

# State-Tribal Collaboration:

## A Commitment to New Mexico's Tribal Nations

*November 2020*



Photo: Santa Fe Community College



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This year has been filled with challenges for communities across New Mexico—but also extraordinary collaboration between the State and New Mexico’s sovereign tribal governments. As we look ahead to recovery, it is important that we reflect on what we have accomplished together throughout the health emergency. Please see the following summaries by topic—as well as a sampling of state agencies’ collaborations with tribal communities below.



## Supporting Tribal Nations Through the Pandemic

Working hand-in-hand, the State and Tribal governments have identified and met the needs of thousands of New Mexicans in all 23 Native communities through the delivery of food, water, medical supplies, and personal protective equipment (PPE).

## Education

Consultation between state and tribal governments has increased significantly across all three education agencies (Early Childhood Education and Care, Public Education, and Higher Education). ECECD established a team of tribal liaisons who represent each division and bureau within the new department. The Indian Education Advisory Council met regularly with PED, and Tribal College and University Presidents met every other month with HED’s Tribal Liaison and the Office of the Secretary to identify and address critical issues.

## Investing in Broadband and Critical Infrastructure

Despite the pandemic-related economic downturn and a dramatic fall in oil and gas prices, the Lujan Grisham administration continues to prioritize critical infrastructure investments to New Mexico’s tribal communities. In just the last two years, the State has deployed over \$100 million in capital investments—more than in the previous decade.

## Jobs and Economic Development

Increasingly, Native communities are the economic engines of rural New Mexico, and the State is working to support Tribal businesses and entrepreneurs. New programs have supported displaced workers and families affected by the COVID pandemic, and workers have received both traditional unemployment benefits and other emergency supports. The Lujan Grisham administration’s goal continues to be supporting the health, social structures, and economic vitality of Tribal communities.

## Youth and Elders

Throughout the pandemic, our communities have had to adapt and work together. This has meant virtual learning for young people and stay-at-home precautions for our elders. Every Tribal community has been a part of the solution, and the State has provided more resources and programs for seniors and children than ever before, including emergency food boxes and personal protective equipment for children, youth, and seniors.

## Land and Water

The land we call home has been stewarded by Indigenous peoples for centuries, and it is incumbent on all of us to protect it for generations to come. Through game-changing policies like the Energy Transition Act and the Methane Rule, the Lujan Grisham administration is working to create a clean energy future, ensure water access for every New Mexican, and conserve our resources and critical cultural sites like the greater Chaco landscape.

## Public Safety

Since its creation in October, 2019, the Missing and Murdered Indigenous Women and Relatives (MMIWR) Task Force has convened meetings throughout the state and virtually, requested data from state law enforcement agencies, and solicited new data from tribal law enforcement and service providers. The Task Force is currently preparing findings and recommendations.

In addition, the state has invested in a range of road projects in tribal communities - each of which will protect the public health and save lives.

## Cultural Protection

The Department of Cultural Affairs has supported Tribal libraries via grant programs. The Department's History Portal NM Artisans Program has also been a notable success.



## Aging and Long-Term Services Department

### Pandemic Support

- Provided 6,200 Indian elders in 22 Tribal communities with emergency food boxes during the height of the pandemic.
- Distributed 24,000 face masks to Indian elders and their family members.
- Assisted 39 Tribal senior centers operating in 22 communities to transition from congregate meals to providing home-delivered meals, pick-up meals, and other alternatives for 7,330 Indian elders.

### Consultation and Communication

- Assisted 39 Tribal senior centers operating in 22 communities with establishing guidance on “Senior Center Emergency Plans” enabling them to continue critical services to 7,330 Indian elders during the pandemic.

## Children, Youth & Families Department

### Pandemic Support

- 2,000 Native children received meals from March through September via the Meals to You Program.
- Delivered two million pounds of food to tribal communities experiencing shortages via ESF-6, in partnership with NMDA, IAD, DHSEM and others.
- Created medical and specialty non-congregate care shelters for individuals who are COVID-positive or COVID- exposed throughout the state in partnership with CYFD, DOH and HSD leadership.



## Consultation and Communication

- Set the Indian Child Welfare Act (ICWA) as a gold standard of child welfare practices, permitting tribes to define family, and improving reporting outcomes to funders.
- Developed a standalone ICWA policy to safeguarded and expanded protections of state law for ICWA children, ensuring that practices are protected regardless of changes in federal law.
- Developed Kinship-Guardianship Practices and Procedures to increase child placement with relatives and ensure compliance with ICWA preferred placements.
- Provided early notification and connection to culturally-appropriate interventions while youth are in juvenile justice facilities and services.
- Eliminated the termination of parental rights with regard to Tribal Customary Adoption, allowing children to receive permanency without contradicting tribal practices.

## Financial Investments

- Provided a social services block grant to support tribal social services programming and intervention serving 1,165 people.

## Department of Cultural Affairs

### Consultation and Communication

- The Historic Preservation Division (HPD) monitored and consulted with tribes over undertakings in the Chaco region.
- The Department and the NM Museum of Natural History & Science continued to stand down on excavation permits to protect cultural resources and have attempted negotiations with BLM to secure an ongoing commitment.
- The Native American Graves Protection and Repatriation Act (NAGPRA) allowed for the lawful transition of ancestral remains to their rightful owners and gave Tribal communities an opportunity to seek a meaningful public forum by which to reclaim their cultural patrimony.
- New Mexico Historic Sites collaborated with Jemez Pueblo on a dig at Giusewa, resulting in the

archaeological excavation and research of rooms at Giusewa Pueblo, and earning an award of Archaeological Merit from the NM Historic Preservation Division.

- Conducted preservation work at Coronado Historic Site and Jemez Historic Site alongside staff from the Jemez Pueblo Natural Resources Department and Jemez Pueblo.



- The DCA Summer Activity Kit Program delivered hands-on activities and art materials from museums, historic sites, and other cultural institutions to families in seven tribes and the Santa Fe Indian Center.
- Outreach Librarian Jeannie Whitehorse visited chapter houses to provide digital and financial literacy training and storytime activities for children in the Navajo Nation.
- Worked with three tribal communities to provide virtual classroom visits to tribal students.
- NMSL is developing library certification for all Navajo Nation chapter houses, opening access to resources.
- Conducted rural outreach to underserved tribal areas; serves Navajo and Pueblo tribal members via NM State Libraries Bookmobiles and Books by Mail programs.



## Financial Investments

- Strengthened library services to 19 Tribal communities via NMSL State Grants and NMSL Tribal Libraries Program Grants to fund electronic and print resources, library programming, staff salaries, professional development, library equipment, and operational expenses.
- Funded 19 Tribal communities via the NMSL General Obligation Bonds for electronic and print resources, operating equipment, furniture, and broadband equipment and infrastructure.
- Installed fiber broadband infrastructure and networking equipment in several Tribal communities via the NMSL Broadband for Libraries Program, leveraging federal E-rate funds.
- Supported artisans via the NM History Museum Portal Native American Artisans Program, fostering intergenerational transfer of skills and knowledge and offering public education to thousands of visitors.

## Service Delivery

- The Museum of International Folk Art distributed art kits to six pueblos statewide via the Tribal library system.

## Department of Information Technology

### Financial Investments

- Deployed capital outlay projects for broadband internet in four tribal communities.

## Department of Transportation

### Consultation and Communication

- Signed a new agreement for undocumented easements within the Pueblo of Santa Clara, with NMDOT agreeing to pay \$1M and survey remaining easement areas and Santa Clara Pueblo, providing easement for 99 years.

## Financial Investments

- Improved infrastructure serving seven tribal communities with nearly \$7 million from the discretionary state road fund.



## Department of Workforce Solutions

### Financial Investments

- Provided unemployment insurance benefits to individuals who have lost their employment through no fault of their own or for pandemic-related reasons. Over 77% of Native American claimants received benefits.
- Provided individualized career services to 1,606 Native Americans through Workforce Connection Centers.
- Provided training and employment to 556 Native Americans via Workforce Innovation. 469 Tribal citizens received training, 84 entered employment, 93 received credentials, and 241 gained a new skill.
- Employers and employees affected by layoffs or plant closures received pre-layoff aversion assistance with the help of the Economic Development Department. Twenty-four Native Americans are receiving individualized career services.

## Economic Development Department

### Pandemic Support

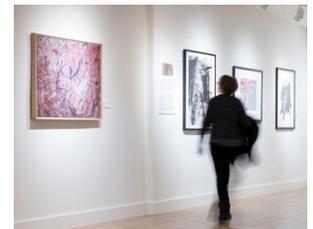
- Provided business support through the pandemic via property redevelopment services to assess and find resources for vacant buildings.

- Assisted with an auction/raffle fundraiser and creation of a micro-grant application tailored to Zuni Pueblo's small business community as part of the "Zuni Economic Relief" program, which consists of small micro-grants to artists and businesses.

## Financial Investments

- Community, Business, & Rural Development Program staff worked with Rhino Health Inc. on water line expansion with a NMED Revolving Loan Application. The Navajo Nation has approved the design for the new building.
- The Tribal liaison and division staff assisted several pueblos with completing NM Mainstreet American applications, and regional representatives participated in Mescalero comprehensive planning. A visit with the tribal liaison led to Mescalero hiring economic development director in 2020.
- The Outdoor Recreation Division awarded grants to three Native organizations and Tribal governments: NACA, Zuni Pueblo and Karuna Collective. 449 Indigenous youth will participate in outdoor recreation activities this year.

- The New Mexico MainStreet (NMMS) Frontier & Native American Communities Initiative undertook planning for a designated Arts & Cultural District (ACD) on Pojoaque Pueblo. The project will generate ideas from Pueblo members for the proposed District and result in a revitalization action plan for an Arts and Cultural District supported by the local community.



- Developed a new marketing plan in partnership with Pojoaque Pueblo to increase the number of visitors to the Pueblo and explore the possibility of an artist cooperative.
- Certified New Mexico's first Native-owned and managed business incubator, located in Church Rock. The program continues to serve Navajo entrepreneurs and students of Navajo Tech University with the support of NMSU's Arrowhead Center.
- Supported Native filmmakers and the creative economy in tribal communities via the New Mexico Film Office. Twenty Native American filmmakers received \$5,000 grants to support their film projects.

# Early Childhood Education and Care Department

## Pandemic Support

- Delivered infant wellness packages to 22 tribes and 1,400 people, which included diapers, wipes, food, formula, clothes, books, and a safe sleeper.
- Delivered infant formula to 480 tribal citizens.
- Delivered personal protective equipment (masks and thermometers) to three tribes.
- Provided shelf-stable food to children aged 1–18 across 15 tribal communities via the Meals To You program, for a total of 2,868 people served.

## Consultation and Communication

- Provided CLASS training to Head Start teachers in five tribal communities to strengthen tools for observation and assessment in the classroom.
- Invited all tribes to participate in the development of an Early Childhood Equity Council to work with the diverse populations and family compositions in New Mexico.
- Invited Tribal early childhood educators to learn language immersion methods for the classroom in partnership with the American Indian Language Policy Research and Teacher Training Center at UNM College of Education.



## Financial Investments

- Provided GEER Funds for Summer JumpStart PreK to one tribe. All tribes were given an opportunity to apply.
- House Bill 2: Early Childhood General Appropriation Act of 2020 extended grants of \$45,450 to tribal education departments to support the development of culturally and linguistically relevant curriculum, assessment tools, and program evaluation instruments for the early childhood field.



# Energy, Minerals and National Resources Department

## Consultation and Communication

- Worked closely with ten tribes on the development of the 20-year Forest Action Plan.
- The Energy Conservation and Management Division worked with four pueblos to develop a Cooperative Agreement with the U.S. Department of Energy regarding WIPP Transportation Safety.
- Revised the tribal consultation policy to elevate consultation to the Office of the Secretary and to create a distinction between the formal consultation process and on-the-ground collaboration.
- Developed an agreement between U.S. Forest Service, State Forestry Division, and tribal partners for collaboration on improved forest management across the state.
- Worked closely with tribal governments and tribal interests via the Mining and Minerals Abandoned Mine Lands program to ensure culturally-sensitive reclamations on abandoned mine lands.
- The State Parks Division re-engaged in direct consultation and collaboration on the Rio Grande Trail Initiative and has dedicated the two public positions on the commission to members of Tribal nations.

## Financial Investments

- Increased funding to tribal communities for forest management.

# General Services Department

## Consultation and Communication

- Coordinated a memo of understanding with one pueblo to provide insurance coverage for their passenger bus to transport COVID-positive persons to locations for quarantine and care. Also provided state vehicles for the transport of COVID-related supplies to tribal communities and schools.
- Printed and mailed 32,072 Census postcards to tribal members at the request of IAD (completed within a 24-hour time frame).
- Coordinated outreach efforts with Native business owners to provide technical assistance related to procurement and contracting with state agencies and local public bodies. Discussions coordinated through the Native American Chamber of Commerce.



# Higher Education Department

## Pandemic Support

- Worked to expand access to adult education courses and High School Equivalency testing in remote areas within tribal communities by providing laptop computers to allow for remote instruction and test proctoring.
- Awarded funding via the Governor's Emergency Education Relief Fund (GEER) to support students and educational institutions in the transition to online learning amid the COVID-19 pandemic.

## Consultation and Communication

- Worked with all four Tribal Colleges participating in the Common Course Numbering Project to create a catalog of all academic lower division courses in the state, indicate equivalences across institutions, and

facilitate transfer for students between Tribal colleges and NM public higher education institutions.

## Financial Investments

- Recommended \$4.4 Million in state funding via GO Bond C for capital projects in FY22 at New Mexico's four public tribal colleges.
  - ♦ Diné College: To strengthen the Navajo food system and access to locally grown foods through renovating the Diné College Farm and the Shiprock Agriculture Multipurpose Center to provide information and resources for area farmers.
  - ♦ Navajo Technical University: To provide renovations to Student Services Center and Science and Trades Buildings.
  - ♦ Institute of American Indian Arts: To upgrade facilities for its Museum Studies program.
  - ♦ Southwestern Indian Polytechnic Institute: To invest in infrastructure improvements campus-wide.
- Invested \$4.5 million in federal funding annually over the next seven years through the GEAR UP college readiness program toward college readiness activities for middle and high school students, including those with large Native student populations in Taos, Newcomb, Bernalillo, and the Española Valley. Activities include tutoring, mentoring, college visits, test preparation, and instructional support. Between 2012 and 2020, the GEAR UP program served 3,000 Native students statewide.
- Spearheaded legislation signed by Governor Michelle Lujan Grisham to make students attending Diné College, Navajo Technical University, and the Institute of American Indian Arts eligible to receive NM Lottery and Opportunity scholarships.

## Service Delivery

- Spearheaded a research and public service project in partnership with Navajo Technical University to establish an associate degree in nursing program that aims to enroll 24 students each year to provide a career pathway and serve the healthcare needs of Northwestern New Mexico.
- Facilitated participation of 1,291 Native American students across 25 Adult Education programs during the 2019-2020 school year to strengthen core academic skills and earn a High School Equivalency Credential (HSE).

# Human Services Department

## Pandemic Support

- Obtained CMS approval to reimburse virtual and telephonic visits to medical providers.
- Obtained CMS direction to not terminate Medicaid coverage maintained during pandemic.
- Enhanced SNAP benefits during pandemic and implemented an online SNAP EBT food purchasing option.
- Via ESF-6 organized the delivery of 2.1 million pounds of food to New Mexico nations, tribes, and pueblos and established 2,184 non-congregate shelter rooms (hotels) at 20 sites, placing over 300 individuals, primarily in San Juan, McKinley, and Santa Fe counties.
- Allowed payment to family caregivers for certain in-home care services.
- Waived in-state license requirements for needed medical providers when a provider holds a valid license from another state. This allowed out-of-state providers to quickly enroll and provide services at IHS and Tribal 638 medical facilities in New Mexico.
- Directed Managed Care Organizations to expedite provider claims reimbursement, benefiting IHS and Tribal 638 medical facilities.
- Directed Managed Care Organizations to suspend or extend Prior Authorizations for specific services, benefiting IHS and Tribal 638 medical facilities.
- Developed Special Services Guide to offer support and guidance to specialty behavioral healthcare providers during pandemic, benefiting IHS and Tribal 638 medical facilities.
- Created a COVID-19 coloring book with cartoons by Ricardo Cate, Native American cartoonist in collaboration with IAD; provides culturally tailored messaging about COVID-19, including prevention and mitigation practices.



- Launched the Community Supports Waiver to offer additional services to members on the Developmental Disability Waiver waitlist. Approximately 560 Native Americans are on the waitlist for a DD waiver.

## Consultation and Communication

- Established and enforced child support orders through Tribal court, based on the Tribe or Pueblo's own laws and customs. At the end of FY20, 4,291 Native American families had child support cases.
- Led a public service announcement campaign ("Without Reservations") for substance use disorder treatment with cartoons by Ricardo Cate, Native American cartoonist.

## Financial Investments

- Implemented \$78.5 million in Medicaid provider rate increases for providers who deliver care and services to the most vulnerable New Mexicans, particularly in rural areas for behavioral health, primary care, dental services, and teleconsultation.

## Service Delivery

- Implemented CareLink Health Home at Kewa Pueblo, increasing coordination of behavioral and physical health care for Pueblo members.
- Expanded the Centennial Home Visiting Pilot Program to include Taos Pueblo, providing home visiting services to the Taos community for eligible pregnant women.
- Increased food security; at the end of FY20, 28,686 Native Americans are receiving SNAP benefits.

# Indian Affairs Department

## Pandemic Support

- Developed and released key documents: COVID-Safe Practices; Tribal Response Plan for COVID-19; Rapid Response Protocols; COVID-19 Relief / Grant Funding for Tribes; and FEMA Guidance.
- Provided food, water and personal protective equipment (PPE) to tribal nations throughout the COVID-19 pandemic.
- Coordinated delivery of resources to Nations, Tribes, and Pueblos in partnership with state agencies



(DHSEM – EOC, CYFD, ECECD, HSD, NMAD), private relief funds, and donations.

- Worked to maintain strong communication through the pandemic, including the “NMPBS Town Hall: New Mexico’s Tribal Communities” and “COVID-19: A Virtual Town Hall.”
- Hosted weekly calls with Tribal leaders to communicate critical information from the New Mexico Congressional Delegation and state agency programs, as well as COVID-19 infection rates and testing sites.
- Created philanthropic support for COVID relief in tribal communities that has supported several million dollars in donations.
- Collaborated with state agencies (ECECD, CYFD and PED) to provide care packages to the infant population and Meals to You program throughout native communities.

## Consultation and Communication

- Began addressing the historical and ongoing crisis of missing and murdered Indigenous relatives in the state through the Missing and Murdered Indigenous Women and Relatives (MMIWR) Task Force that was appointed by Governor Lujan Grisham.
- Revamped cultural competency training for state employees that work directly with tribal communities in order to improve communication and collaboration.

## Policy Initiatives

- Implemented the Energy Transition Act in collaboration with EDD and DWS, which sets a statewide renewable energy standard which moves state away from coal toward clean energy.
- Held several listening sessions in the affected communities in northwest New Mexico with partners at DWS and EDD surrounding the Energy Transition Act.

- Released the Energy Transition Act RFI and received several promising proposals that would benefit tribal communities in the affected region.
- Submitted comments opposing the continuance of oil and gas drilling near Chaco National Historical Park in order to preserve and protect cultural sites and landscapes that are sacred to Indigenous people.

## Financial Investment

- Funded \$800,000 in direct grants to tribal communities for Census outreach. Supported tribal communities with additional Census resources.
- Via the 2020 Tribal Infrastructure Fund, provided \$9.9 million for water, \$2.1 million for public safety, \$5.9 million for multipurpose building, \$1.9 million for roads, and \$44,890 for sewers.
- Via the 2019 Tribal Infrastructure Fund, provided \$11.6 million for water, \$400,000 for education and childcare, \$106,000 for public safety, and \$1.9 million for roads.
- Administered \$16.4 million in capital outlay for tribal communities in 2020, including \$2.9 million for water, \$1.9 million for power, \$18,830 for education and childcare, \$3.1 million for public safety, \$85,000 for a veteran’s building, and \$5.4 million for other purchases.
- Administered \$73.2 million in capital outlay for tribal communities in 2019, including \$14.8 million for water, \$9.6 million for power, \$4.6 million for education and childcare, \$5 million for public safety, \$22 million for multipurpose building, \$3.7 million for veterans building, and \$13.5 million for other purchases.
- Increased special project funding from \$297,000 in FY20 to \$350,000 in FY21 in order to better serve the needs in tribal communities.
- Reduced the department’s overall general fund reversion rate by 24.3% in FY20 even in light of the pandemic.
- Received an appropriation to support early childhood education efforts based on the needs identified by tribal communities. Implementation of this appropriation was done in collaboration with ECECD and PED’s Indian Education Division.

# Department of Agriculture

## Pandemic Support

- Provided staff and equipment through the Southwest Border Food Protection and Emergency Preparedness Center to collect and transport sanitary supplies to populations in need.
- Worked with the Navajo Nation EOC to coordinate purchase and delivery of 50 food boxes to each of the 110 chapters across the Navajo Nation (5500 households).
- Helped coordinate food delivery of 400 food boxes to Acoma through the EOC-ESF 6 team.

## Financial Investments

- Donated approximately 400 bales of hay to the Ramah Chapter of the Navajo Nation.
- Supported improving soil health via Healthy Soil Program (HSP) grant projects.

# Environment Department

## Financial Investments

- Awarded 26 capital outlay projects to 27 tribal entities with total funding over \$7.69 million, including one planning grant in the amount of \$50,000 for Tesuque Pueblo.
- Awarded \$133,873 to Santa Ana Pueblo through the River Stewardship Program to restore 27 acres on the Pueblo along the Rio Grande River. This project was successfully completed in 2020.
- Awarded \$75,800 to two pueblos for recycling and cleanup projects via the Recycling and Illegal Dumping (RAID) Act.



# Public Education Department

## Pandemic Support

- Hosted an RFA for GEER/ESSER (Governor’s Emergency Education Relief/ Elementary and Secondary School Emergency Relief Fund) to support students without home internet access. This can include access through fiber, DSL, cable, fixed wireless, wireless hotspots, and satellite, depending on service available at an individual address.
- The Homework Gap team sent out a survey to all NM Tribes, Pueblos and Nations to determine student household digital needs. \$1,564,218 was provided for Chromebooks, \$332,520 was provided for wireless access points, and \$220,500 was provided for hot spots.

## Financial Investments

- Hosted an RFA for Indian Education Act Grants aimed at college, career, and life readiness, increasing access to Native American language programs, and providing culturally and linguistically relevant education and social and emotional learning.
- Hosted an RFA for Native Language Grants to create a more effective and relevant teacher preparation program for Native American language instruction. Santo Domingo Pueblo received \$160,775 and Jemez Pueblo received \$100,000.



## Office of the State Engineer

### Financial Investments

- Spearheaded legislation signed in April 2019 by Governor Lujan Grisham to appropriate \$20 million to the Indian Water Rights Settlement Fund (\$2 million in addition to the \$18 million for the State’s scheduled cost-share contribution) with the specific provision that this \$20 million appropriated in 2019 “constitutes approximately twenty percent toward Aamodt Settlement to pay both the state’s current cost-share obligation and additional amounts necessary for the state’s share of non-federal cost overruns.”
- Neared completion of the Navajo Gallup Water Supply Project, Cutter Lateral pipeline and water treatment plant.

### Consultation and Communication

- Issued a metering order for Nambe-Pojoaque-Tesuque Basin.
- Worked with the Governor’s Office on an Executive Order Declaration of Emergency Drought in the state. Sixty-seven percent of the state is currently in D-2 status (extreme drought).
- Worked with Taos Pueblo to implement water rights administration provisions in water rights settlement agreement to better define roles and responsibilities.
- Water Masters implemented alternative administration of Nambe-Pojoaque-Tesuque stream system waters and initiated enforcement/compliance activities.
- Developed and administered shortage sharing or rotation agreements among acequias, municipalities,

and Pueblos to address drought conditions and limited surface water supplies on Jemez and Chama Rivers.

- Entered negotiations with the Jicarilla Apache Nation to lease available water for the Strategic Water Reserve on the San Juan River as part of active water resource management via the Interstate Stream Commission.
- Negotiated and signed the Drought Contingency Plan (DCP) to protect NM’s Colorado River water for Indian and non-Indian users in both the San Juan River basin and for the San Juan Chama Project, which provides water for Albuquerque, Santa Fe, MRGCD, and Rio Grande Pueblos.
- Gained approval this September from the USDA Forest Service on a proposal to install headgates, flow meters, and supporting equipment in areas of pueblo and acequia conflict.

## Tourism Department

### Financial Investments

- Provided a Southwest Association for Indian Arts (SWAIA) grant to support the Santa Fe Indian Market and more than 500 individual artists.



Photo: Jason S. Ordaz, IAIA, 2020