysis and also with the National Research Council framework. (Rand Corporation, July, 2006)

Recognizing and Defining Border Vulnerability

Federal Agencies

- Coast Guard
 - The United States Coast Guard is a military, multi-mission, maritime service and one of the nation's five Armed Services. Its mission is to protect the public, the environment, and U.S. economic interests – in the nation's ports and waterways, along the coast, on international waters, or in any maritime region as required to support national security.
- U.S. Customs and Border Protection (CBP):
 - One of the national strategies identifies the objectives, tools, and initiatives the U.S. Customs and Border Protection (CBP) is to establish and maintain operational control over our Nation's borders.
 - The CBP applies the following strategies and tactics to achieve their goals:
 - A more flexible, well-trained, nationally directed CBP



- Specialized teams and rapid-response capabilities
- Intelligence-driven operations
- Infrastructure, facility, and technology support
- Authorizes the construction of hundreds of miles of additional fencing along our Southern border
- Authorizes more vehicle barriers, checkpoints, and lighting to help prevent people from entering our country illegally (White House Press Release, retrieved February 9, 2007)

Emergency response and medical resources

The National Preparedness System is a method of implementing a common, shared approach to achieving National preparedness requires the Nation to align its programs and efforts in support of the Goal. Alignment can best be achieved through the application of a systems-based approach, utilizing capabilities based planning as a common, all-hazard, major events planning process. This will support the establishment of a true National Preparedness System, which will provide a mechanism for measuring preparedness and informing future preparedness investments.

1. Tribal Emergency Response Committees (TERCs)

- The National Response Plan (NRP) requires that all the appropriate emergency responders and Local Emergency Planning Committees (LEPCs) accept the NRP and that the NRP is consistent with other existing NRPs in the area.
- The NRP should list all the authorities that contributed to the information in the plan. These authorities may be at the local, state, federal, or tribal level. Some common authorities for emergency response planning are:
 - Emergency Planning and Community Right-To-Know Act of 1986 (SARA, Title III) authorized under Public Law 99-499
 - Occupational Safety and Health Act (OSHA)
 - EPA rules and regulations recognize Tribal governments the responsibility for protecting life, property, and environment threatened by natural or technological (manmade) disasters.



- Tribal emergency responders provide services such as rescue and medical treatment of the injured, evacuation of persons at risk, initial isolation of an area, and identification of hazard.

2. Tribal Health Services

Numerous governmental and tribal agencies exist that provide culturally appropriate information, education, training, research and services to American Indian and Alaska Natives and advocate for the needs of Indian people. Approaches vary and may incorporate Western medicine and traditional healing practices, but all are aimed at raising the health and well-being of American Indian peoples to the highest possible level. In the Appendix is listed tribal health services followed by Alaska Native Resources and tribal health web sites; for explanation of each see the Resource Handbook.

3. FEMA

On March 1, 2003, the Federal Emergency Management Agency (FEMA) became part of the U.S. Department of Homeland Security (DHS). FEMA's continuing mission within the new department is to lead the effort to prepare the nation for all hazards and effectively manage federal response and recovery efforts following any national incident. FEMA also initiates proactive mitigation activities, trains first responders, and manages the National Flood Insurance Program.

Identifying Resources

This section provides participants with the skills to identify the homeland security efforts and resources that are already in place in their tribes and communities. It will also teach participants to identify those additional actions that must be taken and resources that must be acquired either through internal reorganization within the tribe or through cooperation with other entities. From this, partnerships between a broad variety of government and non-governmental entities can be proposed and integrated into the planning process.



Lessons from Our Environment

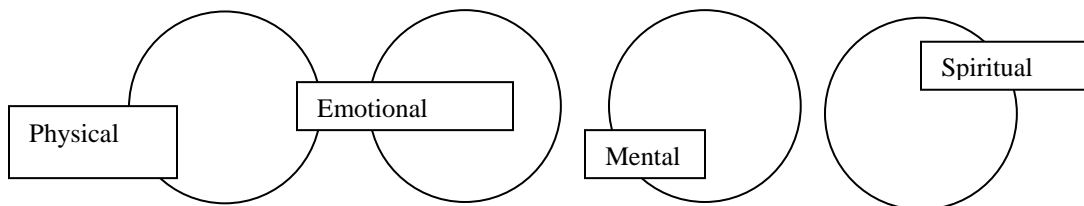
Activity: IV-2 Lessons from Our Environment: Have each group identify an environmental element or animal that identifies and properly uses its resources. Then discuss how we can learn from that experience.

Tribal Resources

Holistic Approach

In Module II, you were introduced to a holistic form of organization used by different indigenous groups. To put this holistic approach to work let's use it to brain storm possible resources.

Activity IV-3: Identify local resources using the Holistic Approach



1. Tribal Public Safety Resources TERC's

Tribal Emergency Response Commissions (TERCs) are another consideration for workers, LEPCs, SERCs, and fire departments. LEPCs, SERCs, and even fire departments may have to work out mutual aid agreements or information and resource-sharing agreements with Native American reservations to implement the Federal Emergency Planning and Community Response Act (EPCRA). A SERC and LEPC will not have jurisdiction over facilities on Indian lands unless there is some form of legally-binding agreement allowing this jurisdiction.



An operator or owner of a facility on an Indian reservation may not be sure to whom the facility's chemical inventory report and facility emergency plan must be reported. It may be unclear what entity is going to respond in the event of an incident involving hazardous chemicals. The public and workers may be unclear about which entity to approach for Community Right-To-Know information. If a TERC exists, it must provide access to the same EPCRA information that SERCs and LEPCs must provide.

The TERC may exist already as a legal entity on an Indian reservation, because EPCRA became law after most Indian lands were designated. A tribal board or governing committee will likely have to create laws or ordinances implementing EPCRA. This also provides an opportunity for the TERC to have more stringent regulations than EPCRA. Tribes should have a TERC or some other entity with the powers a SERC or LEPC has under EPCRA.

There are proportionately more industrial facilities on Indian lands in America than on non-Indian lands, in terms of land area used and population. A TERC might be the only entity a facility would need to report to under EPCRA if the TERC fulfills the duties of a SERC, LEPC, and fire department. A TERC will usually have the combined powers given to SERCs, LEPCs, and fire departments under EPCRA (source).

2. National Native American Fire Chiefs Association

A unique partnership forged by two grants from the United States Fire Administration (USFA) has united several significant Native American-Alaska Native organizations with the International Association of Fire Chiefs in an effort to improve fire safety in the Native American-Alaska Native community. The partners include: AMERIND Risk Management Corporation, the National Congress of American Indians, the National American Indian Housing Council, the Indian Health Service, Bureau of Indian Affairs, National Native American Fire Chiefs Association, and the Alaska State Fire Marshal's Office. (<http://www.iafc.org>)



Federal Resources

Community Resources

1. Citizen Corps Councils

The mission of Citizen Corps is to harness the power of every individual through education, training, and volunteer service to make communities safer, stronger, and better prepared to respond to the threats of terrorism, crime, public health issues, and disasters of all kinds (<http://www.citizencorps.gov/councils>, retrieved February 13, 2007).

2. American Red Cross

Since its founding in 1881 by visionary leader Clara Barton, the American Red Cross has been the nation's premier emergency response organization. As part of a worldwide movement that offers neutral humanitarian care to the victims of war, the American Red Cross distinguished itself by also aiding victims of devastating natural disasters. Over the years, the organization has expanded its services, always with the aim of preventing and relieving suffering (<http://www.redcross.org/aboutus>, retrieved February 13, 2007).

3. Faith-Based Organizations

Faith-based organizations do play a key role in assisting in a response to an all-hazards incident. They provide assistance in a variety of domestic incidents. Examples of this include:

- a. Health Services*
- b. Community Services*
- c. Emergency Service Assistance*
- d. Local Industries and Companies*
- e. Local Security Companies*
- f. Private Health Care organizations*



State and Local Resources

- State Law Enforcement Agencies:

State law enforcement agencies have jurisdiction over state right of way across Indian lands and are therefore a very important resource for tribes as they plan for all aspects of all-hazards Incidents. In addition, state police organizations may have access to forensic programs and laboratories that can be essential in responding to and investigating terrorist incidents.

- County Sheriffs:

County Sheriff's Departments are often the primary law enforcement organizations in rural areas that border lands under Indian jurisdiction. Because the impacts of terrorist incidents and man-made and natural disasters generally do not respect borders, events that occur on Indian lands and events that originate near Indian lands often affect both tribal and non-tribal jurisdictions. Therefore, it is critical to involve the county Sheriffs in emergency planning for Indian lands, and it is also important to involve the tribes in emergency plans for areas that border their lands.

- Volunteer fire departments:

Some counties and cities are served by volunteer fire departments. Major incidents and disasters can quickly overcome the response capacities of any local fire department to respond. Therefore, it is important to identify and develop agreements with all fire departments in a region so that questions of jurisdiction will be resolved before a major event takes place.

- City and town police and fire departments:

A number of small cities and towns either border Indian lands or are located on non-Indian fee lands within the borders of reservations. The police and fire departments of these towns and cities are valuable resources in the event of a major incident or disaster. Therefore, they should be included in tribal emergency planning.



- State and County Departments of Public Health

States and counties maintain departments of public health that can be essential resources in the event of an epidemic illness. These organizations are often capable of administering mass vaccination programs and are also often able to provide significant assistance in determining the causes of an epidemic. Clearly, these public health departments are vital resources that tribes should consider including in their emergency plans.

- Public hospitals and clinics:

Local public hospitals and clinics are very important to the development of emergency response, mitigation and recovery plans for Indian lands. In the event of an emergency, the local tribal and Indian Health Service providers may not be able to handle the large number of casualties, therefore public hospitals and clinics are an essential component of any tribal emergency plan.

- Non-Tribal Emergency Medical Services Programs:

Although many tribes operate their own emergency medical services programs, a major terrorist incident or man-made or natural disaster can create so many casualties that a tribal program may be overwhelmed by the number of seriously injured individuals. Therefore, tribal emergency plans should consider including the development of agreements with non-tribal emergency medical services programs.

- State Universities and Colleges:

State universities and colleges are often sources of expertise that can be very useful in disaster planning. Tribes should consider reaching out to nearby academic institutions for consultation as they develop their emergency plans.



- Local radio and television stations and internet service providers:

Even though tribes are often located in more isolated areas of our Nation, there are a number of local radio stations that are located on or near reservations, and some reservation border towns also have local television stations. In addition, the internet is becoming more common on Indian lands as time goes by. When tribes look at the issue of emergency planning they should consider how local radio stations, television stations and internet service providers can be included in their systems of emergency notification.

- Reverse 911:

Telephone service has been expanded and improved on many Indian reservations over the past several decades. Tribes should consider the possibility of using reverse 911 notification programs as they develop their long-term plans for emergency response capabilities.

Guidance/Resources for planning:

a. National Incident Management System (NIMS)

- National Incident Management System (NIMS) and National Response Plan (NRP) The mandatory compliance with NIMS by the DHS for any emergency management department receiving DHS funding will be done to ensure that NIMS is incorporated into their state, local, and tribal emergency operations plans. NIMS is being used as a resource to promote interoperability and compatibility among Federal, State, Local, and Tribal emergency response offices. The plan that will provide the structure and mechanisms to coordinate evolving or potential incidents is the NRP. Again, like the NIMS, NRP will be used as a system to incorporate federal, state, local, and tribal emergency response efforts, resources, and strategies.



b. National Infrastructure Protection Plan

- The National Infrastructure Protection Plan (NIPP) provides a coordinated approach to critical infrastructure and key resource protection roles and responsibilities for federal, state, local, tribal, and private sector security partners. The plan is based on the following:
 - Strong public-private partnerships which will foster relationships and facilitate coordination within and across critical infrastructure and key resource sectors.
 - Robust multi-directional information sharing which will enhance the ability to assess risks, makes prudent security investments, and takes protective action.
 - Risk management framework establishing processes for combining consequence, vulnerability, and threat information to produce a comprehensive, systematic, and rational assessment of national or sector risk.

Other resources that are available to safeguard Indian lands and our homeland

Private Industry resources

1. Energy companies

- NativeEnergy --- NativeEnergy is a privately held Native American energy company.

2. Tribal Gaming Industry

Though not required, there are many instances throughout the states where tribes have donated funds to emergency service departments or have established contracts with county agencies to provide emergency protection services.



3. Information Services Industry

The extent to which federal and state regulatory authority over telecommunications services in Indian lands exists has never been universally defined. In most cases, for example, because the tribes have not exercised their authority to regulate telecommunications services within reservation boundaries, the state regulatory agencies have exercised jurisdiction over telecommunications services within Indian lands by default (<http://www.benton.org/publibrary/native/bentonne.pdf>, retrieved February 21, 2007).

4. Transportation

Transportation medium poses significant vulnerabilities for homeland security on Indian lands. An example of how critical transportation is to homeland security follows: before Sept. 11, 2001, when federal law-enforcement officials asked FedEx Corp. for help, the company had its limits. It wouldn't provide access to its databases. It often refused to lend uniforms or delivery trucks to agents for undercover operations, citing fears of retribution against employees as well as concerns about customer privacy. Then came the attacks on New York and Washington and pleas from the government for private-sector help in fighting terrorism. Suddenly, the king of overnight delivery became one of homeland security's best friends.

FedEx has opened the international portion of its databases, including credit-card details, to government officials. It has created a police force recognized by the state of Tennessee that works alongside the Federal Bureau of Investigation. The company has rolled out radiation detectors at overseas facilities to detect dirty bombs and donated an airplane to federal researchers looking for a defense against shoulder-fired missiles.

Moreover, the company is encouraging its 250,000 employees to be spotters of would-be terrorists. It is setting up a system designed to send reports of suspicious activities directly to the Department of Homeland Security via a special computer link. (<http://www.post-gazette.com/pg/05146/510879.stm>, retrieved February 15, 2007)



5. *Other private industry partners*

a. Tribal Emergency Management Systems, LLC

- Tribal Emergency Management System (TEUS) is a consulting company which specializes in working cooperatively with tribal governments and enterprises to build an emergency management system which reflects the needs and goals of the tribe.
- TEUS believes that the system should be derived from the tribe's current structure in a way which still allows for communication and continuity with local, state and federal governments.
(<http://www.tribalemsystems.com/?gclid=CJXaxu78v4oCFQLhYAodl17ngQ>, retrieved February 21, 2007)

b. Amerind Risk Management Corporation

- AMERIND identifies, creates and manages affordable and sustainable self-insurance programs, products or services that protect housing, government infrastructure, economic enterprises and people within Indian communities using financially responsible business practices that are culturally sensitive and flexible in meeting customer needs.
(<http://www.amerind-corp.org/>, retrieved February 23, 2007)

c. Boys and Girls Club

- To inspire and enable all young people, especially those from disadvantaged circumstances, to realize their full potential as productive, responsible and caring citizens. A Boys & Girls Club in Indian lands provides a positive place where native American young people can go:
 - To celebrate their culture and community
 - To enjoy healthy fun with their peers
 - And to learn new skills and self-confidence under the guidance of responsible adults.
(<http://www.naclubs.org/main/mission.shtml>, retrieved February 26, 2007)



d. Police Explorer's Program

- Law Enforcement Exploring is a worksite-based program for young men and women who have completed the eighth grade and are 14 years of age, or are 15 years of age but have not yet reached their 21st birthday.
 - Law Enforcement Explorer posts help youth to gain insight into a variety of programs that offer hands-on career activities. For young men and women who are interested in careers in the field of law enforcement, Exploring offers experiential learning with lots of fun-filled, hands-on activities that promote the growth and development of adolescent youth.

Module IV Wrap-Up:

- **What existing homeland security resources on or near their tribe's lands?**

- **Did you estimate your tribe's need for specific additional homeland security plans and resources?**

- **Did you identify and list additional potential partners that may be available as a local resource?**



- **What is the definition of homeland security vulnerability on Tribal lands?**

- **What are critical infrastructures?**

- **What are the resources for tribes?**



MODULE V: UNDERSTANDING THE UNIQUE STATUS OF TRIBES

Overview: Federally-recognized Indian tribes are sovereign entities that have a unique status under the U.S. Constitution. Additionally, because each tribe is affected by its own unique set of treaties, statutes, regulatory decisions, case law, and administrative orders; successful intergovernmental relations between a tribe and other units of government depends upon a mutual understanding of and respect for the sovereign powers possessed by the tribe. Furthermore, each tribe has its own traditional culture which, along with the history of its federal relations, determines the form of its political system and the manner in which it conducts affairs with other governments. This module will review the various types of governments found among Indian Tribes, discuss tribal sovereignty and jurisdiction, explain the government-to-government relationship between tribes and other governments, and discuss mechanisms of cooperation that have been successfully used by tribes and federal, state, and local governments to promote cooperation, public safety and mutual security.

Terminal Learning Objective: The participants will understand the sovereign nature of tribal governments, the nature of Indian jurisdiction and the mechanisms by which tribal and non-tribal governments can successfully work together.

Enabling Objectives: At the conclusion of the module, participants are able to:

- Understand the role of tribal governments in the national system of homeland security
- Understand the federal trust responsibility and the role various federal agencies play in Indian lands including how government-to-government relations between tribes and non-tribal governments operate at the federal, state, local, and inter-tribal levels
- Understand and enumerate the various instruments that have been successfully used to develop inter-governmental programs on Indian lands

Understanding Native Americans and their sovereignty rights

A. Federal laws

- Public Law 280 --- Public Law 83- 280 (commonly referred to as Public Law 280 or PL 280) was a transfer of legal authority (jurisdiction) from the federal government to state governments



which significantly changed the division of legal authority among tribal, federal, and state governments. Congress gave six states (five states initially - California, Minnesota, Nebraska, Oregon, and Wisconsin; and then Alaska upon statehood) extensive criminal and civil jurisdiction over Indian lands within the affected states (the so-called "mandatory states"). Public Law 280 also permitted the other states to acquire jurisdiction at their option. Public Law 280 has generally brought about:

- an increased role for state criminal justice systems in "Indian lands" (a term which is specifically defined in federal statutes)
 - a virtual elimination of the special federal criminal justice role (and a consequent diminishment of the special relationship between Indian Nations and the federal government)
 - numerous obstacles to individual Nations in their development of tribal criminal justice systems
 - an increased and confusing state role in civil related matters
 - consequently, Public Law 280 presents a series of important issues and concerns for Indian lands crime victims and for those involved in assisting these crime victims
- Public Law 280, however, is a complicated statute which has been very controversial since the time of its enactment in 1953. It has often been misunderstood and misapplied by both federal and state governments. Moreover, the practical impact of Public Law 280 has gone far beyond that which was legally required, intended, and contemplated (<http://www.tribal-institute.org/lists/pl280.htm>, retrieved February 23, 2007).
 - Indian Tribal Justice Support (25 USC CHAPTER 38) The key elements of the law include:
 - there is a government-to-government relationship between the United States and each Indian tribe
 - the United States has a trust responsibility to each tribal government that includes the protection of the sovereignty of each tribal government
 - Congress, through statutes, treaties, and the exercise of administrative authorities, has recognized the self-determination, self-reliance, and inherent sovereignty of Indian tribes



- Indian tribes possess the inherent authority to establish their own form of government, including tribal justice systems
 - tribal justice systems are an essential part of tribal governments and serve as important forums for ensuring public health and safety and the political integrity of tribal governments
 - Congress and the Federal courts have repeatedly recognized tribal justice systems as the appropriate forums for the adjudication of disputes affecting personal and property rights
 - traditional tribal justice practices are essential to the maintenance of the culture and identity of Indian tribes and to the goals of this chapter
 - tribal justice systems are inadequately funded, and the lack of adequate funding impairs their operation
 - tribal government involvement in and commitment to improving tribal justice systems is essential to the accomplishment of the goals of this chapter (<http://uscode.house.gov>)
- Indian Self-Determination and Education Assistance Act (25 CFR Part 900 Chapter V (Approving Officials Training Guide) Office of Indian Education Programs) The key elements of the law include:
 - The Act gave Indian tribes the authority to contract with the Federal government to operate programs serving their tribal members and other eligible persons.
 - The Act was further amended by the Technical Assistance Act and other Acts, of these amendments the most significant were:
 - a. The 1988 Amendments that revised the Act to increase tribal participation in the management of Federal Indian programs and to help ensure long term financial stability for tribally-run programs.
 - b. The 1988 Amendments also intended to remove many of the administrative and practical barriers that seem to persist under the original Act.



- c. The 1994 Amendments revisited all sections of the original Act. They also provided for direct tribal participation in the promulgation of regulations using the Negotiated Rulemaking Act of 1990. One set of regulations (for both BIA and IHS). (<http://www.oiep.bia.edu/docs/Public%20Law%2093-638.pdf>)

Treaty rights

A. For a comprehensive listing of Tribal treaties, laws, and historical document related to Native American treaty rights visit Yale University's **The Avalon Project** for documents in law, history, and diplomacy including pre-18th Century Documents, 18th Century Documents, 19th Century Documents, 20th Century Document, 21st Century documents, and more (go to: <http://www.yale.edu/lawweb/avalon/avalon.htm>)

Special relationships between Indian Tribes and the Federal Government – U.S. trust relationships and issues

B. Understanding Federal Policies

In 2003, President Bush issued Homeland Security Presidential Directive/HSPD 5 which provides Federal preparedness assistance to local governments responding to local and domestic incidents to local public safety and community agencies. In most instances, emergency situations are handled locally, but when there's a major incident, either national or domestic, the assistance of other jurisdictions may be needed. NIMS were created to provide a mechanism where responders from different jurisdictions and disciplines can work together better to respond to terrorist acts, natural disasters, and other emergencies.

The benefits of NIMS include:

- a unified approach to incident management
- standard command and management structures
- emphasis on preparedness, mutual aid and resource management

Central to NIMS is the Incident Command System or ICS. The ICS is a standardized, on-scene, all-hazard incident management concept. ICS allows its users to adopt an integrated organizational structure to match



the needs and demands of large or multiple incidents without being hindered by jurisdictional boundaries. The system is designed to allow a variety of agencies and personnel to meld rapidly into a unified management structure.

ICS is designed to be inter-disciplinary and organizationally flexible. It is a plug and play system (in terms of people and modules). Thus, it is also a good system to manage non-emergency events like parades, fairs, and other types of mass gatherings.

A. Characteristics of the Incident Command System (ICS)

- Always an Incident Commander (first IC is responsible until relieved)
- Team oriented
- Modular (components or elements)
- Scalable
- Dependent on Planning (IAP) that provides measurable objectives to be accomplished over an operational period
- Integrated communication (common terminology)
- Chain of command
- Span of control (safety and accountability) (ratio 3:7)
- Unity of command

B. Types of Commands

- Single Command - single agency
- Unified Command - multiple agencies
- Area Command - multiple commands

C. Organizational Structure

- The ICS organizational structure is modular. As such the organizational structure should only include those positions and functions (individual modular units) that are needed to achieve incident objectives. Thus, as the incident evolves, the organization will usually be expanded, and, when it “winds down”, the organization should be contracted.



Homeland Security Presidential Directive/HSPD 7, Critical Infrastructure Identification, Prioritization, and Protection

This Presidential directive was issued in 2003 and established a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks.

Homeland Security Presidential Directive/HSPD 8, National Preparedness

This Presidential directive was issued in 2003 to establish policies to strengthen the preparedness of the United States to prevent and respond to threatened or actual domestic terrorist attacks, major disasters, and other emergencies by requiring a national domestic all-hazards preparedness goal, establishing mechanisms for improved delivery of Federal preparedness assistance to State and local governments, and outlining actions to strengthen preparedness capabilities of Federal, State, and local entities.

C. Understanding the roles of states and local government

1. Homeland Security Presidential Directive 8 (see above)
2. Memorandums of Understanding
 - a. State and local governments partner with tribes in a number of policy areas. The principle mechanisms for these partnerships are memorandums of understanding, memorandums of agreements, and mutual aid agreements. See the appendix for an example.

D. Government-to-Government Relations

1. Tribal governments and the Federal government
 - U.S. Constitution --- 1) Article I, Section 8: The Congress shall have power to lay and collect taxes, duties, imposts and excises, to pay the debts and provide for the common defense and general welfare of the United States; but all duties, imposts and excises shall be uniform throughout the United States; To regulate commerce with foreign nations, and among the several states, and with the Indian tribes; ...



2) Article II, Section 2. He (the President) shall have power, by and with the advice and consent of the Senate, to make treaties, provided two thirds of the Senators present concur ...

(<http://www.law.cornell.edu/constitution/constitution.articleii.html>, retrieved February 26, 2007)

- Executive Order 13175 (Consultation and Coordination with Indian Tribal Governments) this order replaced Executive Order 13084 (Consultation and Coordination with Indian Tribal Governments) and complements Executive Order 13132 (Federalism). Executive Order 13175 was published in the Federal Register, Vol. 65, Number 218, on November 9, 2000.
- The following is an excerpt of the Executive Order as published in the Federal Register. "The United States has a unique relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, Executive Orders, and court decisions. Since the formation of the Union, the United States has recognized Indian tribes as domestic dependent nations under its protection. The Federal Government has enacted numerous statutes and promulgated numerous regulations that establish and define a trust relationship with Indian tribes."

"Our Nation, under the law of the United States, in accordance with treaties, statutes, Executive Orders, and judicial decisions, has recognized the right of Indian tribes to self-government. As domestic independent nations, Indian tribes exercise inherent sovereign powers over their members and territory. The United States continues to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, tribal resources, and Indian tribal treaty and other rights."

"The United States recognizes the right of Indian tribes to self-government and supports tribal sovereignty and self-determination."

2. Tribal governments and state governments

- The United States Constitution gives authority for Indian affairs to the Federal government and, except in very limited instances, none to the state governments. Tribal governments are not subordinate to state or county governments because they retain the inherent rights of self-determination. Tribal governments do, however, frequently cooperate with state and local governments through intergovernmental agreements and strong working relationships. This is especially true in the emergency management arena. The following are examples of Tribal/State/Local partnerships:



- a. The North Dakota Rural Development Council (Formed as a result of an agreement between FEMA, the State of North Dakota, and tribal governments)
- b. The State of Utah and the Paiute Tribe (the State of Utah and the Paiute tribe signed an agreement where the State of Utah provides funding for emergency management services)

E. Integration of Law Enforcement and Ensuring Jurisdictional Clarity

1. *Local law enforcement agencies*
2. *Federal law enforcement agencies and initiatives*

See Appendix titled “cross-deputation”

3. Tribal Non-Governmental Organizations

- a. **Intertribal COUP** --- The Intertribal COUP was formed in 1994 to provide a forum for utility issues discussion from regulatory and economic perspectives. The Intertribal COUP Council has representatives from ten Tribes located in a three-state area in the Northern Plains: South Dakota, North Dakota, and Nebraska. The Tribes include the Cheyenne River; Flandreau Santee; Lower Brule; Mandan, Hidatsa, and Arikara; Omaha; Rosebud; Sisseton; Spirit Lake; Pine Ridge and the Standing Rock Sioux Tribes. The Cheyenne River Sioux Tribal Telephone Authority is also a member.

ICOUP provide policy analysis and recommendations, as well as workshops on telecommunications, climate change research, Western Area Power Administration (WAPA) hydropower allocations, energy efficiency, energy planning, and renewable energy, with a heavy emphasis on wind energy development.

(<http://intertribalcoup.org/mission/index.html>, retrieved February 20, 2007)

- b. **Indigenous Environmental Network (IEN)** --- Established in 1990 within the United States, IEN was formed by grassroots Indigenous peoples and individuals to address environmental and economic justice issues (EJ). IEN's activities include building the capacity of Indigenous communities and tribal governments to develop mechanisms to protect our sacred sites, land, water, air, natural resources, health of both our people and all living things, and to build economically sustainable communities. IEN accomplishes this by maintaining an informational clearinghouse, organizing campaigns, direct actions and public awareness, building the capacity of



community and tribes to address EJ issues, development of initiatives to impact policy, and building alliances among Indigenous communities, tribes, inter-tribal and Indigenous organizations, people-of-color/ethnic organizations, faith-based and women groups, youth, labor, environmental organizations and others.

IEN convenes local, regional and national meetings on environmental and economic justice issues, and provides support, resources and referral to Indigenous communities and youth throughout primarily North America - and in recent years - globally

4. Tribal sovereignty and the Department of Homeland Security

- The Department of Homeland Security/Federal Emergency Management Agency is subject to the same obligations as other Federal agencies under the Federal trust responsibility doctrine.

F. Understanding added concepts:

1. Regional collaboration is, any combination of multi-sector and multi-jurisdictional groups within a large geographic space or area or a particular region or district working together in a joint effort to assure homeland security.

2. Multi-sector collaborative approaches to building capabilities

- Defined: multi-sector approaches to building capabilities are a number of organizations, sectors, parts, or divisions, of a region, without jurisdictional authority.

3. Multi-jurisdiction collaborative approaches to building capabilities

- Defined: Multi-jurisdiction approaches to building capabilities are those entities that possess the right and power to interpret and apply the law in assuring greater homeland security.



4. Multi-disciplinary approaches to building capabilities:
 - a. building capabilities
 - b. spreading costs and sharing risks across geographic and tribal areas
 - c. multi-sector planning
 - d. mutual-aid agreements
 - e. asset sharing

Module V Wrap-Up: Understand the role of tribal governments in the national system of homeland security

- **What are the roles of tribal governments in the national system of homeland security?**

- **What is the federal trust responsibility and the roles various federal agencies play in Tribal lands including tribal government-to-government relations at the federal, state, local, and inter-tribal levels?**

- **What are concepts such as regional collaboration, multi-sector, multi-jurisdiction, and multi-disciplinary approaches to building capabilities?**



- **What are the enumerated various instruments that have been successfully used to develop inter-governmental programs on Tribal Lands?**



Module VI: Gap Analysis, MOU, and MOA

Overview: This Module will provide participants an opportunity to conduct a gap analysis of their community's homeland security preparedness and to provide a familiarity with memorandums of agreement and memorandums of understanding. This will provide trainees with the knowledge necessary to draft an MOU that captures issues surrounding an identified problem and thereby creates regional, collaborative partnerships for homeland security.

The Federal Government's National Preparedness Goal (NPG) recognizes the importance of establishing measurable priorities, targets, and a common approach to developing needed capabilities. The gap analysis process is a tool that can assist public safety officials and community members to achieve the NPG. The Preparedness Guidelines found in the NPG's Appendix B – Capabilities-Based Preparedness Overview, states: "Capabilities-Based Preparedness also involves selecting methods to address capability gaps and deficiencies. This step involves translating a capability gap or deficiency into specific needs and determining a combination of resources to fulfill the need." (*National Preparedness Guidelines, September 2007*)

Terminal Learning Objective: Participants will learn how to perform the gap analysis process which will enable them to understand the strengths of their tribe's current homeland security efforts as they relate to efforts in their region. It will also enable them to define additional actions and resources that are required for regional homeland security collaboration.

Enabling Objectives: At the conclusion of the module, participants are able to:

- Analyze and list the "Real Hazards" for the given event
- Identify and list the "Desired Responses" for the listed hazards (one requiring an infrastructure partnership, one a community partnership, and one an increased personal/individual preparation)
- Identify and list "Action/Tasks" or "what needs to be done" to accomplish each of the selected "Desired Responses"
- Analyze, compare, and rate the "Action/Tasks" and current "Community Capacity" of the participant's jurisdiction or region, for the selected "Actions/Tasks"
- Plot the ratings to complete the community gap analysis – the gap between jurisdictional need and capacity
- Understand and enumerate the various instruments that have been successfully used to develop inter-governmental programs on Indian lands



Gap Analysis Case Study

Overview: This analysis uses a domestic incident (an event) adapted from a real incident in Miamisburg, Ohio, (or another incident prepared for other analysis). The participants are asked how well the significant event would be managed if it were to occur today. After reflection the participants are asked, "If you could go back 18 months, knowing that this event would actually happen in your jurisdiction, what would you do for the next 18 months to get ready for the event?"

This analysis uses a "Real Hazards" domestic incident to introduce the concept of gap analysis to analyze, compare, and rate jurisdictional needs and community capacities to respond to an all hazards event. Through the gap analysis process we will:

1. Analyze the "Real Hazards" to create a list of hazards.
2. Identify the "Desired Responses" for the listed hazards.
3. Select three "Desired Responses" one requiring an infrastructure partnership, one a community partnership, and one an increased agency personal/individual preparation.
4. List 18 specific "Actions" that must be done to accomplish each of the selected "Desired Responses".
5. Analyze, compare, and rate on the worksheet, the "Actions/Tasks" and current "Community Capacity" of the participant's jurisdiction and region, for the 18 selected Actions developed from above.

Keep these questions in mind while completing the gap analysis process:

1. "What If this event, or something very near to this event, actually takes place in your jurisdiction? If you were to deal with it right now, how would it go?"
2. "Assuming you could go back 18 months from today and start over, what else would you do to be prepared for this event?"
3. How could I improve my jurisdiction's performance?
4. How will I identify where to put my efforts?
5. Where will I work with my community and the region?



Case Study: Terrorist Initiated Train Derailment, Your Town, Your Reservation, U.S.A.¹

Background:

Your Town, U.S.A. is a small community on your Tribal reservation. Your Town is surrounded by unincorporated residential and business districts. It is located about ten miles from a larger city and lies next to a major state highway. Your Town has a rail line serving the freight transportation needs of manufacturing, agriculture and businesses in your community and state. The rail line lies along the main highway and adjoins residential, business and school areas of the Town.

Your Town and the unincorporated area surrounding your reservation are served by a Tribal Police Department, a Sheriff's Office, a State Police outpost, and a Tribal Fire District / Emergency Medical Services Department that serve the incorporated and unincorporated areas.

The Threat:

Timber sales and forest management practices have been in the forefront of the western USA news. An extremist group, World Awareness Network (WAN) has protested these management practices and forest policy for years. An extreme and violent element of the WAN group has broken off. The spin off group, Extremist World Awareness Network (EWAN) now espouses direct action against the timber industry and businesses that support timber production and use.

EWAN is targeting the use of lumber in construction and the rail line that supports the timber industry. Their plan is to detonate a large explosive as a lumber laden train enters town. Unknown to the terrorists is the fact that the freight train is an assembly of cars carrying chemicals as well as lumber. This morning, at about 7:30 AM, the EWAN terrorists park a pickup truck, loaded with four plastic drums of fertilizer-fuel mix based explosives, next to the rail track at the edge of Town. As they position the vehicle a local businessman complains to them about how they are parking in a "no parking" zone. Without comment the two EWAN members get in an awaiting car and speed away, striking the businessman's personal vehicle, but do not stop. The businessman calls the police with a hit and run complaint. No officers are available, but dispatch radios a description of the hit and run vehicle to the Sheriff's Office and State Police.

The Event:

At 9:00 AM this morning, a Tribal officer is able to respond to the hit and run complaint. The officer is interviewing the businessman and inspecting the damaged vehicle. The railroad train is entering Region, crossing a trestle over a creek at the limits of Town. At 9:10 AM, as the train is just entering your Town, the terrorist pickup detonates, next to the train tracks. The

¹ Adapted from "Train Derailment in Miamisburg, Ohio" FEMA, Principles of Emergency Management IG 4-17



explosion derails three lumber laden railcars. Tanker cars just behind the lumber cars slam into the derailed lumber cars rupturing the lead chemical car. The car, containing 12,000 gallons of white phosphorus (a toxic substance that ignites in the presence of air at 86 degrees F) is left on the embankment, propped against a pier, with a gash in its side. White phosphorus is water reactive. Water cannot be used to put out the fire.

Slowly at first, the phosphorus begins to burn. The orange fire produces a thick, billowing cloud. In only a half an hour it is visible for miles and begins to drift towards the populated areas. Initial reports from the hospital indicate citizens are entering the hospital with breathing problems. The capacity of the hospital to treat the injured is quickly reached.

The first responder to the scene, a fire captain, learns from the conductor that the burning tank contains phosphorus. Within five minutes the Fire Chief arrives and establishes an incident command post. He consults a hazardous materials handbook in his car to learn the effects of the burning phosphorus. At the very least it causes eye and skin irritation and short-term respiratory problems. He immediately calls for evacuation of residents within the guidelines set by the handbook. This involves people in residential and business areas inside and outside of the Town and reservation boundaries. This includes a nursing home, two schools and the police headquarters. The Tribal leader, who has decision making authority, concurred with the decision. The city enacted its emergency operations declaration and plan. Tribal officials drove down neighborhood streets to begin the initial evacuation while dispatchers summoned the city's entire emergency response force to aid in the effort. The county emergency management agency was immediately notified. The county enacted its emergency operations declaration and plan. The State emergency operation center is notified of the event.

The Fire Chief, Police Chief, Sheriff, activate existing mutual aid agreements to augment their resources. (By the time the crisis is over more than thirty departments will lend assistance and medic units from more than 50 organizations will be available.) A hazardous materials team is summoned and will bring its experience in fighting chemical fires.

Time: 12 hours into the event (Darkness)

The Incident Command / Unified Command Center is fully operational. Fire fighters report and confirm that another tank car containing sulfur is burning eight feet from the phosphorus car, making an already poisonous mix potentially more deadly. Chemical Emergency Transportation Center (CHEMTREC) provides valuable information concerning chemical and fire behavior. Several key decisions stand out: when to stabilize the precariously perched phosphorus car, risking an even greater problem, how to manage the evacuation, management of the criminal investigation, when to allow evacuated persons to return home, and how to manage the incoming resources.

Tribal leaders resist pressure to end the evacuation order within Town, when it is believed the toxic cloud is under control. This decision turns out to be right, for a pylon gave way and the car slipped before it can be stabilized, sending a huge plume of smoke over the area. Reservation, Town, and county residents, not evacuated, are telephoning city hall and the courthouse asking about safety and trying to locate evaluated or missing persons. Emergency responders are working in shifts at the scene, evacuated areas, perimeter locations, traffic re-routing points, and the Incident / Unified Command Center.



Time: 24 hours

Traffic problems arose immediately after the detonation and continue, as responding assistance struggle with traffic congestion and gridlock created by residents and tourists leaving the area in response to evacuation orders and panic. One complete road-blocking fatal collision has occurred.

Time 36 hours

Public safety employee families are calling the police station, sheriff's office and fire department asking about their family members. Several families are separated and are trying to find other members of their family.

Citizens are calling the emergency operations center trying to find family members. Some fear that their family members have been killed in the attack and complain that they cannot get answers. Several citizens have gone to the media to complain about lack of information concerning their families.

Time: 72 hours into the event:

Fire fighting and hazardous materials response continue for three days before the scene is finally stabilized. Evacuees are allowed to return home. The FBI Joint Terrorism Task Force (JTTF) has arrived and established a coordinated criminal investigation and scene examination.



Gap Analysis Process

Step One: Identify the “Real Hazards” for the event:

Type of event: Terrorist initiated rail car derailment with toxic hazardous materials release. You may also choose to list issues.

Real Hazards / Issues List	Notes
Hazardous smoke inhalation by citizens	Record desired responses in Step Two
Hazardous chemicals in the waterway	
Public safety responder’s safety	
Evacuation of the area	
Relocation of affected citizens	
Threats to special needs populations	
Secure residential area from criminal activity	
Destruction of wildlife	
Fire containment and mitigation	
First responder’s family care	



Step Two: Identify Desired Responses

Describe, (by list format), your desired operational responses for this event	Notes
Safely and efficiently evacuate citizens to protect them from hazards	This response corresponds to Step One threat
First responders' families are able to support themselves for 3 days.	
Railroad emergency plans are coordinated with public safety response plans.	
Stop leak of rail car	



Step Three: Mind map process (limited)

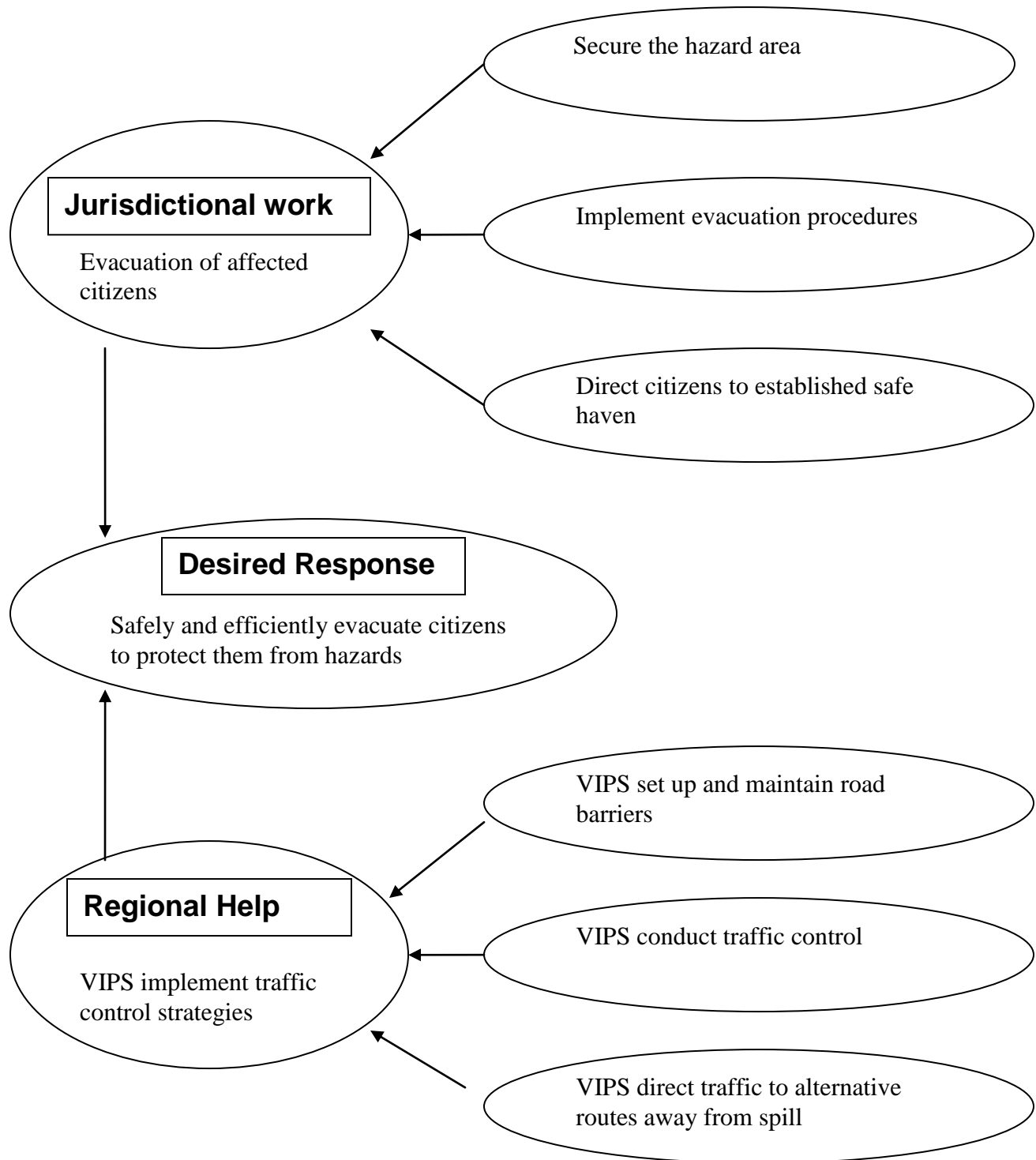
Task: What do I have to do with my agency, community, region, and partners to be tactically competent and have capacity to respond to this event? Identify “what specifically needs to be done” before this event that you and your community and region must do for you to achieve your desired responses (concept of operations) for this event.

Directions:

1. Select three “desired responses” from your list in step two, which you feel are important for your jurisdiction.
 - One that can be achieved with a regional partnership
 - One involving an infrastructure partnership.
 - One involving individual preparedness
2. Write your selected “desired response” in the large oval on the side of the page 96.
3. Think for several minutes as to what has to be done in your jurisdiction for these desired responses. Be prepared to work individually and in your table group to compile a list of “what needs” for each desire response.
4. On your worksheet, record at least six “what needs” for each desire response theme. Three must involve the regional partners or resources.
5. Share your “what needs” with your group and refine your own list as you learn from them.
6. When you have completed identifying your “what needs”, because of time constraints we will address only 18. Write the “what needs” on the work sheet. They need not be in any prioritization order. You may add more to the list if you wish.

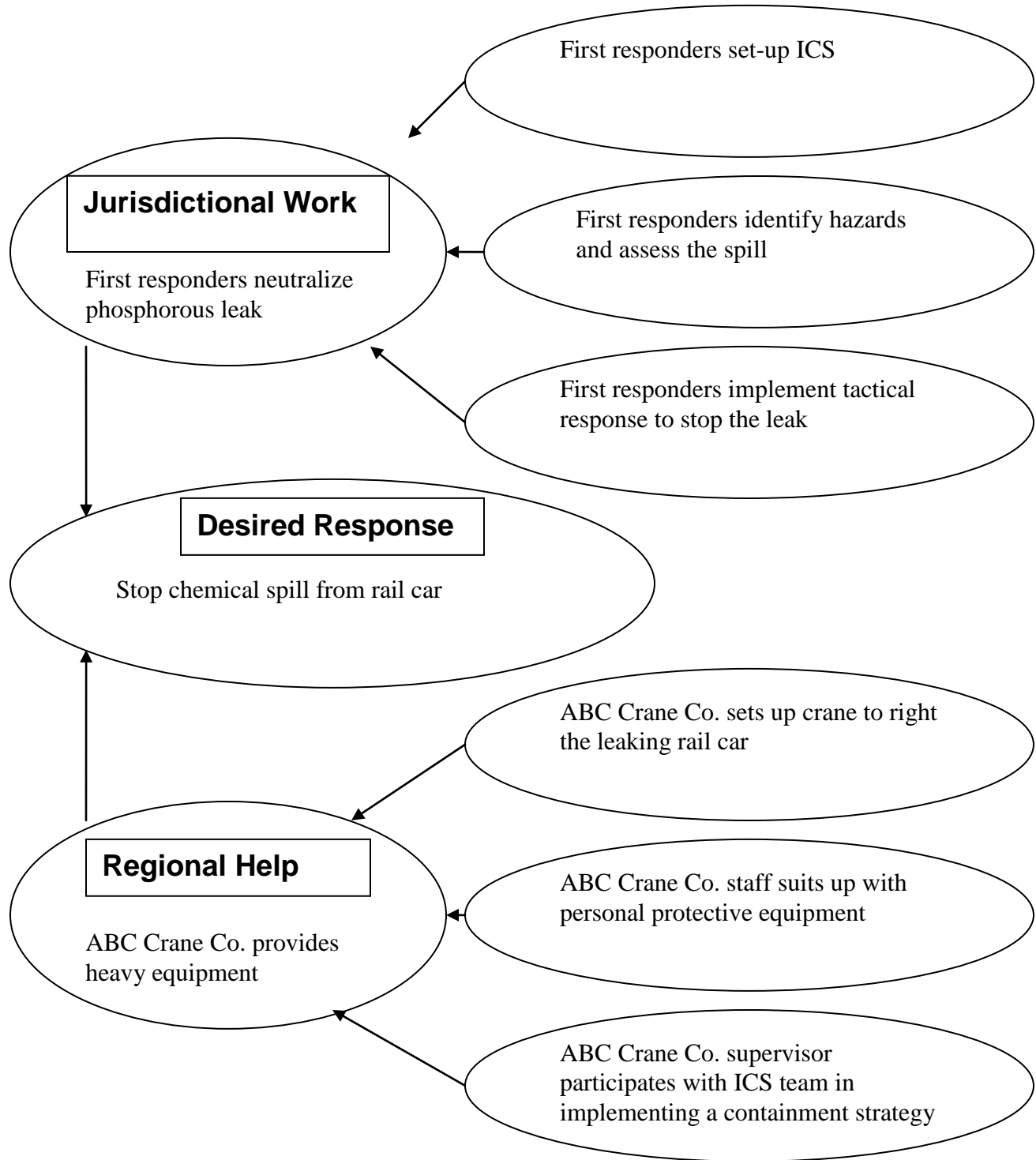


Regional Partnership



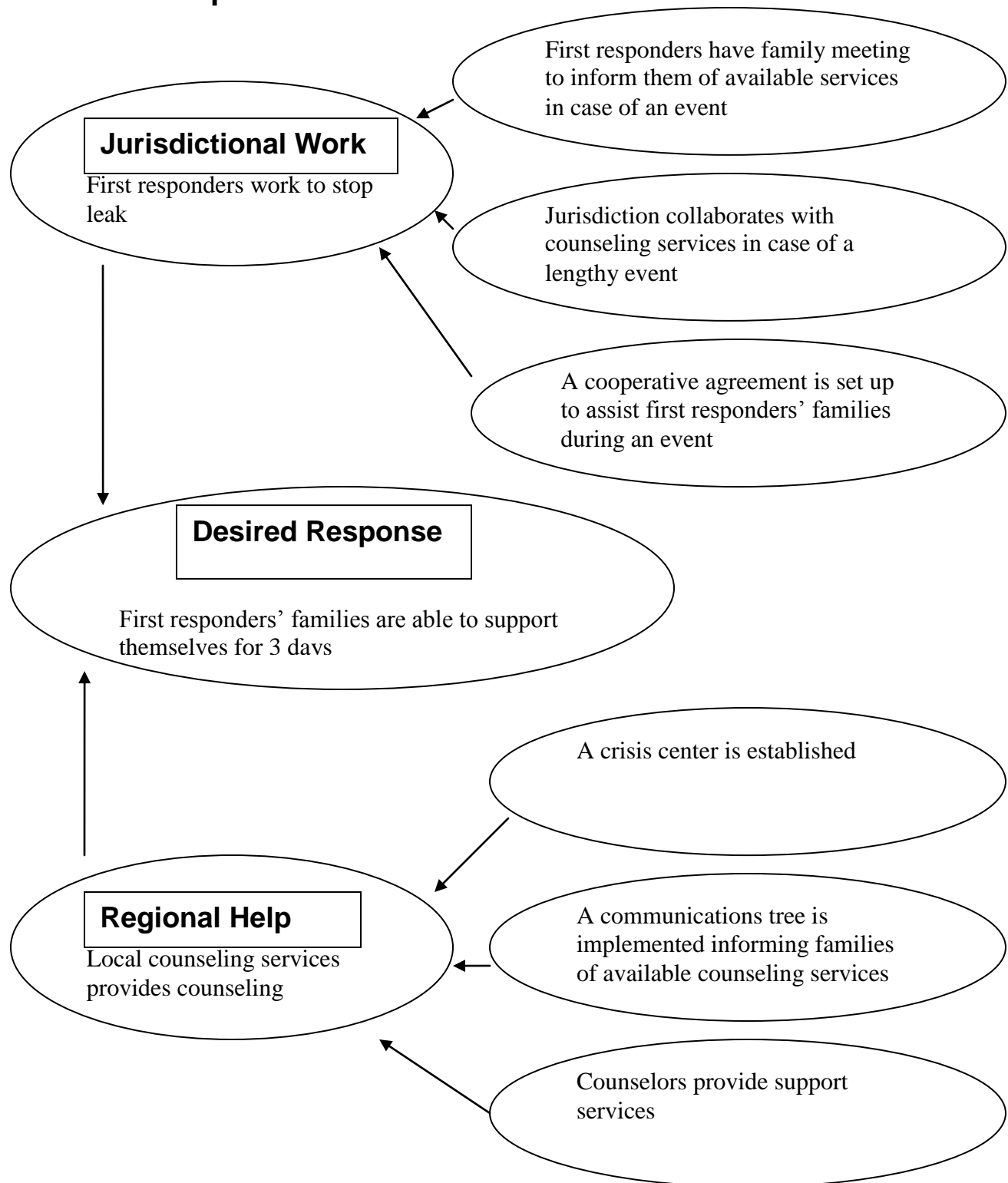


Infrastructure Partnership





Individual Preparedness





Step 4: Rate the needs and capacity of your region

Step 2: Rate the “need” your jurisdiction has for this “what needs” activity in the event over a 3 day period. 0-5 scale. 0- none 5- High	Step 1: Copy the list of “What needs to be done” specifically, developed from the mind map exercise (Limit to 18 “What Needs” for class exercise) “examples”		Step 3: Rate your region’s actual capacity to do the work for each “What needs” over a 3 day period. 0-5 scale 0-Cannot Full-5
3	A	Traffic control	1
5	B	Establish an evacuee location center	4
3	C	In field/scene fuel delivery	3
4	D	Sustain evacuation perimeter for 3 days	1
1	E	Immediate crisis counseling at perimeter	1
	F		
	G		
	H		
	I		
	J		
	K		
	L		
	M		
	N		
	O		
	P		
	Q		
	R		
	S		
	T		
	U		
	V		
	W		
	X		
	Y		



Step 4: Needs Rating

- Rate the “need” your jurisdiction has for this need (activity) in the event over a three day period

0 to 5 scale

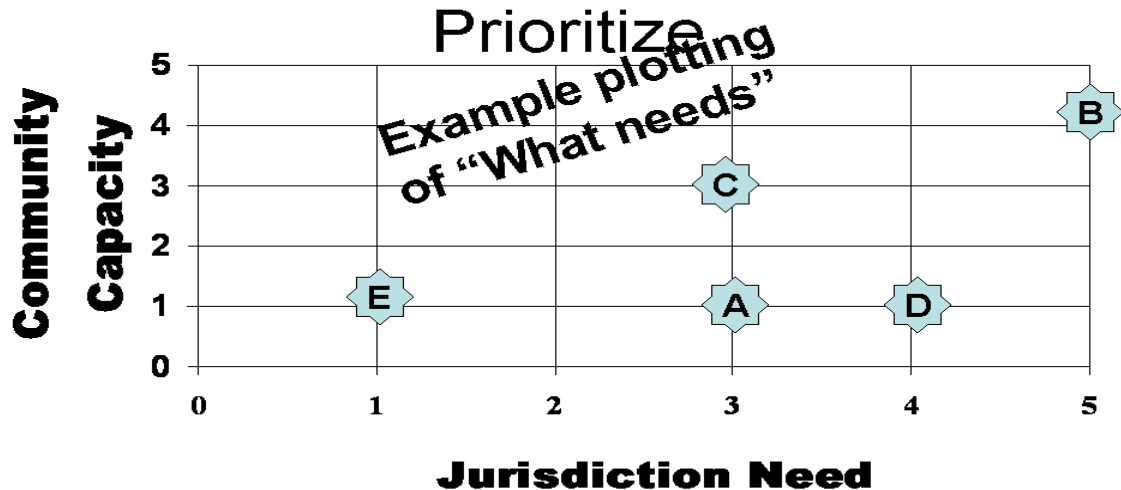
0- none 5- High

- Rate your community’s actual capacity to do the work for each need over a three day period

0 to 5 scale

0- Cannot 5- High

Write each letter on the chart according to its need and capacity (X,Y) axis value.



III-22



Step Three: Mind map process (limited)

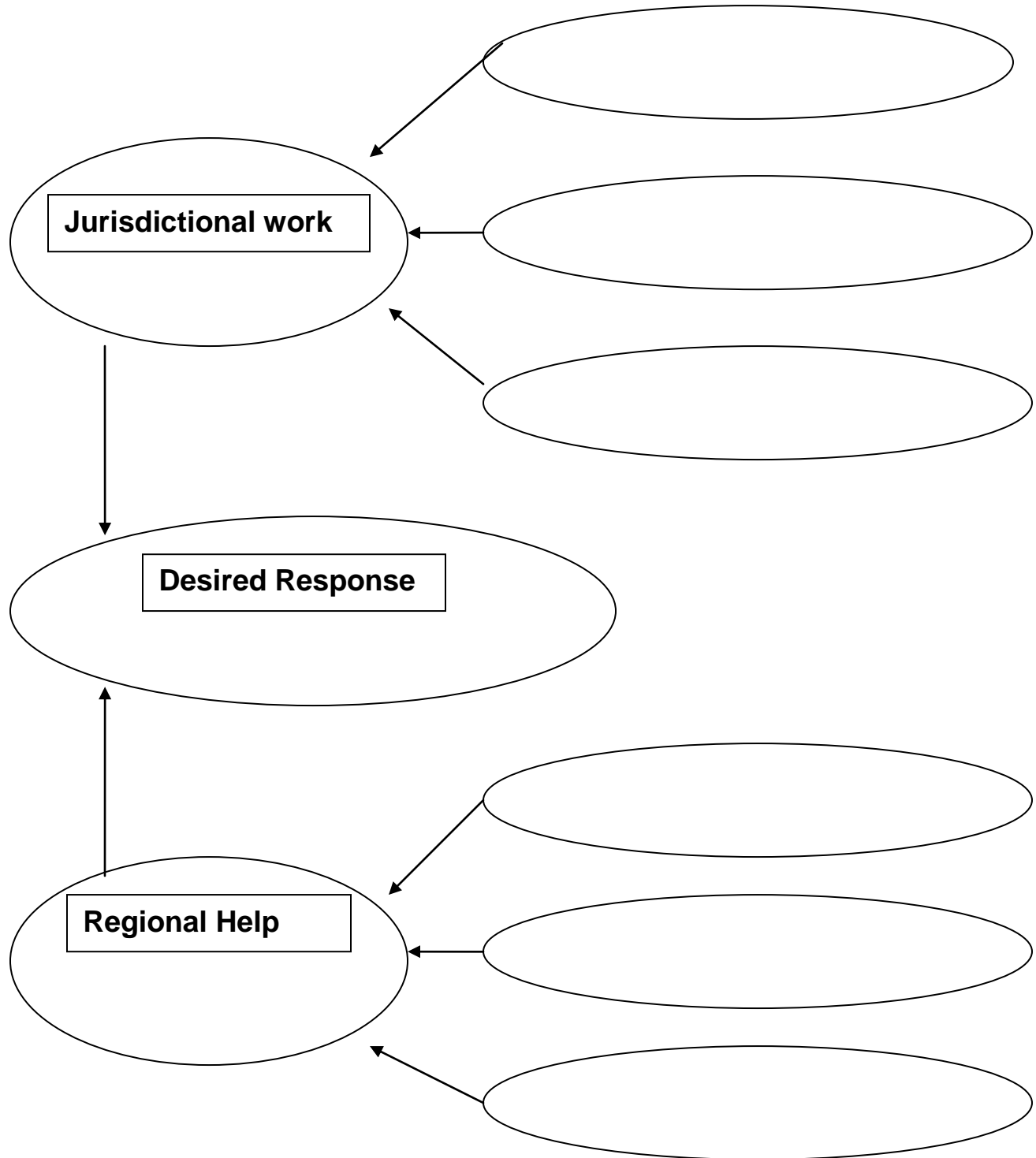
Task: What do I have to do with my agency, community, region, and partners to be tactically competent and have capacity to respond to this event? Identify “what specifically needs to be done” before this event that you and your community and region must do for you to achieve your desired responses (concept of operations) for this event.

Directions:

1. Select three “desired responses” from your list in step two, which you feel are important for your jurisdiction.
 - a. One that can be achieved with a regional partnership
 - b. One involving an infrastructure partnership.
 - c. One involving individual preparedness
2. Write your selected “desired response” in the large oval on the side of the page on pages 96, 97, and 98 as appropriate.
3. Think for several minutes as to what has to be done in your jurisdiction for these desired responses. Be prepared to work individually and in your table group to compile a list of “what needs” for each desire response.
4. On your worksheet, record at least six “what needs” for each desire response theme. Three must involve the regional partners or resources.
5. Share your “what needs” with your group and refine your own list as you learn from them.
6. When you have completed identifying your “what needs”, because of time constraints we will address only 18. Write the “what needs” on the work sheet (page 99). They need not be in any prioritization order. You may add more to the list if you wish.

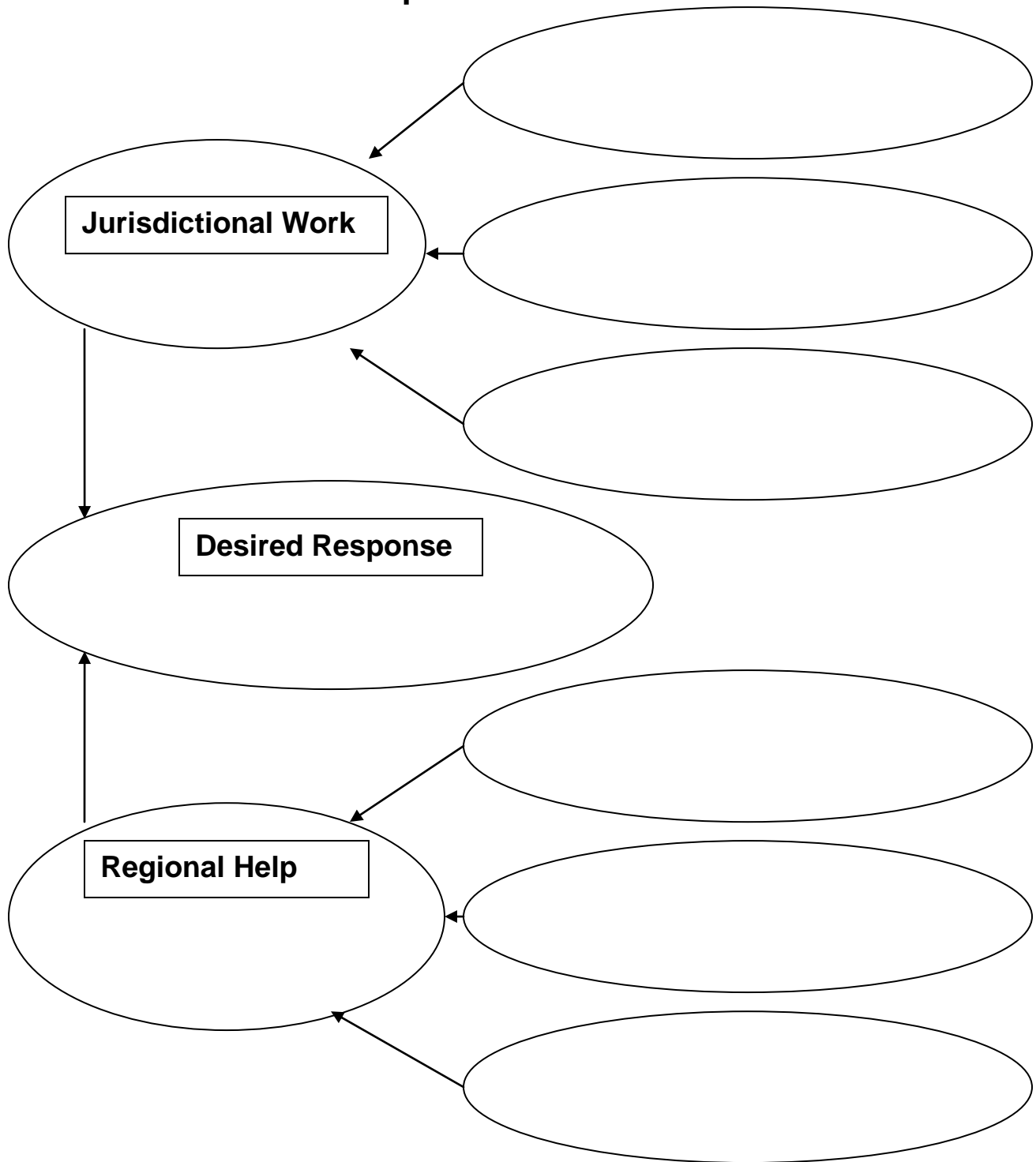


Regional Partnership



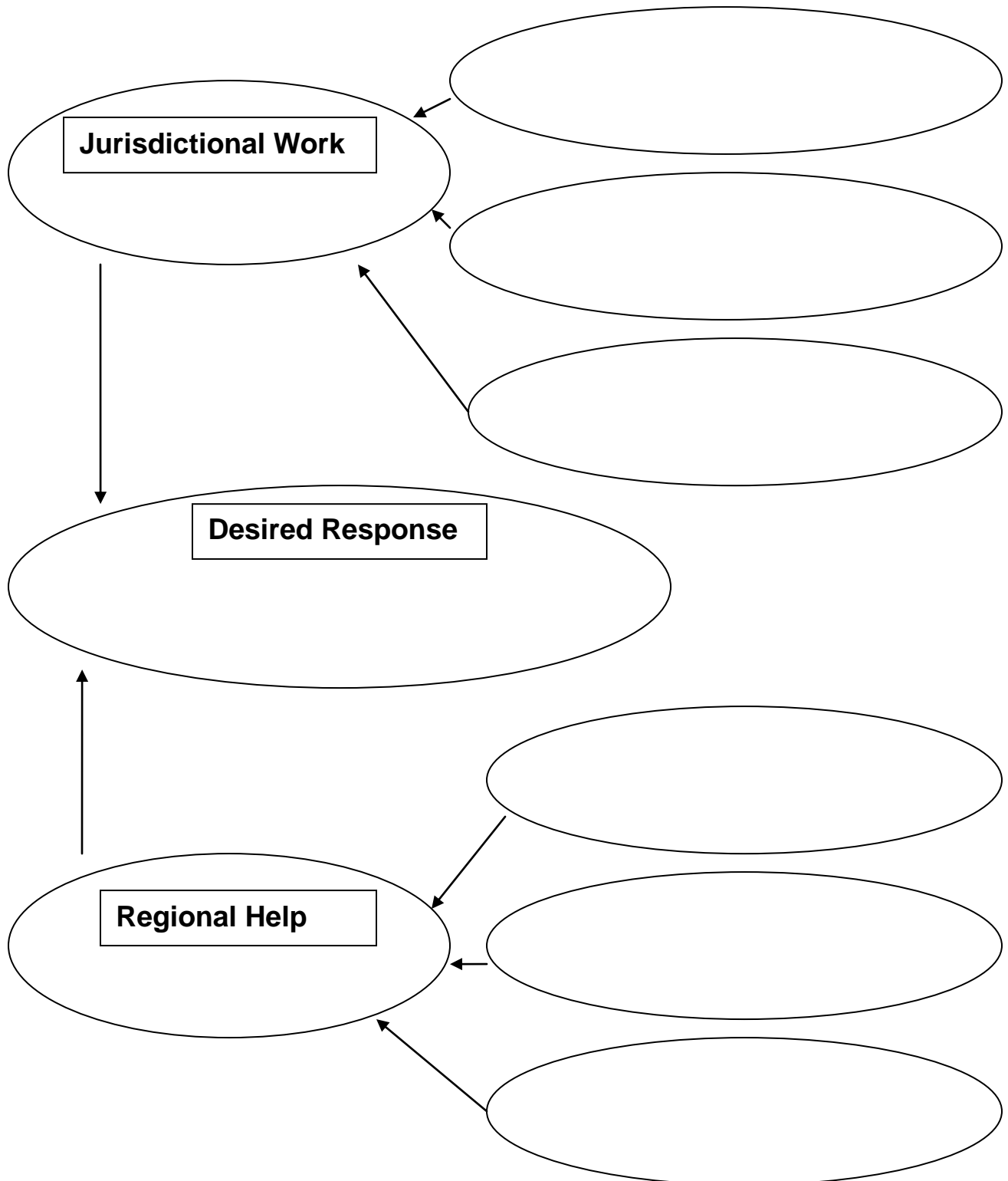


Infrastructure Partnership





Individual Preparedness





Step 4: Rate the needs and capacity of your region

<p>Step 2: Rate the “need” your jurisdiction has for this “what needs” activity in the event over a 3 day period. 0-5 scale. 0- none 5- High</p>	<p>Step 1: Copy the list of “What needs to be done” specifically, developed from the mind map exercise (Limit to 18 “What Needs” for class exercise) “examples”</p>		<p>Step 3: Rate your region’s actual capacity to do the work for each “What needs” over a 3 day period. 0-5 scale 0-Cannot Full-5</p>
	A		
	B		
	C		
	D		
	E		
	F		
	G		
	H		
	I		
	J		
	K		
	L		
	M		
	N		
	O		
	P		
	Q		
	R		
	S		
	T		
	U		
	V		
	W		
	X		
	Y		



The Gap Analysis Process



VI-19

Evaluation:

- *What are my jurisdiction's "gaps"?*
- *Do leadership and organizational change factors contribute to any of the identified gaps?*
- *How do I decide where to focus my efforts?*
- *What resources are currently available?*
- *Do I know what is currently being done in my community and region?*
 - *Regionally, whom can I partner with?*



Writing a MOU

Now that the participants have considered the threats to Indian lands, the vulnerabilities, regional resources, and existing gaps they can now close the gaps by implementing a mechanism for regional cooperation. In this training participants will create a regionally based MOU. Participants will use a model of a MOU provided in this Participant Manual to close the gap by learning the fundamentals of creating MOU. (DHS's, SAFECOM, "Writing Guide for a Memorandum of Understanding (MOU)

The Department of Homeland Security notes: "Just as no single entity would be expected to perform every task; neither would they be expected to have sufficient levels of every capability needed for a major event. Requirements that exceed an entity's capabilities would be secured through mutual aid or formal requests for assistance from other levels of government." (Fact Sheet, Department of Homeland Security) For this training we will use a MOU for a mechanism of cooperation.

MOU/MOA defined:

Memorandum of Understanding (MOU) and Memorandum of Agreement (MOA) are often regarded as interchangeable because they are written documents that define a specific relationship, actions, and responsibilities between two or more parties. For the purpose of this training memorandums of agreements and memorandums of understanding are defined as follows:

- Memorandum of Agreement (MOA): MOA define general areas of conditional agreement between two or more parties -- what one party does depends on what the other party does (e.g., one party agrees to provide support if the other party provides the materiel).
- Memorandum of Understanding (MOU): MOU define general areas of understanding between two or more parties. MOU explain what each party plans to do in certain instances; however, what each party does is not dependent of what the other party does (e.g., one party agrees to provide support exclusive of the other party providing the material).



Memorandums of Understanding

A memorandum of understanding (MOU) is a legal document describing an agreement between parties. It expresses a convergence of agreement between the parties, indicating an intended common line of action, rather than a legal commitment. It is a more formal alternative to an informal agreement, but generally lacks the binding power of a formal contract.

- Basic Elements of a MOU
 1. Introduction to the MOU
 2. Purpose
 3. Background
 4. Scope
 5. Implementation
 6. Authority
 7. Funding
 8. Effective Date
 9. Amendments
 10. Termination
 11. Definitions
 12. Policy
 13. User Procedure Requirements
 14. Maintenance
 15. Oversight
 16. Responsibility for Standard Operating Procedure (SOP) Compliance
 17. Updating an MOU



ACTIVITY:

Creating a Memorandum of Understanding (MOU)

(Adapted from: "Writing Guide for a Memorandum of Understanding (MOU), Homeland Security, SAFECOM, (2004)



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MOU Section 1: Introduction

The introductory section of the MOU helps the reader to understand the agreement content. It describes:

- the need
- the agencies involved
- why it is necessary to work together, etc.
- this section should be a simple explanation of the agreement and why it is necessary. It does not need to include details about past efforts or discuss how the agencies reached this level of agreement.

Questions to consider:

1. For what capability or resource is this MOU being created?

2. What agencies are participating in the MOU? Include public safety agencies, other governmental bodies, and any private services.



MOU Section 2: Purpose

The purpose section should be a concise statement discussing the intention of the new or proposed capability that makes the MOU necessary. It explains how the agencies involved will use the new capability and under what circumstances.

Questions to consider:

1. To what capability does the MOU apply?

MOU Section 3: Scope

The scope section lists the agencies and jurisdictions to be included in the agreement and describes their relationship. This section can also discuss:

- the participants
- level of command
- level of government
- subject of the MOU

Questions to consider:

1. Who are the public safety, public service, and other governmental and non-governmental agencies that will use the capability/resource?



MOU Section 4: Definitions

The definition section describes the operational and technical terms associated with the capability or resource for which the agreement is written. Providing definitions will help avoid confusion and uncertainty.

Questions to consider:

1. What are the technical and operational aspects of the capability/resource? Consider including definitions for each.

MOU Section 5: Policy

The policy section of the MOU briefly describes circumstances under which the capability can be used. This section can also mention:

- authorized use
- activation
- timing
- other circumstances

Questions to consider:

1. When can the capability/resource be used?



MOU Section 6: User Procedure Requirements

This section outlines the obligations of this agreement. For an agreement on sharing an enhanced capability, obligations may include:

- training
- exercises
- user requirements
- responsible parties for ensuring training, and awareness

Questions to consider:

1. What are the training, exercise, and equipment requirements associated with participating in this MOU?

MOU Section 7: Maintenance

The maintenance section designates a responsible party or parties for maintaining equipment, systems, and licenses. The maintenance section can name a jurisdiction, agency, or individual.

Questions to consider:

1. What are the maintenance requirements associated with participating in this MOU?



MOU Section 8: Oversight

The oversight section describes how agencies or jurisdictions will deploy the new capability. It can also describe how the agencies can provide recommendations that affect policy and whether other agencies accept or reject these recommendations. A description of internal agency policy regarding usage of the capability can also be provided.

Questions to consider:

1. What governance structure oversees the use of this capability/resource and enforces all requirements of this MOU?



MOU Section 9: Responsibility for SOP Compliance

This section assigns responsibility to agencies to ensure Standard Operating Procedures (SOP) for the capability are followed. (See the following section to review how to write standard operating procedures.)

Questions to consider:

1. Who is responsible for ensuring the SOPs associated with this capability/resource are followed and that individual agency personnel are trained appropriately?

MOU Section 10: Updates to the MOU

This section describes how updates can be made to the MOU. It includes:

- information such as who has the authority to update the MOU
- how updates will be made
- how participating agencies will be notified of updates
- the types of updates that will require signatures of all participating agencies.



Questions to consider:

1. Who has the authority to update/modify this MOU?



Sample Application

The following can be used to add agencies, jurisdictions, or individuals to the agreement.

This application is submitted by the requesting agency to the chair of the [governance body] for participation in the [name of capability/resource]. [Name of capability/resource] participation is governed by the [governance body]. Submission and acceptance of this application grants the authority for the use of the [name of capability/resource] as outlined in this MOU and in accord with the [capability/resource SOP]. Each agency will need to update its own contact information with the [governance body].

APPROVED BY:

Name Tribe Executive Representative Date

Name Law Enforcement Representative Date

Name Emergency Management Representative Date

Name Emergency Medical Services Representative Date

Name Fire Service Representative Date



Name Other Agency Representative Date

This MOU must be signed by the agency's head or his/her designee and submitted to the appropriate governing body for consideration.



Sample Memorandum of Understanding



SAMPLE

Memorandum of Understanding

**U.S. Geological Survey and
United Sioux Tribes of South Dakota
Development Corporation**

Reservations

**Standing Rock
Crow Creek
Lower Brule
Pine Ridge
Fort Totten
Cheyenne River
Flandreau
Sisseton
Rosebud
Yankton
Santee**

U.S. Department of the Interior
U.S. Geological Survey



Memorandum of Understanding (MOU)

Between the

United Sioux Tribes and the U.S. Geological Survey

1.0 Purpose

- 1.1 The purpose of this Memorandum of Understanding (MOU) between the U.S. Geological Survey (USGS) and the United Sioux Tribes of South Dakota Development Corporation (USTDC), Inc. is to establish a working relationship for developing Geographic Information Systems (GIS), Information Technology (IT), natural science research and training, and for sharing science data and facilities.

2.0 Background

- 2.1 **Sioux Organization.** The eleven American Indian Nations/Tribes that comprise the USTDC are individual sovereign governments that are represented in this MOU jointly through the USTDC. These governments are comprised of native peoples of the northern Great Plains. Incorporated in May 1970, USTDC was organized in the State of South Dakota by Lakota, Nakota and Dakota Tribal chairmen and chairpersons who are the popularly elected leaders of each sovereign Tribal government. The Lakota, Nakota and Dakota peoples are commonly referred to together as Sioux. The term Sioux is used throughout this document in reference to these three groups. The early Sioux chairmen and chairpersons organized USTDC as an institution to advance Tribal interests and to provide a united voice on issues affecting all Sioux Tribes in South Dakota. Though incorporated in South Dakota, the USTDC has grown over time to include other Great Plains Tribes. The eleven Lakota, Nakota and Dakota (Sioux) Tribal chairmen comprise the USTDC board of directors. USTDC acknowledges that advancing the interests of the Sioux tribes means advancing the interests of America; therefore, dialogue, activities, and agreements with all branches of U.S. government and state governments are needed and required to advance us all.
- 2.2 **USGS Mission.** The USGS serves the Nation by providing reliable scientific information to describe and understand the Earth; minimize loss of life and property from natural disasters; manage water, biological, energy, and mineral resources; and enhance and protect our quality of life. The Earth Resources Observation Systems (EROS) Data Center (EDC) is a data management, systems development, and research field center for the USGS and is located in Sioux Falls, South Dakota.



- 2.3** The National Map. The National Map is a consistent framework for geographic knowledge needed by the Nation. It provides public access to high quality, geospatial data and information from multiple partners to help support decision-making by resource managers and the public. The National Map is the product of a consortium of Federal, State, and local partners who provide geospatial data to enhance America's ability to access, integrate, and apply geospatial data at global, national, and local scales.

3.0 Scope

3.1 Geographic Information Systems (GIS)

3.1.1 The USGS and USTDC agree to engage in projects that involve research and development, implementation, management, education and training of Geographic Information Systems (GIS) for the advancement of Tribes and the U.S. Geological Survey.

3.1.2 The USGS and USTDC plan to establish a GIS framework that reflects and acknowledges traditional Native American culture, perspectives and conventions.

3.1.3 The USGS agrees to include USTDC projects (such as Native View) into the National Map Project. The USTDC may obtain funding and resources from the USGS to assist in maintaining the Native American database, if funding is available, to the same extent that other partners in the National Map Project are eligible for funding.

3.1.4 The USGS, as a national film and digital archive, will assist USTDC in creating a repository for cultural resource information and other data bases in a proposed United Sioux Tribes Center for Geographic Information System Resources to assist Tribal governments, Tribal agencies and Tribal officials in developing and using GIS.

3.2 Information Technology (IT)

3.2.1 The USGS and USTDC agree to cooperate in the development of GIS services for USTDC using remote sensing technology.

3.2.2 The USTDC data service is intended to be administered by Native Americans for Native Americans to provide an inventory of Tribal land and natural resources for federal agencies, businesses, and Tribes.



3.2.3 USTDC and USGS initiatives for Tribal lands and natural resources include studies of natural resources, data to support assessments of cultural resources, research projects and education, urban geographical analysis for Tribal economic development, and others studies and programs to advance the interests of Tribes and the USGS.

3.3 Natural Science Research and Training

3.3.1 The USGS and the USTDC agree to engage in projects in the scientific disciplines of geology, biology, hydrology and geography.

3.3.2 The USGS and the USTDC agree to formulate new earth science applications to reflect traditional Tribal culture and perspectives.

3.3.3 The USTDC and the USGS agree to apply remote sensing technology to aid Tribal agriculture and other earth science related studies.

3.3.4 The USTDC and the USGS agree to develop training programs for Tribes to utilize geospatial technologies in earth science disciplines to advance the interest of Tribes and the USGS.

3.3.5 The USTDC and the USGS agree to provide earth science studies, water quantification and quality research for technique development and implementation for Tribal lands, and other land management activities.

4.0 Implementation

4.1 The USGS and the USTDC agree that the scope of work between both parties will be reviewed annually in order to provide effective oversight, collaboration and coordination of projects and programs.

4.2 The USGS and the USTDC agree to use cooperative agreements, collaboration, grants, contracts, pooled resources and pooled expertise as appropriate to implement the terms of this MOU.

4.2.1 The USTDC agrees to waive its sovereign immunity in these implementing contracts and other agreements.

4.3 The USTDC agrees to communicate through the Office of American Indian Liaison, Central Region, USGS, provided that the American Indian Liaison reports directly to the Office of the USGS Director on matters involving the USTDC and Tribes



- 4.3.1 When implementation is through a contract or cooperative agreement, communication will be through the designated Contracting Officer or the Contracting Officer's Technical Representative (COTR).
- 4.4 The USTDC Board of Directors empowers the Office of the Executive Director oversight and as an authorized agent of the board to manage, supervise and perform activities related to this MOU, through the USTDC Project Management Director.
- 4.6 When appropriate, the USGS and the USTDC will work with other bureaus of the Department of the Interior, other Federal agencies, other Tribes and state agencies in implementing the intent of this agreement.
- 4.7 The USGS and the USTDC agree to locate the primary services outlined in this MOU at the EROS Data Center, Mundt Federal Building, Sioux Falls, South Dakota. The USTDC intends to provide any necessary funds to support their facility requirements.
- 4.8 All data and information produced as a result of this MOU shall be available for use by the USGS in connection with its ongoing programs. This includes publication of results where appropriate, except in cases prohibited by proprietary and security considerations.

5.0 Authority

- 5.1 The USGS enters into this MOU under the authority of the Organic Act of March 3, 1879, 43 U.S.C. 31 et seq.
- 5.2 The USTDC enters into this MOU under the authority of State of South Dakota nonprofit corporation charter dated May 1970. The charter gives USTDC the authority to provide a central organization for development, assistance, and entering into agreements for all Indian people in South Dakota.

6.0 Funding

- 6.1 This agreement creates no financial obligation on any party. Costs associated with any agreements implementing this MOU shall be determined, negotiated and agreed upon every fiscal year or prior to the performance of any work. All activities will depend on the availability of funding.



7.0 Effective Date

- 7.1 This MOU will take effect upon the signature of both parties being both the U.S. Geological Survey (USGS) and the United Sioux Tribes of South Dakota Development Corporation (USTDC).
- 7.2 This Memorandum of Understanding (MOU) is in effect until terminated as provided under Section 9.0.

8.0 Amendments

- 8.1 This memorandum of understanding (MOU) may be modified or amended by written agreement between both parties.
- 8.2 Any conditions or terms not sited in this MOU which involve the USGS and the USTDC, shall be listed on an appendix and attached to this document once agreed to and signed by both parties.
- 8.3 Proper authorizing agents shall sign the appended document.

9.0 Termination

- 9.1 This MOU maybe terminated at anytime by either the USGS or the USTDC. Prior to any termination, the party seeking termination shall inform the other party of a request for a meeting to terminate the MOU as written. Upon notification of proposed termination the parties agree to meet within 30 days to consider the proposed termination.
- 9.2 The USTDC and the USGS will agree upon the date, location and agenda of the termination meeting.
- 9.3 Following the meeting, if either party decides to terminate the MOU, a written notice will be sent within 20 days following the meeting by the party electing to terminate. The notice shall state that the MOU is terminated.

AGREED TO ON OCTOBER 27, 2004 BY:



(Signature on File)

Mr. Clifton W. Skye
Project Management Director
United Sioux Tribes Development
Corporation, Inc.
Enrolled Member, Standing Rock
Sioux Tribe

(Signature on File)

Dr. Charles G. Groat
Director, U.S. Geological Survey
U.S. Department of the Interior



SAMPLE

MEMORANDUM OF UNDERSTANDING

BETWEEN

THE _____ NATION

AND

{fill in the name of the reviewing/approving Agency}

Whereas, the Secretaries of Housing and Urban Development (HUD), Veterans Affairs (VA) and Agriculture (USDA) are authorized to make, insure and/or guarantee loans to American Indian borrowers for the purchase of one-to-four family residences located on certain Indian lands (as defined in each Federal Agency's authorizing statute), and

Whereas the Federal Agencies require, as a condition of making, insuring or guaranteeing these mortgages, that the tribal organization which has jurisdiction over the borrower enter into a Memorandum of Understanding with the Departments with respect to such loans, and

Whereas, the signature on this Memorandum of Understanding of any one of the Secretaries for the Department of HUD, VA, or USDA, is deemed to be acceptable to each of the other Departments per the Memorandum of Understanding between those Federal Agencies dated _____.

Now therefore, in consideration of the premises and other good and valuable consideration, the parties hereto do agree and establish as follows:

1. DEFINITIONS

American Indian or Native American shall refer to the borrower/mortgagor or Lessee as defined within each Agency's authorizing statute. Depending upon the authorizing statute, this may mean a member of a federally recognized tribe (Native American, Indian, Alaska Native individual or family), the tribe, a Tribally Designated Housing Entity (TDHE) or Indian Housing Authority (IHA).

Borrower shall mean a federally recognized Tribe, Tribally Designated Housing Entity (TDHE), Indian Housing Authorities (IHA) or any American Indian, Native American(s), Indian or Alaska Native who has executed a Mortgage as defined in this document, or any heir(s) successor(s), executor(s), administrator(s) or assign(s) of the Tribe, TDHE, IHA or such American Indian, Native American(s), Indian or Alaska Native as may be



eligible to participate in a federally sponsored loan program as defined in each Federal Agency's authorizing statute. Eviction the legal process by which lessees in violation of their lease is removed from occupancy of a given residence.

Federal Agency shall refer to the U.S. Department of Housing and Urban Development (HUD), the U.S. Department of Veterans Affairs (VA) and the U.S. Department of Agriculture (USDA).

Federally sponsored loan program refers to the loan programs, sponsored by HUD, VA and USDA whose purpose is to provide homeownership opportunities to Native Americans, American Indians or Alaska Natives on certain Indian lands as defined within each of those Federal Agency's authorizing statutes.

Leasehold interest is the name given to the interest conveyed by the tribe to the borrower under the lease. It consists of the right to the quiet enjoyment of the leased premises for the term of the lease, subject to the requirements of the lease.

Lender shall refer to any institution that the specific Federal Agency has approved to originate or service Mortgages made, insured or guaranteed under its programs. The term "lender" also includes any of the lender's successors or assigns of the lender's right, title to, or interest in, the Mortgage, including any subsequent noteholder and mortgagee and, without the consent from the tribe, any secondary mortgage market investor. In some cases, the lender may be the appropriate Federal Agency which is sponsoring a direct loan program.

Mortgage shall mean a mortgage loan made to an eligible borrower for the purchase or refinance of the borrower's real property interest (which may be a leasehold interest) in the trust land, restricted land or fee simple land, as applicable, and made in accordance with a Federally sponsored loan program and complying with the terms and conditions of the lender's mortgage program. The mortgage loan shall be either a first lien or a second lien, in accordance with the Federally sponsored loan program requirements.

Secretary shall mean the Secretary of the U. S. Department of Housing and Urban Development (HUD) or the Secretary of the Department of Veterans Affairs (VA) or the Secretary of the U.S. Department of Agriculture (USDA).

Tribe shall refer to any Indian tribe, band, nation, or other organized group or community of Indians, including any Alaska Native village or regional or village corporation as defined in or established pursuant to the Alaska Native Claims Settlement Act, that is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians pursuant to the Indian Self-Determination and Education Assistance Act of 1975. For the purpose of this specific Memorandum of Understanding, Tribe refers to the _____ Indian Nation, a federally recognized tribe, of the _____ Indian Reservation as defined in the Tribal constitution, ordinance or other enabling document.



2. AGREEMENT

(a) That the Department of HUD, VA and/or USDA, will make, insure and/or guarantee mortgages available to qualified American Indian borrowers for the purchase, construction or rehabilitation of homes on Indian lands or refinances of such mortgages to the extent funds are available and subject to such terms and conditions as may be established by the Secretary of the applicable Federal Agency.

(b) That the _____ Tribe has established standards and procedures that apply to the conveyance of a leasehold interest in real property by an American Indian borrower/mortgagor to a lender, Federal Agency or their assignee as security for the loan, including procedures for foreclosing the interest, eviction and procedures for resale of the lot or the dwelling (or both) purchased, constructed, rehabilitated or refinanced using the proceeds of the loan. It is agreed that for the purpose of foreclosure and eviction actions, the court of jurisdiction is () the State of _____, or () the Tribal court, or () the Federal Court.

(c) That each American Indian who is under the jurisdiction of the Indian tribe and to whom a lender and/or Federal Agency makes direct, insures or guarantees a loan, holds, possesses or will obtain a leasehold or other acceptable interest in a lot that is located on Indian land and will purchase, construct, rehabilitate or refinance a dwelling on that lot with the proceeds of the loan.

(d) That each such American Indian will convey the above described interest to the lender and its assignees as specified in the borrower/mortgagor's loan documents, by an appropriate instrument, as security for the loan made pursuant to that Federal Agency's authorizing statute.

(e) That the tribe and each borrower/mortgagor who obtains a loan from a lender or Federal Agency under this agreement will permit the lender and/or the Federal Agency, its agents and employees to enter upon the land of the tribe and the borrower/mortgagor for the purpose of carrying out such actions as the lender and/or Secretary determines are necessary to evaluate the advisability of the proposed uses of the proceeds of the loan and to service the mortgage according to the applicable Agency's requirements.

(f) With respect to any leasehold estate financed by a loan, the tribe, as lessor, agrees that it shall not attempt to cancel, modify, amend, terminate, surrender or forfeit such a leasehold estate without the prior written consent by the Lender and the Secretary of the Federal Agency that has made direct, insured or guaranteed the loan, as long as such a loan remains outstanding. With regard to any loan submitted to HUD, VA or USDA for guarantee or insurance, the authorizing Federal Agency shall have the same rights as the lender with regard to that loan and the security. No action with regard to the loan or security that requires consent of the lender shall be taken unless the Federal Agency also consents, so long as the guarantee or insurance remains in effect or the Federal Agency has an interest in the security.



(g) The tribe will to the maximum extent possible, assist the lender and the Federal Agency in its efforts to manage this program in a prudent and cost-effective manner. This will include assisting the lender or Federal Agency in finding qualified substitute purchasers if the initial borrower/mortgagor is unable to fulfill his or her obligations under the law. This may include carrying out evictions, assuring that mortgages and other legal instruments can be properly recorded and otherwise assuring that the program is operated in a responsible and prudent manner.

In Witness whereof, the parties hereto have signed this agreement as follows.

{fill in name of the reviewing/approving Agency} DATE _____

XXXXXXXXXXXXXXXXXXXXX
XXXXXXX Tribe DATE _____

Does the above named Tribe have constitutional authority to sign this Memorandum of Understanding without approval of the US Department of the Interior's Bureau of Indian Affairs?

___ Yes ___ No

If no, below is the approval of the Bureau of Indian Affairs.

BIA Approving Official TRIBAL NATION DATE _____



**SAMPLE
TRIBAL NATION
DISASTER AND EMERGENCY
MUTUAL AID AGREEMENT**

This MUTUAL AID AGREEMENT is hereby entered into by, between and among the following Federally Recognized Tribes:

**The Blackfeet Nation, Confederated Salish and Kootenai Tribes,
Crow Nation, Northern Cheyenne Tribe,
Fort Belknap Indian Community Council, Fort Peck Tribes
Assiniboine/Sioux, and Chippewa Cree Tribe of Rocky Boy’s Reservation**

WHEREAS, Montana’s Tribal Nations possess responsibilities for disaster and emergency prevention, mitigation, preparedness, response, and recovery operations in their respective jurisdictions; and

WHEREAS, Tribal Nations are subject to natural and man-made disasters, which could overwhelm their Tribal resources; and

WHEREAS, Tribal Nations have limited resources and trained personnel for disaster and emergency response, and there may be times when a Tribal Nation must call upon one or more Tribal Nations for aid and assistance to respond to a disaster or an emergency; and

WHEREAS, an informed, cooperative, coordinated response by all Tribal Nations provides the most safe and cost-effective response to disasters and emergencies

NOW, THEREFORE, BE IT RESOLVED THAT Montana’s Tribal Nations enter into this Mutual Aid Agreement on the following terms and conditions:

1. PURPOSE AND SCOPE

- A. The purpose of this MUTUAL AID AGREEMENT (“AGREEMENT”) is to provide a formal mechanism for cooperation and coordination between Montana Tribal Nations involving disaster and emergency resources.
- B. The scope of services of this Agreement includes, but is not necessarily limited to, trained and equipped fire, law enforcement, emergency medical services, public health, public works, emergency management, and other Tribal resources.



2. COMMAND STRUCTURE:

Basic all-hazard response shall utilize the National Incident Management System (NIMS) as recommended by the United States Department of Homeland Security (DHS) to establish Unified Command.

3. DEFINITIONS:

- A. **“Disaster”** means the occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property damage resulting from any natural, man-made or criminal cause, including, but not limited to, tornadoes, windstorms, snowstorms, floods, earthquakes, landslides, mudslides, fires, explosions, acts of terrorism, air or water contamination requiring emergency action to avert danger or damage, infestations, riots, sabotage, disruption of services, accidents involving radiation by-products or other hazardous materials, bio-terrorism, or incidents involving weapons of mass destruction.
- B. **“Disaster and emergency services”** means the preparation for and carrying out of disaster an emergency functions and responsibilities, other than those for which military forces or other Tribal, Federal, or state agencies are primarily responsible, to prepare for, mitigate, respond to, prevent, and recover from injury and damage resulting from emergencies or disasters.
- C. **Disaster and Emergency Services (DES)”** means an office in which the coordinators prepare and plan response for emergencies and disasters, respond to them when they occur, assist individuals and institutions to recover from them, mitigate their effects, reduce the risk of loss and prevent related disasters from occurring.
- D. **“Disaster and Emergency Services Coordinator”** means a Tribal Nation employee who coordinates all activities pertaining to the Tribal Nation’s emergency management program.
- E. **“Emergency”** means the imminent threat of a disaster causing immediate peril to life or property that timely action can avert or minimize.



- F. **“Incident”** means an event or occurrence, caused by an individual, organization, entity, or by natural phenomena, requiring action by disaster and emergency services personnel to prevent or minimize loss of life or damage to property or natural resources.
- G. **“Participant”** means a tribal government who is signatory to this Agreement.
- H. **“Prevention”** includes but is not limited to appropriate sharing of intelligence and information, planning, training and exercise of responders, mitigation activities, and citizen education and training.
- I. **“Response”** means mobilizing and positioning emergency equipment and trained personnel in the event of a disaster or emergency where health, property, or environment is endangered.

4. REQUEST FOR ASSISTANCE:

- A. A Tribal Nation requesting assistance under this agreement shall be formalized in writing through the Tribal Chairperson or the Tribal Disaster and Emergency Services Coordinator. The request shall utilize a request for assistance form similar to the sample hereto attached. *See Appendix I, sample Request for Assistance form.*
- B. A Tribal Nation receiving a request for assistance shall immediately determine their resources and trained personnel availability and notify the requesting Tribal Nation as soon as practicable. The extent of aid to be provided under this Agreement shall be determined solely by the assisting Tribal Nation. The assisting Tribal Nation may withdraw any resource or trained personnel at any time. In that event, the assisting Tribal Nation shall make timely notification of resource withdrawal to the Disaster and Emergency Coordinator or Tribal Chairperson of the requesting Tribal Nation.
- C. Personnel employed by the assisting Tribal Nation may respond to disaster and emergencies as authorized or directed by their employer Tribal Nation, provided each employee meets the minimum training and certification requirements of the request. An assisting Tribal Nation may



designate and send a trained Tribal disaster and emergency services liaison with the resources or personnel sent pursuant to a request.

5. COSTS

- A. Each Tribal Nation shall be responsible for the training, equipping and salary of their employee responders for the duration of the deployment.
- B. In its request for assistance, the requesting Tribal Nation shall indicate, to the extent known, the requesting Tribal Nation's ability and/or commitment to reimburse the responding Tribal Nation(s) for its/their resources and personnel. Reimbursement arrangements, if any, between the Participants is a matter to be worked out between the Participants and is not governed by this agreement.
- C. The Participants will to the fullest extent possible coordinate in the reimbursement process and prioritize reimbursement of the requested Participant.

6. HOLD HARMLESS AND INDEMNIFICATION

Each Participant shall be responsible for any liability, injury, damage or loss that may be incurred as a result of any suit, claim, demand, judgment or settlement made against its officers, employees, or agents resulting from their (non-criminal) intentional or negligent acts, errors, or omissions in connection with any activities performed under this Agreement. Each participant also agrees to hold harmless, indemnify and defend all other Participants from any and all losses, liabilities, injury, damage, claims or expenses (including attorney's fees and costs) of any nature caused by the (non-criminal) intentional or negligent acts, errors, or omission of such Participant's officers, employees or agents in connection with any activities performed under this Agreement.

7. LIMITED WAIVER OF SOVEREIGN IMMUNITY

For purposes of a Participant's enforcement of the obligations under Section 6, the undersigned Participants agree to a limited waiver of sovereign immunity as follows: (A) the waiver is limited to only Participants to this Agreement seeking to enforce obligations under Section 6; (B) the waiver is limited to the Tribal Court of the Participant who is the defendant in the action. The waiver is limited to only monetary damages with a maximum aggregate ceiling of \$50,000 for all claims that may be brought by a Participant arising from an incident, including attorney's fees to bring those claims; and (C) where a Participant has insurance coverage over the claim, the amount of monetary recovery by a Participant



seeking enforcement may be up to the policy limits of such insurance coverage, and the defending Participant agrees not to raise sovereign immunity as a defense up to policy limits. Except for the limited waiver of sovereign immunity set forth above, the Participants' sovereign immunity remains in full force and effect in all other respects and against all other persons and claims.

8. **ANNUAL REVIEW**

The Disaster and Emergency Coordinators for the Tribal Nations shall meet annually to review this Agreement and to discuss improvements to coordination and implementation. A list of the Coordinators is attached as Appendix 2, and will be updated annually.

9. **AMENDMENTS**

Changes within the scope of this Agreement shall be made by the approval of all signatory Tribal Nations.

10. **TERMINATION**

Any Tribal Nation to this Agreement may terminate their participation in this Agreement for any reason at any time by providing written notice to other Participants. Any outstanding obligations of the withdrawing Tribal Nation under Sections 6 and 7 shall survive such termination.

11. **TERM**

This Agreement shall take effect on the date the fourth Participant signs the Agreement and is effective through December 31, 2010, at which time the Agreement will expire unless extended. So long as at least two Participants choose to participate in the Agreement.

12. **SIGNATURES**

By signature hereon, the undersigned Tribal Nations agree to support and participate in the activities as set forth in this Agreement. The Tribal Nations have duly authorized the undersigned person to sign this Agreement on behalf of their Nation.



For Blackfeet Nation:

Tribal Chairman, Blackfeet Nation Date

For Confederated Salish and Kootenai Tribes:

Tribal Chairman, Confederated Salish and Kootenai Tribes Date

For Fort Belknap Assiniboine/Gros Ventre:

Tribal Chairman, Fort Belknap Assiniboine/Gros Ventre Date

For Fort Peck Tribes Assiniboine/Sioux:

Tribal Chairman, Fort Peck Tribes Assiniboine/Sioux Date

For Crow Nation:

Tribal Chairman, Crow Nation Date

For Chippewa Cree Tribe of Rocky Boy's Reservation:

Tribal Chairman, Chippewa Cree Tribe Date

For Northern Cheyenne Tribe:

Tribal Chairman, Northern Cheyenne Tribe Date



Appendix I

***REQUEST FOR MUTUAL AID ASSISTANCE
UNDER THE MUTAL AID AGREEMENT***

Requesting Nation: _____

**Authorized Requestor for
Requesting Nation:** _____
(Name and Title)

**Tribal Council Resolution
Number/Date (if applicable):** _____

Requested Nation(s): _____

**Nature of Emergency or Other
Basis for Assistance Request:** _____

**Duration of Requested Assistance
(Anticipated or Known):** _____

Form/Location of Assistance Requested: _____

Cost Reimbursement Arrangements, if any: _____

Signature of Authorized Requestor

Date



Appendix II
Principal Contacts -- Tribal Emergency Managers
(List Contacts)



MODULE VII: TEAM PRESENTATION, MOU, AND EVALUATION

Overview: In this module, participants begin by defining their regional homeland security event. Then, they are given the opportunity to apply what they have learned throughout the course (core competencies, threats to Indian lands, vulnerabilities, resources, and mechanisms for cooperation) to build upon their team MOU, or reason for coming together. Activities include solving their chosen regional homeland security event by creating and presenting an MOU to the other participant groups for evaluation.

Terminal Learning Objective: To provide participants with the opportunity to describe their regional homeland security event, and to apply what they have learned throughout the course by developing a MOU and presenting the MOU to the participant groups.

Enabling Objectives: At the conclusion of the module, participants are able to:

- Describe the elements of a MOU
- Define their team MOU
- Address their regional homeland security event by creating and presenting a MOU to the other participant groups for evaluation

Team Presentation

Use the “Proposed Best Practices” form to develop your presentation. (See Appendix)

Presentations should also include:

- Who is your target audience?
- What are we asking of the target audience?



Problem Solving: Evaluation

Participants return to the assigned homeland security problem for the final time to evaluate their proposed MOU, to determine if they have embraced a Tribal partnership for regional homeland security collaboration. Through self and group evaluation, participants evaluate both the product and the process.

Evaluation: Is the Problem Solved?

Some questions to ask might be:

- Will our MOU work?
- How will we know if we have been successful?
- What did I learn from this process?
- How much did I contribute to solving the problem?

- **Were you able to describe the elements of a MOU?**

- **Were you able to define your team MOU?**

- **Were you able to solve the assigned homeland security problem by creating and presenting a regional MOU to the other participant groups for evaluation?**



Appendix



Definitions:

- Building capabilities: The process of developing, using, or permitting implementation of homeland security strategies through regional collaborations.
- Regional collaboration: Both multi-sector and multi-jurisdictional groups within a large geographic space or area or a particular region or district working together in a joint effort to assure homeland security.
- Multi-sector approaches to building capabilities: A number of organizations, sectors, parts, or divisions, of a region with building capabilities able to contribute to increased homeland security.
- Multi-jurisdiction approaches to building capabilities: a number of entities who possess the right and power to interpret and apply the law
- Multi-disciplinary approaches to building capabilities: of or relating to a specific occupational, professional, or community field.



Proposed Best Practices (Participant Copy)

Training Date and Location: _____

Team name: _____

Describe in detail the regional homeland security event that your team chose to address. Include any issues you have identified that may contribute to your regional homeland security, and why this event is significant.

Describe the resources/partnerships that your team identified to help assist you in dealing with the regional homeland security event. Also, describe any potential resources/partnerships your team still needs to identify.

Describe your team's proposed MOU to address your chosen homeland security problem. Provide specific details of how you will implement your plan. Be sure to include the components of community reluctance and apathy.

What specifically will we do?



How will we operate the plan?

Who will help; who are our partners?

Is there community buy-in? If not, how will we get it?

What are the possible consequences of implementing our plan?



WRITTEN RESOURCES



Gap Analysis Process: Visual Charting Community Emergency Preparedness Needs Against the Community Capacities Necessary to Fill the Needs

Background:

The National Preparedness Goal (the Goal) outlines capabilities and establishes priorities to help transform efforts to achieve national preparedness. The Goal provides the means for the nation to answer three fundamental questions:

- How prepared are we?
- How prepared do we need to be?
- How do we prioritize efforts to close the gap?”²

Each community and level of government is required to prepare for significant events. Events include natural disasters, terrorism incidents, and health emergencies. Additionally, communities that are not directly affected by a calamity may be affected when a significant event strikes a neighboring community or region. For example, evacuees leaving one community or region may cause traffic jams or strain emergency centers in neighboring communities.

“The Goal recognizes that national preparedness is a shared responsibility. Government entities are responsible for leading efforts within their borders and involving the private sector, non-governmental organizations and citizens, in a systematic and prioritized collective effort.”³ Public safety officials should be asking the preparedness questions to enlist their communities and infrastructure partners in developing higher levels of community response capacity. Homeland Security Presidential Declaration 8, Section 22 specifically tasks the Secretary of Homeland Security to work with ...”State and local governments and the private sector to encourage active citizen participation and involvement in preparedness efforts.”⁴

² Adapted from the National Preparedness Goal

³ Ibid

⁴ Homeland Security Presidential Directive / HSPD 8,
<http://www.whitehouse.gov/news/releases/2003/12/print/20031217-6.html>. Downloaded 1/13/2006



The scenario and charting tool provide a means for public safety officials and their partners to envision a situation and to then ask and answer the three fundamental questions (noted above).

The scenario and charting tool:

The charting tool is a visual product developed from the scenario and guided discussion. The methods use group processes to discover emergency response needs and then compare those needs against the capacity of the community to provide for the need. The process sets the stage for participants to explore the use of collaborative partnerships to “fill the gaps” in deficits in response capacity.

The scenario methodology does not replace all-hazards emergency planning. In the all-hazards planning approach, the planner(s) must plan for all types of hazards in the community and plan, using a standard emergency operations plan methodology and format, with incident annexes.

The scenario-based methodology differs from classical “all-hazards planning” methodology. The scenario itself drives the identification of the hazards and issues present. Participants are asked how the hazards should be managed. For some untrained public safety executive, the all hazards approach can be overwhelming. The scenario method and charting tool does not replace the all-hazards process employed by trained emergency planners. Rather, it is a tool for use by people who are not trained in the classical elements of all-hazards planning. As such, the tool opens the emergency planning process to public safety executives, their staffs, the public, and infrastructure partners. Public safety employees may not be emergency planners, but they are emergency responders and managers. They have experience in responding to events, especially in the operations side of incident command. By using a scenario and then charting the findings, it allows participants to share knowledge and experience to answer the preparedness questions.

The methodology and tool used in this course is not a quantitative analysis methodology. It can, however, transition to become quantitative when used to actually measure levels of preparedness capacity. For example, an initial “needs” list identified fresh (potable) water was a high need, with a corresponding low capacity to deliver potable water. The issue can be quantified by investigating how much water would be needed, for how long, for how many people, in what types of containers, under what



conditions of distribution, etc. the result of that analysis will quantify exactly what needs to be done to deliver water.

However, the methodology employed in the course is an overview of high order needs and capacities topics and does not get to the level of quantitative analysis. It will be up to the agencies and communities to develop specific capacity to deliver the services, e.g. water. This may be a topic or problem covered in the companion two-day course titled “Creating vigilant, prepared, and resilient communities for homeland security.”

The scenario and charting process can be used for other applications in public and private sectors to focus attention, create a vision for future performance, or to create shared understanding. It has been successfully used to develop a needs statement for grant applications and in budget preparation.

Overview of module, methods and facilitation directions:

This module uses a scenario adapted from a real incident in Miamisburg, Ohio or another incident prepared for the course. The participants are asked how well the significant event would be managed if it were to occur today. After reflection the participants are asked, “If you could go back 18 months, knowing that this event would actually happen in your jurisdiction, what would you do for the next 18 months to get ready for the event?”

A model process is employed that requires the participants to analyze the event. They are asked to identify the real hazards present, identify a desired response to each real hazard, and identify (using a limited mind map technique) the activities (Jurisdictional Needs) that must be accomplished to obtain their desired responses to each hazard. The module ends with the participants rating the Jurisdictional Need to perform each work element, against the Community Capacity of the jurisdiction or region to actually perform the needed function.

Once each Jurisdictional Need and Community Capacity has been rated they are plotted to a two-axis chart. The chart forms a visual exhibition for selection of high Jurisdictional Needs, with current low Community Capacity. From this plotting, the public safety executives select the actual work that can be accomplished with cooperative and collaborative partnerships. Due to time constraints, only three “Desired Responses” are



worked through the process. Participants are instructed that the process should be used on each of the hazards found in their jurisdictions to look for community cooperation and collaboration.

This process should “back into” the all hazards process of emergency planning currently in use by emergency planners in each community. Community partnerships emphasis will be placed on existing citizen groups such as Citizen Corp and Volunteers in Police Service, infrastructure partnerships consistent with Homeland Security Presidential Directive 7, and directions found in the coordination requirements in Homeland Security grant programs.

Terminal Learning Objective: To implement the ‘Gap Analysis’ process, to analyze, compare, and rate jurisdictional needs and community capacity to respond to an event.

Enabling Objectives: Participants, working in small groups, will:

- Analyze and list the “Real Hazards” for the given event
- Identify and list the “Desired Responses” for the listed hazards.(one requiring an infrastructure partnership, one a community partnerships, and one an increased agency personal/individual preparation)
- Identify and list “Action/Tasks” or “what needs to be done” to accomplish each of the selected “Desired Responses”
- Analyze, compare, and rate the “Action/Tasks” and current “Community Capacity” of the participant’s jurisdiction or region, for the selected “Actions/Tasks” identified in Objective 3-3
- Plot the ratings from Objective 3-4, to complete the community gap analysis – the gap between jurisdictional need and capacity

The Process:

Read the scenario to the participants and have them read along with you.

Watch the video of the event.

Question to the class: “This event, or something very near to these elements, actually takes place in your jurisdiction. If you were to deal with it right now, how would it go?”



Reflection: Allow three minutes for the participants to silently think about the event. Encourage them to jot notes on the written scenario of thoughts, reflections, ideas, and concerns.

Small Group Discussion: Allow for 5 minutes is table discussion in response to the question on how it would actually go.

Large Group Discussion: Ask the participants for responses as to how they feel their community, jurisdiction or region would “really” respond to this event.

Listen for responses that include that, “We are not ready for this type of event.” or similar statements. Note any participants who represent that they are fully ready for the event. This may a challenge the concept that any jurisdiction could improve on its capacity to prepare for and respond to an event.

Facilitator, question to the class: “Assuming you could go back 18 months from today and start over, what else would you do to be prepared for this event?”

Pause for reflection and discussion. This question leads to other questions implicit in improving our communities. The questions include:

- How would I better my jurisdictions performance?
- How will I identify where to put my efforts?
- Where will I work with my community?

Facilitator, comment to participants: Let’s look at a method to do just that:

Model Process for Needs and Capacity Gap Identification

- Identify REAL HAZARDS
- Identify DESIRED RESPONSES to the REAL HAZARDS
- Identify what NEEDS to be done
- Rate my CAPACITY to do the necessary functions
- Identify where to prioritize our efforts

Step 1: IDENTIFY THE REAL HAZARDS



Directions to participants:

- Think about your jurisdiction's response during this event.
- Identify the REAL HAZARDS in the scenario.
- List the REAL HAZARDS that you perceive in this scenario in your workbook.

Facilitator: Provide a few examples of REAL HAZARDS to get the participants thinking.

Examples might include:

- Traffic gridlock preventing emergency vehicles from getting to the scene
- Hazardous smoke being inhaled by citizens

Allow the participants and their tables to create and record in their workbooks, a list of hazards for this event. If each table represents a local jurisdiction, community or region they should be compiling a list that they share, so they are working from the same orientation to the event.

Large Group Discussion:

Ask each table to name a hazard. Go around the room, asking each table to name a different hazard until 25-30 hazards are named.

(Note to development team: Do we want to take the time to record these on chart paper and post them in the class? When we did this before it took time and did not seem to serve a purpose because we never use the lists.)

Encourage the participants to record hazards that they had not thought about in their workbook.

Facilitator, question to class: What insights did you gain from the hazards identification?



Anticipated responses:

“Feel overwhelmed”

“There are things that they had not thought of”

Closure of Step 1

Facilitator, comment to participants:

From our experience we find that the process of REAL HAZARD identification does not ever really stop. You must post the hazards on the wall and keep the list alive as you think and work through the process. You will actually continue to discover and realize hazards that will need to be prioritized.

Step 2: Identify the DESIRED RESPONSE to each REAL HAZARD

Facilitator, comment to the class: Now assume that the event is going to occur in your jurisdiction in 18 months.

Working at your tables: You have identified the hazards. Now define / visualize how each hazard should be addressed. These are your DESIRED RESPONSES. These become your “concept of operations”.

This is the “big picture” of how you would like to see this managed. Be reasonable for your jurisdiction. You should not be limited by the resources you currently have.

Remember this event takes place for at least 3 days.

Using the worksheet list your “big picture” desired responses as to how this event should be handled.

For example: If you have identified that traffic management is a big hazard then you may identify that the DESIRED RESPONSE would be to have a “comprehensive traffic management plan and capacity to manage traffic”



Allow the participants to work through their table lists for 15 minutes to compile a list of DESIRED RESPONSES for each hazard.

Closure of Step 2:

Facilitator, comment to Class: We have identified some of the hazards that we know we will face 18 months in the future. We now have a vision of how we want to address each hazard. This is a significant list and seems overwhelming. It is.

This approach takes time. Much of the desired response vision you have may be based in your existing emergency operations plan and operational annexes. This approach asks you to think about your actual capacity to do what you have identified as how you will respond to the event. There may be voids in your current emergency operations plan, especially in how your community and/or infrastructure will work together to achieve any desired response.

We now want to take a sample of your DESIRED RESPONSES and break them down into some component parts and discern what it would actually take to achieve your DESIRED RESPONSE.

Step 3: Mind map process (limited)

Facilitator, comment to participants: This is an activity to specifically identify "What needs to be done" to achieve each desired response. Together all of your desired response efforts will produce the all encompassing event response managed through an emergency response plan. The desired responses should ultimately be reflected in the agency emergency operations plan annexes.

Our purpose here is not to design and write an emergency operation plan and set of annexes, but rather to look at what needs to be done, break those efforts down into basic elements of work and then explore those efforts for areas where community and infrastructure partnerships can provide the actual response capacity to perform the job for an extended period of time.

Due to time constraints this group of needs will not be an all-encompassing list. At your community or jurisdiction this process will be more encompassing and complete.



Direction to participants:

Identify “What specifically has to be done” that you and your community must do for you to achieve your desired responses (concept of operations) to this event.

- Select three “desired responses” from your list in step two, which you feel are important for your jurisdiction.
 - One that can be achieved with a community partnership.
 - One involving an infrastructure partnership
 - One involving individual preparedness
- Write the desired response on the side circle on the pages as appropriate.
- Think silently for several minutes as to what has to be done in your jurisdiction for these desired responses. Be prepared to work individually and in your table group to compile a list of needs for each desire response (concept of operations).

Note to facilitator: Provide examples of efforts that do or could involve the community, infrastructure and individual preparedness.

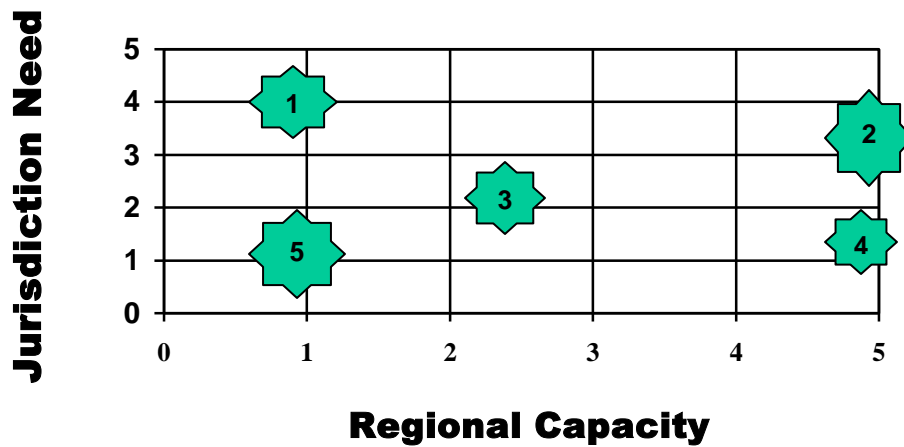
- On your worksheet, record at least six needs for each desire response. All three must involve the potential of community partners or resources
- Share your needs with your group and refine your own list as you learn from them

When you have completed identifying your needs it is time to record 18 needs (so we can manage this in our time frame.) Write the needs on the appropriate work sheet. They need not be in any prioritization order.

Step Closure:

Facilitator, comment to participants:

- You have now identified the real hazards.
- You have visualized at least one desired response for each of the hazards.



Facilitator: Use the power point demonstration of plotting each need to the chart.

Results: the plotted needs will display needs and capacities of various values. Attention should be directed to the needs rated as high need, with a corresponding low capacity to perform the function. In those areas the public safety leader should start to focus attention in obtaining partnerships and collaboration to improve their capacity to get the jobs done.

For example, item 1 has the highest need and the lowest capacity. This would be one of the items to start initial efforts to increase capacity. Item 4, however, is a low need, but very high capacity. The public safety leader may want to redirect some of that capacity to a high need area.



Cross-Deputation

Due to the complex patchwork of criminal statutes covering Indian Country and overlapping and sometimes conflicting jurisdictions, cross-deputation is a major method for preventing gaps in the law and ensuring that criminal acts do not go unpunished. The issue of cross-deputation on Indian lands is very complex, because cross-deputation occurs at all three levels of criminal enforcement in Indian Country, federal, state and tribal.

Generally, crimes committed by Indians against the person or property of Indians residing in Indian Country are prosecuted by either the tribal or federal government. The Indian Civil Rights Act (ICRA) of 1968, (25 U.S.C. § 1301-03), and the General Crimes Act of 1854, (10 Stat. 259), recognize tribal authority to exercise criminal jurisdiction over crimes committed by Indians against Indians within Indian country. However, under the ICRA tribal prosecutions are limited to the federal misdemeanor level. In addition, tribal prosecution of non-Indians for violation of tribal law is prohibited by the *Oliphant* Decision, *Oliphant v. Suquamish Indian Tribe*, 435 U.S. 191 (1978). Furthermore *United States v. McBratney*, 104 U.S. 621 (1882), ruled that crimes committed in Indian country by non-Indians against the person or property of non-Indians were the exclusive jurisdiction of the appropriate state. Taken together, these two Supreme Court decisions establish that tribes do not have the authority to prosecute non-Indians in tribal courts for crimes they commit in Indian country.

Several laws charge the federal government with enforcing violations of federal law in Indian Country. The Major Crimes Act of 1885, (18 U.S.C. § 1153), makes it a federal responsibility to investigate and prosecute major federal felonies in which either the victim or suspect is an Indian. Other federal laws establish federal criminal enforcement over all persons in Indian Country. The Federal Enclave Act (18 U.S.C. § 1152) extends to Indian country the general crimes of the United States to the same extent as the punishment of those offenses committed in any place within the sole and exclusive jurisdiction of the United States, except the District of Columbia. In addition, the Assimilative Crimes Act (18 U.S.C. § 13) makes the criminal law of a state a federal offense in Indian Country within that state, provided that the activity is defined as a crime under the state law is not already defined as a crime under federal statutes. In addition, Federal crimes of general applicability, regardless of where the crime was committed, are crimes in Indian country and are the exclusive jurisdiction of the United States, *e.g.* felon in possession of a handgun and criminal violations of environmental laws.

This places a heavy burden on federal law enforcement officers in Indian Country. Unfortunately, the availability of federal officers to investigate all of these federal offenses is very often lacking. To address this situation, the Department of the Interior, through the Bureau of Indian Affairs, has taken steps to cross-deputize tribal police officers so that tribal officers may enforce against federal crimes when they are committed by either Indians or non-Indians in Indian Country. This authority is granted by 25 U.S.C. § 2804. Many, but not all, of the cross-deputized tribal officers are employed by tribes who have contracted with the federal



government to operate law enforcement programs pursuant to Public Law 93-638 (the Indian Self-Determination and Education Assistance Act of 1975).

However, federal cross-deputation still leaves tribal officers unable to enforce state laws in state courts. To remedy this situation, two avenues have been developed through which tribal law enforcement officers may acquire authority to enforce violations of state laws in Indian Country in state courts. First, some state legislatures have enacted laws recognizing and/or granting state peace officer status to tribal law enforcement officers. This is very important because in some states, like the state of New York and the P.L. 83-280 states, Congress has granted criminal jurisdiction over most federal crimes committed within Indian Country to the state. This places a heavy burden on the state. To relieve this, New York State cross-deputized police officers from the St. Regis Band of Mohawk Tribal Police Department. Previously, St. Regis officers only had authority to enforce tribal law against Indians. Now they can bring cases in state court against anyone on their reservation for violations of state and applicable federal laws.

Secondly, in other states local sheriffs have cross-deputized tribal police officers. This is the case with the Poarch Band of Creek Indians in Alabama. Poarch Band police officers carry commissions issued by the Escambia County Sheriff. In both types of cross-deputation where tribal officers have the authority to bring criminal cases in state and/or county courts, the tribal police departments have excellent working relationships with surrounding non-tribal law enforcement agencies, and tribal officers can and do take direct enforcement action against non-Indians committing crimes on their reservations.

Finally, there are cases where tribes have cross-deputized non-Indian police officers to enforce tribal laws. Tribes in Oklahoma have entered into a state-wide agreement with the BIA, State of Oklahoma, and the counties serving Indian country granting the participating officers authority to enforce federal, state, local and tribal laws in Indian country. The Navajo Nation deputizes State and County law enforcement officers to enforce tribal laws on their reservation in Arizona, New Mexico and Utah.

Additionally, some tribes cross-deputize officers from neighboring tribes on a case-by-case basis. This is often done to assist in major events occurring on the reservation being assisted. For example, the Narragansett Tribe of Rhode Island has requested assistance from the Mashantucket Pequot Tribal Police Department to address crowd and traffic control during a powwow.



Tribal Resources

1. National Native American Law Enforcement Association

NNALEA is a nonprofit organization founded in 1993 in Washington, D.C. and incorporated under the state of Delaware. The mission of the NNALEA is to promote and foster mutual cooperation between American Indian Law Enforcement Officers/Agents/Personnel, their agencies, tribes, private industry and public. NNALEA's objectives are:

- To provide media for the exchange of ideas and the new techniques used by both criminals and investigators To conduct training seminars, conferences, and research into educational methods for the benefit of American Indians in the law enforcement profession.
- To keep the membership and public informed of current statute changes and the judicial decisions as they relate to the law enforcement community.
- To establish a network and directory consisting of Native American enforcement officers/agents/employees.
- To provide technical and/or investigative assistance to Association members within the various aspects of law enforcement investigations.
- To promote a positive attitude towards law enforcement in the American Indian community and other communities.
- To provide a support group for Native American officers/agents/employees in a field through the utilization of a national organization (<http://www.nnalea.org/aboutus.htm>, retrieved February 13, 2007)

2. National Congress of American Indians

The National Congress of American Indians (NCAI) was founded in 1944 in response to termination and assimilation policies that the United States forced upon the tribal governments in contradiction of their treaty rights and status as sovereigns. NCAI stressed the need for unity and cooperation among tribal governments for the protection of their treaty and sovereign rights. Since 1944, the National Congress of American Indians has been working to inform the public and Congress on the governmental rights of American Indians and Alaska Natives.



Over a half a century later, NCAI's goals remain unchanged. NCAI has grown over the years from its modest beginnings of 100 people to include 250 member tribes from throughout the United States. Now serving as the major national tribal government organization, NCAI is positioned to monitor federal policy and coordinate efforts to inform federal decisions that affect tribal government interests.

Now as in the past, NCAI serves to secure for tribes and Indian people the rights and benefits to which they entitled; to enlighten the public toward the better understanding of the Indian people; to preserve rights under Indian treaties or agreements with the United States; and to promote the common welfare of the American Indians and Alaska Natives.

The current issues and activities of the NCAI include:

- Protection of programs and services to benefit Indian families, specifically targeting Indian Youth and elders
- Promotion and support of Indian education, including Head Start, elementary, post-secondary and Adult Education
- Enhancement of Indian health care, including prevention of juvenile substance abuse, HIV-AIDS prevention and other major diseases
- Support of environmental protection and natural resources management
- Protection of Indian cultural resources and religious freedom rights
- Promotion of the Rights of Indian economic opportunity both on and off reservations, including securing programs to provide incentives for economic development and the attraction of private capital to Indian lands
- Protection of the Rights of all Indian people to decent, safe and affordable housing

3. American Indian Heritage Foundation

The American Indian Heritage Foundation was established to provide relief services to Indian people nationwide and to build bridges of understanding and friendship between Indian and non-Indian people.
(http://www.indians.org/About_Us/about_us.html, retrieved February 13, 2007).



4. American Indian Research and Policy Institute

The mission is to provide government leaders, policy makers, and the public with accurate information about the legal and political history of American Indian nations, and the contemporary situation for American Indians (<http://www.airpi.org/>, retrieved February 13, 2007).

5. American Indian Ritual Object Repatriation Foundation

The American Indian Ritual Object Repatriation Foundation is a non-federally funded, not-for-profit organization founded in 1992 by Elizabeth A. Sackler. They have assisted in the repatriation of ceremonial materials to American Indian People. Further, the Repatriation Foundation has been committed to educating the general public about the importance of repatriation. The loss of ritual objects prevents many American Indian people from passing knowledge of ancient sacred ceremonies destroying traditions of prayer, medicine, and rites of passage.

6. International Indian Treaty Council

An organization of Indigenous Peoples from North, Central, South America, and the Pacific working for the Sovereignty and Self-Determination of Indigenous Peoples and the recognition and protection of Indigenous Rights, Traditional Cultures and Sacred Lands. Seeks, promotes and builds official participation of Indigenous Peoples in the United Nations and its specialized agencies, as well as other international forums (<http://bapd.org/ginil-1.html>, retrieved February 13, 2007).

7. National Center for American Indian Enterprise Development

Founded in 1969, the National Center for American Indian Enterprise Development (NCAIED) is the first national non-profit 501 (c) 3 corporation created and directed by American Indians, solely dedicated to developing American Indian economic self-sufficiency through business ownership.

NCAIED supplies technical assistance and consulting services in all areas of business development to American Indian owned small businesses and tribal enterprise operations.



NCAIED also works with federal government agencies, corporations and foundations to facilitate a business relationship between American Indian enterprises and private industry. (<http://www.ncaied.org/>, retrieved February 13, 2007)

8. National Indian Gaming Association

The National Indian Gaming Association (NIGA), established in 1985, is a non-profit organization of 184 Indian Nations with other non-voting associate members representing organizations, tribes and businesses engaged in tribal gaming enterprises from around the country. The common commitment and purpose of NIGA is to advance the lives of Indian peoples economically, socially and politically. NIGA operates as a clearinghouse and educational, legislative and public policy resource for tribes, policymakers and the public on Indian gaming issues and tribal community development. (<http://www.indiangaming.org/info/about.shtml>, retrieved February 13, 2007).

The mission of NIGA is to protect and preserve the general welfare of tribes striving for self-sufficiency through gaming enterprises in Indian lands. To fulfill its mission, NIGA works with the Federal government and Congress to develop sound policies and practices and to provide technical assistance and advocacy on gaming-related issues. In addition, NIGA seeks to maintain and protect Indian sovereign governmental authority in Indian lands.

9. National Tribal Justice Resource Center

The National Tribal Justice Resource Center is the largest and most comprehensive site dedicated to tribal justice systems, personnel and tribal law. The Resource Center is the central national clearinghouse of information for Native American and Alaska Native tribal courts, providing both technical assistance and resources for the development and enhancement of tribal justice system personnel. Programs and services developed by the Resource Center are offered to all tribal justice system personnel -- whether working with formalized tribal courts or with tradition-based tribal dispute resolution forums. (<http://www.tribalresourcecenter.org/>, retrieved February 13, 2007)

10. Native American Finance Officers Association

The Native American Financial Officers Association builds the financial strength of tribal governments, organizations and businesses by providing educational forums and resources, and by instilling finance and accounting best practices.



NAFOA is a national not-for-profit organization with members in positions such as tribal finance officers, controllers, treasurers, accountants, auditors, financial advisors, tribal leaders, and more (<http://www.nafoa.org/>, retrieved February 13, 2007).

NAFOA is unique because it focuses solely on the financial success of tribal and other Native American entities. It provides a central source for the latest in financial management information and professional idea sharing. Through its network, NAFOA members connect with experts in various financial areas, specifically as they apply to Tribal governments and organizations.

11. Native American Sports Council

The Native American Sports Council's mission is to promote athletic excellence and wellness within Native American communities through sports programs which combine traditional Native American values with those of the modern Olympics.

Through its membership in the U.S. Olympic Committee and its affiliation with selected Olympic Sports Federation, the NASC conducts community based multi-sport programs and athlete development programs which enable emerging elite athletes to be identified and developed for national, international and Olympic competition.

The following is a brief description of the NASC's primary program areas:

- Athlete Development and Assistance Program
- Sports & Wellness Leadership Development Program
- Sports Academic Training Institute
- Sports Partnerships

Like the original Olympic Games, Native American games provide a framework for building ties of mutual respect, friendship and cooperation between individuals, communities and nations (<http://www.nascsports.org> retrieved February 13, 2007).



12. Native Dispute Resolution Network

The Native Network is a resource for those seeking assistance from a collaborative conflict resolution practitioner where American Indian, Alaska Native or Native Hawaiian people and environmental, natural resource or public/trust lands (including cultural property and sacred sites) issues are involved. (<http://www.ecr.gov/about.htm>, retrieved February 13, 2007)

13. The National Native American EMS Association



The NNAEMSA is the only national organization that specifically serves supports and represents approximately 70 individual Native American Emergency Medical Service programs. These 70 EMS programs provide pre-hospital care to over half a million Native American people who live on reservations or in non-reservation area.

Tribal Health Resources

- **American Indian Health** This web resource on American Indian Health, sponsored by the National Library of Medicine, is designed to bring together health and medical resources pertinent to the American Indian population including policies, consumer health information, and research. Links are provided here to an assortment of documents, websites, databases, and other resources.
- **Association of American Indian Physicians** AAIP is dedicated to pursuing excellence in Native American health care by promoting education in the medical disciplines, honoring traditional healing practices and restoring the balance of mind, body, and spirit. AAIP members are very active in medical education, cross cultural training between western and traditional medicine, and assisting Indian communities.





- **Association of Native American Medical Students** ANAMS represents Native American graduate students throughout the United States and Canada and is comprised of students enrolled in medical school or allied health professions including dentistry, veterinary, optometry, podiatry and pharmacy. ANAMS provides support and resource networking and seeks to increase the number of Native American students in the health professions.
- **Center for American Indian Health at the Johns Hopkins School of Public Health** The Johns Hopkins Center for American Indian Health's mission is to research, design and implement partnerships with tribes.
- **healthfinder® for Native American Health** Lots of government resources. Search Native American, American Indians and Alaska Native – each returns different results.
- **Indian Health Service** This federal agency is responsible for delivering direct health care services to the nations federally-recognized American Indians and Alaska Natives tribes. The site includes links to education and employment opportunities, news and policy issues.
- **Michigan Inter-Tribal Council** A consortium of Michigan's federally-recognized tribes
- **National Indian Health Board** A listing of Regional and Area Indian Health Boards
- **National Library of Medicine's History of Healthcare for Native American Indians** The exhibit focuses on the administration of healthcare to Native American recipients by the United States Government. It examines the evolution of government responsibility and its transfer through the Departments of War, the Interior, and Health, Education, and Welfare, now the Department of Health and Human Services. Items exhibited comprise, mainly, collections of the National Library of Medicine. These are supplemented by loaned items from the Dickinson College Library's Special Collections. Also displayed are photographic and textual reproductions of materials from the National Archives and Records Administration, the National Anthropological Archives of the Smithsonian Institution, and the Cumberland County Historical Society in Carlisle, Pennsylvania.



- **National Native American AIDS Prevention Center** NNAAPC was founded in 1987 as a network of concerned Native people to support and speak publicly on the need for HIV prevention and education by and for Native people. The organization's mission is to stop the spread of HIV and related diseases among American Indians, Alaska Natives and Native Hawaiians and to improve the quality of life for people in these communities affected by HIV/AIDS.
- **National Network of Libraries of Medicine (NN/LM) Easy-to-Read Health and Medical Sites** Online resources for health and medical information in an "easy-to-read" format
- **Native Elder Healthcare Resource Center** at the University of Colorado Health Science Center a national resource center for older American Indian and Alaska Natives with special emphasis on culturally competent health care
- **Northwest Portland Area Indian Health Board (NPAHIB)** Assists Northwest tribes in improving the health status and quality of life of member tribes and Indian people in their delivery of culturally appropriate and holistic health care

Alaska Native Resources:

- **Circumpolar Peoples** Health, cultural, educational, social, and other resources for the Indigenous Peoples of the Circumpolar Region
- **National Library of Medicine Arctic Health Project** [Arctic Health](#) Provides a central source of local, state, national and international information on diverse aspects of the Arctic environment and the health of northern inhabitants
- **Northwest AIDS Education Training Center Alaska Targeted Provider Education Demonstration Project (TPED)** Provides state-of-the-art HIV/AIDS education and training, consultation, and support to community health and social service providers working with HIV-infected Alaska Natives/American Indian populations in Alaska or those at risk for HIV
- **Sealaska Heritage Institute**
A web site to perpetuate and enhance Tlingit, Haida, and Tsimshian Cultures





Tribal Health Web Sites:

- **Health Web Page of Cherokee Nation** The health web page of the Official site of the Cherokee Nation. Provides a list of health services, clinics, and numerous health programs. <http://www.cherokee.org/Services/Health.asp>
- **Health Web Page of Cheyenne-Arapaho Nation** The health web page of the Cheyenne-Arapaho Nation. Provides information on tribal health education, vocational rehab, diabetes wellness, and a substance abuse program. <http://www.cheyenne-arapaho.org>
- **Health Page of the Choctaw Nation** Offers information on Residential treatment for Women and Children, and other programs that provide necessary materials to accompany the Native people in their everyday lives. <http://www.choctawnation.com>
- **Health Page of the Citizen Potawatomi Nation** Offers basic information on the motives of the health clinic, and some of the things that they offer. <http://www.potawatomi.org>
- **Health Page of the Passamaquoddy Tribe** Provides the mission of the health clinic, hours of operation, medical records, and patient registration. <http://www.wabanaki.com/Tribe/depts/Health/Services.htm>
- **Health Page of the Seneca Nation** Offers information on the health department, and provides an index of numbers of the health centers. <http://www.sni.org/health.html>
- **Health Page of the Wampanoag Tribe** Offers information about their insurance counseling, community nurse services, and community health outreach. <http://www.wampanoagtribe.net/health>
- **Health Page of the White Mountain Apache** Offers a phone list of the different services in their health department. <http://www.wmat.nsn.us/healthservices.shtml>
- **Health Page of the Wichita People** Offers brief information on their health program, and a photo of their clinic. <http://www.wichita.nsn.us/ch.htm>



Urban Health Web Sites:

- **Seattle Indian Health Board** A community health center that serves the healthcare needs of American Indians and Alaska Natives living in the greater Seattle/King County region of western Washington. Also sponsors the Urban Indian Health Institute, which maintains nationwide data on health surveillance, research, and policy issues affecting the health status of urban American Indians and Alaska Natives.
- **Urban Indian Health Institute**
(Resources derived from <http://www.tribalconnections.org/ehealthinfo/tribal.html>,
retrieved February 12, 2007)



3. Federal Health Services

- **Agency Introduction** The mission, goal, and foundation of the IHS, along with a brief description of the agency.
- **Children's Health Insurance Program (CHIP)** A Federal/State program expanding health coverage to uninsured children whose families earn too much for Medicaid but too little to afford to purchase private health insurance.
- **Clinical Practice Guidelines** Clinical practice guidelines from a wide variety of best practices sources.
- **Fact Sheet** A brief summary touching on Indian Health Service Federal-tribal relationships; mission, goal, and objectives; health care delivery; facilities construction and maintenance; and career opportunities.
- **Health Care Information** Links to a variety of health care information sites.
- **HealthFinder** US Department of Health and Human Service's web site with links and information on many aspects of health, medicine, databases, and on-line publications.
- **Medicare Information** The official US government site for Medicare information.
- **Native Health History Database (NHHD)** The NHHD is a centralized, nationally accessible, computerized information database containing complete bibliographic information and abstracts on historical Native American and Alaska Native medical/health research reports covering a time period from 1652 to 1970.
- **Native Health Research Database (NHRD)** The NHRD, a joint venture between the Indian Health Service and the University of New Mexico Health Sciences Center Library, is a database of resource documents and other materials from approximately 1970 to the present time for tribal health professionals and health care practitioners working with Native American populations.
- **Native Health Research Database (NHRD)** The NHRD, a joint venture between the Indian Health Service and the University of New Mexico Health Sciences Center Library, is a database of resource documents and other materials from approximately 1970 to the present time for tribal health professionals and health care practitioners working with Native American populations. (<http://www.ihs.gov/>, retrieved February 13, 2007)



Federal Resources

1. Department of Homeland Security

The Department of Homeland Security (DHS) leverages resources within federal, state, and local governments, coordinating the transition of multiple agencies and programs into a single, integrated agency focused on protecting the American people and their homeland. More than 87,000 different governmental jurisdictions at the federal, state, tribal, and local level have homeland security responsibilities. The comprehensive national strategy seeks to develop a complementary system connecting all levels of government without duplicating effort. Homeland Security is truly a “national mission.”

The following list contains the major components that currently make up the Department of Homeland Security. The Department’s Components consist of:

- The Directorate for National Protection and Programs works to advance the Department's risk-reduction mission. Reducing risk requires an integrated approach that encompasses both physical and virtual threats and their associated human elements.
- The Directorate for Science and Technology is the primary research and development arm of the Department. It provides federal, state and local officials with the technology and capabilities to protect the homeland.
- The Directorate for Management is responsible for Department budgets and appropriations, expenditure of funds, accounting and finance, procurement; human resources, information technology systems, facilities and equipment, and the identification and tracking of performance measurements.
- The Office of Policy is the primary policy formulation and coordination component for the Department of Homeland Security. It provides a centralized, coordinated focus to the development of Department-wide, long-range planning to protect the United States.
- The Office of Health Affairs coordinates all medical activities of the Department of Homeland Security to ensure appropriate preparation for and response to incidents having medical significance.



- The Office of Intelligence and Analysis is responsible for using information and intelligence from multiple sources to identify and assess current and future threats to the United States.
- The Office of Operations Coordination is responsible for monitoring the security of the United States on a daily basis and coordinating activities within the Department and with governors, Homeland Security Advisors, law enforcement partners, and critical infrastructure operators in all 50 states and more than 50 major urban areas nationwide.
- The Federal Law Enforcement Training Center provides career-long training to law enforcement professionals to help them fulfill their responsibilities safely and proficiently.
- The Domestic Nuclear Detection Office works to enhance the nuclear detection efforts of federal, state, territorial, tribal, and local governments, and the private sector and to ensure a coordinated response to such threats.
- The Transportation Security Administration (TSA) protects the nation's transportation systems to ensure freedom of movement for people and commerce.
- United States Customs and Border Protection (CBP) is responsible for protecting our nation's borders in order to prevent terrorists and terrorist weapons from entering the United States, while facilitating the flow of legitimate trade and travel.
- United States Citizenship and Immigration Services is responsible for the administration of immigration and naturalization adjudication functions and establishing immigration services policies and priorities.
- United States Immigration and Customs Enforcement (ICE), the largest investigative arm of the Department of Homeland Security, is responsible for identifying and shutting down vulnerabilities in the nation's border, economic, transportation and infrastructure security.
- The United States Coast Guard protects the public, the environment, and U.S. economic interests—in the nation's ports and waterways, along the coast, on international waters, or in any maritime region as required to support national security.
- The Federal Emergency Management (FEMA) prepares the nation for hazards, manages Federal response and recovery efforts following any national incident, and administers the National Flood Insurance Program.



- The United States Secret Service protects the President and other high-level officials and investigates counterfeiting and other financial crimes, including financial institution fraud, identity theft, computer fraud; and computer-based attacks on our nation's financial, banking, and telecommunications infrastructure.

The *Office of the Secretary* oversees activities with other federal, state, local, and private entities as part of a collaborative effort to strengthen our borders, provide for intelligence analysis and infrastructure protection, improve the use of science and technology to counter weapons of mass destruction, and to create a comprehensive response and recovery system. The Office of the Secretary includes multiple offices that contribute to the overall Homeland Security mission.

- The Privacy Office works to minimize the impact on the individual's privacy, particularly the individual's personal information and dignity, while achieving the mission of the Department of Homeland Security.
- The office for Civil Rights and Civil Liberties provides legal and policy advice to Department leadership on civil rights and civil liberties issues, investigates and resolves complaints, and provides leadership to Equal Employment Opportunity Programs.
- The Office of Inspector General is responsible for conducting and supervising audits, investigations, and inspections relating to the programs and operations of the Department.
- The Citizenship and Immigration Services Ombudsman provides recommendations for resolving individual and employer problems with the United States Citizenship and Immigration Services in order to ensure national security and the integrity of the legal immigration system, increase efficiencies in administering citizenship and immigration services, and improve customer service.
- The Office of Legislative Affairs serves as primary liaison to members of Congress and their staffs, the White House and Executive Branch, and to other federal agencies and governmental entities that have roles in assuring national security.

Other DHS Offices:

1. Office of the General Counsel
2. Office of Counternarcotics Enforcement
3. Office of Public Affairs
4. Executive Secretariat
5. Military Advisor's Office



Advisory Panels and Committees:

- The Homeland Security Advisory Council provides advice and recommendations to the Secretary on matters related to homeland security. The Council is comprised of leaders from state and local government, first responder communities, the private sector, and academia.
- The National Infrastructure Advisory Council provides advice to the Secretary of Homeland Security and the President on the security of information systems for the public and private institutions that constitute the critical infrastructure of our nation's economy.
- The Homeland Security Science and Technology Advisory Committee. Serves as a source of independent, scientific and technical planning advice for the Under Secretary for Science and Technology.
- The Critical Infrastructure Partnership Advisory Council was established to facilitate effective coordination between Federal infrastructure protection programs with the infrastructure protection activities of the private sector and of state, local, territorial and tribal governments.
- The Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities was established to ensure that the federal government appropriately supports safety and security for individuals with disabilities in disaster situations.

2. U.S. Bureau of Indian Affairs

The Bureau of Indian Affairs (BIA) responsibility is the administration and management of 55.7 million acres of land held in trust by the United States for American Indians, Indian tribes, and Alaska Natives. There are 564 federal recognized tribal governments in the United States. Developing forestlands, leasing assets on these lands, directing agricultural programs, protecting water and land rights, developing and maintaining infrastructure and economic development are all part of the agency's responsibility. In addition, the Bureau of Indian Affairs provides education services to approximately 48,000 Indian students.



3. U.S. Customs and Border Patrol (CBP)

The priority mission of the CBP is preventing terrorists and terrorist's weapons, including weapons of mass destruction, from entering the United States. CBP Agents patrol nearly 6,000 miles of international land border with Canada and Mexico and nearly 2,000 miles of coastal border. Undaunted by scorching desert heat or freezing northern winters, they work tirelessly as vigilant protectors of our Nation's borders (http://www.cbp.gov/xp/cgov/border_security/border_patrol/overview.xml, retrieved February 13, 2007).

4. U.S. Drug Enforcement Administration

The mission of the Drug Enforcement Administration (DEA) is to enforce the controlled substances laws and regulations of the United States and bring to the criminal and civil justice system of the United States, or any other competent jurisdiction, those organizations and principal members of organizations, involved in the growing, manufacture, or distribution of controlled substances appearing in or destined for illicit traffic in the United States; and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances on the domestic and international markets (<http://www.dea.gov/agency/mission.htm>, retrieved February 13, 2007).

5. U. S. Environmental Protection Agency (EPA)

The mission of the EPA is to protect human health and the environment. Chemical attacks by terrorists may first present themselves as hazardous material incidents. EPA maintains a national counter-terrorism evidence response capability as well as a national environmental forensic center with expertise in radiological and chemical weapons of mass destruction. It also has emergency response programs, drinking water protection programs, and chemical industry regulatory functions that are vital to homeland security. EPA has a criminal enforcement program that focuses on prevention and training as well as the investigation of environment crimes. EPA maintains a smooth working relationship with Indian nations and tribes on a government to government basis. It has many grants and agreements with tribes and provides training, technical expertise and other assistance, as requested. The EPA believes that joint training and joint operations are essential before disasters occur.



6. Federal Bureau of Investigation

The FBI's mission is to protect and defend the United States against terrorist and foreign intelligence threats, to uphold and enforce the criminal laws of the United States, and to provide leadership and criminal justice services to federal, state, municipal, and international agencies and partners.

7. U.S. Department of Veteran's Affairs

The VA's goal is to provide excellence in patient care, veterans' benefits and customer satisfaction. They have reformed the department internally and are striving for high quality, prompt and seamless service to veterans. The department's employees continue to offer their dedication and commitment to help veterans get the services they have earned. Our nation's veterans deserve no less. (http://www.va.gov/about_va/, retrieved February 13, 2007)

8. National Indian Gaming Commission

The Commission's primary mission is to regulate gaming activities on Indian lands for the purpose of shielding Indian tribes from organized crime and other corrupting influences; to ensure that Indian tribes are the primary beneficiaries of gaming revenue; and to assure that gaming is conducted fairly and honestly by both operators and players (<http://www.nigc.gov/>, retrieved February 13, 2007).

9. Indian Health Service

Indian Health Services (IHS) under the Federal Emergency Response Plan, which coordinates disaster response, the IHS supplies a broad variety of health and emergency medical services. The IHS is part of the Public Health Service which has 6,000 uniformed officers that are ready to deploy at any time, to any place, where they are required to alleviate public health emergencies. IHS is looking for tribes to develop tribal control of the emergency medical response capabilities on tribal lands. It is also working to improve state/tribal coordination.



10. Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF)

The ATF, and about 90 percent of its personnel, are moving from the Department of Treasury to the Department of Justice. This is part of the same government reorganization which created the Department of Homeland Security. "Explosives" has been added to the agency name, reflecting its long history in regulating explosives and investigating bombings. The agency will continue to use the ATF moniker. Five to six billion pounds of explosives are used lawfully in the United States each year. Regulating that volume is a huge task. ATF is the primary Federal agency responsible for responding to fires, bombings, and explosives incidents. Fighting terrorism is the number one priority of ATF.



MOU and SOP's

The following guide for writing a MOU is adapted from FEMA's SAFECOM *Writing Guide for a Memorandum of Understanding (MOU)*, (2004). This training uses SAFECOM's *Writing Guide for a Memorandum of Understanding (MOU)*, as the basis for providing the participants the skills to write a regional MOU.

Writing Guide for a Memorandum of Understanding (MOU)

Overview and Background

With its Federal partners, SAFECOM provides research, development, testing and evaluation, guidance, tools, and templates on communications-related issues to local, tribal, state, and Federal emergency response agencies. A communications program of the Department of Homeland Security's Office for Interoperability and Compatibility, SAFECOM is managed by the Science and Technology Directorate.

SAFECOM helps the public safety community and local, tribal, state, and Federal policy makers address critical elements for success as they plan and implement interoperability solutions. The program is working with the public safety community to encourage a shift from a technology-centric approach to a comprehensive focus on improving interoperability. Although technology is critical for improving interoperability, other elements, including governance, standard operating procedures, training and exercises, and usage of interoperable communications, play a vital role.

To assist this shift to a comprehensive focus on interoperability, SAFECOM worked with public safety practitioners and local communities to develop a comprehensive framework called the Interoperability Continuum (see Figure 1).

SAFECOM developed the Interoperability Continuum in accordance with its locally driven philosophy and its practical experience in working with communities across the Nation. The Continuum visually depicts the core facets of interoperability according to the stated needs and challenges of the public safety community and aids the efforts of public safety practitioners and policy makers to improve interoperability.

One of SAFECOM's goals is to provide the public safety community with tools to progress along all elements of the Continuum. This tool focuses on the Governance element of the Continuum and is specifically aimed to help communities interested in establishing formal agreements, such as Memorandums of Understanding (MOU), to address multi-organization coordination and communications.



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Communications Interoperability Continuum

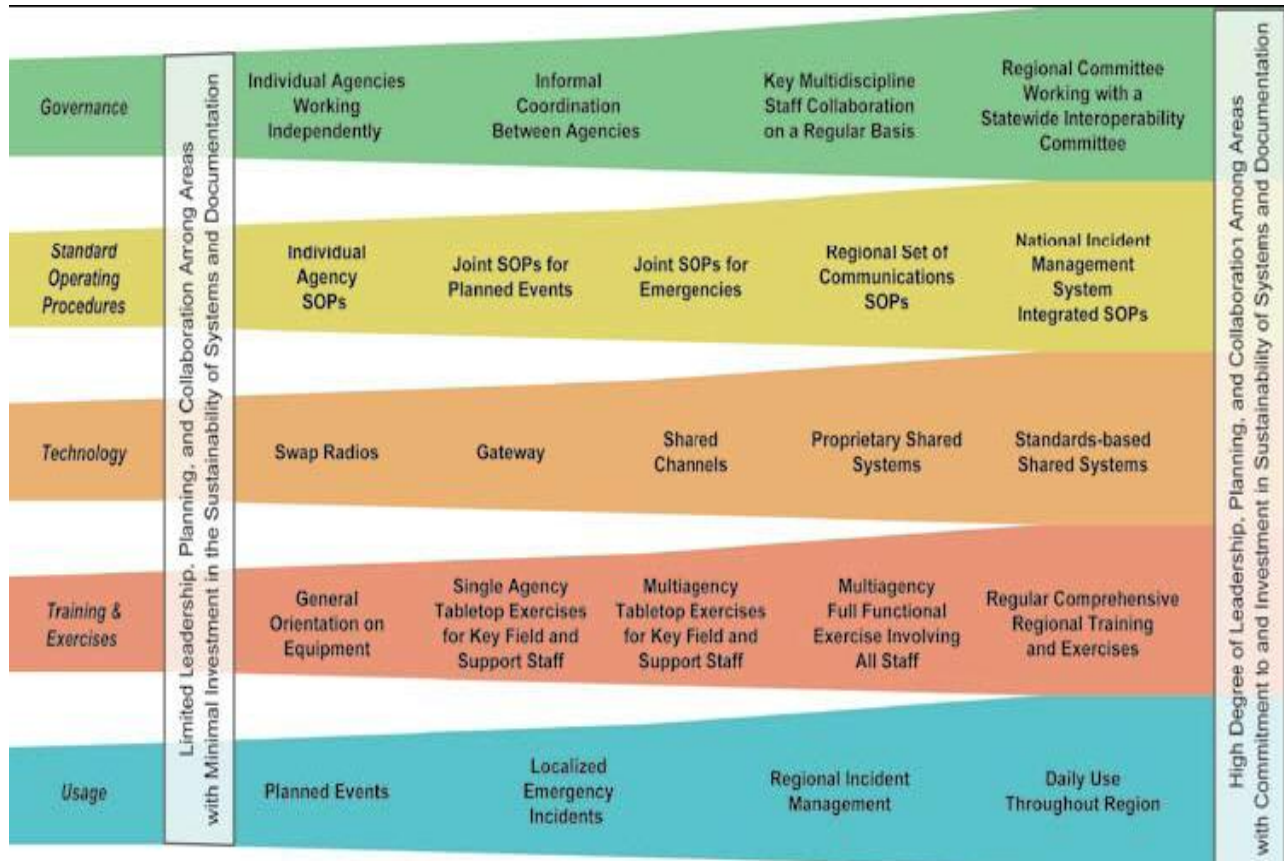


Figure 1



Writing Guide for a Memorandum of Understanding (MOU)

Purpose

This tool provides guidance for developing an MOU. It includes:

- Recommendations for structuring the MOU
- Questions to consider when generating content for each section
- Sample language to illustrate how a community could write each MOU section

How To Use This Tool

This tool is intended to be your guide for writing an MOU. The following is laid out in a recommended MOU structure with suggested headings for each section. Each section:

- poses questions to consider to help guide you when writing content for it
- sample paragraphs are included for your reference; however, it is important to note that the sample paragraphs are geared for illustration purposes toward a specific MOU example
- the sample used in this document is for a Tribe that is setting up an MOU among disciplines for the use of an intra-jurisdictional interoperability channel
- each community's MOU language will need to be modified according to the purpose of the agreement. The sample paragraphs provide examples and guidance only and should not be taken literally

This document does not address every issue that jurisdictions may face when seeking to establish an MOU. An MOU should be customized to the capability or resource for which it is established and should consider any unique characteristics of the specific community and participating jurisdictions.





MOU Section 1: Introduction

The introductory section of the MOU helps the reader to understand the agreement content. It describes:

- the need
- the agencies involved
- why it is necessary to work together, etc.
- this section should be a simple explanation of the agreement and why it is necessary. It does not need to include details about past efforts or discuss how the agencies reached this level of agreement.

Questions to consider:

1. For what capability or resource is this MOU being created?

2. What agencies are participating in the MOU? Include public safety agencies, other governmental bodies, and any private services.



3. Why is this MOU necessary?

4. What agreements are set forth by this MOU?

_____ [Insert name of Tribe here] public safety agencies recognize the need for interagency communication, interoperability, and cooperation.

_____ [Insert name of Tribe here] police, fire response, and Emergency Medical Services (EMS) have well-established interoperability capabilities and mutual aid agreements in place. While these plans and agreements formally extend beyond jurisdictions, they tend to remain intra-discipline in practice. Today’s public safety realities have highlighted the need for agencies to work together to establish communications interoperability and mutual aid plans—not only across traditional jurisdictional boundaries—but across disciplines as well.

Sample Content

To remedy the intra-discipline communication problem, the _____ [insert name of Tribe here] public safety agencies, [insert agency names here], as well as the public service agencies _____ [insert agency names], have worked cooperatively to develop an intra-jurisdictional interoperability solution. This solution establishes



dedicated radio channels with procedures that are accessible on communication equipment used by key public service officials, public safety officials, and public and private service executives.

MOU Section 2: Purpose

The purpose section should be a concise statement discussing the intention of the new or proposed capability that makes the MOU necessary. It explains how the agencies involved will use the new capability and under what circumstances.

Questions to consider:

1. To what capability does the MOU apply? When answering this question, consider the questions that follow.

- a. What is the intended level of command?

- b. When will it be used?



MOU Section 4: Definitions

The definition section describes the operational and technical terms associated with the capability or resource for which the agreement is written. Providing definitions will help avoid confusion and uncertainty.

Questions to consider:

1. What are the technical and operational aspects of the capability/resource? Consider including definitions for each.

2. Are there any community-specific terms or acronyms? Consider including these acronyms and definitions.

Sample Content

The interoperability channels are referred to as _____ [insert name of capability], whether transmitting on the _____ [insert name of Tribe] public safety communication system or the Tribe’s 800 Megahertz (MHz) trunked communication system. The _____ [insert name of capability] is composed of one dedicated Ultra High Frequency (UHF) channel and a dedicated talk group on the Tribe’s trunked system that are “cross-patched.”



MOU Section 5: Policy

The policy section of the MOU briefly describes circumstances under which the capability can be used. This section can also mention:

- authorized use
- activation
- timing
- other circumstances

Questions to consider:

1. When can the capability/resource be used?

2. When should the capability/resource be considered for use?



MOU Section 6: User Procedure Requirements

This section outlines the obligations of this agreement. For an agreement on sharing an enhanced capability, obligations may include:

- training
- exercises
- user requirements
- responsible parties for ensuring training, and awareness

Questions to consider:

1. What are the training, exercise, and equipment requirements associated with participating in this MOU?

2. Are there additional requirements?



3. Are there any financial obligations that must be considered?

Sample Content

By signing this agreement, each agency using the intra-jurisdictional interoperability channel agrees to participate in Tribe-wide drills to the greatest possible extent. The purpose of these procedure requirements is to ensure awareness of the channel and to prepare Tribe personnel for its activation. Agencies with a signed MOU will be permitted to operate on the frequency but are required to provide and maintain their own equipment.

MOU Section 7: Maintenance

The maintenance section designates a responsible party or parties for maintaining equipment, systems, and licenses. The maintenance section can name a jurisdiction, agency, or individual.

Questions to consider:

1. What are the maintenance requirements associated with participating in this MOU?



3. What are the participation requirements in this governance structure of agencies entering this MOU?

4. How are issues affecting policy, recommendations, and/or subsequent change implemented by the governance structure?

5. What is the voting method within the governance structure?



3. Will updates/modifications require this MOU to have a new signature page verifying the understanding of changes by each participating agency?

Sample Content

Updates will take place after the Interoperability Committee meets and gains consensus on proposed changes. It is then the responsibility of the committee to decide the best possible method of dissemination to all affected agencies. In the event that a proposed change or technical upgrade to the intra-jurisdictional interoperability channel degrades the capability or changes the purpose of the channel, a new signature page verifying the understanding of changes may be required.



Sample Application

The following can be used to add agencies, jurisdictions, or individuals to the agreement.

This application is submitted by the requesting agency to the chair of the [governance body] for participation in the [name of capability/resource]. [Name of capability/resource] participation is governed by the [governance body]. Submission and acceptance of this application grants the authority for the use of the [name of capability/resource] as outlined in this MOU and in accord with the [capability/resource SOP]. Each agency will need to update its own contact information with the [governance body].

APPROVED BY:

Name Tribe Executive Representative Date

Name Law Enforcement Representative Date

Name Emergency Management Representative Date

Name Emergency Medical Services Representative Date

Name Fire Service Representative Date



Name Other Agency Representative Date

This MOU must be signed by the agency's head or his/her designee and submitted to the appropriate governing body for consideration.



Writing Guide for Standard Operating Procedures

(Adapted from Homeland Security SAFECOM'S "Writing Guide for Standard Operating Procedures,"



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Communications Interoperability Continuum

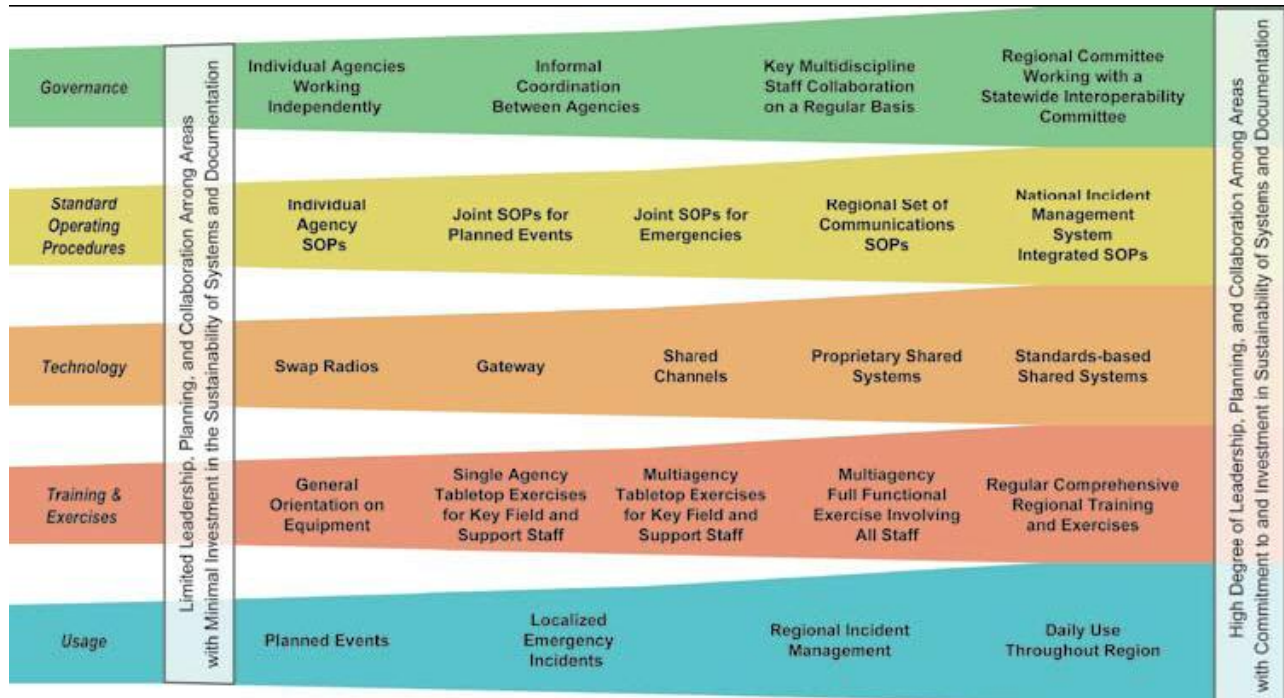


Figure 1



Writing Guide for Standard Operating Procedures

Overview and Background

With its Federal partners, SAFECOM provides research, development, testing and evaluation, guidance, tools, and templates on communications-related issues to local, tribal, state, and Federal emergency response agencies. A communications program of the Department of Homeland Security's Office for Interoperability and Compatibility, SAFECOM is managed by the Science and Technology Directorate.

SAFECOM helps the public safety community and local, tribal, state, and federal policy makers address critical elements for success as they plan and implement interoperability solutions. The program is working with the public safety community to encourage a shift from a technology-centric approach to a comprehensive focus on improving interoperability. Although technology is critical for improving interoperability, other elements, including governance, standard operating procedures, training and exercises, and usage of interoperable communications, play a vital role.

To assist this shift to a comprehensive focus on interoperability, SAFECOM worked with public safety practitioners and local communities to develop a comprehensive framework called the Interoperability Continuum (see Figure 1).

SAFECOM developed the Interoperability Continuum in accordance with its locally driven philosophy and its practical experience in working with communities across the Nation. The Continuum visually depicts the core facets of interoperability according to the stated needs and challenges of the public safety community and aids the efforts of public safety practitioners and policy makers to improve interoperability.

One of SAFECOM's goals is to provide the public safety community with tools to improve all aspects of the Continuum. This tool focuses on the Standard Operating Procedures (SOP) element of the Continuum, specifically to help communities that are interested in establishing standard operating procedures for communications.



Writing Guide for Standard Operating Procedures

Purpose

This guide's purpose is to assist communities that want to establish SOPs. SOPs are formal written guidelines or instructions for incident response. SOPs typically have both operational and technical components and enable emergency responders to act in a coordinated fashion across disciplines in the event of an emergency. Clear and effective SOPs are essential in the development and deployment of any solution.

How to Use This Tool

This guide is intended to help communities write SOPs. The headings of this guide are consistent with recommended headings for each part of an SOP. Each section:

- Begins with a brief introduction of its purpose and then poses questions to consider to guide content.
- Sample paragraphs are included for reference; however, it is important to note that the sample paragraphs were geared for illustration purposes toward a specific SOP example.
- The example used in this document is a Tribe's SOP for the use of an intra-jurisdictional interoperability channel. Intra-jurisdictional refers to multiple disciplines within one jurisdiction.
- The sample paragraphs are there to provide examples and guidance only and should NOT be taken literally.

This document does not address every issue that jurisdictions, regions, or states may face when seeking to establish an SOP. SOPs should be customized to the capability or resource for which they are established and should consider unique characteristics of specific states or participating jurisdictions.



Section 1: Introduction

The introduction section of the SOP describes the recognized need for procedures and lists agencies that will share the procedures. The introduction can also serve to specify the capability or resource in which the procedures are being established and provide reasons why it is important to establish such procedures.

Questions to Consider:

1. To what capability does this SOP apply?

2. What is the recognized need?

3. Are any established agreements already in place among emergency responders?



4. Who will be using the SOP?

5. Why is this concern being addressed?

_____ [Insert name of Tribe here] public safety agencies recognize the need for interagency communication, interoperability, and cooperation. _____ [Insert name of Tribe here] police, fire response, and Emergency Medical Services (EMS) have well-established interoperability capabilities and mutual aid agreements in place. While these plans and agreements formally extend beyond jurisdictions, they tend to remain intra-discipline in practice. Today’s public safety realities highlight the need for agencies to work together to establish communications interoperability and mutual aid plans—not only across traditional jurisdictional boundaries—but across disciplines as well.

Sample Content

To remedy the lack of ability to communicate among disciplines, the _____ [insert name of Tribe here] public safety agencies, _____ [insert agency names here], as well as the public service agencies, [insert agency names], have worked cooperatively to develop an intra-jurisdictional interoperability solution. This solution establishes



dedicated radio channels with procedures that are accessible on communication equipment used by key public service officials, public safety officials, and public/private service executives.

Section 2: Purpose

The purpose section clarifies the principal objective of the capability or resource that is the subject of the SOP. The purpose section also briefly describes the purpose of the SOPs with respect to the capability or resource and may include information as to authority, use, responsibility, etc.

Questions to Consider:

1. What is the principal objective of the interoperability channel?

2. What is the principal objective of the SOP (delineation of authority, roles, and procedures)?

3. What are the other interoperable communications alternatives to the interoperability channel?



Sample Content

The principal objective of the intra-jurisdictional interoperability channel is to provide key decision makers from various agencies a real-time means of direct voice communications. Not only will this enhance the efficiency of a multi-agency response, it will save lives by quickly disseminating critical information to participating emergency responder agencies at the scene of a significant incident anywhere in the Tribe.

The purpose of this SOP is to delineate the authority, roles, and procedures for Tribe agency supervisory personnel to use the intra-jurisdictional interoperability channel. These personnel are outlined in Figure 2 (see page 6). This SOP also recognizes a number of interoperable communications alternatives to the intra-jurisdictional interoperability channel, which allow the _____ [insert Tribe name here] public safety and public service personnel to communicate during critical incidents.

Section 3: Scope

The scope section lists the agencies and jurisdictions that will participate in the procedures and may describe their relationship. This section can also provide details on the end users for whom the new capability is being provided, such as level of command, level of government, voice and/or data, etc.

Questions to Consider:

1. Which agencies are to be included in this SOP?



2. What level of authority will be included in this SOP (command or tactical level)?

3. When will this channel be used? For critical incidents? Planned events? Day-today? At the discretion of the mayor?

Sample Content

The scope of this SOP includes _____ [insert name of Tribe here] public safety agencies including _____ [insert name of Tribe here] police, fire, and EMS as well as [insert name of Tribe here] public service agencies including _____ [insert public service agency names here]. These agencies have worked cooperatively to develop the intra-jurisdictional interoperability channel and standard operating procedures, which will be used at the agency command level during critical incidents or at the discretion of the mayor. In the future, other agencies may enter into a Memorandum of Understanding (MOU) with the Tribe for use of the channel and will agree to operate according to the procedures outlined in this document.

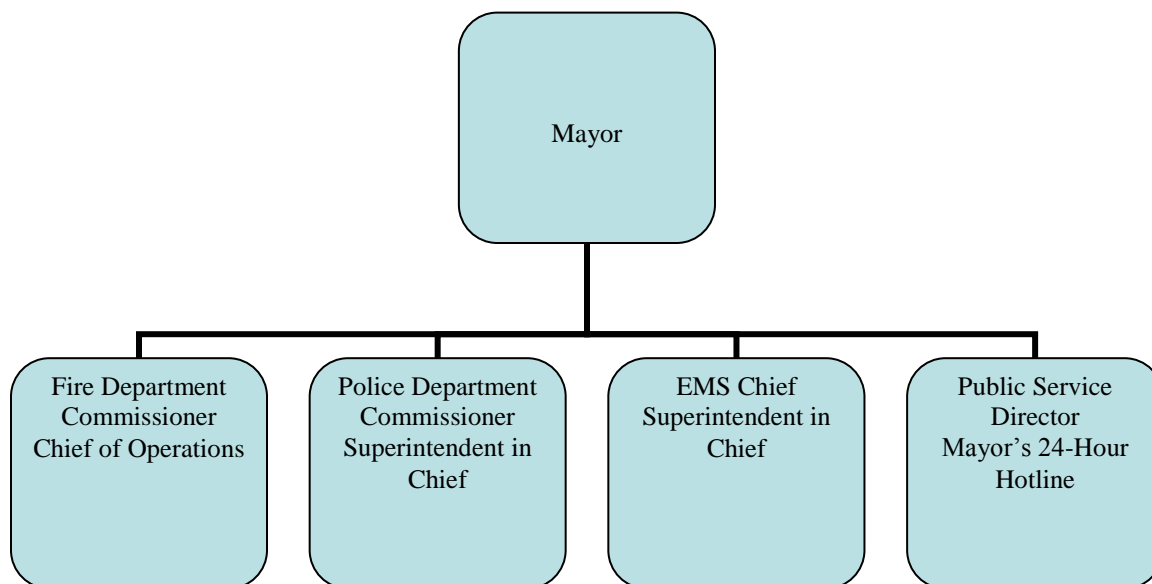


Section 4: Communications Structure

A graphical depiction of the agencies involved in the communications structure can help map out the flow of information and help set the foundation for procedures. A depiction of command levels and roles within agencies clarifies the relationship among users.

Figure 2 is a sample organizational chart that demonstrates the various levels of command within each agency. It may help stakeholders understand the reporting relationships of all personnel with the capability to access the interoperability channel. A description of users and their reporting relationships should accompany the chart.

Figure 2



Section 5: Channel Patching and Monitoring

The section on channel patching and monitoring is specific to a shared channel capability. It describes how the new capability is achieved and the specifics of that capability. It can also serve to identify benefits and alternatives of the capability as well as the specific procedures around aspects of use. For example, with an intra-jurisdictional interoperability channel, procedures for channel patching and monitoring are described and explained.



Questions to Consider:

5a: Patching of the Interoperability Channel

1. What bands/channels are patched, if any?

2. For example, is it a dedicated Ultra High Frequency (UHF) channel patched to an 800 MHz network?

3. What are the benefits of the interoperability channel's current configuration?



2. What are the monitoring procedures once the channel is activated?

Sample Content

All agencies' dispatch/radio communications centers will monitor the intra-jurisdictional interoperability channel. Once it is activated, all dispatch/radio communications centers will be required to monitor the channel on a priority basis until its use is discontinued.

Section 6: Activation, Transfer, and Discontinuation

This section describes rules of use for the interoperability channel, operation procedures for activation of the channel, authorities responsible for activation, process for transferring lead dispatch, process for establishing command and control, and procedures for discontinuation of use.

Questions to Consider:

6a: Rules of Use

1. Will plain language or codes be used?



Plain Language

Plain language is to be used when communicating on the intra-jurisdictional interoperability channel. When necessary, the phonetic alphabet may be used to communicate over the channel. See Appendix 2 for an example of the military phonetic alphabet.

Incident Command System (ICS)

Each agency will use ICS as an operational guide at incidents where the intra-jurisdictional interoperability channel is activated.

Emergency Information Transmission

Once the intra-jurisdictional interoperability channel is activated, information that poses an imminent danger condition should be communicated between dispatch/radio communications centers (i.e., police dispatch center, fire alarm and/or EMS). The receiving dispatch/radio communications center is required to acknowledge receipt of the emergency information. Additionally, each agency is responsible for disseminating this information to its respective personnel.

In the case of an imminent danger condition where the intra-jurisdictional interoperability channel cannot be activated for reasons beyond operational control, agencies operating at the scene will be notified of the situation as quickly as possible. Some options for this notification are to use a computer-aided dispatch (CAD) center, telephone, or emergency hotline.

Questions to Consider:

6b: Operational Procedure and Guidelines for Limited and Full Activation

1. What are the requirements, procedures, and guidelines for limited activation (e.g., day-to-day incidents)?



Questions to Consider:

6c: Radio Channel Activation Authority

1. What are the procedures for requesting use of the interoperability channel?

2. What are the conditions for use for each public safety agency using the channel?

3. What are proper uses of the interoperability channel?



Sample Content

Use of the intra-jurisdictional interoperability channel may be requested whenever an agency's incident commander (IC), the highest-ranking officer of the controlling agency, determines the need to communicate directly with other agency representatives who have access to the channel. Each agency has the right to use the channel as necessary for public safety and availability of necessary resources. It is important to note that use of the channel is not intended to replace the establishment of an on-scene unified command post among responding agencies. The intra-jurisdictional interoperability channel is intended to assist communications until a command post can be established or to speak with an agency representative not yet on the scene.

Questions to Consider:

6d: Establishing and Transferring Lead Dispatch Radio Command Control

1. What are the procedures for requesting agencies to switch their radios to the interoperability channel?

2. Who is involved in the procedure?



The designation of the lead dispatch/radio communications center may be changed as the lead agency requires or requests.

If the IC is transferred, the new IC will notify his/her respective dispatch/radio communications center by radio or telephone that he or she is the new IC for the agency. That dispatch/radio communications center will then become the lead dispatch/radio communications center of the intra-jurisdictional interoperability channel.

Please refer to Appendix 3 for dispatch/radio communications center contact information.

Questions to Consider:

6e: Notification Process for Establishing Command Control

1. What are the notification procedures for establishing command and control among participating agencies?

2. Who is authorized to activate the interoperability channel?



Section 8: Communications Alternatives

Several alternatives may have been identified to ensure interoperable communications remain available among all agencies if the interoperability channel is not available. A sample list of alternatives is provided below. It may be helpful to describe capabilities and guide readers to appendices if instruction is required.

1. Telephone Conference Bridges Telephone conference bridges permit direct communication among a number of users, assuming they have access to telephone services.

2. Cellular/Push-to-Talk Commercial Wireless Technology Currently, most agencies use cellular/push-to-talk commercial wireless communications technology. In the event that the intra-jurisdictional interoperability channel is malfunctioning, this technology may be used to disseminate critical information to department heads and/or designees.

3. Computerized Emergency Notification System The computerized emergency notification system will be programmed to contact specific individuals and agencies, depending on the nature of the incident. This includes appropriate media outlets, which could be used to inform the general public of situation updates, specific instructions, and/or emergency locations, if warranted.

4. Internet/E-mail A lesson learned from September 11, 2001 was the power of the Internet and e-mail. While conventional communications outlets (i.e., wireless phones and land lines) were either damaged or overwhelmed, the Internet was up and provided an invaluable service to the general public. In the same way, the Tribe's online Emergency Operations Center (EOC) can be used as a means to pass information to various agencies that are involved in the event.

5. Satellite Phones Satellite phones are assigned to the agency heads of the police department, fire department, EMS, EMA, and the mayor's office for intercommunications if conventional phone lines become impaired. A cache of satellite phones will be stored at the EOC; and assigned for use by the EMA director and/or operations officer. The satellite phone numbers for agency heads are listed in Appendix 4.

6. Cache of Portable Radios on Various Bands [Insert appropriate number here] caches of 800 MHz portable radios [insert total here] are available through [insert agency that is responsible for caches here]. These radios are able to provide a communications system on a local, regional, and statewide level in accord with existing mutual aid MOU, resource-sharing agreements, and requests from other emergency responder agencies.

Because these radios work only on ITAC channels, their activation must be coordinated with the state police or the EMA prior to use.



7. Mobile Capabilities with Conventional Channels Several command post and communications support vehicles are available through various public safety agencies. These resources can be deployed to provide: a cache of spare UHF radio equipment, spare batteries, network video downlink capability, cross band patching, or base station repeaters. They can help support an extended operation or replace a damaged fixed repeater site.

8. Dispatch/Radio Communications Center to Dispatch/Radio Communications Center Messaging Police, fire, and EMS share a common computer-aided dispatch (CAD) system capable of providing text messaging between users.

9. Runner System In the unlikely event that the intra-jurisdictional interoperability channel and redundant back-up systems are all unavailable, the police department will arrange for a “runner system” in which designated personnel respond to the residence of department heads and other key agency representatives to make notifications and provide transportation as necessary.

Section 9: training Requirements

This section is intended to state the objectives or the minimum requirements for satisfactorily passing training on the SOP. Objectives should accompany each training procedure. Ideally, training requirements should include an assessment that measures whether the objectives of the training were met.

Questions to Consider:

- 1. Who will be responsible for ensuring that participating agencies’ personnel are familiar with the SOP and are properly trained?

- 2. What will be the minimum training requirements for:

- How the radio is set up?

- How to select the right channel?



- Proper terminology and radio etiquette?

- Who to notify in their agency if they have a radio problem?

Sample Content

Participating agencies will be responsible for ensuring that their personnel are familiar with this SOP and are properly trained in accordance with the guiding principles in Appendix 5.

Section 10: Testing Requirements

This section should describe the procedures for testing the requirements of a capability or equipment. As with all testing procedures, testers should consider a variety of circumstances and environments and have documentation to guide their efforts. This section should clearly articulate those expectations.

Questions to Consider:

1. What are the standardized testing procedures?

2. Will there be different phases of testing (i.e., communications center testing and operational testing)?



3. What are the procedures for each testing phase?

4. When should testing take place?

5. What agencies should be involved?

Sample Content

During standardized testing, the testing agency will communicate with participating public safety and public service agencies on the intra-jurisdictional interoperability channel.

There will be two different phases of radio testing:



1. Communications Center Testing

This weekly test of the intra-jurisdictional interoperability channel [insert day and time here] will be done between the public safety and public service dispatch/radio communication centers [insert appropriate agency names here]. The agency radio technician will monitor the UHF and 800 MHz trunked systems during testing.

2. Operational Testing

Each agency will decide when testing should take place. All agency heads or designated representatives with radios pre-set with the intra-jurisdictional interoperability channel will participate in this testing. During this test, the technical support will be checking the accuracy and performance of various sites.

Section 11: Responsibility

This section should state who or what body will ensure that all SOPs are followed. This section should reference, if appropriate, Section 4: Communications Structure.

Questions to Consider:

- 1. Whose responsibility will it be to ensure that these SOPs are followed when necessary?

- 2. Whose responsibility will it be to be familiar with and comply with these SOPs?



Sample Content

It will be the responsibility of agency heads to ensure that these SOPs are followed when necessary.

It will be the responsibility of all communication personnel to be familiar with and comply with these SOPs.

Sample Append x 1

Personnel with Interoperability Channel Capabilities:
Police Department

Title/Rank:

Date of Last Revision: _____
Name and Title: _____

Personnel with Interoperability Channel Capabilities:
Fire Department

Title/Rank:

Date of Last Revision: _____
Name and Title: _____



Personnel with Interoperability Channel Capabilities:
Emergency Medical Services

Title/Rank:

Date of Last Revision: _____

Name and Title: _____

Personnel with Interoperability Channel Capabilities:
Tribe Personnel

Title/Rank:

Date of Last Revision: _____

Name and Title: _____



The basic content of messages requiring an action is then repeated to the originator.

Example:

“Public Works Highway Superintendent to Fire District 5, sending three front-end loaders to Location 1 and 2 for removal of debris.”

If the person being called responds with “Who is calling the Public Works Highway Superintendent?,” then he/she did not understand who was calling. The initiating party would then repeat his/her agency affiliation and title in addition to those of the person being called to establish contact.

Example:

“Fire District 5 to Public Works Highway Superintendent”

Additional Information

- Resources and reference materials
- Training materials and their locations
- Industry guides and their locations
- Contact information

The Department of Homeland Security (DHS) established the Office for Interoperability and Compatibility (OIC) in 2004 to strengthen and integrate interoperability and compatibility efforts in order to improve local, tribal, state, and Federal emergency response and preparedness. Managed by the Science and Technology Directorate, OIC is assisting in the coordination of interoperability efforts across DHS. OIC programs and initiatives address critical interoperability and compatibility issues. Priority areas include communications, equipment, and training. A communications program of OIC, SAFECOM, with its Federal partners, provides research, development, testing and evaluation, guidance, tools, and templates on communications-related issues to local, tribal, state, and Federal emergency response agencies.

Visit www.safecomprogram.gov or call 1-866-969-SAFE



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