State of New Mexico

Michelle Lujan Grisham
Governor

EXECUTIVE ORDER 2026-138

AUTHORIZING ADDITIONAL EMERGENCY FUNDS FOR THE DEPARTMENT OF HOMELAND SECURITY AND EMERGENCY MANAGEMENT DUE TO FLOODING ACROSS NEW MEXICO

WHEREAS, heavy rainfall has resulted in flooding and flash flooding in multiple areas of New Mexico, and additional rainfall is forecast to create continued flooding conditions across the State;

WHEREAS, flooding has damaged public infrastructure, disrupted transportation routes, threatened homes and businesses, and endangered public health and safety;

WHEREAS, local emergency response agencies have committed substantial resources to flooding response operations;

WHEREAS, flooding conditions may continue to develop in additional communities, requiring rapid deployment of State resources;

WHEREAS, this disaster is of such magnitude as to be beyond local control and requires the resources of the State of New Mexico to minimize economic and physical harm and to take actions necessary to protect the public health, safety, and welfare;

WHEREAS, I initially declared a state of emergency due to flooding across New Mexico on July 23, 2026, and released emergency funding to the Department of Homeland Security and Emergency Management and the New Mexico National Guard; and

WHEREAS, the Department of Homeland Security and Emergency Management requires additional funding to protect public peace, health, and safety in response to this disaster.

NOW, THEREFORE, I, Michelle Lujan Grisham, Governor of the State of New Mexico, by virtue of the authority vested in me by the Constitution and the laws of the State of New Mexico do hereby **DECLARE** a state of emergency to exist, and **ORDER** and **DIRECT** as follows:

1. The Department of Finance and Administration shall make available emergency financial resources in an amount not to exceed seven hundred fifty thousand dollars ($750,000.00) to the Department of Homeland Security and Emergency Management in accordance with NMSA 1978, Sections 12-11-23 to -25, and NMSA 1978, Sections 12-10-14 to -15. The funds shall be expended for the resources and services necessary to avoid or minimize economic or physical harm until the situation becomes stabilized; on a temporary, emergency basis for lodging, sheltering, health care, food, any transportation or shipping necessary to protect lives or public property; or for any other action necessary to protect the public health, safety, welfare, and property. The funds shall be expended in accordance with the policy and procedures of the Department of Homeland Security and Emergency Management, as approved by the Governor or her Authorized Representative.

2. The Department of Homeland Security and Emergency Management shall coordinate all requests for assistance and responses to such requests under the authority of and as determined by the Governor or her Authorized Representative. In addition to such other eligibility criteria as may be established by the Governor or her Authorized Representative, applicants requesting financial assistance from the State for necessary action taken in response to the emergency shall be required to demonstrate that the cost of the necessary action exceeds their available resources, as determined based upon criteria developed in conjunction with the State

agencies, if any, with financial and budgetary oversight responsibilities for the applicant.

3. The Adjutant General shall order into service any elements of the New Mexico National Guard as are or may be needed to provide military support to civil authorities as needed for this emergency. This action is pursuant to and in accordance with NMSA 1978, Sections 20-1-1 to -8, NMSA 1978, Sections 20-2-1 to -8, and NMSA 1978, Sections 20-4-1 to -14. Such emergency assistance shall be provided during the period of need at the discretion of the Governor or her Authorized Representative.

4. All Cabinet Departments and agencies under gubernatorial control shall provide any assistance that may be required by the Department of Homeland Security and Emergency Management or by the State Emergency Operations Center under the authority of the Governor's Authorized Representative.

I FURTHER ORDER and **DIRECT** as follows:

1. This Order supersedes any previous orders, proclamations, or directives to the extent they are in conflict.

2. This Order shall take effect immediately and shall remain in effect until all authorized funds are expended or no longer necessary to provide emergency assistance.

ATTEST:

Maggie Toulouse Oliver

MAGGIE TOULOUSE OLIVER
SECRETARY OF STATE

DONE AT THE EXECUTIVE OFFICE
THIS 28TH DAY OF OCTOBER 2026

WITNESS MY HAND AND THE GREAT
SEAL OF THE STATE OF NEW MEXICO

Michelle Lujan Grisham

MICHELLE LUJAN GRISHAM
GOVERNOR

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