



Lynn Trujillo, Cabinet Secretary
Nadine Padilla, Deputy Secretary

INTERIM INDIAN AFFAIRS COMMITTEE HEARING

**Updates: STCA Reports, COVID-19 Tribal Response, MMIW Task
Force, FY 2020 TIF and Capital Outlay**

September 29, 2020

**Lynn Trujillo, Cabinet Secretary
INDIAN AFFAIRS DEPARTMENT**



PRESENTATION OVERVIEW

1. State Tribal Collaboration Act (STCA) Department Reports
2. COVID-19 Tribal Response/State Food and Water Distributions
3. Missing Murdered Indigenous Women (MMIW) Task Force
4. FY 2020 Tribal Infrastructure Fund (TIF) and Capital Outlay



State Tribal Collaboration Act §11-18-1 to §11-18-5 NMSA 1978

- Section 11-8-4 Annual Reports
 - To date all departments have submitted reports
- July 31 Deadline for departments to submit annual reports; IAD will compile reports and report to Governor and Legislature.



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IAD STCA Highlights

- IAD has moved forward various policy areas including behavioral health, cultural heritage, climate change, public safety, broadband, and COVID-19 response efforts.
- IAD successfully administered tribal infrastructure funds, capital outlay funds, and tobacco settlement funds.
 - The TIF Board approved eleven tribal infrastructure projects totaling \$14,050,394
 - \$297,324.00 for special projects in tribal communities which varied in scope from youth projects, to language preservation initiatives.
 - \$249,300.00 from the Tobacco Settlement Fund to promote commercial tobacco cessation and prevention efforts in tribal communities
 - \$3,811,506 that supported 42 capital outlay infrastructure projects.
- IAD worked closely with tribes to address the COVID-19 pandemic, including:
 - Weekly calls with tribal leadership since March 2020.
 - Leading efforts with sister agencies to provide much needed resources, i.e., PPE, food, water, culturally appropriate behavioral health information, and internet access through the deployment of hotspots and internet connecting devices.
 - Provided informational resources to tribes to help navigate CARES Act funding, Pandemic Unemployment Assistance, FEMA reimbursements, Rapid Response Protocols.
 - Finally, IAD published a report titled, "COVID-19: Internet Access and the Impact on Tribal Communities in New Mexico."



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STCA Highlights

NMDOT

- Under the leadership of Secretary Sandoval, the Local Government Transportation Project Fund has funded projects to improve roads across the state, including tribal roads.

Economic Development

- New Mexico MainStreet Program (NMMS) New Mexico MainStreet works throughout the state's downtown commercial districts to create an economically feasible business environment through the preservation of historic and cultural locations, including the Frontier & Native American Communities Initiative.
- \$100,000 in funding is made available for the Senator John Pinto (SJP) Memorial Filmmakers Fund. NMFO administrates the grants of \$5,000 each to 20 different projects. Applicants must be a registered member of one of the tribes or pueblos of New Mexico.

CYFD

- In fiscal year 2020, CYFD created a Tribal Affairs Division to include the expansion of the role of the Tribal Liaison to Director of Tribal Affairs and the addition of Tribal Coordinators within the BHS, JJS and PS divisions.
- CYFD has worked collaboratively with the Admin Office of the Courts, the 2nd Judicial District Courts, the NM Tribal ICWA Consortium, the Navajo Nation, and Casey Family Foundation Indian Child Welfare Program to develop a dedicated Indian Child Welfare Special Court.
- CYFD implemented HB 149 Juvenile Delinquency Notice to tribes.



STCA Highlights Department of Public Safety

Since taking office, Chief Johnson has been active in commissioning tribal police officers as New Mexico Peace Officers under Statute 29-1-11.

ISLETA PUEBLO			
Number of Commissions	26	Confirmed	
	8	Pending	
JICARILLA APACHE TRIBE			
Working on new MOU/MOA			
Number of Commissions	1	Confirmed	
	0	Pending	
LAGUNA PUEBLO			
New agreement in place 2020			
Number of Commissions	0	Confirmed	
	8	Pending	
RAMAH NAVAJO			
Number of Commissions	6	Confirmed	
	1	Pending	
SANDIA PUEBLO			
Number of Commissions	24	Confirmed	
	0	Pending	
PUEBLO OF SANTA ANA			
Number of Commissions	24	Confirmed	
	1	Pending	
TAOS PUEBLO			
Number of Commissions	5	Confirmed	
	0	Pending	
PUEBLO OF ZUNI			
Number of Commissions	16	Confirmed	
	0	Pending	



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COVID-19 RESPONSE: Food, Water, Supply Distributions To Tribal Communities





Tribal Distributions Overview

- Due to their unique jurisdictions, Tribes were able to implement and maintain the strictest and most effective containment strategies in the state to combat COVID-19.
 - Many tribes set up their own Emergency Operation Command Centers
 - State supported: food, water, other supplies, testing, shelter
- Most tribes implemented closures of their tribal lands during COVID-19.
 - Challenges: checkerboard land, enforcement capacity, limiting citizen mobility.
- Additional actions: curfews, checkpoints, temperature checks at check points, restricting and limiting essential travel during outbreaks.

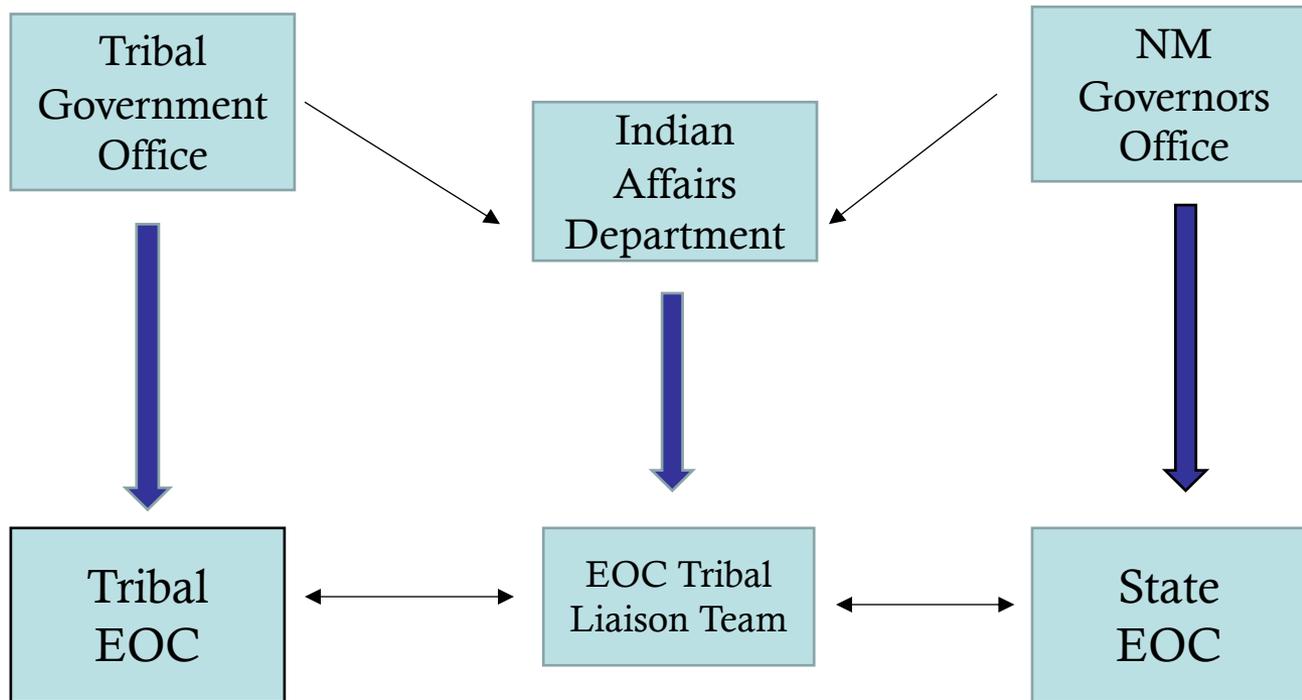


Tribal Distributions Overview

- Food and water provided to Tribes were provided to facilitate tribal government's orders to limit citizens mobility.
- Food and water were often requested after an increase in cases was seen.
- Partnerships with private donors:
 - IPCC – Pueblo Relief Fund
 - Thornburg Foundation
 - Operation bandana
 - NM Foundation
 - McCune Foundation
 - Donations from corporations and citizens



State Tribal EOC Collaboration





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19 pallets of water to Mescalero through Thornburg Foundation funds.



IAD coordinate purchase of Adult diapers and toothpaste with IPCC



Bulk food delivery waiting to be broken down by National Guard and volunteers



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Private facemask donation through
SF Indian Center and NB3



Private supply donation from NM
Foundation



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COVID-19 Tribal Response Misc. & Donations

Tribe	Request/Donation	Quantity	Distributor
All Tribes	Donation	Coordinated donation of non-perishable food, water, water	Paz Tree of Life
All tribes	Donation	Coloring books - teaching COVID-19 best practices	HSD/IAD
SF Indian Center/NB3	Donation	Cloth Face Masks to handout at their distributions	Ray and Bonnie Burden
Acoma Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Acoma Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Cochiti Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Cochiti Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Isleta Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Isleta Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Jemez Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Jemez Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Jemez Pueblo	Donation	Children Sized Masks for 3-7 years old and 8-12 years old	FEMA
Jicarilla Apache Nation	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Jicarilla Apache Nation	Donation	Cases of face masks and face shields	National American Indian Veterans
Jicarilla Apache Nation	Purchase	Cases of variety size diapers/cases of wipes	DHSEM
Jicarilla Apache Nation	Donation	IAD coordinated a baby supply drive cases of variety size	IAD/multiple community donors
Jicarilla Apache Nation	Donation	Children Sized Masks for 3-7 years old and 8-12 years old	FEMA
Laguna Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Laguna Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Laguna Pueblo	213 RR	Trailer to don and doff PPE at Elderly Care and Nursing Facility	DHSEM contracted 1st month
Mescalero Apache Tribe	Purchase	5-gallon tanks of propane	DHSEM
Mescalero Apache Tribe	213 RR	55-gallon drum of cleaning solution/pump/buckets/disinfectant	SEOC
Mescalero Apache Tribe	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Mescalero Apache Tribe	Donation	Children Sized Masks for 3-7 years old and 8-12 years old	FEMA
Nambe Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Nambe Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Navajo Nation	Donation	Exxon Hand Sanitizer 330-gallon totes	Exxon
Navajo Nation	213 RR	Manpower for Office of the President and Vice President's food	National Guard
Navajo Nation	Donation	Walmart donated 6 pallets to Sheep Springs staging area	Walmart
Navajo Nation	Donation	Pallets of water to Sheep Springs staging area	Coca-Cola
Navajo Nation	Donation	Pallets to Thoreau staging area	Coca-Cola



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COVID-19 Tribal Response Misc. & Donations (continued)

Tribe	Request/Donation	Quantity	Distributor
Ohkay Owingeh	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Ohkay Owingeh	Donation	Cases of face masks and face shields	National American Indian Veterans
Picuris Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Picuris Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Pojoaque Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Pojoaque Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Ramah Chapter - Navajo Nation	Donation	Bales of hay	NM Animal Protection
San Felipe Pueblo	Donation	Exxon Hand Sanitizer 330-gallon tote	Exxon
San Felipe Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
San Felipe Pueblo	Donation	Truckloads of firewood	Village of Corrales Fire Dept.
San Ildefonso Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
San Ildefonso Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Sandia Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Sandia Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Santa Ana Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Santa Ana Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Santa Ana Pueblo	Donation	Children Sized Masks for 3-7 years old and 8-12 years old	FEMA
Santa Clara Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Santa Clara Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Santo Domingo Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Santo Domingo Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Taos Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Taos Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Taos Pueblo	Donation	Bales of hay	NM Animal Protection
Tesuque Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Tesuque Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Window Rock - NN	Donation	Truck and Trailer load of firewood	Village of Corrales Fire Dept.
Zia Pueblo	Donation	Exxon Hand Sanitizer 5-gallon buckets	Exxon
Zia Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Zuni Pueblo	Donation	Cases of face masks and face shields	National American Indian Veterans
Zuni Pueblo	Donation	Exxon Hand Sanitizer 330-gallon tote	Exxon



Missing and Murdered Indigenous Women (MMIW) Task Force Report



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Summary of Legislation

- Creation of taskforce with diverse representation.
- The legislation requires the taskforce to:
 - determine how to increase state resources for reporting and identifying MMIW;
 - collaborate with tribal law enforcement agencies to determine the scope of the problem, identify barriers to address the problem;
 - create partnerships that will improve the reporting and investigation of MMIW;
 - work with tribal governments; and
 - collaborate with the DOJ to improve how information, such as reports and investigations, are processed and shared.



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MMIW Completed Activities

- Gathered community feedback through six listening sessions at MMIW Task Force public meetings.
- Held three working sessions with task force members only.
- Formed the law enforcement and tribal community subcommittees to conduct outreach and gather data.
- Submitted Inspection of Public Records Act requests to Law Enforcement Agencies (LEAs) in counties with a high population of Native Americans based on 2010 Census data.
- Established working relationships with NamUs and NECMEC.



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Activities In-Progress

- Finalizing tools and methodology for surveying LEAs, service providers, and survivors/community members.
- Collecting and analyzing aggregate counts for missing persons and murder/homicide cases from LEAs.
- Partnership with the UNM SOL's Southwest Indian Law Clinic to document the process for murder/homicide cases on tribal lands.
- Working with the All Pueblo Council of Governors to finalize data sharing agreements that can be used by the TF to collect survey data.
- Drafting final report.



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MMIW – Data Collection

- Submitted Inspection of Public Records Act (IPRA) requests to LEAs in counties with a high population of Native Americans based on 2010 Census data.
- Gathered community feedback through listening sessions at MMIW Task Force public meetings.
- Finalized surveys which are being prepared for distribution to all interested stakeholders.
- Received support from APCG with the passage of a resolution supporting survey distribution in Pueblo communities.
- Challenges with retrieving data from the Navajo Nation.



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MMIW – Findings to Date

- Survivor and family testimony is sacred and must be gathered in a respectful, trauma-informed, and community centered way
- Community members are unclear on protocols for reporting a loved one that has gone missing
- Partnering with existing efforts is important to limit duplication and re-traumatizing survivors and impacted family members
- Gaps in services for trauma and healing
- No field for tribal affiliation on state's Missing Persons Clearinghouse Report Form
- Need for improved engagement of tribal community members with missing persons alert systems and protocols, such as community involved search teams
- Limited capacity and resources to efficiently investigate missing persons' cases



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MMIW Deadlines

- Survey distribution will be completed in mid-October.
- The task force will hold its next public meeting in October.
- Survey analysis and drafting will be completed in October.
- A report from the task force will be provided to the Governor and appropriate interim committee before November 1, 2020.



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Tribal Infrastructure Fund (TIF) and Capital Outlay Update



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Tribal Infrastructure Fund

2020

9 TIF Projects Awarded
55 Applications Received
Total: \$13,823,328.71
Project Type Awarded:
1 Planning Project
2 Design Projects
6 Construction Projects

6-Navajo Nation Projects
2-Pueblo Projects
1-Jicarilla Apache Nation Project

**IGA's issued to Tribes on
September 5, 2020**

2019

11 TIF Projects Awarded
64 Applications Received
Total: \$14,050,393.00
Project Type Awarded:
2 Design Projects
9 Construction Projects

3-Navajo Nation Projects
7-Pueblo Projects
1-Jicarilla Apache Nation Project

**IGA's issued to Tribes on
August 27, 2019**



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Tribal Infrastructure Fund

2018

9 TIF Projects Awarded
58 Applications Received
Total: \$8,831,925.00

Project Type Awarded:
1 Design Project
8 Construction Projects

4-Navajo Nation Projects
5-Pueblo Projects

4 projects Closed
5 Projects Active

2017

8 TIF Projects Awarded
48 Applications Received
Total: \$5,222,482.95

Project Type Awarded:
8 Construction Projects

1-Navajo Nation Project
7-Pueblo Projects

6 Projects Completed
2 Projects Active



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Capital Outlay

2020

28 Projects Awarded

Total: \$12,624,959

Project Types:

Plan, Design, Construction, Renovate,
Purchase & Equip

**IGA's issued to Tribes on
August 5, 2020**

2019

142 Projects Awarded

Total: \$75,182,925

Project Types:

Plan, Design, Construction, Renovate,
Purchase & Equip, Master Plan

**Majority of Projects Obligated
Multiple Expenditures in FY19, FY20**



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Capital Outlay

2018

41 Projects Awarded

Total: \$3,740,764

Project Types:

Plan, Design, Construction, Renovate,
Purchase & Equip

12 Projects Closed
29 Projects Active

2017

17 Projects Awarded (Reauthorizations Only)

Total: \$1,310,662

Project Types:

Plan, Construction, Renovate, Purchase &
Equip

All Projects Closed



Overview of Appropriated Projects

- IAD Currently Administers over 252 active TIF and Capital Outlay Projects appropriated to Tribes, Nations and Pueblos throughout the State of New Mexico.
- Total amount of active appropriations: \$131 million
- FY 2019 TIF/CO Expenditures: 11,818,047
- FY 2020 TIF/CO Expenditures: 22,019,157 (54% Increase)
- FY 2019 TIF/CO Reversions: \$491,187
- FY 2020 TIF/CO Reversions: \$526,175
- Examples of successful projects funded
 - Powerline Extensions
 - Water and Wastewater
 - Multipurpose Buildings
 - Bathroom Additions



Tribal Infrastructure Fund Board

- The Tribal Infrastructure Fund (TIF) Board had multiple vacancies since 2015
- TIF Board vacancies filled in 2019 in time to convene on 2019 TIF Projects (11)
- TIF Board successfully met via multiple teleconference meetings during pandemic shut downs to establish 2020 TIF Application Review Committee, Review of 2020 TIF Award recommendations, hear project presentations from awardees, voted and certified 2020 TIF Amount and Projects reduced following 2020 Special Session (\$13,823,328.71)
- TIF Board recently convened and certified additional funding (previously reduced) after receiving confirmation from State Board of Finance increasing 2020 TIF amount to \$19,896,635.00



Impact of the Pandemic

- The department did see a decrease in project activity during the beginning months of the pandemic, however expenditures doubled in FY20 compared to FY19 despite the shortfalls caused by the pandemic. IAD is in constant communication with Tribal governments to continue efforts to fully expend these projects during the pandemic and beyond.
- The department continues to innovate and find alternative solutions to include teleconferencing, electronic review and approvals, web-based trainings and seminars which has allowed for the department to function and continue normal operations.



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QUESTIONS?