

Communication Consulting Project: Embracing Tribal
Partnerships for Regional Homeland Security Collaboration

Capstone Project
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Table of Contents

Signature Page	I
Executive Summary	4
Developmental Process	4
Developmental Stage	5
Developing the Curriculum	6
Identify the Audience	6
Training and Editing	7
Summary	7
Consulting Report	
Introduction	9
Organizational Information	10
Theory Based	11
Training Timeline	21
Summary	23
References	25
Appendices'	26
Appendix A: Abstract to NNLEA	26
Appendix B: Auditor Global Comments	31
Appendix C: 2006 Competitive Training Grant	33
Appendix D: Regional Homeland Security Curriculum	35

APPOVAL PAGE

The undersigned, appointed by the dean of Humanities and Social Science, have examined the thesis (project) entitled

A CONSULTING PROJECT WITH WESTERN COMMUNITY POLICING

Presented by Robert R. De Poe III

a Candidate for the degree of Master of Art in Professional Communication, and hereby certify that, in their opinion, it is worthy of acceptance.

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Executive Summary

Western Community Policing Institute (WCPI), located at Western Oregon University, is an institution that has been delivering trainings to law enforcement agencies throughout the Western United States and Indian Country since 1996. As WCPI worked with tribes they recognized a gap in homeland security prevention. At this time tribes had been recognized by the Nation's National Preparedness Goal as a key component to homeland security. However tribal involvement was minimal. To stimulate tribal participation pertaining to homeland security WCPI developed a plan that would initiate collaboration between tribal organizations and their local homeland security agencies. WCPI also understood that in order to address the issues specific information was needed to teach agencies about the unique status and nature of tribes.

WCPI wrote and submitted a grant to the Department of Homeland Security (DHS) to help fund and develop a two day training program entitled, "Embracing, Engaging, and Sustaining Tribal Partnerships for Regional Homeland Security. As a former trainer for WCPI they contacted me to see if I would serve as a consultant in creating, editing and providing pilot training services for their organization during this project. This report illustrates the experiences I had as a consultant during this project.

Developmental Process

In November of 2006 this consultant traveled to Albuquerque to the National Native American Law Enforcement Association (NNALEA) conference. WCPI introduced the details of the grant and their ideas for the curriculum. This consultant introduced and discussed with the director a holistic organizational philosophy I had been developing. They were interested in the concept and requested that I develop a contract for my ideas

and services. There were three major questions that ascended while contemplating a monetary value for my services. The first question was, “How do you place a value on your ideas?” The second question was “Is WCPI an organization that I want to continue to be associated with?” And the third question dealt with the ownership of my ideas. This consultant discussed these questions with peers and the director for WCPI and once the questions were satisfied we entered into a contract within a couple of months, after the funding was secured from the DHS.

Developmental Stage

There were a few obstacles during the initial stages of the program. The National Native American Law Enforcement Association (NNALEA) was a partner of WCPI for this project. When NNALEA was informed that the curriculum was going to discuss the holistic philosophy of the medicine wheel as a component of the training they were concerned. NNALEA thought it was too sensitive and that some American Indian people would be offended by discussing and using a symbol that was considered sacred by some. WCPI requested that I write an abstract of my intentions and explain how the medicine wheel would be used in the curriculum (appendix A). The abstract argued the importance of using familiar symbols and philosophies already used within the targeted audience. It also discussed using the strengths of the audience’s ideology and symbolism in order to create a stronger bond and ownership of homeland security by the participants. The abstract also stated that by discussing the strengths of the American Indian culture the other non American Indian participants may recognize the similarities between both cultures; which may reduce barriers. The abstract was sent to WCPI and in May of 2007

I was notified by the project director to continue my development and writing for the project and to incorporate the holistic model.

Developing the Curriculum

The development team consisted of four original members, the project coordinator, a NNALEA representative, an administrative assistant, and American Indian communications consult. During the initial writing stage each member was assigned to develop a module for the curriculum according to their expertise. This consultant's module was titled "Cultural Competencies". The aim of this module was to introduce American Indian culture influences and inform the participants of important American Indian ideology. Another major goal of this module was to inform partnering agencies of some tribal customs and beliefs and to unite these partners with their corresponding tribal agencies around common values, beliefs and norms. To accomplish this goal the curriculum sought to help them understand the similarities shared by both cultures. By understanding and acknowledging their cultural similarities and differences the participants would be able to face their own perceptual stereotypes and ideologies that may have created certain barriers.

Identify the Audience

Markel in his book "Technical Communication" has a chapter on *Analyzing Your Audience and Purpose*. The ideas discussed by Markel were used to analyze the participants of the curriculum. During the initial analytical observation of the audience two fundamental groups were discovered. The first group consisted of individuals who worked for the tribes. The second group included individuals who worked for an agency that were in close proximity to the tribe geographically. In a more specific analysis of these two groups, it was

also assumed that the individuals would be working in a homeland security capacity and there may be some historical barriers that these two groups may need to overcome.

After the audience was identified two other obstacles were recognized. The first obstacle was that the curriculum was intended for a national audience. This meant that the audience could possibly include over 560 different tribes and their corresponding agencies. The second obstacle was that the curriculum had to accommodate multiple trainers and training styles. To successfully address these issues the module was created as a participant based curriculum. With this design the participants and the trainer could focus on the local issues, historical effects and tribal customs.

Training and Editing

Between August 2007 and December 2007 fifty three individuals participated in four pilot trainings. The pilot training were held at four separate sites which included; Del City, Oklahoma, Memphis, Tennessee, Sault Ste Marie, Michigan, and Albuquerque, New Mexico. During the pilot trainings the team critiqued the curriculum and ensured that the instructor's manuals corresponded with the participants guide and the power point presentation. At the conclusion of the each training the instructors held a debriefing to review the participant surveys and discuss changes that needed to be made to the curriculum.

Summary

This project provided practical skills as a communication consultant. It gave me contract negotiation skills, consulting skills, group training skills,

curriculum building skills and resume building experiences. In summary, within a 14 month period of time I was involved in developing, consulting, and editing training curriculum. This consultant also learned some important lessons during this project. One lesson learned is the importance of identifying your audience. This consultant also recognized how hard it is to create curriculum for a national audience. It is easy to create training manual for personal use but to create a manual for other trainers is very difficult. This consultant also learned that sometimes it doesn't matter how good or how important you feel something is, it may not make the final draft because of the different perspectives of others in the team.

This project has opened up many avenues of opportunities. I have been asked to submit a resume to the department of homeland security and become an auditor. I have also been able to work with WCPI in developing a Youth Meth prevention program where I was able to implement the holistic model.

Introduction

There are over 560 federally recognized American Indian tribes in the United States. These tribes represent over 100 million acres of reservation land with 260 miles of national borders and many miles of seacoasts borders. Tribes also have critical infrastructures found within their borders such as, pipelines, electrical transmissions lines, important railroads, tourist sites, highways, power plants, and over 145 critical dams. Tribal reservations also contain important national resources such as coal, water, oil and or gas, and agricultural lands. Terrorism and other crisis both natural and man made events pose serious threats to Indian tribes and our Nation (Kauffman).

Western Community Policing Institute (WCPI), located at Western Oregon University, is an institution that has been delivering trainings to law enforcement agencies throughout the Western United States and Indian Country since 1996. As WCPI built relationships with tribes they recognized a gap in homeland security prevention. At that time tribes had been recognized by the Nation's National Preparedness Goal as a key component to homeland security however, tribal involvement was minimal. To stimulate tribal participation pertaining to homeland security WCPI developed a plan that would initiate collaboration between tribal organizations and their local homeland security agencies. WCPI also understood that in order to address the issues specific information was needed to teach agencies about the unique status and nature of tribes. This report illustrates the experiences of a communication consultant as he worked with WCPI to help develop a training program centered on increasing tribal homeland security participation.

The consulting project with WCPI will pursue Nadler's (in Randolph, 1983) basic human resource development areas. Nadler categorizes human resource development into three distinct areas. (1) Training, which is centered on teaching activities that allow people to learn skills that help them do their jobs more effectively and efficiently. (2) Education, which prepares individuals for increased responsibilities that they are not currently required to accomplish. (3) Development, which emphasizes learning activities that provides personnel with a broad base of information. This allows an organization's staff to plan and problem solve actions needed so that an organization can meet the demands of its many clients regardless of what changes are necessary (in Rudolph 1983).

As a communication consultant I was a member of a team of four individuals and developed a training curriculum. This consultant will also deliver trainings to four pilot groups using the curriculum and help edit the curriculum drafts. The project began with the development of a consulting contract and concluded with an audit from the Department of Homeland Security (DHS).

Organizational Information

As mentioned earlier, Western Community Policing Institute (WCPI) has been involved in delivering training throughout the Western United States since 1996. Their offices are located on the campus of Western Oregon University. WCPI is one of twenty seven regional community policing institutes in the United States. WCPI also conducts training in Indian Country as well.

A partnering agency for this project is the National Native American Law Enforcement Association (NNALEA). NNALEA is a non-profit organization established in 1993. Their mission is to promote and foster 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. NNALEA's biggest event is its annual training conference where native and non-native law enforcement personnel can gather together and discuss mutual issues and concerns. NNALEA has also produced several publications and reports that document the role tribes play in homeland security.

WCPI and NNALEA united its resources and submitted a grant to the U.S Department of Homeland Security, Office of Grants and Training. They received fund in the spring of 2007 to develop a training program devoted to improving the capabilities of tribes as they address homeland security threats found within Indian country.

The training program was titled, *Embracing Tribal Partnerships for Regional Homeland Security Collaboration*. The curriculum was designed to teach tribes and their regional partners the importance of collaboration and give them the skills needed to develop strong official partnerships through cooperative agreements. The training focuses on establishing an all hazards approach to homeland security which means it will assist communities in addressing all types of hazards from man-made to natural crises.

Theory Based

As a consultant for this project it was important to accurately identify the projects audience. WCPI sought to understand their audience by including an American Indian student with tribal experience and a communication background to the project team. Initially this consultant discovered two important obstacles of the project. The first obstacle was that it was intended for a national audience. This meant that the audience could possibly include over 560 different tribes and

their corresponding agencies. The second issue is that the curriculum had to be prepared to allow multiple trainers with varying backgrounds to present the information effectively. To concede these concerns I initially used this statement to acknowledge the issues with the participants.

“Native America is made up of many cultures, hundreds of them. There is not just one history of the American Indian but countless histories. Moreover, those histories are not static, but growing and changing, adding new layers of growth each year just as living trees do. Anyone who writes a book about the entirety of American Indian experience needs to make some qualifying statements right at the start.

1. You must realize that no one has lived long enough to know everything there is to know about Native America. Our lives are brief and we will never experience all that has or will happen.
2. There is no such thing as “The American Indian” or “The Native American”. Seeing all Indians as being alike is as foolish as not being able to see them at all.
3. Although our diversity remains, there is more intertribalism among the Native nations of this continent today than at any other time in our histories” (Joseph Bruchac 2003).

This consultant felt this statement would relieve any pressure for trainers who felt they had to know everything. By acknowledging that no single person will know all that has happened throughout Indian country. This also created an avenue for training participants and the instructor to begin a discussion on local issues, historical effects and tribal customs.

Markel’s advice in his book *Technical Communication* discusses several concepts that were used to identify the proposed audience for this project. He suggests three questions should be answered before the creation of a document. These questions are: (1) Who is your reader? (2) What are your reader’s attitudes and expectations? (3) Why and how will your reader use your document? (Markel p.86)

Markel also provides more specific questions while answering these general questions. To discover who your reader is Markel suggests answering six questions. (1) What is the reader's education? (2) What is the reader's professional experience? (3) What is the reader's job responsibility? (4) What are the reader's personal characteristics? (5) What are the reader's personal preferences? (6) What are the reader's cultural characteristics? (Markel p.86)

Through an analytical observation of the potential audience this consultant believed there were two basic audiences. The first audience was those who work for the tribes and the second audience would be individuals who work for an agency that were in close geographical proximity to the tribe. As a consultant for this project I also assumed that individuals participating in this training had a desire to build partnerships with tribes and local agencies to increase homeland security efforts in their communities.

In continuing to analyze these two groups there was also an assumption was made that the individuals participating in the trainings would be working in homeland security in some capacity and that they may be experts in their specified fields. This consultant also assumed that the tribes and agencies involved in the training currently had a frail homeland security relationship and for this purpose they are seeking further assistance and training.

This consultant also recognized that historical events may be a major, if not a principal, barrier in collaborating. The base for this reasoning is that historical events are one element that shapes our perception. Perceptions or preconceptions may present barriers for some groups or individuals to communicate. "A perspective is an angle on

reality, a place where the individual stands as he or she looks at and tries to understand reality. An angle will always limit what one sees, since other angles-many of which may also be accurate-cannot be considered at the same time” (Charon p.3). “Perspectives force us to draw out certain stimuli from our environment and to completely ignore other stimuli. Perspectives force us to make sense out of that stimulus in one way rather than another. Perspectives sensitize the individual and they guide the individual to make sense of the reality to which he or she is sensitized” (Charon p3).

Anderson’s research, while creating a cultural-transfer reticence measuring instrument, offers one barrier that is created by interracial communication. Anderson states that while interracial communication occurs there are often barriers that are created. Some of these barriers include language, nonverbal differences, and the presence of preconceptions and stereotypes. Anderson also states that these barriers lead to high anxiety on the part of the minority person attempting to communicate (Anderson). From Charon’s comments and Anderson’s statement this project acknowledges that one reason tribes and their regional partners may not communicate is because of their perceptions of the other group. These perceptions, however created, may cause individuals to avoid the anxiety associated with communicating in the interracial atmosphere.

In continuing to understand the audience and the barriers that may have occurred between participants of the project, I continued to ask the question. What are other barriers that prohibit tribes and their regional partners from developing a partnership on their own? This consultant found that Johnson’s book *Reaching Out* offers some important insight on barriers between multicultural peers. Johnson states that cultural

barriers have existed among humans since culture differences began. He mentions that the globalization of man is relatively new and that historically man did not associate much, if at all, outside the small communities they were in. His book also mentions that when people with cultural differences have associated with each other conflicts usually arise. Johnson explains eight steps for building relationships within diverse groups. These eight steps include: 1) Recognize and Value Diversity; 2) Interact with Diverse Individuals in a Cooperative Context; 3) Build Pride in Your Historical and Cultural Identity; 4) Appreciate Others' Historical and Cultural Backgrounds; 5) Establish a Superordinate Identity; 6) Reduce Internal Barriers; 7) Resolve Conflicts Constructively; and 8) Internalize Pluralistic Values.

Step 1: Recognizing and Valuing Diversity begins by acknowledging that diversity among individuals will always exist. Johnson also states that the goal of an interracial relationship should not be to make everyone the same but to establish mutual goals while recognizing cultural diversity and learn to value and respect fundamental differences (Johnson).

The project curriculum addressed this first step through a couple of different approaches. One approach used was to discuss a holistic approach and how this model could be used as an outline for homeland security. By exemplifying the holistic model the curriculum demonstrated how organizational models in different cultures can be used to develop an all-hazards homeland security model. The curriculum also discussed how culture is identified and it allowed the participants to discuss the fundamental beliefs about the similarities and differences in values. This also helped the participants understand and value each others cultures.

Step 2: Interact with Diverse Individuals in a Cooperative Context outlines how to bring interracial relationships together through cooperation. Johnson outlines two steps that help groups cooperate by highlighting, (1) Important goals that everyone wants to achieve and (2) Establishing common procedures and norms that help coordinate efforts to achieve the goals (Johnson).

A positive attribute about the curriculum and program was the participants in the training had already a common goal established before the training began. The common goal was homeland security and ensuring their communities were safe. The greater purpose of the program was to help the participants establish cooperative agreements that would outline procedures and norms to help coordinate their efforts and solidify their homeland security goal.

Step 3: Build Pride in Your Historical and Cultural Identity. In order to achieve this step Johnson states the individual must gain an appreciation of their own historical, cultural, ethnical and religious backgrounds. Johnson also states that the individual must understand their own personal self-schema. Self-schema is defined as a generalization about the self, from past experiences and from interacting with others. Individuals have multiple schemas such as; physical characteristics, social roles, activities participated in, abilities, attitude and interests, and general personality traits. Johnson states that self schemas are not only comprised of an individual's current or past identity information but also what a person imagines they can be and standards they would like to meet in the future. Johnson states that it is important to understand personal identity because it directs attention, provides a means for dealing with stress, facilitates the retention of information, provides stability, and provides consistency to self view (Johnson).

Module two of the curriculum allowed individuals to discuss their values which helped them understand how they acquired them. This is important because it allowed the participants to evaluate how they see the world. The curriculum also had the participants introduce themselves at the beginning of the program. This allowed the individuals to identify some of their personal identities and the self-schemas they will be displaying during the training. During the training the participants identified their strengths and how their strengths and expertise would fill homeland security gaps in their region.

Step four: Appreciate Others' Historical and Cultural Backgrounds. A critical aspect of developing a historical and cultural background appreciation is developing an identity that does not compare other ethnic groups to their own group. Valuing and respecting other individual groups require seeing the other members as valuable and needed (Johnson).

The curriculum also addressed this step by helping the participants evaluate the resources of individuals throughout their communities and historical events of American Indian tribes and their relationship with the federal government. The purpose of providing the participants with a historical timeline was to help the participants understand why certain American Indian tribes might be apprehensive about working and signing agreements with governmental agencies.

Step 5: Establish a Superordinate Identity. Johnson explains that in order for two different groups to work together and establish a positive relationship they need to develop an identity that is common to both groups. For example, each cultural group must consider themselves as part of the whole (Johnson).

This step was addressed in the curriculum as the facilitator discussed community policing, the medicine wheel activity, and the flag building activity. Community policing was introduced by Sir Robert Peel. Sir Robert Peel believed that it was everybody's responsibility to insure people's rights were not violated. His philosophy taught that the people were the police and that the police were the people. This philosophy can unite communities and agencies by working together for one common goal and create a superordinate identity. The medicine wheel was also used to illustrate and unite the participants. The medicine wheel activity required that all participants stand in a circle. While in a circle each participant held onto a rope with both hands. The rope connected each participant. The facilitator then asks one participant to pull on the rope. Once the rope was pulled the facilitator asks who felt the pulling force from the participant who pulled the rope. Because they were all connected each person felt the pull in the rope. The facilitator was able to illustrate that the group was connected by the rope physically. This illustration helped the facilitator discuss how the group was connected philosophically. Most answers were related to homeland security because that was why they were at the training. Another component of the medicine wheel is the center. In the holistic approach the center is the goal or where someone as a person would like to be. As the participants finished their discussion on how they were connected, the facilitator would lead a discussion asking what was at the center of their circle, which would be the common goal of the united participants. This discussion was meant to create a superordinate identity as described by Johnson. Another way in which the curriculum sought to create a superordinate identity was through the flag building activity. The flag building activity required each table of participants to design a flag using a symbol to

represent their team with an accompanied motto and name. This allowed the teams to illustrate their superordinate identity through symbols and words.

Step Six: Reduce Internal Barriers to Constructive Interaction. After accepting oneself Johnson suggests that an individual is then in position to accept others but there are a number of barriers in accepting diverse peers. These barriers include prejudice, a tendency to blame the victim, and stereotyping. Prejudice views are a part of a natural human process to categorize. Humans categorize objects in order to conceptualize them. Individuals categorize people by their inherited traits and acquired traits. Inherited traits may include ethnic membership, culture, sex, and physical characteristics and acquired traits may include education, occupation, lifestyle, and customs. Categorizing is generally helpful in making decisions but when it malfunctions the results develop into stereotyping and prejudice. Johnson continues to explain that while we are categorizing individuals we may tend to blame the victim as we try to analyze why things happen (Johnson).

Module two of the curriculum used a culture iceberg to reduce internal barriers. Only a portion of an iceberg is visible above the surface of the water, while the majority of it rests below the surface. This correlates with how people cultures are viewed. Most of the time only a portion of the culture was witnessed which doesn't allow us to categorize correctly, we only see what is visible. This view may cause people to become stereotypical, prejudiced, or it may put blame on the victim. This discussion illustrates the importance of getting to know the true culture of an individual so a full understanding can occur and barriers can be eliminated.

Step Seven: Resolve Conflicts Constructively. Johnson suggests in this step that it is important to work on achieving goals and maintain effective relationships even when conflict arises. He also states, “In interacting with diverse individuals conflicts are sure to arise. They must be managed with skill to ensure that constructive outcomes result (Johnson, p. 369)”.

The curriculum does not specifically address this issue but it reviews some important details of effective leadership, group dynamics, critical thinking and trust. All of these attributes are addressed to teach participants skills necessary to form to a successful team even when conflicts arise.

Step Eight: Internalize Pluralistic Values. Johnson suggests in this step that to maintain positive relationships among diverse groups individuals must adopt a set of pluralistic values. Pluralistic values are values shared by all the individuals among the group regardless of ethnic backgrounds (Johnson).

The curriculum addressed this step in module two with a discussion on how values are created. An activity had the participants list their values and the values of the group they were going to be embracing for homeland security. The group then listed all of the values on flip chart paper. Once the values were listed, they then identified the common values shared by everyone in the group.

These eight steps were influential on the curriculum and created a foundation for overcoming some of the possible barriers that could occur as the curriculum sought to unite multicultural groups.

Training Timeline

Each trainer was assigned different modules to facilitate. While one trainer facilitated the other four became assistants and editors. The editors and assistants made certain the trainers manual, participants manual and power point slides corresponded. A trainer also edited the information and took notes on what they felt was needed to remove from the curriculum and what needed to be more elaborate. Another important duty of the secondary trainers was to assess the group and participants and analyze the group dynamics. This allowed us to ensure that the participant's needs were being met. The secondary trainers were also there to assist the primary trainer with technology assistance, lighting, note taking and helping with flip charts. At the end of each day the trainers debriefed the activities and discussed the positive and negative highlights of the sessions. This was important as we continued to revamp the training manual. On the last day of training we went through the participants surveys and discussed their analysis. This allowed us to gather feedback and make the appropriate changes and assignments before the next pilot training.

The first pilot training was held on August 8, 2007 in Del City, Oklahoma, just outside of Oklahoma City for three days. The first day was an orientation meeting where the training team met and reviewed the instructors guide, the participant's manual, and the power point presentation.

There were 23 individuals that participated in the Del City training; local tribes and other agencies were in attendance. The training curriculum did not seem to meet the needs of the individuals in attendance. The curriculum was

intended for tribes and their local regional agencies but the individuals in the training were tribal representatives throughout the state and their regional agencies were not in attendance and vice versa. Even though they might not have been the most appropriate personnel or agency represented, the results from the participant's survey were very positive. Most of the criticisms stated in the surveys were related to time issues.

The second training was held in Memphis, Tennessee at the NNLALEA national conference. This training was held during the break out sessions which didn't allow a large cohort of students to go through the entire course. This site however allowed us to deliver the training once again and work out time issues found in the first training. This consultant only stayed for one day of training due to cost and scheduling conflicts. Evaluations for this training were not received for this training they were retained by NNLALEA.

The third training was held on 11/07/07 in Sault Ste Marie, Michigan. This was the smallest pilot training. There were twenty individuals scheduled for the training but a local clinic had an emergency so only eight individuals completed the training. This training fit the expected participant profile more than any other training thus far.

Sault Ste Marie is one of the most northern cities in Michigan with a bridge that crosses into Canada just north of our training location. Because of this important land-mark the local agencies and tribal agencies here were quite familiar with homeland security. Along with their extensive homeland security training the border patrol, customs, Tribal, County and City PD officers were

already collaborating in most cases. It was also discovered that the Tribe had the majority of the resources and the local agencies depended on them for their services, so there was already a lot of collaboration.

After the training in Sault Ste Marie the trainers were still not satisfied with the flow of the training. The leadership, community policing portion, and critical thinking portions were part of module two. The purpose of module two was to discuss American Indian culture and values and it did not quite fit. Because of its importance the trainers recognized the need to retain the information. So it was decided to add it to the first module as background information. With these changes and some other organizational changes the curriculum was ready for the final audit.

The fourth training was held on 12/11/07 in Albuquerque, New Mexico at the BIA offices. Tribes from the New Mexico and Arizona area were in attendance. We also had FBI, Customs, Border Patrol, corrections officers, and fire department personnel there. This was our most diverse group.

Three auditors contracted by the Department of Homeland Security and the Director of Trainings from the department were also in attendance. Most of our remarks by the participants were high in this training. There was one individual at the training who found our training offensive. He remarked on his evaluation, "I found most of the first day not relevant to developing tribal partnerships. The book material of the first day I found to be offensive to Native Peoples." He also wrote, "This program could serve as a model of a training program intended to be 'Native' but failed significantly." The auditors also

reviewed the curriculum and their comments can be viewed in the attachments as appendix C.

The issue consultant had with the auditors is that they were experts in their field of homeland security and crisis management, but they didn't have any American Indian background. The auditors provided great insight and they were surprisingly great to work with.

Summary

The objective of this project was to give me hands on experience as a communication consultant. During this 1 ½ year project I was able to learn how to negotiate a contract. I value the experience of working and developing a contract. That was something new for me and it is something that I will need to continue to progress in as I seek for more opportunities as a consultant. I also learned how difficult it is to work with an organization that is not close, geographically. This project also allowed me to develop my training skills. Training at four different sites was very beneficial, as I trained in such diverse areas of the country. This project also helped me develop my analytical skills as I edited other work and designed portions of the curriculum. Another lesson I learned is the importance of identifying the audience appropriately and to refer to that identity always during the creation of the document. Creating a document for a national audience was quite humbling. Knowing that potential trainers from all over the country would be trained on how to deliver the curriculum we created was sometimes overwhelming.

The lead project manager made a statement once as we were reading through the responses of the participants found in the survey. He said that as a developer you have to

have some pretty tough skin sometimes to read the negative responses. This is something I had to acquire. I continually found myself dwelling on the negative comments the people made. He said you just need to take the criticism, learn, fix if necessary and move on.

Most of the comments made by the auditors about the module I created were focused on sentence structure and grammar. One auditor made a comment about the holistic approach. He felt that the rope activities were too simplistic and could offend American Indians. I have learned that when working with diverse populations all of us have perceptions of symbols and meanings. Our perceptions are learned and developed in a variety of complicated ways. These perceptions guide our judgments and decision making. This is why there was more than one auditor at the training. All four of the auditor's comments can be found in the appendix of this paper.

What's next? This project has opened up avenues for future projects. I have already worked with WCPI on helping develop a Meth prevention program for youth. I traveled to Salem, Oregon and presented information. This information has been compiled and it is part of their new curriculum. I have also been requested to submit my resume to the Department of Homeland Security by the Director of Trainings. This will allow me to become an auditor and trainer evaluator.

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Appendix A:

Abstract: Module I

The purpose of this Module is to introduce the curriculum, “Embracing, Engaging, and Sustaining Tribal Partnerships for Regional Homeland Security Collaboration. This module will also develop a union between the curriculum and American Indian philosophy/teachings. Under the goals and objective section of the grant it states, “Goal: To support the national preparedness goal by creating a comprehensive, **collaborative tribal-centered, culturally-competent** regional homeland security Grants and Training-certified training program (Grant Application).”

To accomplish this task the curriculum must contain tribal relevant issues and information. This may include discussing specific homeland security issues that are tribally owned. The second key is to incorporate cultural substance. A group’s culture is the combination of non-material and material items. For example, a non material item may be a group’s language and a material item may be the type of cloths that are worn within the group.

Creating curriculum for American Indian Nations will be difficult because there are over 500 Tribal Nations and they all have different cultural beliefs. The second difficulty is that the curriculum has to be designed so that different trainers with multiple levels of cultural understanding will be able to facilitate the training effectively. These two factors will be challenging and if not done appropriately the curriculum will be useless.

So the question is how do we overcome these barriers? I believe that what has to happen is the curriculum must acknowledge that it is not designed to teach a community about their culture but that the curriculum is designed to use some cultural aspects adopted from various tribes to illustrate, organize and support the curriculum. The curriculum must also have some flexibility that allows participants to share some of their own cultural aspects.

The ultimate goal of this module to acknowledge that traditionally Tribal communities were very organized. Everyone was involved in protecting, education, feeding, and supporting their community. This harmonious thinking is what allowed Tribes to flourish. By igniting this spirit within our tribal community's and centering that spirit on homeland security they will be able to create partnership and maintain a well balanced security plan.

Symbolism is an important aspect in most cultures. Symbols create relationships, identity, and meaning. WCPI uses an activity in which members of a group create a flag or symbol that represents them. One purpose of this activity is to create unity among the participants. Symbols have a great power of unifying a group. In our country today we have many symbols that are used to unify its citizens. NNALEA has a symbol of unification and within that symbol there are 5 emblems that when placed in the right order they spell UNITY. This module will use symbolism to create unity.

The main symbol that will be used is the medicine wheel. The medicine wheel is a very common symbol used by multiple tribes. Each Tribe, and individuals within the Tribe, may understand and use the medicine wheel differently depending on their cultural experiences. Because our purpose is to use the medicine wheel as an

organizational tool this curriculum will not express the medicine wheel in specific detail. We are more interested in understanding the importance of being balanced or in harmony and the elements that help us achieve this state.

As a symbolic pattern most 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). This curriculum will use this understanding and relate it to the community as a whole.

The circumference is the sacred hoop, which reminds us of life's journey; it gives us the separation needed to understand life cycles. We experience life cycles from the day we are born. Life is circular. We live in circles: There are circles below us there are circles above us. The earth, moon, sun, who gives us our life and substance and watch over us, are also circular. The sacred hoop is a "Parental Guardian for all of us" (Jones 1995 pg72).

"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. If we follow the guidance given to us through the directions we will better understand the purposes of life and have balance or harmony (Jones 1995). The four directions help us understand cycles. They keep us organized and renewed. The four directions bring predictability and order. They also remind us to look for different ideas or glance in different directions to understand a concern or question (Jones 1995). The four directions also help us understand that in the cycles of life change

and growth occur. This is a natural element of life. Through the four directions, the medicine wheel teaches us the four symbolic races are all part of the same human family. This means we are all brothers and sisters living and experiencing on the same mother earth (Bopp 1984).

East. We start in the East because this is where each day begins as the sun rises. Symbolically, the East represents everything that is physical. This is where we begin life as a young child in a physical body. As a young child, we learn to trust, hope and the uncritical acceptance of others (Jones 1995; Bopp 1984). As the sun rises in the East, it gives us guidance to see obstacles. Thus, symbolically represents guidance and leadership (Bopp 1984).

South. The South represents the summer and adolescence. The self expands at this stage; hormones are exploding; experimentation, and invigorating growth spurts are also occurring. We begin to grow outward as peer conformity begins to replace parental dominance within the social process. This is a time to test our physical bodies and learn the lessons of self-control (Bopp 1984). Many people behave as if their bodies control them. Just as the body can be trained and developed, we can train and exercise our self-control and discipline our emotions. One must learn to distinguish what their body wants from what is good and true. This is the time to collect one's identity (Jones 1995). The south represents the summer in the earthly cycle. The summer is a time to prepare for hard times ahead. The most valuable gift to be sought in the South of the medicine wheel is the capacity to express feelings openly and freely (Bopp 1984). The value of this gift is the ability to set aside feelings of anger, hurt, or grief in order to counsel or in other

ways assist people. The establishment of this gift will allow us to think clearly without allowing our feelings to interfere (Bopp 1984).

West. The sun leaves in the West and subjects us to darkness. This is the autumn of our life, the adult years. This is the time to gain knowledge and sense of what we have learned from our experiences this far (Jones 1995). The West represents learning and the desire to gain understanding through many means such as meditation, prayer, dreams, personal power, fasting, reflection, and perseverance (Bopp 1984). As we are in the east we gain a clear self-knowledge.

North. This is the winter of life. It is the time of enlightenment, a time to become purified and refined into great wisdom. The gift of understanding and calculation is found in the North (Jones 1995). Organizing, categorizing and problem solving help with understanding who we are and how we fit into the circle. This understanding leads to a spiritual feeling of connectedness (Bopp 1984)

The journey around the medicine wheel can become long and awkward. As we come to more of an understanding of the journey and the cycle and progress with the gifts of the medicine wheel, we are becoming more balanced or harmonious. The closer we find us centered in the medicine wheel the shorter and less awkward is the journey. The goal is to find yourself at the center where you can have all four elements continuously. When we extend ourselves from the center, “We become vulnerable like brother Snake” (Jones 1995).

Gifts of the Medicine Wheel			
East	South	West	North
✓ Physical	✓ Emotional	✓ Mental	✓ Spiritual
✓ Safety	✓ Self Control	✓ Education	✓ Wisdom
✓ Security	✓ Communication	✓ Training	✓ Enlightenment

<ul style="list-style-type: none"> ✓ Leadership ✓ Guidance 	<ul style="list-style-type: none"> ✓ Training ✓ Exercise 	<ul style="list-style-type: none"> ✓ Self-Knowledge 	<ul style="list-style-type: none"> ✓ Understanding ✓ Problem/Solving
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Figure 1.1

The medicine wheel and its teachings will help our American Indian Communities to understand the need to unite resources to develop a comprehensive homeland security plan. The way I see it we can use our own traditions and examples to express this need or we can adopt another cultures organizational tools. With my understanding of the importance of multicultural communication I believe it would be more effective to use the symbols that come from within the culture being addressed.

Appendix B

Course Developer: Western Oregon University			
Course Title: Embracing Tribal Partnerships			
Pilot Date: December 11-12, 2007			
Entries for ACTION TAKEN will be one of the following:			
NAR - Comment is positive or requires no change			
A - Accepted: Recommendation was accepted and made			
R - Rejected: Recommendation was not accepted; rationale will be presented in COMMENTS section			
P - Partial Acceptance: Recommendation was accepted with modifications; explain modifications in COMMENTS section			
RW - Review; The recommendation is still under review and/or further research for future inclusion			
PAGE		Placement	SME Recommendation
IM	#		
GLOBAL COMMENTS ON COURSE			
The course was delivered in a good format with good use of time. However there are no set breaks in the program and instruction sometimes lasted 1 hr to 1 1/2hr long. Teach for 50 min break for 10 min.			
Add PM pages numbers to IM for Instructor to quick-reference for class. Also, provide test notations to IM so that he/she makes sure to cover topic well.			
Really needs true "authenticity" to the course. At current presentation, it just "feels" like a federal government program to include tribes that doesn't address the deep-rooted issues surrounding tribal trust, interaction with the federal government, true understanding or, at least, appreciation of the unique status of tribes as sovereign governments.			
Closely review the pictures, videos, etc. of the course that are supposed to make it "tribal" -- some may find offensive.			
Re-work or eliminate the "holistic" approaches. Without true "authenticity" that is supposed to be perceived by the audience (especially tribal), it appears to be a poor way of the "anglos" trying to "understand or fit in" with the Native Americans.			
Determine an overall format and stick with it. There are many parts that vary in format (i.e., bullets being different within same sections, some points have periods and others don't, etc). Because of this, the whole document (IM and PM) appears disorganized.			
Truly, this course should only be a "basic" course that doesn't try to solve the tribal issues in two days. The true "regional collaboration" needs to come with break out meetings that are local and regional -- many people try to "fit" tribal issues into one basket but they vary from tribe to tribe, region to region, state to state. And you can't make a boilerplate MOU for all tribes.			
This course misses the mark on its intent. For some tribes, it may work well but for many, the basics aren't covered well. For example, why are we talking so much about Community policing and the Tuckman Model of Team Development and not much on issues of regional collaboration?			
Political correctness -- there are varying terms for Native Americans within the text, often done in poor taste. Suggestion to use only a couple terms such as Native American(s) and/or American Indian(s). Just simply using "Indian" within a Federal document may be viewed as offensive to some.			

<p>Not enough discussion on sovereign immunity and some of the other issues that tribes have had to deal with in the past within this course and yet, that is typically one of the biggest sticking points with collaboration with tribes and state and local governments. Why avoid the issue -- don't try to "shove" regionalization down the tribes throat -- teach why obstacles exist, how to overcome them or deal around them. Many local governments don't understand what the sovereign immunity entails, why it exists and what it truly means.</p>
<p>Far too many questions that weren't engaging to read and the class set the example -- silence because they weren't truly engaging questions for the target audience.</p>
<p>I have mixed feelings regard this course. I understand the need and am comfortable with the presentation. However, I feel like much was missing. Specifically, there was no mention of the local or state emergency management office nor its relevance to and cooperation with tribes. Having been an Arizona Division of Emergency Management training officer, I know that training was offered and utilized by tribal members. I have checked with my local office of emergency management and, as I suspected, there already exists MOA, MOU and Mutual Aid Agreements as examples and templates that are available. Also, the OEM maintains resource lists and has the ability to contract and provide resources in a disaster. With that being said, I believe the first step in this process would be the need for and how to develop a relationship with local and state OEM's and should be included as part of this training. It appears that this training would have the effect of re-inventing the wheel but is either not known about or there have been damaged relationships in the past. Regardless, it would be good to start with OEM's.</p>
<p>This course should be presented like an IEMC (Integrated Emergency Management Course) at EMI. Specifically, jurisdiction should be encouraged to take this course as a team. The benefit would be two-fold. The information would be presented and the relationships could be developed and or sustained.</p>
<p>I wonder if the tribal and Indian culture information, while appearing to be specific, is in fact to generally applied and may offend or not apply to some or most Native American participants.</p>
<p>I felt that this was 2 different programs put together. The first portion of the course being tribal relationships and history and the other half being how to write an MOU/MOA. Although it is important to know how to write an MOU, most MOU's in an "all hazard event" have already been written by the area Emergency Managers and it is important to express that participants should check with local partners to see if MOU's are already in place prior to writing new ones and duplicating efforts.</p>
<p>The course would be better served as a "Developing Tribal and Regional Partnerships for All Hazard Planning" course. With a focus on planning for the needs and developing the MOU's to obtain those needs.</p>
<p>When going thru the GAP analyses on day 2, it would be better to explain each step individually then break into an exercise for that step then come back and explain the next step using the information they gathered and again break into an exercise until all steps have been covered.</p>
<p>MOU's apply to events that are within your ability to mitigate at your level. It was unclear who they should be making MOU's with and for what purpose.</p>

Appendix C



Embracing Tribal Partnerships
for Regional Homeland
Security Collaboration

Participant Manual

November 14, 2007

Seat Time:	Lesson Plan/Overview
2 HOURS	<p>I. Introductions and Logistic</p> <ul style="list-style-type: none"> • Welcome • Purpose • Module I Overview and Objectives • Course Overview • Pre-test • Community Policing • Team Dynamics • Critical Thinking • Leadership Characteristics
1 HOURS	<p>II. Introduction to Tribal Homeland Security</p> <ul style="list-style-type: none"> • Module II Overview and Objectives • Understanding Tribal Communities • Culture • Tribal Values • Tradition • Spiritual Beliefs • Historical Events • Governments/Leadership • Trust • Holistic Living
2 HOURS	<p>III. Understanding the Threat</p> <ul style="list-style-type: none"> • Module III Overview and Objectives • All-hazards Incidents • Catastrophic Events on Indian Lands • 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 • Homeland Security Vulnerabilities • Assessing Vulnerabilities • Border Vulnerabilities • Identifying Resources
1.5 HOURS	<p>V. Understanding the Unique Status of Tribes</p> <ul style="list-style-type: none"> • Module V: Overview and Objectives

	<ul style="list-style-type: none"> • Sovereignty Rights • Federal Policies • The Roles of States and Local Government • Government to Government Relations • Jurisdictional Clarity • Added Concepts
4 HOURS	<p>VI. The Gap Analysis Process/Creating Mechanisms for Cooperation</p> <ul style="list-style-type: none"> • Module VI Overview and Objectives • Gap Analysis • Writing an MOU
4 HOURS	<p>VII. Team Presentation, MOU, and Evaluation</p> <ul style="list-style-type: none"> • Module VII: Overview and Objectives • Team Presentation • Post-Test • Course Evaluation

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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 and contain 260 miles of national borders and many miles of seacoasts; 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.

As the threats of terrorism increase and evolve and as 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 is one such initiative. This training is designed to improve the capabilities of tribes, public safety personnel, governmental and non-governmental organizations, school and post-secondary education officials, medical professionals, community members, and tribal members in embracing tribal partnerships for regional homeland security collaboration. This course, developed by the Western Community Policing Institute (WCPI) and the National Native American Law Enforcement Association (NNALEA), provides 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, 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

Time Allocated: 120 minutes

Overview: In this module, participants will receive an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration Course*. The Community Policing philosophy will be presented as a model for community-based collaborative problem-solving partnerships that can be applied by all public safety disciplines to address homeland security. To support the development of collaborative relationships, participants will be presented with the principles of group dynamics, including the stages, basic components, and importance of team dynamics, effective team building; critical thinking, and the development of leadership skills.

Due to the remoteness, isolation, and lack of adequate resources of some Tribal completion of required course administrative requirements, introduction of instructors, staff, and participants, establishment of training 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*, the *Philosophy of Community Policing*, team dynamics and team building, 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:

- 1-1 State the goals of the course and list the Terminal Learning Objectives
- 1-2 Recognize how course materials are to be utilized in *the Embracing Tribal Partnerships for Regional Homeland Security Collaboration Course*
- 1-3 Explain how the philosophy of community policing applies to all public safety personnel, as a model for developing collaborative problem-solving partnerships for tribal homeland security infrastructure protection
- 1-4 List the stages and principle components of group development and the characteristics of effective groups (teams)
- 1-5 Identify individual critical thinking and leadership skills

COURSE LOGISTICS

NOTES: _____

INTRODUCTIONS

Activity: “Introductions”

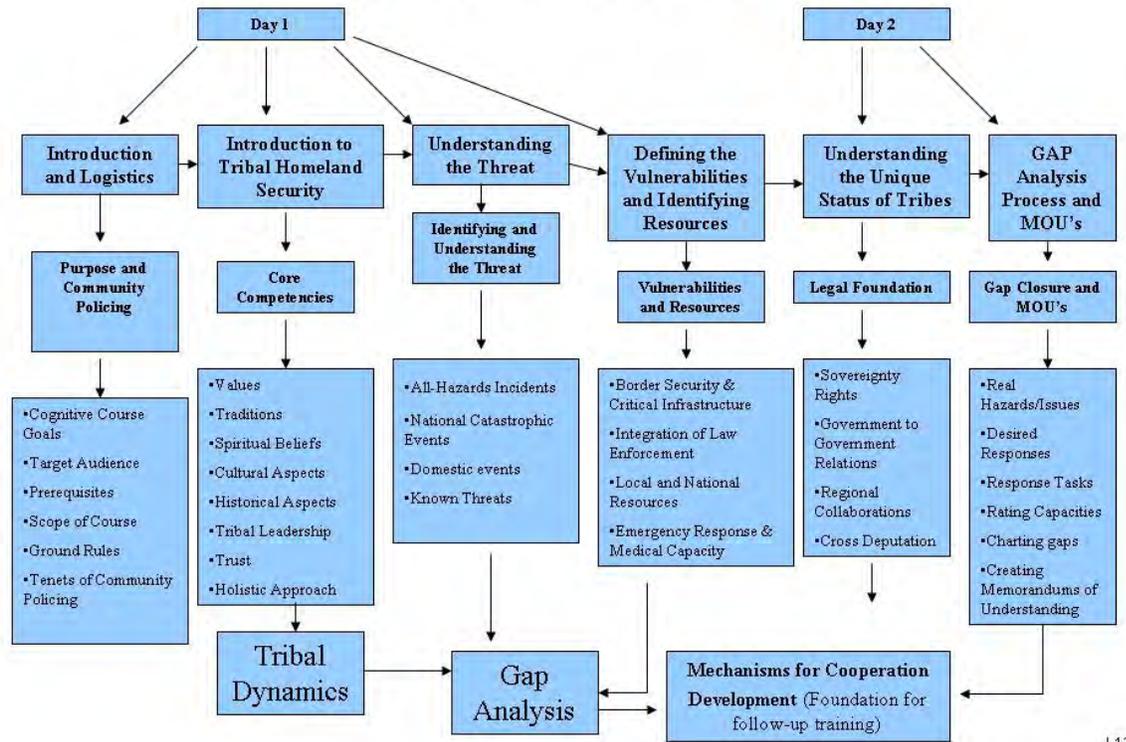
- Your name
- Your organization
- Your community
- Your Tribal affiliation
- Your role in homeland security

NOTES: _____

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 responding to National or domestic catastrophic events

Embracing Tribal Partnerships Program Mapping



COURSE GOALS AND OBJECTIVES

Course Goal

This course is designed to train and equip participants with the skills necessary to embrace partnerships between tribal and non-tribal entities for the purpose of promoting and developing regional homeland security collaboration.

Terminal Learning Objectives

Module I: Terminal Learning Objective: To provide participants with an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration Course*, the *Philosophy of Community Policing*, team dynamics and team building, critical thinking, the development of leadership skills, and how these skills can be applied in addressing their assigned homeland security problem

Module II: Terminal Learning Objective: To provide participants with an introduction to shared Native American core cultural competencies

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

Module IV: Terminal Learning Objective: To provide participants with an opportunity to learn how to recognize and define critical vulnerabilities, understand the process of security planning, identify critical infrastructure, learn to assess resource needs, and become aware of the NIMS compliance process. Participants will further learn to identify 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, other tribes, private industry and NGOs

Module V: Terminal Learning Objective: To provide participants with an opportunity to identify and discuss 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: To provide participants with an opportunity to learn and to apply the gap analysis process for their community. Through this process, participants will also be able to understand the strengths of their tribe's current homeland security efforts. Participants will also have an opportunity to 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 demonstrate internalization of course content, by presenting their team MOU in a group role-play environment. This unique opportunity will allow participants to evaluate their work and the work of their classmates and provide critical feedback on their community readiness

PRE-TEST

COMMUNITY POLICING

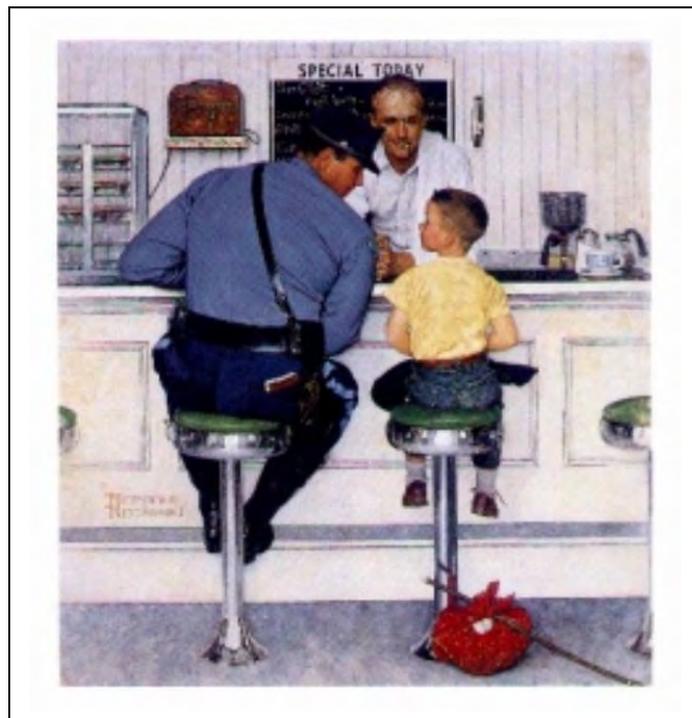
Regional community partnerships and established communication procedures are key components in the National Strategy for Homeland Security and other Federal policies, and these partnerships are critical in defining a regional leader's role in homeland security efforts. As noted in the National Response 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 that foster strong communication between leaders, public safety officials and the community are central to embracing tribal partnerships for effective regional homeland security collaboration.

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

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)



Norman Rockwell

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
- Effective Communication
- 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 –

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 –

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 -

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 decisions. 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
- Goals and objectives are clearly defined and accepted
- Timelines are clearly established
- Group roles, responsibilities, and expectations become clearly defined and are accepted
- 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, oversees, and communicates clearly
- The group always understands why it is doing what it is doing
- Group members look after each other
- Members work proactively for the benefit of the team
- Members adapt to change while maintaining mission focus)

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?

WRITTEN RESOURCE: Tuckman Model of Team Development

Ten Characteristics of an effective team

1. A meaningful mission
2. A clearly defined outcome
3. An understanding of cultural norms and their impact on communication, problem-solving, and conflict
4. A set of shared values that clearly demonstrate dignity and respect
5. A cultivation of different viewpoints
6. A willingness to get the job done
7. Loyalty and devotion to the team experience
8. A desire for individual and collective growth
9. An openness to new experiences and processes
10. Shared laughter and humor as part of the team experience

Which characteristics does your community team already have?

Which characteristics does your community team need to work on?

CRITICAL THINKING

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 and objectivity 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.

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.

Activity: “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?

What are your expectations from this course?

Module I Wrap-Up:

Participants were provided with an overview of the *Embracing Tribal Partnerships for Regional Homeland Security Collaboration Course*, the *Philosophy of Community Policing*, team dynamics and team building, critical thinking, the development of leadership skills, and how these skills can be applied in addressing their assigned homeland security problem

- 1-1 Stated the goals of the course and listed the Terminal Learning Objectives
- 1-2 Recognized how course materials are to be utilized in *the Embracing Tribal Partnerships for Regional Homeland Security Collaboration Course*
- 1-3 Explained how the philosophy of community policing applies to all public safety personnel, as a model for developing collaborative problem-solving partnerships for tribal homeland security infrastructure protection
- 1-4 Listed the stages and principle components of group development and the characteristics of effective groups (teams)
- 1-5 Identified individual critical thinking and leadership skills

Notes: _____

MODULE II: INTRODUCTION TO HOMELAND SECURITY

MODULE II OVERVIEW AND OBJECTIVES

Time Allocated: 60 minutes

Overview: In this module, participants will develop a deeper 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.

Terminal Learning Objective: To provide participants with an introduction to shared Native American core cultural competencies

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

- 2-1 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
- 2-2 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
- 2-3 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
- 2-4 Identify historical aspects – of documented history or past events
- 2-5 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

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

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.

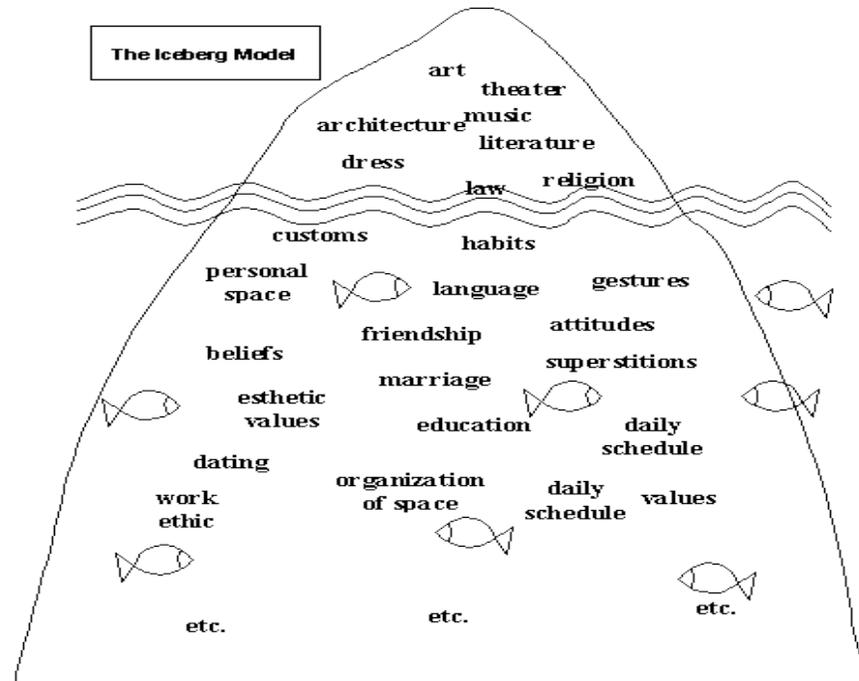


Image Source: www.bhomeica.com

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.

VALUES

Tribal values 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 I am embracing, 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 a number of states that non-federally-recognized groups which claim 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. Some common elements 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

For the purpose of this course, traditions are defined as cultural beliefs, values, and practices 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 are spoken, traditional systems of governance are practiced, 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 define 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.

What were some of the key elements of tribal traditions?

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.

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 had a powerful effect both on the development of Indian cultures and it 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 the internal process 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 tribal people 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 system. It is a relationship similar to that of a “ward to his/her 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.

During this period, it became commonplace for Indian Children to be 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: Under this law, 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: This report 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 intent of congress with respect to Indian tribes. The document called for terminating the special relationship between the federal government and tribes will all appropriate speed. Through this policy just over 100 tribes were terminated, including the following.

(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 for certain areas of law on reservations in specified states.

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

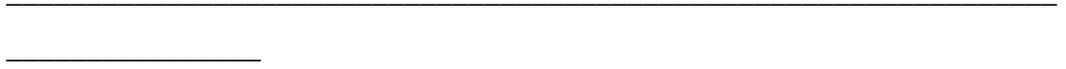
Indian Civil Rights Act of 1968 (IRCA): This Act extended most of the protections of the Bill of Rights to tribal members in dealings with their tribal governments.

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 (with later amendments expanding its scope)
 - 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)

What are the historical events having influence of Indian lands?



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 multi-level systems of governance that include local as well as tribal governmental organizations. These local units of governance 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, the federal government, 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.)

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

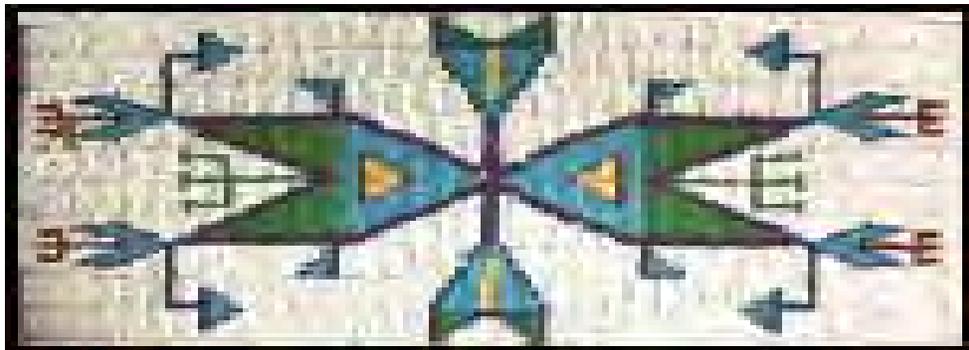
- Principle of Contribution

What trust issues do you face in your jurisdiction?

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.



Gifts of the Medicine Wheel			
East	South	West	North
<ul style="list-style-type: none"> ✓ Physical ✓ Safety ✓ Security ✓ Leadership ✓ Guidance ✓ Vulnerability ✓ Service to others 	<ul style="list-style-type: none"> ✓ Emotional ✓ Self Control ✓ Communication ✓ Training ✓ Discipline ✓ Exercise ✓ Balanced Development ✓ Compassion ✓ Goal setting 	<ul style="list-style-type: none"> ✓ Mental ✓ Education ✓ Training ✓ Self Knowledge ✓ Respect ✓ High moral code 	<ul style="list-style-type: none"> ✓ Spiritual ✓ Wisdom ✓ Enlightenment ✓ Understanding ✓ Problem/ Solving ✓ Knowledge ✓ Analyzing ✓ Connectedness

Figure 1.1

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

What is at the center of the medicine wheel?

Outline the four directions:

- East: Physical
- South: Emotional
- West: Mental
- North: Spiritual

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

Activity: “Rope Activity”

Notes: _____

Module II Wrap-Up :

Participants were provided with an introduction to shared Native American core cultural competencies.

- 2-1 Discussed 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
- 2-2 Identified 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
- 2-3 Discussed 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
- 2-4 Identified historical aspects – of documented history or past events
- 2-5 Discussed 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

Notes: _____

MODULE III: UNDERSTANDING THE THREAT

MODULE III: OVERVIEW AND OBJECTIVES

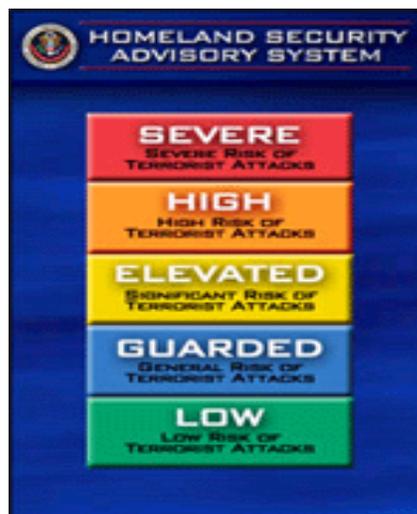
Time Allocated: 120 minutes

Overview: In this module, participants will explore the historical, geographic, economic and cultural diversity of Indian lands that presents each tribal government and the communities that government serves with a broad, unique and varied set of challenges and vulnerabilities. These threats include all-hazards incidents, such as natural disasters, accidents, deliberate acts of terrorism, and other events of national, regional, and/or local significance occurring on Indian lands.

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

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

- 3-1 Define the “all-hazards” approach to homeland security
- 3-2 List hazards that have occurred on Indian lands
- 3-3 Describe how the “all-hazards” approach applies to the unique threats to Indian lands



ALL-HAZARDS INCIDENTS

Homeland Security Presidential Directives have expanded the concept of homeland security from 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.

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

Homeland Security Act of 2002 Mission

- a. Prevent terrorist attacks
- b. Reduce vulnerabilities
- c. Minimize damage and assist 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: Fire caused by lightning

Terrorism: Bombing

Accident: A power line is cut during construction

Transgressions: Vital information is leaked

CATASTROPHIC EVENTS ON INDIAN LANDS

Catastrophic Events of National Significance

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 affected 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

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

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

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* (Slide III-16)

- 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).

Why gang activity?

- 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, such as:
 - 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>)

How can the “all-hazards” approach apply to the unique threats to Indian lands?

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

MODULE IV: DEFINING THE VULNERABILITIES AND IDENTIFYING RESOURCES

MODULE IV: OVERVIEW AND OBJECTIVES

Time Allocated: 90 minutes

Overview: In this module, participants will be presented with the concept that successful prevention, preparedness, response and recovery with respect to all-hazards incidents on Indian lands all begin with the mitigation of threats through the recognition and definition of the unique vulnerabilities faced by each Native American Tribe. This module also provides participants with the skills necessary to identify homeland security efforts and resources that are already in place in their tribes and communities. From this, partnerships between a broad variety of government and non-governmental entities can be proposed and integrated into the planning process.

Terminal Learning Objective: To provide participants with an opportunity to learn how to recognize and define critical vulnerabilities, understand the process of security planning, identify critical infrastructure, and learn to assess resource needs. Participants will further learn to identify 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, other tribes, private industry and NGOs.

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

- 4-1 Define a homeland security vulnerability
- 4-2 Assess Vulnerabilities
- 4-3 Define and identify border security issues
- 4-4 Identify existing homeland security resources and on and adjacent to their tribe's land

HOMELAND SECURITY VULNERABILITIES

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 plants, drinking water, waste systems}
3. The existence of non-integrated law enforcement and lack of jurisdictional clarity
4. Lack of emergency response capabilities and medical capacity, lack of emergency planning and implementation

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 prevention, preparedness, response, 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 tribal emergency plan that is not integrated with current regional and state emergency plans. These preparedness and emergency plans also 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:

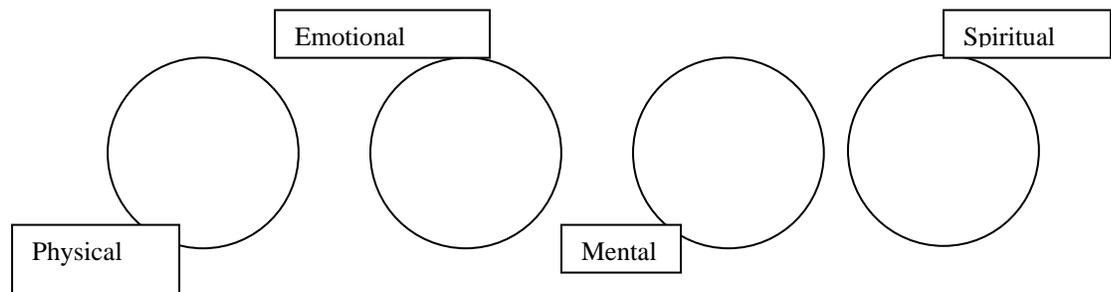
- a lack of planning and vulnerability and risk
- a failure to perform gap analysis
- uninformed equipment procurement
- inadequate training
- a lack of collaboration/integration with professionals from other jurisdictions and disciplines

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.

Activity: Holistic Approach

- Circle 1: List your physical vulnerabilities
- Circle 2: List your emotional vulnerabilities
- Circle 3: List you mental vulnerabilities
- Circe 4: List your spiritual vulnerabilities



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.



Adrian Larvie
Oglala Sioux

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.

Notes: _____

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. Examples:
 - 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)

BORDER VULNERABILITIES

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)

What federal agencies in your region are responsible for homeland security?

Local Agencies and Border Security

Now that you have covered the principle Federal agencies charged with U.S. border security; what local agencies are active at the local level securing our borders?

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.



Helen Nelson Reed

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.

Activity “Lessons from Our Environment”:

- Identify an environmental element or animal that identifies and properly uses its resources.
- How we can learn from that experience.

Tribal Resources

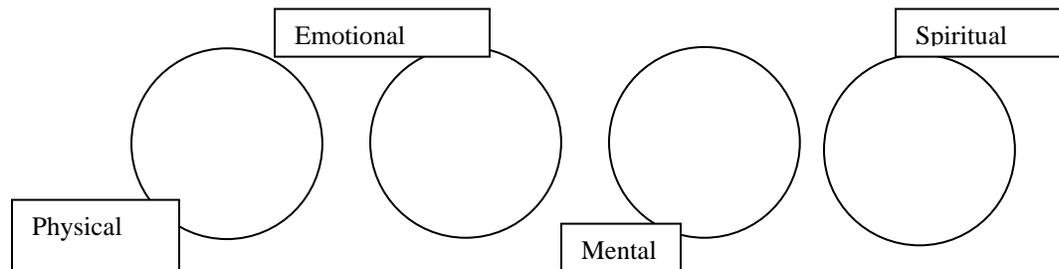
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Holistic Approach

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.

- In the first circle, list their physical resources.
- In the second circle, list their emotional resources.
- In the third circle, list their mental resources.
- In the fourth circle, list their spiritual resources.

Activity: "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

What are some Federal resources available to Tribal agencies?

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*
- c. 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.

Notes: _____

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=CJXaxu78v4oCFQLhYAo dl17ngQ>, 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 V: UNDERSTANDING THE UNIQUE STATUS OF TRIBES

MODULE V OVERVIEW AND OBJECTIVES

Time Allocated: 90 minutes

Overview: In this module, participants will explore sovereignty issues and the unique status of Federally-recognized Native American tribes under the U.S. Constitution. 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 depend upon a mutual understanding of and respect for the sovereign powers possessed by the tribe. Furthermore, each tribe has its own traditional culture and system of governance 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 government structure found among Native American 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: To provide participants with an opportunity to identify and discuss 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

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

- 5-1 Describe the role of tribal governments in the national system of homeland security
- 5-2 Discuss the federal trust responsibility and the role various federal agencies play on Indian lands including government-to-government relations with tribes
- 5-3 Explain the NIMS compliance process and the Incident Command System (ICS)
- 5-4 Apply concepts such as regional collaboration, multi-sector, multi-jurisdiction, and multi-disciplinary approaches to building capabilities

5-5 Enumerate the various instruments that have been successfully used to develop inter-governmental programs in regions that contain Indian lands

SOVEREIGNTY RIGHTS

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 significant diminution of the special federal criminal justice role (and a consequent diminishment of the special relationship between Indian Nations and the federal government)
 - difficulties for individual Nations in their development of tribal criminal justice systems
 - an increased and undefined 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

- 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:
 - 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.
 - The 1988 Amendments also intended to remove many of the administrative and practical barriers that seem to persist under the original Act.
 - 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>)

Notes: _____

B. Treaty rights

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>)

Notes: _____

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.

Notes: _____

THE ROLES OF STATE 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.

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. (Slide V-20)
- 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)

JURISDICTIONAL CLARITY

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

See Appendix titled “cross-deputation”

- 3. 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

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.

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



Mike Larsen

Module VI: The Gap Analysis Process/Creating Mechanisms for Cooperation

MODULE VI: OVERVIEW AND OBJECTIVES

Time Allocated: 4 hours

Overview: In this module, participants will have an opportunity to conduct a gap analysis of their community's homeland security preparedness. Participants will also learn and become familiar with memorandums of agreement and memorandums of understanding. This will provide participants with the knowledge necessary to draft an MOU that captures issues surrounding an identified regional homeland security event 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: To provide participants with an opportunity to learn and to apply the gap analysis process for their community. Through this process, participants will also be able to understand the strengths of their tribe's current homeland security efforts. Participants will also have an opportunity to define additional actions and resources that are required for regional homeland security collaboration.

Enabling Objectives: At the conclusion of the module, participants will be able to: (Slide VI-3)

- 6-1 Analyze and list the “Real Hazards” for the given event
- 6-2 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)
- 6-3 Identify and list “Action/Tasks” or “what needs to be done” to accomplish each of the selected “Desired Responses”
- 6-4 Analyze, compare, and rate the “Action/Tasks” and current “Community Capacity” of the participant’s jurisdiction or region, for the selected “Actions/Tasks”
- 6-5 Plot the ratings to complete the community gap analysis – the gap between jurisdictional need and capacity
- 6-6 Understand and enumerate the various instruments that have been successfully used to develop inter-governmental programs on Indian lands

GAP ANALYSIS

Gap Analysis Case Study

The Event: Real Hazards 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
-
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 explosion derails three lumber laden railcars. Tanker cars just behind the lumber cars slam into the derailed lumber cars rupturing the lead chemical

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

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.

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
Stop leak of rail car	
Contain chemical release into the waterway	
Suppress fire	
Evacuate, shelter, and protect livestock and wildlife	
Evacuate special needs population	
Implement emergency safety and health plans that are coordinated with public safety response plans	
First responders' families are able to support themselves for 3 days	
Secure residential area from potential criminal activity	

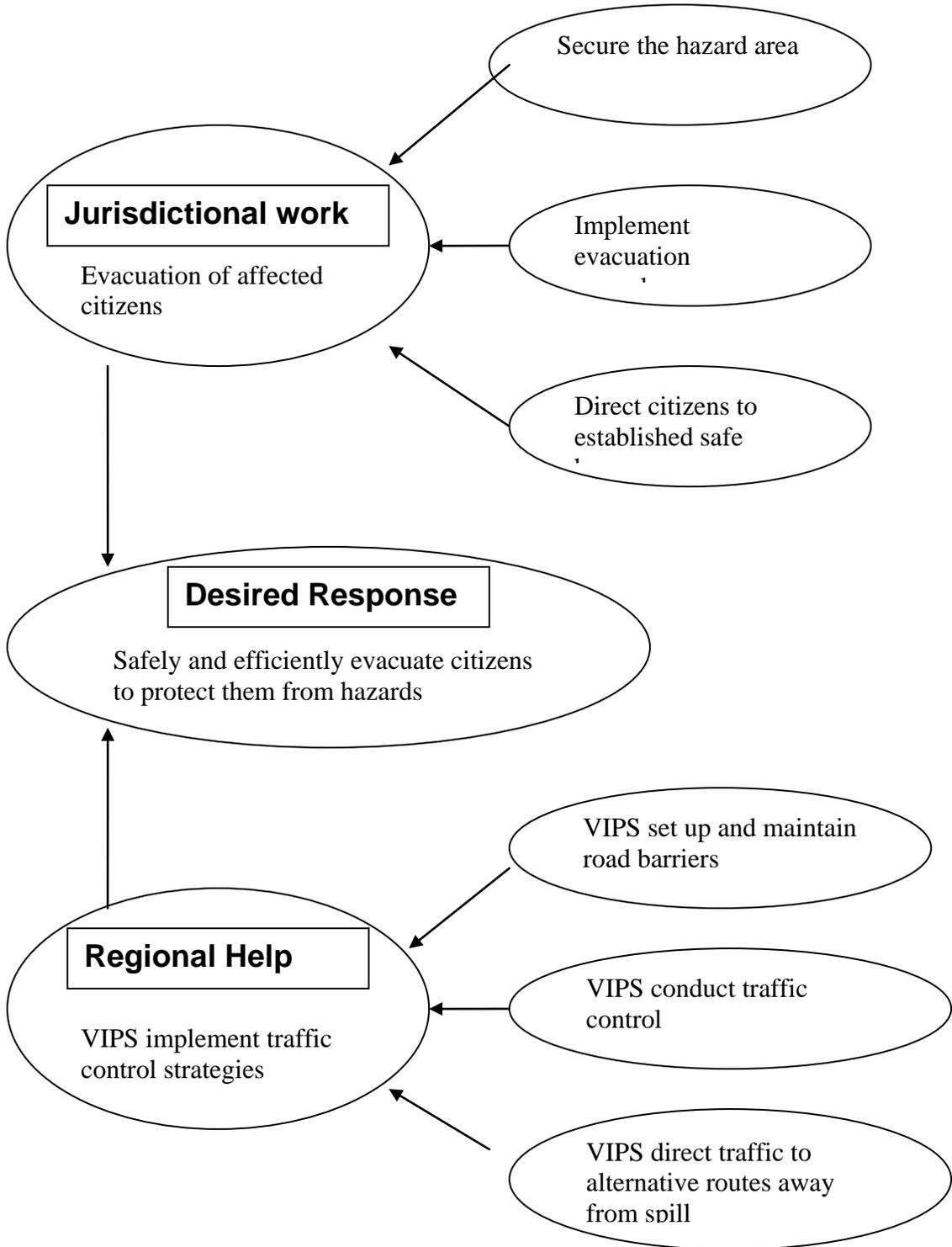
Step Three: Mind map process (limited)

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.

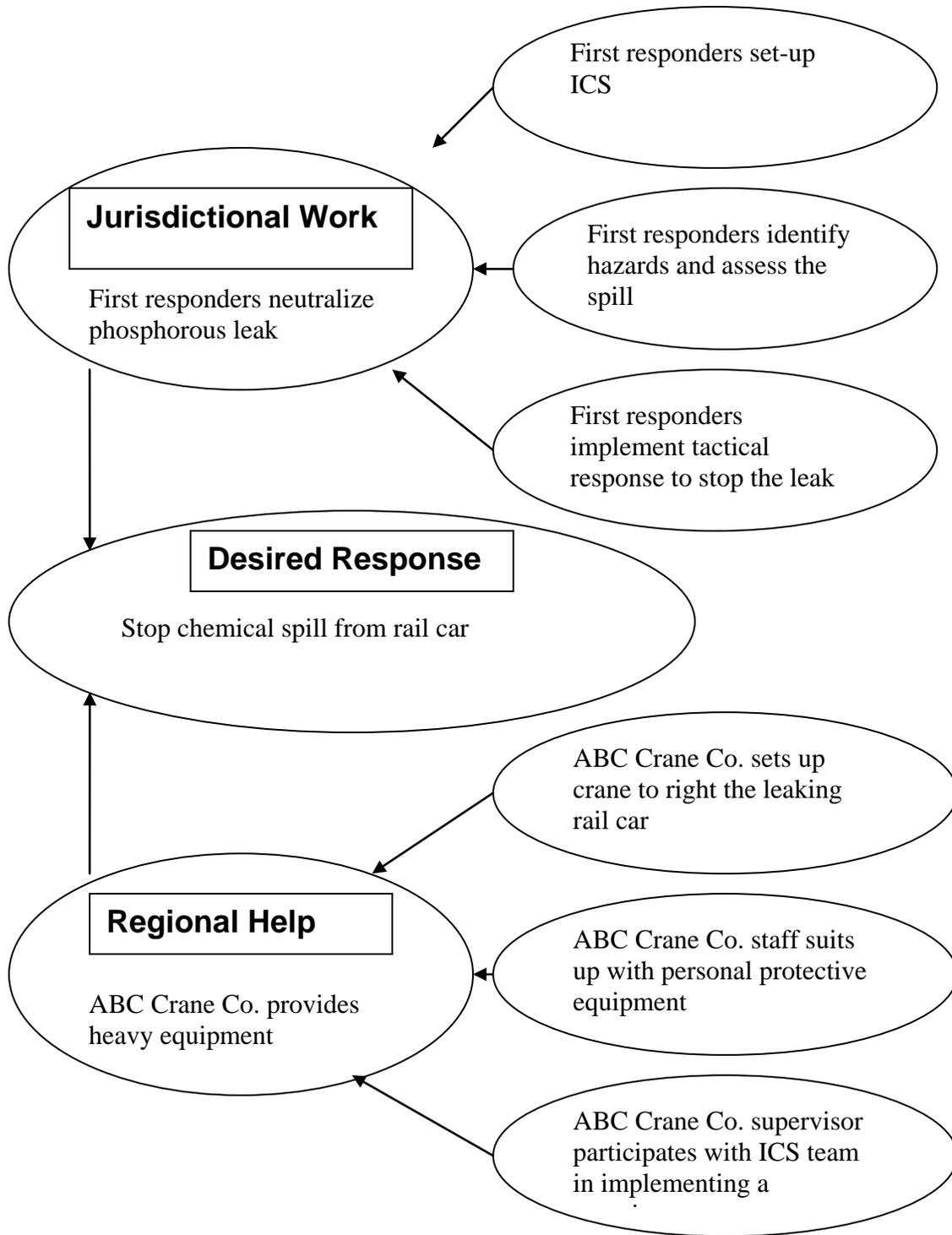
Directions:

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.
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.

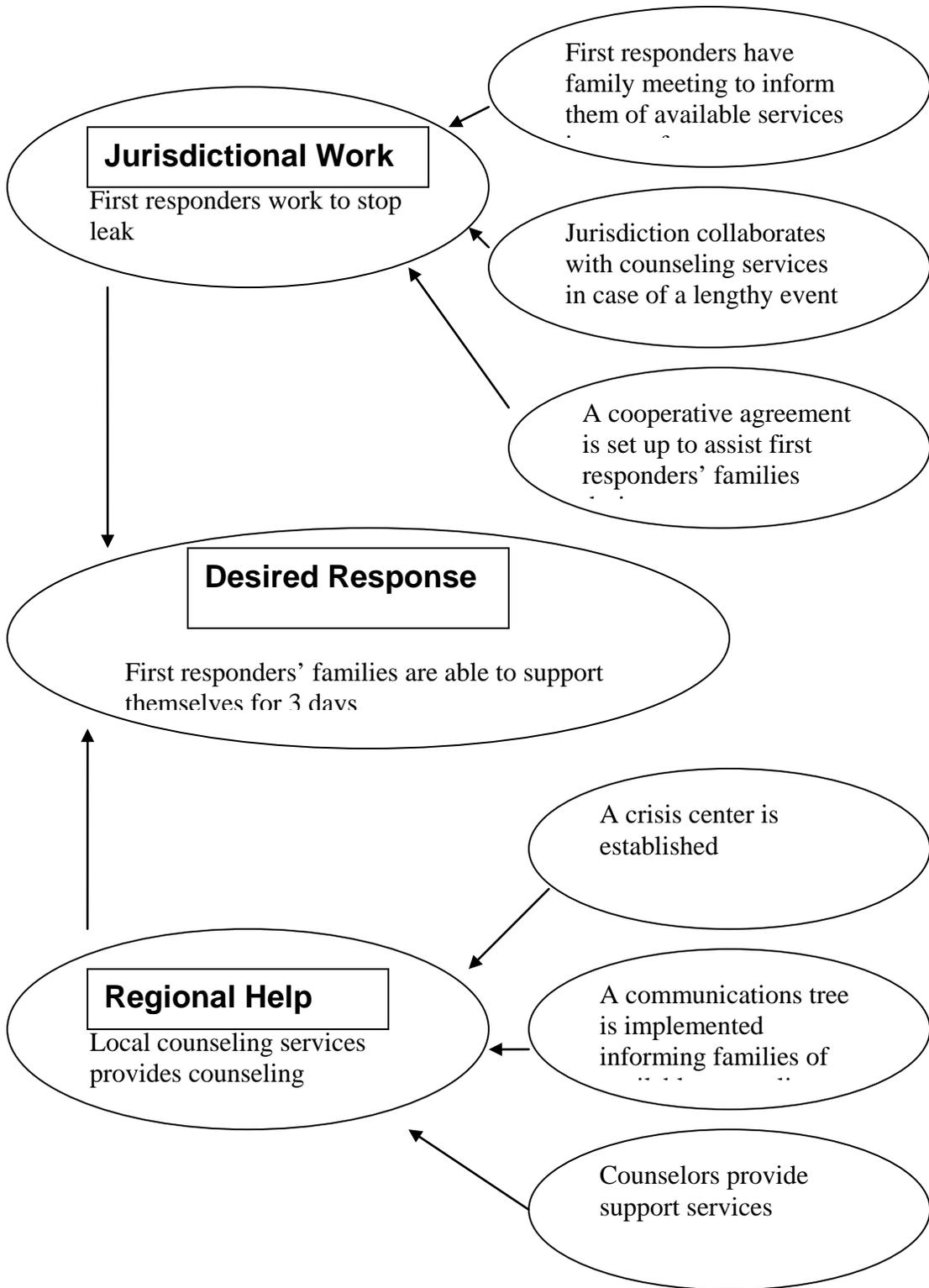
Regional Partnership



Infrastructure Partnership



Individual Preparedness



Step 4: Rate the needs and capacity of your region

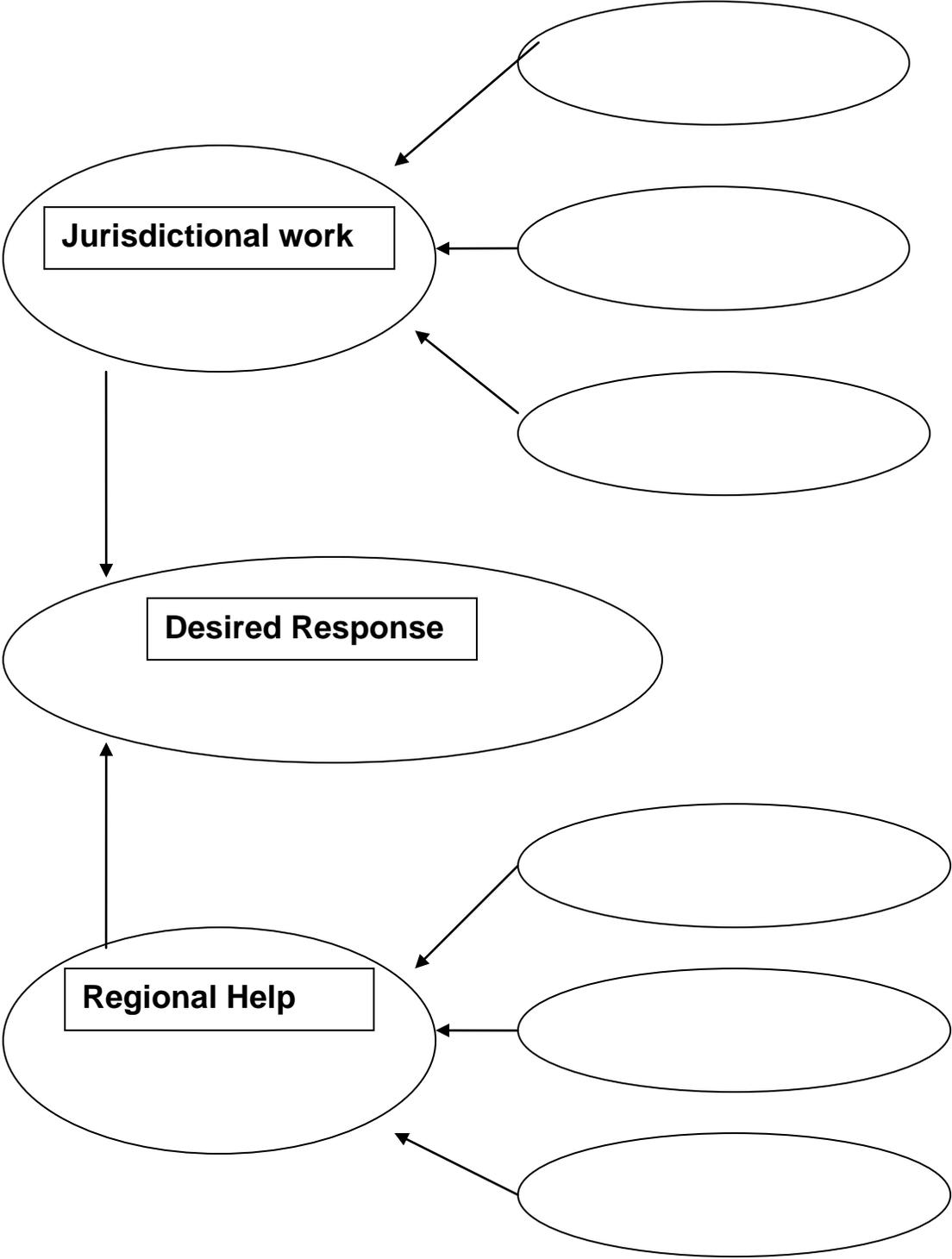
<p>Step 2: Rate the “need” your jurisdiction has for this “what needs” activity in the event over a 3 day period. 0-5 scale.</p> <p>0- none 5- High</p>	<p>Step 1: Copy the list of “What needs to be done” specifically, developed from the mind map exercise (Limit to 18 “What Needs” for class exercise)</p> <p>“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</p> <p>0-Cannot Full-5</p>
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		

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.

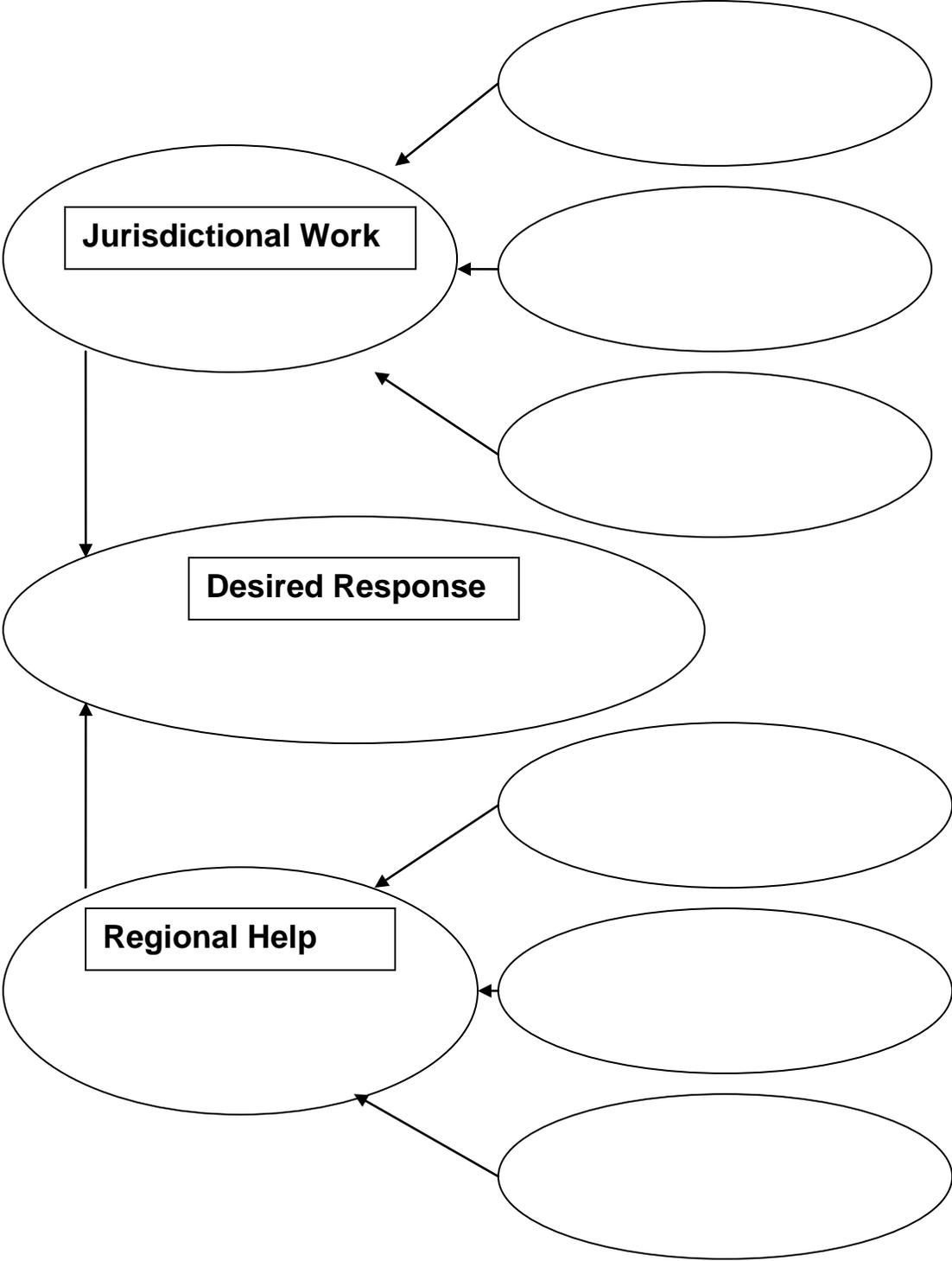
Directions:

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, 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.

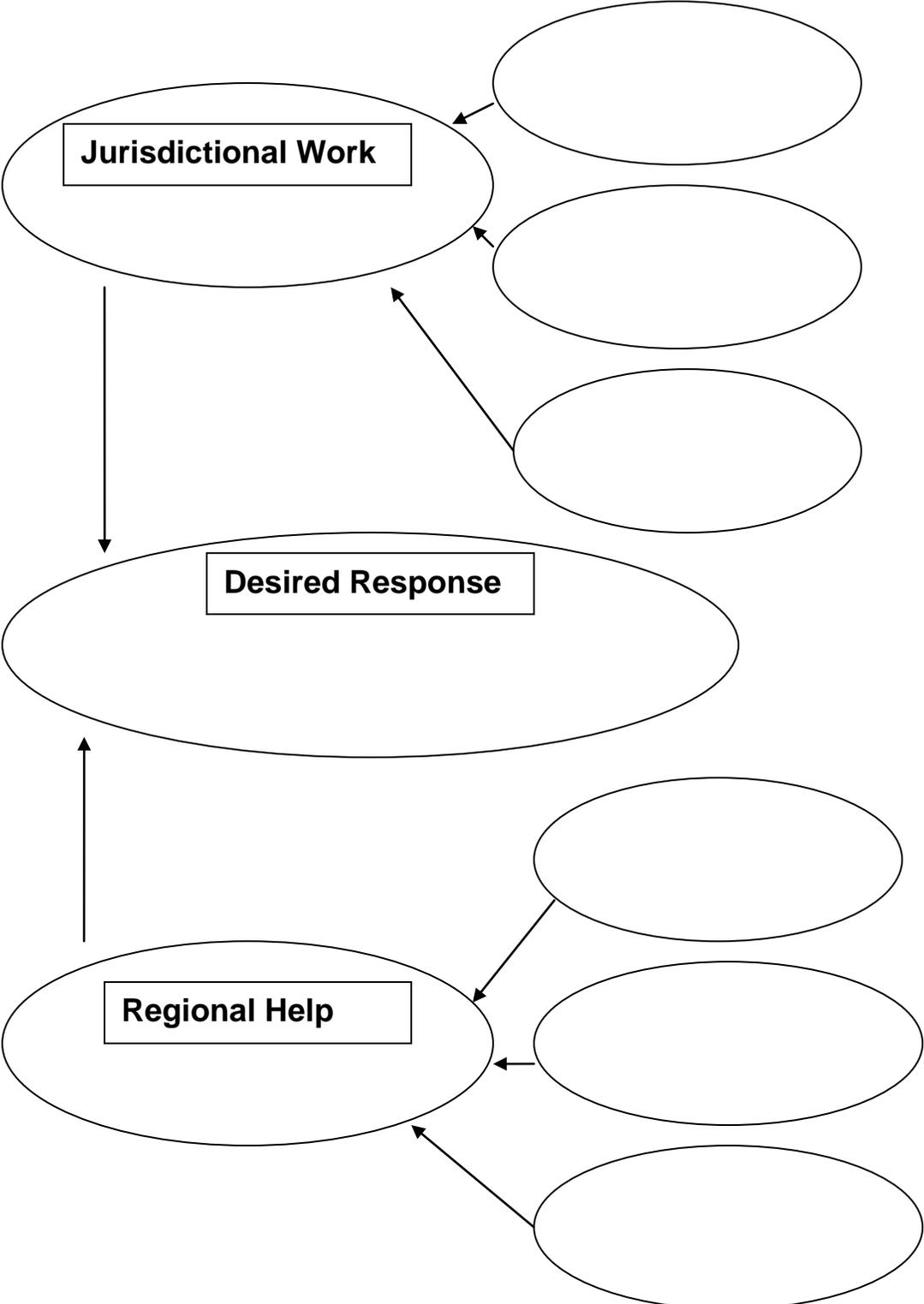
Regional Partnership



Infrastructure Partnership



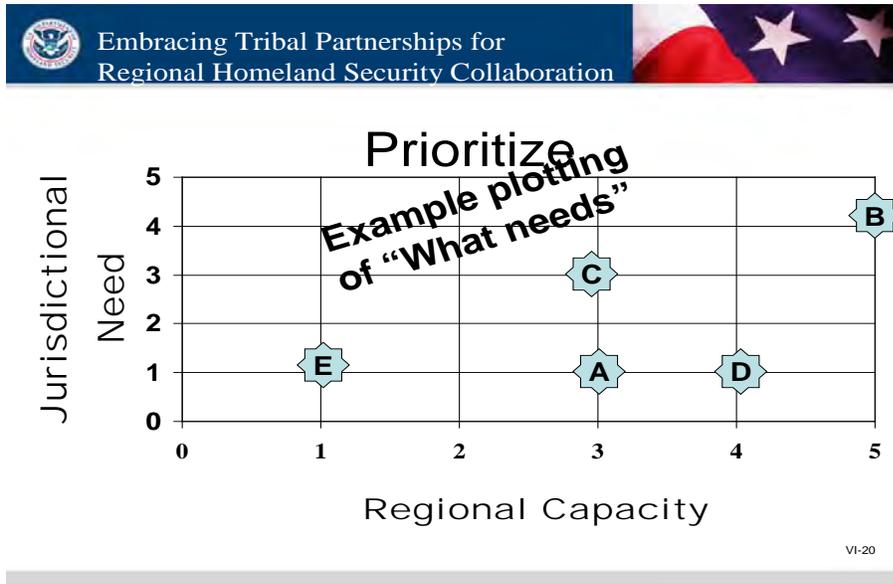
Individual Preparedness



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.</p> <p>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)</p> <p>“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</p> <p>0-Cannot Ful I-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



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 AN 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)

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?

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 cited 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
XXXXXXXX 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
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For Fort Belknap Assiniboine/Gros Ventre:

Tribal Chairman, Fort Belknap Assiniboine/Gros Ventre	Date
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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)

Participants were provided with an opportunity to learn and to apply the gap analysis process for their community. Through this process, participants were also able to understand the strengths of their tribe's current homeland security efforts. Participants also had an opportunity to define additional actions and resources that are required for regional homeland security collaboration.

- 6-1 Analyzed and listed the "Real Hazards" for the given event
- 6-2 Identified and listed the "Desired Responses" for the listed hazards (one requiring an infrastructure partnership, one a community partnership, and one an increased personal/individual preparation)
- 6-3 Identified and listed "Action/Tasks" or "what needs to be done" to accomplish each of the selected "Desired Responses"
- 6-4 Analyzed, compared, and rated the "Action/Tasks" and current "Community Capacity" of the participant's jurisdiction or region, for the selected "Actions/Tasks"
- 6-5 Plotted the ratings to complete the community gap analysis – the gap between jurisdictional need and capacity
- 6-6 Understood and enumerated the various instruments that have been successfully used to develop inter-governmental programs on Indian lands

MODULE VII: TEAM PRESENTATION, MOU, AND EVALUATION

MODULE VII: OVERVIEW AND OBJECTIVES

Time Allocated: 4 hours

Overview: In this module, participants will be able to internalize and apply course content. Participants begin by defining their particular 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 create their MOU. Activities include addressing their regional homeland security event by creating and presenting a MOU to the other participant groups for evaluation.

Terminal Learning Objective: To provide participants with the opportunity to demonstrate internalization of course content, by presenting their team MOU in a group role-play environment. This unique opportunity will allow participants to evaluate their work and the work of their classmates and provide critical feedback on their community readiness

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

- 7-1 Address their regional homeland security event by creating and presenting a MOU to the other participant groups for evaluation
- 7-2 Evaluate their work and provide useful feedback to other teams

TEAM PRESENTATIONS

Use the “MOU Summary Sheet” to develop your presentation. (See Appendix)

The following is a summation of the MOU Summary Sheet.

- Describe in detail the regional homeland security event that your team chose to address, what issues you have identified

MOU Summary Sheet

(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 regional homeland security event. Provide specific details of how you will implement your MOU. Be sure to include the components of tribal core competencies, community reluctance and apathy.

What specifically will we do?

How will we operate the MOU?

Who will help; who are our partners?

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

What are the possible consequences of implementing our MOU?

Write a brief explanation of your plan of how you will implement your team's MOU over the next six months:

Team
Name: _____

Leader
Name: _____

Contact Number:

Do you wish to attend the Engaging Workshop?: _____

MOU Summary Sheet
(Submission 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 regional homeland security event. Provide specific details of how you will implement your MOU. Be sure to include the components of tribal core competencies, community reluctance and apathy.

What specifically will we do?

How will we operate the MOU?

Who will help; who are our partners?

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

What are the possible consequences of implementing our MOU?

Write a brief explanation of your plan of how you will implement your team's MOU over the next six months:

Team
Name: _____

Leader
Name: _____

Contact Number:

Do you wish to attend the Engaging Workshop?: _____

POST TEST

THANK YOU



Craig Tennant

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.

WRITTEN RESOURCES

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 statue 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/giniil-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](#)  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](http://www.choctawnation.com) 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](http://www.potawatomi.org) 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](http://www.wabanaki.com/Tribe/depts/Health/Services.htm) 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](http://www.sni.org/health.html) 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](http://www.wampanoagtribe.net/health) 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](http://www.wmat.nsn.us/healthservices.shtml) 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](http://www.wichita.nsn.us/ch.htm) 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 \(NHHB\)](#)** The NHHB 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)

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