

Cherokee Nation Code Annotated

Title 63: Public Health and Safety

Chapter 4: Cherokee Nation Emergency Management Act

§ 407. Declared State of Emergency; Anticipated State of Emergency

Cite as: 63 CNCA § 407

(a) During events of extraordinary circumstances, times of public crisis, disaster, rioting, catastrophe, or similar public emergency, and/or for when public safety authorities are unable to maintain public order or afford adequate protection for the lives, safety and/or property of citizens and/or residents of the Cherokee Nation, the Principal Chief has authority to declare a state of emergency whenever the occurrence of any such condition is imminent.

(b) Following the declaration of a State of Emergency, the Principal Chief has authority to issue any public proclamations as necessary to notify all citizens and/or residents the existence of such a State of Emergency, and, in order to more effectively protect the lives and property of citizens and/or residents of the Cherokee Nation, to place in effect any or all of the restrictions necessary, and/or to qualify for any federal funding as may become available.

(c) The aforementioned Declaration shall be in writing, shall specify the basis for the Declaration under this statute and shall be delivered to the speaker of the Council of the Cherokee Nation within 24 hours of its execution.

(d) Anticipated State of Emergency: As determined by the Principal Chief upon a recommendation from the Chief of Staff or his designee, the Principal Chief may issue an "Anticipated State of Emergency on any bases set forth in 107(a) which the Principal Chief reasonably anticipates a imminent State of Emergency, which shall take the form of a written advisory from the Principal Chief to executive branch leadership as determined by the Principal Chief, the Deputy Principal Chief and the Speaker of the Council within 24 hours of the Principal Chiefs determination of an Anticipated State of Emergency.

(e) Activation of Gadugi Corps: Upon the declaration of a "State of Emergency" or the determination of an "Anticipated State of Emergency," the Principal Chief, by his designee, shall activate the "Gadugi Emergency Response Corps," within the meaning of the Cherokee Nation Gadugi Corps Volunteer and National Service Act, to supplement Emergency Response Assistance administered by other Cherokee Nation departments.

Historical Data

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