

NEW MEXICO INDIAN AFFAIRS DEPARTMENT
FY 2011 ANNUAL REPORT
SUBMITTED PURSUANT TO THE STATE-TRIBAL COLLABORATION ACT
July 31, 2011

SECTION I. EXECUTIVE SUMMARY AND AGENCY BACKGROUND

The Indian Affairs Department (“IAD” or “Department”) fulfills a central role in facilitating communication and collaboration between the Governor’s Office, the other thirty-two (32) Cabinet agencies, and the twenty-two (22) Indian tribes, nations and pueblos on programs and issues affecting Native Americans in New Mexico. As described in this Annual Report, in FY 2011, the IAD made strides in ensuring that state-wide adherence to the State-Tribal Collaboration Act (“STCA”) was met all the while addressing important issues and concerns that arose during the year that affect tribes and Native American citizens of our state.

The Indian Affairs Department (IAD) is the lead coordinating agency in New Mexico state government for ensuring effective interagency and state-tribal government-to-government relations. The IAD remains the only cabinet-level agency in the United States devoted strictly to Native American affairs.

The IAD has broad statutory oversight to act upon the entire subject of Indian conditions and relations and reinforces tribal governmental efforts to ensure that Native American concerns and needs are addressed in state policy making decisions; effectively manages, and facilitates ways to increase and leverage, state resources to benefit Native Americans; and successfully collaborates with national, tribal, state and local agencies, entities, and organizations.

The Primary Activities of IAD are to:

- Assist with developing and securing legislation and policy benefitting tribes and Native Americans;
- Maintain consistent high-level visibility of tribal concerns and issues in state government;
- Foster a greater awareness of and concern for Indian issues and objectives;
- Promote economic programs aimed establishing Tribal self-sufficiency;
- Provide Special Projects / Appropriations funding to tribal entities;
- Provide Training and Technical Assistance to tribes and state agencies

The Indian Affairs Department serves as an advocate for Native Americans in national, state, and local legislative matters; provides input to private and public advisory boards; facilitates intergovernmental coordination and negotiation; facilitates Tribe-to-Tribe communication; and offers assistance regarding problems of roads; issues including taxation; agricultural and economic development; health programs for the elderly, young, disabled or chronically poor; emergency medical services; and education from primary through college and vocational studies.

From this broad direction, the IAD has developed the following vision and mission statements:

Vision Statement:

New Mexico's Native American citizens will have the resources necessary to improve their quality of life and maintain their cultures and languages through collaborative, productive and lasting government-to-government relationships between the State of New Mexico and Indian tribes, nations and pueblos as well as through effective participation of Native Americans in all aspects of state government.

Mission Statement:

As a cabinet-level department, the Indian Affairs Department (IAD) is the lead coordinating agency in New Mexico state government for ensuring effective interagency and state-tribal government-to-government relations. The IAD reinforces tribal governmental efforts to ensure that Native American concerns and needs are addressed in state policy making decisions; effectively manages, and facilitates ways to increase and leverage, state resources to benefit Native Americans; and successfully collaborates with national, tribal, state and local agencies, entities, and organizations.

Agency Organizational Chart:

Cabinet Secretary-Designate Allison is the agency head. Mr. Allison maintains oversight of the entire agency and personally oversees the management and direction of both the Deputy Secretary and General Counsel positions, both of which are currently vacant and in the process of being filled. There are three divisions within the department. The Administrative Services Division is comprised of the Director Lillian Brooks and three staff members. The Capital Outlay Unit is comprised of the Manager (previously Laurie Chapman and presently Rebecca Martinez April 2011 forward) and two staff members. The Policy Unit is comprised of the Senior Policy Analyst (currently vacant) and two staff analysts.

Cabinet Secretary Designate Allison oversees the management and direction of the Department. Mr. Allison is responsible to Governor Susana Martinez for the operation of the Department. Mr. Allison exercise general supervisory authority over all Department employees. They administer and enforce the laws with which the Cabinet Secretary or

Econ Dev Division
where?

the Department is charged, approve contracts, agreements and official correspondence on behalf of the Department's budget initiatives. They also make public presentations on behalf of the Governor and the Department and testify before appropriate legislative committees regarding the Department's budget and initiatives. They also make public presentations on behalf of the Governor and the Department regarding Native American matters. Finally, they interact directly with and facilitate communication between the leadership of the twenty-two (22) tribes, nations and pueblos and the New Mexico Governor's Office, the Lieutenant Governor's Office and the heads and staff of the other thirty-two (32) Cabinet-level state agencies.

The IAD Policy Unit ("PU") is charged with assisting to create and implement innovative policies to benefit Native Americans in New Mexico. The IAD PU works with state departments and tribal leadership to launch policies intended to improve the quality of life for Indian citizens of New Mexico. Under the direction of the governor, tribal leadership, IAD Secretary Arthur Allison, and members of the New Mexico Indian Affairs Commission, the IAD Policy Unit works to:

- Identify state-tribal policy priorities and conduct research;
- Bring together state and tribal decision makers and policy experts to implement state-tribal policy priorities;
- Serve as a clearinghouse to provide information to state and tribal decision makers and policy experts;
- Support and monitor governor and tribal approved state legislative initiatives during New Mexico's legislative sessions; and
- Provide information and training to state departments and tribal governments.

To date, the PU has played an important role in the development of state tribal consultation policies, the development state-tribal legislation such as the Tribal Infrastructure Act, the Reburial Grounds Act, and the Indian Education Act, to name a few. The PU puts the New Mexico Governor's state-tribal policy initiatives into practice on a statewide level.

The IAD Capital Outlay Unit ("COU") – headed by COU Manager Rebecca Martinez plays a central role in assisting tribes with developing, repairing and replacing desperately needed capital outlay projects in their communities. The COU administers funding for tribes, nations, pueblos and tribal organizations that have received capital outlay funding from the Legislature and governor. The legal instrument that is used by IAD to convey the monies appropriated is an Intergovernmental Grant Agreement (IGA). To ensure effective allocation and management of tribal capital outlay appropriations, the COU performs regular monitoring of and compliance checks on all tribal projects. This includes review of Request for Payment submittals from tribal entities to ensure that expenditures meet the approved scope of work and legislative intent of the appropriation. Quarterly narrative reports are also reviewed to monitor the progress of all COU projects. As projects come to a close, site visits are scheduled to inspect the completed project and record accomplishments to the agency file for future reference.

The IAD General Counsel (currently vacant) assists with collaboration between state agencies and tribal entities on Indian Law issues. The general counsel renders legal opinions for the cabinet secretary, IAD managers and staff. The general counsel also attends and provides legal advice at Department meetings. The general counsel provides legal analysis and information to other Cabinet-level state agencies and general counsels on tribal sovereignty and other Indian Law issues. During the legislative session, the IAD general counsel keeps abreast of legislation, provides legal analysis to the Office of the Governor on legislation affecting Native Americans, provides legal assistance in the drafting of state legislation, serves as liaison with legislative advocates, and represents IAD as an advocate before the legislature in such matters as directed by the cabinet secretary. The general counsel represents the IAD at state and tribal workshops and seminars relating to state-tribal issues to limit exposure to liability. The general counsel also coordinates and monitors legal matters and services to the Department with outside counsel, studies and interprets laws, court decisions, ordinances and other legal authorities and develops and conducts staff training sessions and workshops.

The IAD Training and Technical Assistance Coordinator ("TTAC"), Ben Fletcher works broadly across the Department contributing to the objectives of the PU and COU. In addition, the TTAC provides specific technical assistance to the 22 tribes in New Mexico. The TTAC maintains the IAD *Tribal Resource Guide*, which provides federal, state and philanthropic funding opportunity information, technical assistance with grant funding applications, and general resource information for tribes regarding capital outlay. The TTAC also created and periodically updates the *State of New Mexico Native American Programs and Services Directory*. This directory lists all Native American specific programs and services that are available within the State of New Mexico. The TTAC coordinates the provision of training to tribes on a variety of subjects. The TTAC creates and distributes the Department's *News Blast*, a tri-weekly publication that IAD sends to tribes, tribal entities and others on its list-serve. The *News Blast* includes conference dates for programs or services relevant to the Native American population, provides federal or state collaboration announcements or various topics, highlights Indian specific news, and publicizes funding announcements for grants, programs and services that benefit the state's Native American population. Additionally, the TTAC coordinates state and federal resources to identify viable solutions to a tribe's specific needs.

SECTION II. AGENCY EFFORTS TO IMPLEMENT POLICY AND CURRENT AND PLANNED PROGRAMS AND SERVICES FOR AMERICAN INDIANS/ALASKA NATIVES

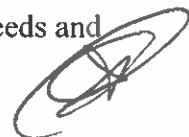
Pursuant to the 2009 State-Tribal Collaboration Act ("STCA"), the IAD adopted its Tribal Consultation, Collaboration and Communication Policy ("Policy") on December 18, 2009. The Policy is designed to promote effective communication, collaboration and positive government to government relations between the state and the 22 tribes, nations and pueblos. Additionally, the Policy reflects the Department's commitment to promote cultural competency in providing services to American Indians/Alaska Natives. The

Policy also identifies key principles that guide the IAD in its interactions with tribal governments and American Indians/Alaskan Natives.

Additionally, to accomplish its Vision and Mission, the IAD's primary programmatic activities include:

- Assisting with developing and securing legislation and policy affecting tribes and Native Americans;
- Maintaining consistent high-level visibility of tribal concerns and issues in state government;
- Working to provide and leverage infrastructure funding to tribal entities;
- Working to provide Special Projects/Appropriations funding to tribal entities; and
- Providing training and technical assistance to tribes and state agencies.

The programmatic activities have been focused on addressing significant needs and priorities in Indian communities.

 - Add strategic Plan (2012-2014) here - 
Native American Veterans Tax Settlement Fund

State officials have reported that New Mexico has paid refunds of more than \$825,000 to Native American veterans who had state income taxes wrongly withheld from their pay while serving on active duty in the military. TRD Secretary Demesia Padilla reported 660 veterans have been reimbursed.

In 2008 the law established a settlement funds to compensate American Indian veterans who paid state taxes when they were on active duty although they should have been exempt because their permanent residence was on tribal lands. The Legislature allocated \$1.2 million for refunds. A veteran's widow or dependents also can be eligible for the tax refund. Secretary Padilla encourages Native American veterans to contact the state Department of Veterans services for more information.

Native American Health Prevention Week

Six of New Mexico's Pueblo communities hosted the New Mexico Department of Health (DOH) and their health partners to offer health services and health education at the "State and Tribal Celebration of Health and Wellness Week", October 10th – 15th, 2011.

This was an exciting event and one that the DOH Cabinet Secretary, Dr. Catherine Torres plans to expand on annually, eventually being hosted in each of New Mexico's Tribes, Pueblos, and Nations. The hope is that more New Mexicans will utilize the health

services that are available and that, through these continuing partnerships, there will be a healthy New Mexico.

The scheduled events and locations for this week were:

- Monday, October 10, 8:30 am to 6:00 pm – Laguna Pueblo (Dancing Eagle Casino Event Center)
- Tuesday, October 11, 2:00 pm to 7:00 pm – San Felipe Pueblo (Casino Hollywood)
- Wednesday, October 12, 2:00 pm to 7:00 pm – Isleta Pueblo (Isleta Health Clinic)
- Thursday, October 13, 9:00 am to 3:00 pm – Kewa Pueblo (Kewa Health Clinic)
- Friday, October 14, 1:00 pm to 7:00 pm – Santa Clara Pueblo (Santa Clara Neighborhood Facility)
- Saturday, October 15, 9:00 am to 12:00 pm – Tesuque Pueblo (Intergeneration Center)

The following were family events that were open to everyone and featured health walks with the Tribal Governors and the DOH Cabinet Secretary.

- Project Hope – free screenings for diabetes, cholesterol, A1c, BMI, blood pressure, retinal eye exam, and bone density
- UNM Cancer Center's Office of Community Partnerships and Cancer Health Disparities – a mobile mammography van at Isleta Pueblo and Santa Clara Pueblo
- DOH – flu shots
- DOH Oral Health Program – dental information and referrals (sealants, screenings, and fluoride varnish)
- DOH Chronic Disease Bureau – materials on tobacco cessation, diabetes prevention and control, arthritis, breast, cervical, colorectal, skin and prostate cancer
- DHO Bureau of Vital Records and Health Statistics – information on birth and death certificates
- DOH Family Planning – information on various reproductive health services
- DOH Sexually Transmitted Diseases Prevention Program – information on services and health education

- DOH Injury Prevention Program – information on childhood injury prevention such as car seat, helmet and home safety, including product safety and fire prevention; youth injury prevention information on dating violence prevention, driving and rug safety, and bullying; adult injury prevention such as elderly fall and abuse prevention; sexual assault prevention information on domestic violence and sexual violence prevention
- DOH Office of Nutrition and Physical Activity – materials about healthy weight for adults and children
- Each Pueblo’s Women, Infants and Children Program – information on the services they provide
- DOH Family Infant Toddler (FIT) Program – information on services and health education
- DOH Developmental Disabilities Program – information on services available to eligible individuals with developmental disabilities and the Developmental Disabilities Waiver
- DOH Bureau of Health Emergency Management – information on emergency preparedness

Indian Education

Under the new leadership of the current Secretary of Education Designee Hanna Skandera the Public Education Department has identified a new vision and mission titled “Kids First, New Mexico Wins”.

NMPED’s Vision: Bold, visionary reform that puts students first in every decision will increase student achievement and prepare our kids for success in colleges and careers. We call on every educator, student, parent, community member and public servant to share in the responsibility for the success of our children and, ultimately, the future of the great state of New Mexico. When we put our kids first, New Mexico will win.

NMPED’s Mission: a focus on students means an emphasis on five strategic imperatives:

- Expect a smarter return on New Mexico’s investment
- Require real accountability for real results
- Ensure our students are ready for success
- Reward effective educators and leaders
- Provide effective options for parents

Governor Martinez has made the pledge to prioritize education and the economy. The New Mexico Public Education Department (PED) has renewed its commitment to

serving the state of New Mexico. Many first steps toward that commitment have taken place, indicating success is possible for students. The opportunity to change the culture of education is a golden chance to change the future for New Mexico students. The PED's vision is to make sure the hardship and the challenges students face today are no longer passed on to future generations. The time to deliver on that promise is now. The following are five (5) Strategic Levers that PED has implemented towards accomplishing the state's education reform initiatives.

1. Strategic Lever 1: Smarter Return on New Mexico's Investment

- a. Improve Management and Expenditures of State and Federal Dollars
- b. Increase Percent/Dollars to the Classroom, Chart of Account Category 1000
- c. Increase Percent/Dollars to the Classroom: Direct Instruction (1000), Support Services Students (2100), and Support Services Instruction (2200)
- d. Obtain Private Funding Investments to Increase Overall Educational Funding
- e. Seek Federal Competitive Grants to Increase Overall Educational Funding
- f. Obtain Budget and Regulatory Flexibility for Student Achievement Effectiveness at the Federal Level
- g. Ensure Accurate and Meaningful Data is Available
- h. Identify Effective PED Programs to Serve Districts Better and Retool Current Programs to Improve Effectiveness

2. Strategic Lever 2: Real Accountability – Real Results

- a. Implementation of Successful School-Grading System
- b. Pursue Federal Waiver
- c. Increase A and B Schools. Decrease D and F Schools. Create Monetary and Flexibility Incentives for Schools and Districts
- d. Increase Parent and Community Involvement
- e. Develop and Implement Effective Turnaround Strategies for Low Performing Schools and Champion Proven Strategies in Higher Performing Schools
- f. Transition to Common Core
- g. Transition to Common Core Assessments

3. Strategic Lever 3: Ready for Success Initiative

- a. Increase the Percentage of Students in Proficient and Advances on the NMSBA
- b. Implement Parent and Community Reading Initiatives
- c. Increase Graduation Rates
- d. Implement a 3rd Grade "No Social Promotion" Initiative
- e. Reduce the Percentage of Students Retained in Third Grade Due to Literacy Level

4. Strategic Lever 4: Rewarding Effective Educators and Leaders

- a. Create a Comprehensive Teacher and School Leadership Performance-Based Evaluation System
- b. Create an Educational Leadership Pipeline
- c. Work with Higher Education to Address Preparation Program Effectiveness

5. Strategic Lever 5: Effective Options for Parents

- a. Increase Number of Effective Charter Schools
- b. Create Robust, Statewide Virtual School(s)
- c. Provide High-Quality Technical Assistance to Charter Authorizers

There are approximately 330,000 students in grades K-12, New Mexico's demographics are distinctive: 57% Hispanic, 29% White, 11% Native American, 3% African American and 1% Asian or of other ethnicities. New Mexico faces unique challenges in educating students in rural areas, particularly on vast Indian reservations. New Mexico's majority-minority status presents our state with a unique opportunity to lead way in increasing academic success for every student and closing the achievement gap.

We know that our students can achieve and compete with the best and the brightest across the nation. The challenge for our communities is to believe that success is possible for our students regardless of the circumstances. Once this is realized, New Mexico will demonstrate it can be successful. When we put kids first, New Mexico will win. Students, educators and parents of New Mexico are ready for reform. They have delivered a mandate to change the culture of education in the state, placing more priority on student achievement and a much better return on \$2.4 billion dollars in taxpayer investment.

W.K. Kellogg Foundation Grant

The IAD sought to improve resources to address pressing health service issues during a time of budget cutbacks by pursuing private foundation funding. In June of 2009, the IAD secured a \$200,000 grant from the W.K. Kellogg Foundation. The grant contributed to many of IAD's initiatives throughout the year.

Special Projects

The IAD administers funding for twelve (12) special projects. In FY 2011 IAD appropriated \$1,324,248.00 in special project funding. At the end of the fiscal year a balance of \$51,828.39 was reverted back to IAD in unspent appropriations.

Tobacco Cessation

In FY 2011 the IAD allocated \$303,359.00 through our Tribal Tobacco Cessation and Prevention Program, pursuant to Section 6-4-10, NMSA 1978, the state Tobacco Use Prevention and Control Program ("TUPAC"). The overall goals for this Program are to promote cessation and prevention of commercial tobacco abuse in Native communities, with special emphasis on Native youth, and to promote cultural awareness of the Native traditional and ceremonial use of tobacco as a means to strengthen cultural identity and resistance to commercial tobacco. Eight tribal and Native American serving entities were selected for funding in FY 2011, receiving from \$10,000.00 to \$73,000.00. Through the activities of these eight entities more than 19,630 individuals were reached in FY 2011.

The IAD hired Keres Consulting, Inc. ("Keres") in FY 2011 to: evaluate program reporting and monitoring; be a liaison with TUPAC and the IAD funding grantees; develop and administer a survey of tobacco use and awareness; provide programmatic recommendations to the IAD regarding how to improve the use and management of these funds; make recommendations for grant allocation for FY 2012; and assist with developing a presentation and report to the Legislature's Tobacco Oversight Committee.

In addition, the IAD retained Keres to conduct site visits to evaluate the Tobacco Cessation and Prevention programs funded through IAD. These visits emphasized that each tribal Tobacco Cessation and Prevention program operates uniquely in order to be effective and relevant to each of the respective communities. The information received from these site visits allowed the IAD to identify the various successes achieved in FY 2011 by several of the grantees and also helped us to identify the various successes achieved in FY 2011 by several of the grantees and also helped us to identify the challenges programs encounter in an effort to continuously improve their programs. As part of these efforts, a meeting was held with TUPAC in May to better understand the organization's survey tool.

For FY 2012 only ~~\$293,800.00~~ ^{205,000 249,000} was appropriated to the IAD for Tobacco Cessation and Prevention Programs. A Notice of Funding Availability was sent to all 22 tribes. The IAD decided to supplement the TUPAC funding with IAD special project funding in order to fund all 6 proposals at an appropriate level. In FY 2012 the IAD will complete the award process. The IAD will also continue to work with a consultant to improve oversight and management of the Tobacco Cessation and Prevention projects.

State-Tribal Collaboration Act ("STCA")

In FY 2009, the IAD secured the passage of legislation that standardized the state's best practices for tribal collaboration. Since the STCA was signed into law, the IAD has had a central role in coordinating the efforts of the Governor's Office, the Cabinet-level agencies and tribal governments to implement the various provisions of the STCA. The State Tribal Collaboration Act provides the framework for the state and tribes to work together to develop successful programs and services to benefit New Mexico's Native American citizens. It also mandates a yearly Summit. The Act requires cabinet-level

agencies to develop policies that promote beneficial collaboration between the state and tribal governments; designate agency tribal liaisons; provide for culturally appropriate training to state agency employees who work with tribes; and, provide annual reporting that accounts for each agency's accomplishments pursuant to the Act.

2011 State-Tribal Leaders Summit

Due to IAD being without a Cabinet Secretary for the first four months of 2011, the State-Tribal Leaders Summit has not yet taken place. It is in the planning stages and will be held at the end of July in the first quarter of FY 2012 once IAD has confirmation from the Governor's Office confirming Governor Martinez's schedule. As in past Summits, IAD is planning on working directly with a Planning Committee made up of several tribal leaders and are key leaders in tribal communities to develop and discuss and make decisions regarding many aspects of the Summit.

American Indian Day at the Legislature

The IAD convened a planning committee and completed various tasks to coordinate and host the 23rd American Indian Day on February 4, 2011 at the New Mexico Legislature. Throughout these events, numerous state and tribal leaders spoke on various topics regarding tribal communities and state government working together to address issues of mutual concern. American Indian Day included various speeches by tribal leaders from the Navajo Nation, Mescalero Apache Tribe and several Pueblos, as well as performances from a variety of youth dance groups. Ron Solimon, President and CEO of the Indian Pueblo Cultural Center, served as Master of Ceremonies for the day.

Code Talkers Documentary Screening, Negotiation and Lawsuit

In 2006, the Legislature and then Governor Richardson's Office allocated \$450,000 for the making of a documentary to honor the contribution of the Navajo Code Talkers during World War II. The Department entered into a Professional Services Contract ("PSC") for this project. Standard PSC indicates that the state would fully own the project product. On July 19, 2009, the IAD presented a private screening of this documentary to the Navajo Code Talkers and their families at the El Morro Theater in Gallup, NM. The Code Talkers indicated that the film did not meet their expectations with regard to story content, quality, editing, and cultural competency. The contractor has asserted partial ownership of the film, and has been marketing the product through the internet. As a result, the Department cannot engage future contractors to complete the project until the cloud on the title is cleared. After a year of negotiation, the Department ended FY 2010 preparing to file suit for declaratory relief in state court. There have been no further developments of this litigation and lawsuit in FY 2011.

Constituent Requests

The IAD receives a number of constituent requests throughout the year from the Governor's Office and directly from tribal leaders, Native Americans and the general

public. The Capital Outlay Unit and the Training and Technical Assistance Coordinator receive requests virtually on a daily basis by tribal entities to assist with capital projects. As part of our mission and goals of the Department, we work to respond to constituent requests in a timely fashion, providing needed information or connecting them with resources they need.

Interagency Communication

The IAD TTAC keeps tribal liaison contact information current, communicates regularly with liaisons, and invites liaisons to contribute articles or other pertinent information to our news blast news letter. The TTAC communicated regularly with other agency PIOs, and shared information on issues that affect New Mexico tribal communities.

Public Relations

Through our news blasts and outreach, IAD continued to share information on how New Mexico's tribes, nations and pueblos positively impact the state of New Mexico.

Capital Outlay and Infrastructure/Tribal Infrastructure Fund

ask LRS

In ~~2011~~ FY2011, the Capital Outlay Unit closed 115 capital project totaling \$19,089,419. Currently the COU administers ~~47~~ ¹² open Capital projects totaling \$12,027,500.

The COU also collaborates with the Department of Finance Administration through Memorandum of Understandings regarding the financial administration of projects funded pursuant to the Tribal Infrastructure Fund ("TIF") Act. These funds address significant infrastructure needs in tribal communities, including water and wastewater systems, roads, electrical power lines, health facilities, and governmental facilities.

²⁰¹² In ~~2011~~ FY 2011 The Capital Outlay Unit closed 16 Tribal Infrastructure Fund Projects totaling \$5,444,856. To date the Tribal Infrastructure Fund has provided critical funding for 80 projects totaling \$25.5 million.

Currently, there are 5 TIF projects open.

9, 109,056.04 In June 2011, NMIAD Capital Outlay Manager Staff began working with the NM Environment Department, Community Services Director to examine the existing TIF application process and make revisions to improve the process for the Board of Director's review and consideration for approval.

Features of the newly designed Tribal Infrastructure Fund process include submittal of the application, on-line through the NMED Water Trust Board application portal, which is linked to the IAD website. A Comprehensive Project List ("CPL") will be compiled and presented to the TIF Board of Directors for review by December 2011. At that time, the NMED Community Services Group ("CSG") will assist IAD to make contact, convene meetings and/or conduct interviews with each Tribe, Nation and Pueblo that has submitted a Project Information Form ("PIF"). The CSG will conduct a P2 review, to assess the nature, scope and scale of the project to clarify and confirm the project PIF

information submitted on line. In addition, the CSG will conduct a P3 review that will reveal compliance, capacity and sustainability of the proposed project. These activities will be conducted through March 2012 at which time a TIF Project Review Team (PRT) will conduct their Initial Project Evaluations of all proposed projects on the CPL and develop a Fundable Project List (FPL). At that time, IAD will inform each tribal entity as to whether or not their proposed project is being considered for TIF funding in this cycle. Proposed projects on the FPL will be informed and invited to develop a Formal Project Proposal (FPP) and present their project at a TIF Board Meeting by May 15, 2012. Top ranking formal project proposals will be considered by the Board and notification of award will be May 31, 2012. BFY2013 TIF projects are scheduled to commence July 1, 2012.

Our efforts in working with the Navajo Nation with implementing policies and practices to improve capital outlay project planning, approval and completion have been ongoing for several years. In FY 2011, the IAD COU and Navajo Nation Capital Improvement Office continued our process to reconcile the capital outlay status information on at least a quarterly basis. The meetings are held in Window Rock and Santa Fe alternately and allow both entities to discuss Capital Outlay projects in depth. Status lists are provided by the IAD. Each Navajo Nation capital outlay project status is reviewed and discussed. Of particular concern are projects that have been reauthorized one or more times and are not progressing. Projects with no scope of work or contractual issues are examined for justification. Other initiatives in process are discussed and follow-up assignments are distributed for the next meeting. This process has proved to be quite successful as it allows both entities to identify problem areas that need follow-up to assure progress and project close-out in a timely manner.

SECTION III. TRAINING AND EMPLOYEE NOTIFICATION

In FY 2009 the IAD and the State Personnel Office ("SPO") coordinated research and planned and developed training as required by the STCA. In 2010 the training curriculum and materials were refined and a training model was designed and pilot training was conducted to state employees.

With the transition of the newly elected state of New Mexico administration IAD have been diligently working to ensure all new state employees who have regular contact with tribes receive the training, therefore for FY 2011 the IAD and the SPO will jointly participate in the STCA requirement of the training of state employees and managers to provide the best opportunity for success in working with their tribal counterparts. The following dates and locations have been tentatively identified for October 2011 through December 2011. All trainings will be posted on the SPO website and registration for the training will be conducted by the IAD Training and Technical Assistance Coordinator.

- October 31, 2011 – Santa Fe, NM
- November 7, 2011 – Albuquerque, NM
- November 8, 2011 – Santa Fe, NM

- November 14, 2011 – Gallup, NM
- November 21, 2011 – Farmington, NM
- November 28, 2011 – Albuquerque, NM
- November 29, 2011 – Santa Fe, NM
- December 5, 2011 – Albuquerque, NM
- December 6, 2011 – Santa Fe, NM
- December 12, 2011 – Santa Fe, NM
- December 13, 2011 – Santa Fe, NM
- December 19, 2011 – Santa Fe, NM
- December 20, 2011 – Santa Fe, NM

IAD will continue to modify and refine the training curriculum and materials to meet the needs of state employees as well as to continue working on a training methodology and approach designed to train a significant number of key state key employees in 2011-2012.

The IAD will update and notify current and new personnel of the STCA's key provisions during identified staff meetings in FY 2011. On a quarterly basis, the IAD Policy Unit will provide additional updates to all staff on the implementation of the STCA. New employees are informed about the STCA during their orientation.

SECTION IV. KEY NAMES AND CONTACT INFORMATION

The IAD is located in Santa Fe, NM. Our address is 1220 S. St. Francis Drive, Santa Fe, NM 87505. Our office is open from 8-5pm Monday through Friday, closed between 12-1pm for lunch. The IAD main office number is (505) 476-1600.

The following are key contacts for the Department:

Arthur P. Allison, Cabinet Secretary Designate
Arthur.Allison@state.nm.us

Lillian Brooks, ASD, CFO, Interim Deputy Cabinet Secretary
Lillian.Brooks@state.nm.us

Benjamin Fletcher, Training and Technical Assistance Coordinator
Ben.Fletcher@state.nm.us

Rebecca Martinez, Capital Outlay Manager
Rebecca.Martinez2@state.nm.us

SECTION V. APPENDICES

A. Copy of Agency Tribal Collaboration and Communication Policy.

Attached

B. Agency-specific and applicable/relevant state or federal statutes or mandates.

Source of law	Section	Name of Section	Purpose of law
NMSA	9-21-1 et seq.	Indian Affairs Department	Create IAD
NMSA	6-29-1 et seq.	Tribal Infrastructure Act	Create TIF Board and TIF fund
NMSA	11-18-1 et seq.	State-Tribal Collaboration Act	State Tribal Collaboration
NMSA	7-24-1 et seq.	Native American Veterans Income Tax Settlement Fund	Refund Native American veteran's overpaid taxes by the state; outreach

