

Cherokee Nation Code Annotated
Title 63: Public Health and Safety
Chapter 4: Cherokee Nation Emergency Management Act
§ 403. Definitions
Cite as: 63 CNCA § 403

The following definitions shall apply in the interpretation of this act:

(1) "Attack" shall mean any direct or indirect physical assault against the Cherokee Nation, citizens of the Cherokee Nation, Cherokee Nation reservation, trust, restricted, and/or fee simple lands owned or operated by Cherokee Nation agencies and/or instrumentalities of the Cherokee Nation government, its environs, or of the United States by the forces of a hostile nation or the agents thereof, including assault by bombing; conventional, cyber, nuclear, and chemical or biological warfare; terrorism or sabotage.

(2) "Council" shall mean the Council of the Cherokee Nation.

(3) "Disaster" shall mean an occurrence of a natural catastrophe, technological accident, or human-caused event that has resulted in severe property damage, deaths, and/or multiple injuries endangering or threatening to endanger health, life or property of the Cherokee Nation or its citizens.

(4) "Emergency Management" shall mean the managerial function charged with creating the framework within which Cherokee Nation and in partnership with its communities reduce vulnerability to hazards and cope with natural and man-made disasters.

(5) "Incident Management Team" shall mean the employees, equipment and facilities of the CNEM, and any agencies and/or instrumentalities of the Cherokee Nation as provided herein; and, in addition, it shall include all volunteer personnel, equipment and facilities contributed by, or obtained from, volunteer persons or agencies.

(6) "Emergency Management Volunteer" shall mean any person and/or entity duly registered, identified and appointed by CNEM and assigned to participate in Emergency Management activities.

(7) "Event of Extraordinary Circumstances" shall mean an event beyond the control of the Tribal Council, Executive Branch, or any other agency and/or instrumentality of the Cherokee Nation, including but not limited to war, strike, riot, criminal unrest, plague, pandemic or an event described by the legal term act of God (tornado, flood, earthquake, volcanic eruption, etc.).

(8) "Emergency Operations Plan" (EOP) shall refer to a documented plan that describes how people and property will be protected in emergencies and disasters. Identifies personnel, equipment, facilities, supplies, and other resources available--within the jurisdiction or by agreement with other jurisdictions--for use during response and recovery operations.

(9) "Hazard Mitigation Plan" shall refer to a documented plan to understand risks from natural hazards and develop long-term strategies to reduce the impacts of disasters on people, property, and the environment.

(10) "Resident" shall mean any person that lives within the physical jurisdiction of the Cherokee Nation, including, but not limited to, any and all reservation, trust, and/or restricted lands of the Cherokee Nation.

(11) "Citizen" shall mean any and/or all citizens of the Cherokee Nation as provided under Article IV of the Constitution of the Cherokee Nation.

(12) "State of Emergency". A State of Emergency may be declared by proclamation or executive order of the Principal Chief as set forth herein.

(13) "Volunteer" or "Volunteering" shall mean contributing a service, equipment or facilities to the CNEM without remuneration.

(14) "Man-made disaster" means a disaster caused by acts of man including, but not limited to, an act of war, terrorism, chemical spill or release, or power shortages.

(15) "Natural disaster" means any natural catastrophe, including, but not limited to, a tornado, severe storm, high water, flood waters, wind-driven water, earthquake, pandemic, landslide, mudslide, snowstorm, or drought which causes damage of sufficient severity and magnitude to warrant hazard mitigation or the use of resources of the federal government, or the state of Oklahoma thereof to alleviate the damage, loss, hardship or suffering caused.

(16) "Incident Command System" means a standardized approach to the command, control, and coordination of emergency response providing a common hierarchy within which responders from multiple agencies can be effective.

(17) "Political subdivision" shall mean any county, city, town or municipal corporation of a state represented by an elected governing body.

(18) "Pandemic" shall mean a widespread occurrence of an infectious disease over a whole country or the world at a particular time.

(19) "Emergency Management Advisory Committee" shall refer to a group of subject matter experts from various Cherokee Nation departments and one member of the Council of the Cherokee Nation, and they will provide guidance and information on program scope, staffing, resources, services, regulations, and requirements.

Historical Data

LA-12-20, eff. July 20, 2020. Amended LA 06-25, eff. February 12, 2025.