

**MINUTES
of the
SECOND MEETING
of the
INDIAN AFFAIRS COMMITTEE**

**July 2, 2018
Lodge and Ranch at Chama
Chama**

**July 3, 2018
University of New Mexico-Taos
Taos**

The second meeting of the Indian Affairs Committee (IAC) was called to order by Senator John Pinto, co-chair, on July 2, 2018 at 10:20 a.m. at the Lodge and Ranch at Chama.

Present

Rep. Georgene Louis, Co-Chair
Sen. John Pinto, Co-Chair
Rep. D. Wonda Johnson
Sen. Richard C. Martinez
Sen. Cliff R. Pirtle
Rep. Debbie A. Rodella
Sen. Nancy Rodriguez
Rep. Nick L. Salazar
Sen. Benny Shendo, Jr.
Sen. William P. Soules

Advisory Members

Rep. Eliseo Lee Alcon
Sen. Carlos R. Cisneros
Rep. Harry Garcia (7/2)
Sen. Cisco McSorley
Rep. Patricia Roybal Caballero
Rep. Debra M. Sariñana

Guest Legislator

Rep. Roberto "Bobby" J. Gonzales (7/3)

Absent

Rep. Sharon Clahchischilliage
Rep. Zachary J. Cook
Rep. Derrick J. Lente
Rep. Sarah Maestas Barnes
Sen. Mark Moores
Sen. William E. Sharer

Rep. Stephanie Garcia Richard
Sen. Stuart Ingle
Rep. Patricia A. Lundstrom
Sen. George K. Munoz
Rep. Angelica Rubio
Rep. Patricio Ruiloba
Sen. Clemente Sanchez
Rep. Elizabeth "Liz" Thomson

(Attendance dates are noted for members not present for the entire meeting.)

Staff

Peter Kovnat, Staff Attorney, Legislative Council Service (LCS)

Lenaya Montoya, Drafter, LCS

Diego Jimenez, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

All handouts and other written testimony are in the meeting file.

Monday, July 2 — Lodge and Ranch at Chama

Welcome and Status Update

Senator Pinto asked committee, staff and audience members to introduce themselves. An invocation was given in the Apache language by Levi Pesata, president, Jicarilla Apache Nation. President Pesata provided background information on the meeting facility, noting that the tribe uses it as a hunting and fishing lodge as well as a meeting space.

President Pesata discussed the history and culture of the Jicarilla Apache Nation. The language spoken by the Jicarilla Apache Nation is from the Athabaskan language group. The original reservation was established in the twentieth century but has since expanded to the south.

Major accomplishments for the Jicarilla Apache Nation include:

- building the foundation and framework of state and tribal relations while protecting tribal sovereignty;
- protecting children in need of temporary foster care;
- redistricting of House District 65 in Rio Arriba County;
- building a shared tax policy framework following the 1982 *Merrion v. Jicarilla Apache Tribe* decision; and
- cross-deputization and commissioning of state peace officers.

Economic contributions made to the state by the Jicarilla Apache Nation include employment of more than 1,200 individuals, many of whom are nonmembers, and contributions of more than \$120 million in severance tax revenue from oil and gas. Jicarilla Apache Nation business interests include oil and gas operations, cultural arts and tourism, big game management, gaming and hotel operations and water resource and land management. In response to a question, President Pesata told the committee that under advice from its legal department, a decision was made to tax gas companies as a nation since the state was the only government beneficiary from operations on Jicarilla Apache Nation lands. Robert Apodaca, lobbyist for the Jicarilla Apache Nation, told the committee that between 2007 and 2017, the state collected approximately \$120 million in taxes from severance made on the Jicarilla Apache Nation lands.

The committee requested that LCS staff confirm those numbers and find tax revenue collected on other Indian tribal lands.

President Pesata discussed policy initiatives and priorities for the Jicarilla Apache Nation. Capital outlay requests made by the Jicarilla Apache Nation included: \$180,000 for a communications tower to better serve emergency calls; \$150,000 for emergency response equipment and storage facilities; and \$500,000 for a watershed study and geographic information system mapping project. President Pesata requested that the governor and state legislature protect health care for Native Americans in the state by fully funding Medicaid and collaborating with tribes to address social determinants of health and behavioral health issues. He told the committee that road maintenance and upgrades are essential for economic growth as well as for ensuring the safety of youth, elders and all people in the region. In response to a question from the committee, President Pesata said that the Jicarilla Apache Nation's greatest need at the moment is to improve broadband and telecommunications. Mr. Apodaca added that tribal communities are often fraught with alcohol and substance abuse, but addicts are sent out of state for non-culturally relevant treatment.

President Pesata discussed needed upgrades to the broadband telecommunication services in the area, telling the committee that the current service is inadequate on the Jicarilla Apache Nation lands as well as throughout non-Indian lands in the region. A member of the committee recommended that the Jicarilla Apache Nation work with REDI Net to help solve its internet problems.

In response to the current drought conditions, President Pesata said that the Jicarilla Apache Nation has limitations on water use. He told the committee that the Chama River and connected ponds are less than one-half the level that they normally are during the summer, reaching critical levels. He told the committee that the majority of water in the area comes from the Chama River and its basin, which did not experience any adverse effects to water quality or agricultural enterprises from the Gold King Mine spill in the San Juan River.

Initiatives regarding education policy and funding, according to President Pesata, should address policies related to impact aid to ensure that funding goes directly to tribal programs. The Partnership for Assessment of Readiness for College and Careers (PARCC) testing has become overburdensome and fails to address the achievement gaps for Native American students. The nationwide teacher shortage has also affected the Jicarilla Apache Nation. President Pesata told the committee that currently there are 14 teachers hired to teach 600 students. Most students will be starting the fall term in classes without a permanent teacher. He recommended solutions to the teacher shortage, including increasing teacher salaries as well as broader incentives and abandoning the PARCC testing and teacher evaluation system. President Pesata told the committee that PARCC testing and the current teacher evaluation system make it more difficult to recruit teachers. In response to a question, President Pesata said that 10 of 40 recent high school graduates applied to college. He told the committee that the Jicarilla Apache Nation offers a scholarship program that covers room and board, tuition and additional living expenses

at any university in the country. In response to a question, President Pesata discussed the K-3 Plus program in the local school district and confirmed that the program runs through the summer.

President Pesata told the committee that the Jicarilla Apache Nation is largely self-sustaining and funds many of its public programs while also leveraging as much federal funding as it can. In response to a question from the committee, President Pesata told the committee that the Jicarilla Apache Nation has reached out to the Public Education Department (PED) for technical assistance but has not received the requested help. Mr. Apodaca detailed the problems and lack of communication with the PED, noting that the nation and the Dulce Independent School District feel largely ignored by the PED. By motion, the committee requested that LCS staff draft a letter to the PED to request that a tribal liaison position be filled immediately.

Throughout the country, most Native American tribes struggle to preserve their culture and in particular their language, President Pesata said. He told the committee that only 700 of the 4,000 enrolled Jicarilla Apache Nation members are able to fluently speak Jicarilla Apache. Donna Montoya, Jicarilla Cultural Affairs, told the committee about the Jicarilla language app that launched in November 2017 and took two years to complete. The nation decided that a digital app was the best way to put its language in the lives of its youth. The programming for the app was developed by a company in Las Vegas, Nevada, that has created similar apps for other tribal nations. In response to a question from the committee, Ms. Montoya explained that the app was developed for beginning speakers and is available now in the Google Play store.

Ms. Montoya discussed that the purpose of the Jicarilla Cultural Affairs Department is to preserve the Jicarilla culture for future generations. She told the committee that the department encourages Indian Health Service employees to attend programs hosted by the department to become more familiar with the cultural needs of patients. In response to a question from the committee, President Pesata confirmed that the Jicarilla Apache Nation has a long-standing business relationship with the Purina food company.

The committee discussed anticipated new revenue for fiscal year 2019 and the importance of making the next governor aware of the needs of the community. The committee discussed a lawsuit against Governor Susana Martinez in which the courts found in favor of the legislature regarding 10 bills that were improperly vetoed. Among these bills, which recently became effective as law, was Senate Bill 24 (2017), which amended the Infrastructure Development Zone Act to provide for broadband infrastructure development by a local government. A committee member explained the law as a loosening of regulations that allowed local governments to work with other governmental and private entities to install new infrastructure for internet and wireless services without cause for invoking any Gift Act or anti-donation provisions of law.

The committee discussed the recent United States Supreme Court ruling on sports betting by states and noted that New Mexico may face the issue in the 2019 legislative session. President Pesata told the committee that the Jicarilla Apache Nation has not discussed sports

betting operations. Representative Louis reminded the committee that the topic is on the work plan and will be vetted later in the interim and that the committee will be certain to get the perspectives of several tribes.

President Pesata gave closing remarks and introduced members of the Jicarilla Apache Council.

Update on Storefront Loan Industry Reform and Regulations

Michael Barrio, director of advocacy, Prosperity Works, introduced himself and the panel, including Lindsay Cutler, staff attorney, New Mexico Center on Law and Poverty, and Chris Sanchez, supervising attorney for fair lending, New Mexico Center on Law and Poverty.

Mr. Barrio told the committee that the storefront loan industry targets low-income individuals, is largely unregulated and charges triple-digit interest rates, which prevents its customers from saving money and building financial stability. In 2017, \$121 million in principal loans were taken.

Ms. Cutler told the committee that she and the New Mexico Center on Law and Poverty are working to end predatory lending practices by following the Regulation and Licensing Department's Financial Institutions Division's (FID's) implementation of reforms pursuant to the New Mexico Small Loan Act of 1955 and the Bank Installment Loan Act of 1959, including the introduction of a 175% interest cap. She reported that although the legislature extended deadlines for the agency to adopt new rules pursuant to the reforms passed in 2017, the FID has failed to implement those rules as of this meeting date. The FID is continuing to function with outdated rules. Among the policies she advocates is for the FID to identify what it means to make a new loan to avoid the common and profitable practice of storefront lenders extending previous loans to undermine new consumer protection laws, including the new interest rate cap.

Ms. Cutler told the committee that although the FID proposed to amend disclosure requirements, she continues to advocate for improvements, noting that there should be more disclosures in clear, large print in a language that the borrower can understand. She told the committee that the All Pueblo Council of Governors and representatives from the Navajo Nation have expressed concerns that storefront lenders take advantage of non-English speakers, particularly older individuals.

Ms. Cutler told the committee that there is a great need for regulations on tax refund anticipation loans. She noted that if the tax return comes ahead of or behind an anticipated date, the 175% interest rate can be false. Ms. Cutler suggested that such actions are flagrant violations of law.

She discussed the FID's adherence to the provisions of the State Rules Act, reminding the committee that new or amended rules are to be distributed to the appropriate legislative interim committees. Pursuant to the State Rules Act, the public comment period for the FID's new rules

closed on May 15. Ms. Cutler said that the FID is not subject to the Inspection of Public Records Act. She was concerned that by the end of the year, no one will have any reported data. She asked the committee to request that the FID report to the committee on implementation of the new law.

Ms. Cutler recommended that the committee request includes the following information:

- data on the lending industry;
- how the FID addresses consumer complaints;
- how the FID is enforcing the law; and
- how the FID monitors loan renewals and collection practices.

Ona Porter, president and chief executive officer (CEO), Prosperity Works; and co-chair, New Mexico Fair Lending Coalition, thanked members of the committee for challenging the state to conduct a more fair lending process. She told the committee that she put in 10 years of work to get the new regulations put into place.

Prosperity Works seeks to remove barriers and increase financial opportunities for New Mexicans. In pursuit of those goals, Prosperity Works is working to expand True Connect in New Mexico. True Connect is an employer-based optional benefit for personal loans that has two participating New Mexico banks. Employees can request a loan between \$1,000 and \$3,000. These loans are amortized at 24.9% over one year. In response to a question, Ms. Porter explained that Prosperity Works does not participate in the loan process and did not determine loan rates. Although these rates are still high, she said, they are lower than general market rates. She explained that she is not advocating for individuals to take these loans; instead, her intention is to make the legislature aware of options available to constituents.

Ms. Porter explained that prior to the law being passed, a \$1,000 loan repaid over one year would cost the borrower an additional \$2,000 more than what was borrowed. A \$1,000 loan through True Connect would cost the borrower \$134. Entities in New Mexico that offer this benefit include Dona Ana County, the City of Albuquerque, Bernalillo County, Taos County, Rio Arriba County and Northern New Mexico College. Prosperity Works is attempting to have this benefit available to more than 50,000 New Mexico employees by the end of 2018. In total, there are currently 15 participating employers.

Ms. Porter told the committee that one storefront loan company is attempting to help individuals build credit through its loan program. The loan begins at 49% interest for a \$300 loan, with a goal of paying that off and then borrowing more to show a continued and growing effort for building credit. In response to a question, Ms. Porter confirmed that this and the True Connect programs are regulated by the FID.

Ms. Porter discussed statistics for True Connect loans in New Mexico:

- the highest income of an individual using this loan was \$80,000;
- the lowest income was \$26,000;
- the average loan taken is \$1,700; and
- the primary reasons for taking a True Connect loan are to repay a high-cost loan and to pay for uncompensated medical debts, car repairs and home repairs.

The committee discussed sending a letter to the FID pursuant to the presenter's request. In response to questioning, Ms. Cutler told the committee that the State Rules Act requires the FID to consider public comments on rules promulgated by the FID for a 30-day period. Following that 30-day period, the FID has another 30 days to finalize the submitted rules. Ms. Porter told the committee that the rules should have been finalized prior to new laws taking effect on January 1, 2018. Ms. Cutler told the committee that the New Mexico Center on Law and Poverty offered recommendations to the FID's proposed rules in writing and orally during the public comment phase.

A member of the committee expressed that the FID's failure to consider proposed changes is not a unique scenario in the executive rulemaking process. Another member suggested that a final version of rules should be proposed prior to finalization and the rules taking effect. On a motion made by Representative Johnson, seconded by Representative Louis and facing no opposition, the committee directed the LCS to draft a letter requesting that the FID respond in writing and in an appearance in front of the IAC to answer the questions proposed by the presenters. Additionally, the committee requested that the FID provide resources and sources consulted while drafting the proposed regulations.

The committee discussed legislative, executive and judicial roles in the rulemaking and enforcement process. The committee discussed passing a follow-up bill to ensure that legislative intent will be carried out by the FID.

A member of the committee discussed the Netflix docuseries *Dirty Money* and its focus on Scott Tucker, a major promoter of online loans, and his practice of partnering with Indian nations to avoid being subject to state regulations.

In response to a question, Ms. Cutler told the committee that according to FID records, there are currently 622 storefront lenders in New Mexico. A member of the committee expressed that the state appears to not be concerned with financially protecting vulnerable populations.

Minutes Approval

On a motion made by Senator Soules and seconded by Representative Rodella, the minutes from the first meeting of the IAC were approved.

Recess

The committee recessed at 3:00 p.m.

Tuesday, July 3 — University of New Mexico-Taos

Senator Pinto reconvened the meeting at 10:16 a.m. Dr. Patrick L. Valdez, CEO, University of New Mexico (UNM)-Taos, gave an invocation. Committee, staff and audience members introduced themselves.

Welcome and Status Update

Dr. Valdez discussed the mission, vision and strategic priorities and history of UNM-Taos. He told the committee that the college has been operating in Taos since 1922 and became an official branch campus of UNM in 2003. It is the only college in a 50-mile radius. In 2010, UNM-Taos received accreditation from the Higher Learning Commission and will be considered for reaccreditation in 2019.

Dr. Valdez discussed the role of community colleges in society. He said that community colleges serve as a point of access to post-secondary education, high school equivalency programs, professional development and continuing education. He told the committee that UNM-Taos is willing to work with any industry in the area to train future employees in that industry.

Dr. Valdez discussed UNM-Taos enrollment trends. He told the committee that age 25 and older is considered a non-traditional age for college students. The average age of a UNM-Taos student is 25. He told the committee that there are many retirees enrolled to learn about art and otherwise expand their education. UNM-Taos has a 65% retention rate and an 11% transfer rate, most of whom go to UNM in Albuquerque or New Mexico Highlands University (NMHU). He told the committee that UNM-Taos has a 100% pass rate for nursing students on the national Health Education Systems Incorporated examination.

The student population at UNM-Taos is mostly Hispanic. Dr. Valdez told the committee that while the institution serves the Pueblo of Taos, there is a long-standing trend of Pueblo of Taos men not graduating due to cultural needs that pull them away from classes.

Dr. Valdez discussed the budget and grants. UNM-Taos has an \$11.5 million budget. Grants and contracts from state and federal government account for 40% of UNM-Taos funding. Grants have been received for Title IV, Title V and science, technology, engineering and mathematics (STEM) institutional initiatives. He expressed concern that due to the high reliance on grants, UNM-Taos would face a financial crisis if those grants were lost. Thirty-seven percent of the budget is received from the state, and 17% is received from local mill levy and general obligation (GO) bonds. A GO bond will be voted on in 2018 and, if passed, will provide \$4.2 million to construct a new building that would allow UNM-Taos to move out of leased properties. In response to a question, Dr. Valdez explained that some UNM-Taos grants are up for a five-year reapproval in fall 2018.

In response to a question, Dr. Valdez told the committee that the Higher Education Department (HED) provides five-year grants. The National Science Foundation has money designated for Hispanic-serving institutions. UNM-Taos was selected as one of seven institutions for a pilot program. Dr. Valdez told the committee that the university also receives other long-term grants and that grants do not exclude it from pursuing other funding resources.

Dr. Valdez discussed current and future projects at UNM-Taos. The school recently broke ground on a STEM center on the Klauer Campus. Dr. Valdez showed a UNM-Taos promotional video to the committee.

A member of the committee discussed GO bonds that are funded on 10-year cycles of a one-half-cent sales tax. The first GO bond approved in the community provided a hospital, and the next two have funded education buildings.

In response to a question, Dr. Valdez explained that community colleges do not traditionally provide student housing; however, the housing environment in Taos is challenging, and student housing may be a path to pursue in coming years. UNM-Taos may partner with the business community or Airbnb to address a student housing shortage. Currently, there are no plans for on-campus housing, but UNM-Taos is considering a free feasibility study.

A member of the committee discussed past post-secondary educational opportunities in the region that saturated the market and made it difficult for any of the institutions to survive. Taos used to have NMHU and Northern New Mexico College campuses in town, but under Governor Garrey Carruthers, UNM became the lead and eventually sole option for post-secondary education in the area.

UNM's Master's and Ph.D. Programs in Native American Studies and Chicana and Chicano Studies

Greg Cajete, Ph.D., director, Native American Studies, UNM, introduced himself; Lloyd Lee, associate professor, Native American Studies, UNM; and Irene Vasquez, department chair, Chicana and Chicano Studies (CCS), UNM, to the committee. Dr. Cajete became director of the program in 2009. In 2004, the board of regents approved the bachelor's program and housed it within University College. Since then, UNM has graduated 13 classes of major and minor degrees in Native American Studies, a total of about 180 students. In 2005, Dr. Cajete and other faculty members began designing the master's degree program that was first proposed in 2007.

Several years later, the Native American Studies faculty voted to move the program to the College of Arts and Sciences, which provided the program with greater capacity and infrastructure to move forward with a master's program. Effective June 30, 2018, the program moved to the College of Arts and Sciences. Upon this move, the position of director was dissolved, and Dr. Cajete decided to remove his name from consideration for the new faculty-selected chair position. He hopes that the department will continue to pursue a Ph.D. program and that the new programming will yield an increase in students in this field.

Dr. Lee told the committee that UNM's Native American Studies program currently has six faculty, four of whom are tenured. All six faculty members identify as Native American. Dr. Lee discussed the background of the program. There are 23 Native American nations with land and enrolled members in New Mexico, comprising 10.5% of the state's population. The UNM main campus student population includes 2,100 Native American students, and the branch campuses collectively have an additional 2,300 students. Native American Studies at UNM centers its curriculum and teaching on Native American communities in New Mexico and the interconnections of indigenous peoples nationally and internationally. Native American Studies was initially established as a support program for Native American students in 1970.

The master's degree program, beginning in 2018, will focus on indigenous leadership, self-determination and sustainable community building. Dr. Lee told the committee that this program will serve the needs of New Mexico because graduate students are needed for healthier and more fully economically and socially engaged communities, filling a need to build leaders, skills and capacity for Native American nations, organizations and other institutions and filling the need to build the workforce and develop intercultural relations.

The master's degree in Native American Studies is a 30-credit-hour program with 18 core credit hours and is tailored for mid-career professionals. Up to six hours from a related program may be substituted for certain courses. Dr. Lee discussed several of the courses, including NATV 590: Project of Excellence, which asks students to address a target issue relevant to a Native American nation, community, international audience or indigenous group.

Dr. Lee discussed support for the master's program from current UNM resources, faculty and student support centers. The program offers student support through mentorship, academic advisement, graduate and teaching assistantships and internship programs.

Ten students have been admitted to the master's program for the fall 2018 semester. Dr. Lee discussed the courses that will be offered in the fall 2018 and spring 2019 semesters. In the next few years, the Native American Studies program will submit a new graduate degree form for a Ph.D. program. Currently, there are three Native American Studies Ph.D. programs in Canada and eight in the United States.

Dr. Vasquez discussed her personal background and provided a description and demographic background of the CCS program, which is an interdisciplinary department focused on Chicano/Hispano/Mexicano communities. Forty-eight percent of New Mexico's population is Hispanic. She discussed the background of the CCS program and how it was developed. The CCS program was founded in 1970; established a minor degree program in 1985; established a bachelor's degree program in 2013; and became a department in 2015, at which time it was able to begin offering high school dual-credit courses and an online bachelor's degree. In 2017, the graduate program was proposed, including master's certificates and degrees, as well as a Ph.D. program. The proposals still need to be approved by the HED.

Dr. Vasquez told the committee that CCS believes knowledge is ancestral and seeded in communities and the natural environment. This knowledge resides in practice and culture, which spurs the interest of students in how to improve their families' socioeconomic positions. She discussed tables in her presentation, noting that CCS enrollment has outpaced enrollment trends at UNM. The CCS growth trend has continued through years that UNM has experienced a decline in enrollment. On a similar note, she told the committee that over the last few years, CCS has received and been projected to receive a decreasing budget, but the program has continued to increase its enrollment. In response to a question, Dr. Vasquez told the committee that budget cuts are primarily due to university-wide cuts.

Dr. Vasquez told the committee that the CCS graduate certificate will be offered in fall 2018 and the master's certificate, master's degree and Ph.D. degree will be reviewed by the HED in fall 2018. She discussed the need for a CCS graduate program, explaining that New Mexico does not currently have any CCS graduate programs. She laid out an argument for approving the proposed programs: the faculty capacity already exists, with 41 affiliated faculty members already in place; students will learn transferable skills used for lifelong success; and the program will result in creation of jobs and employment opportunities and a new funding source for the university. She discussed professional and career placement opportunities using statistics for New Mexico from the United States Department of Labor. Benefits of a CCS graduate program at UNM include building an area of growth; expanding enrollments; developing interdisciplinary inquiries; and maximizing faculty and curriculum resources.

Dr. Vasquez discussed the approval process for master's and doctoral degrees. The proposal is currently with the New Mexico Council of Graduate Deans.

In response to a question from the committee, Dr. Cajete said that the bilingual program is focused on the College of Education and that there has not yet been collaboration between the Native American Studies program and the College of Education, likely due to resource shortages. Dr. Vasquez discussed one professor who offers a Spanish language introduction to Chicana studies class.

In response to a question, Dr. Cajete explained that the Native American Studies program was developed as a result of student advocacy from those seeking relatable course subject matter. Native American Studies has four distinct courses, two learning research and two internship courses, as well as independent studies that allow students to work within their own communities. Dr. Cajete confirmed that the Indian nations are realizing direct benefits from the Native American Studies program. Dr. Valdez confirmed that a similar phenomenon has occurred in New Mexico's Hispanic communities.

Update on NMHU's Master of Social Work Program

Evelyn Lance Blanchard, M.S.W., Ph.D., told the committee about her work with NMHU's social work institute and its call for tribal governments to respond to changing needs. To reach this goal, tribal nations need to have open communication with the institute. She told

the committee that the institute is called upon to provide research, law and policy components of education. She discussed the extra efforts that many social workers perform in their work, such as cleaning a house for its next tenant if there is no housekeeping staff present.

Dr. Blanchard discussed the federal Indian Child Welfare Act of 1978 (ICWA), noting that it, along with other Native American-focused legislation, was passed without the consultation of Native Americans and social workers. She stressed that the tribes cannot be self-determined communities if they do not have a role in the structure of laws. She discussed her work to have more tribal content added to the NMHU library.

Dr. Blanchard discussed a research methodology developed by a First Nations woman from Canada. The methodology focuses on questions raised by a community and aims to avoid conflicts between the studied and studier to allow individuals more freedom of expression without having to justify their indigenoussness.

Dr. Blanchard told the committee that New Mexico has hundreds of children in state custody, almost one-half of whom are Native American. She discussed the discrepancy of one-half of the children in state custody being Native American while Native Americans compose only 10% of the state population.

Dr. Blanchard introduced the rest of the panel, including Elizabeth Duran, Dr. Cristina Durán and Dr. Roxanne Gonzales-Walker.

Dr. Gonzales-Walker discussed the social work program at NMHU. She told the committee that the social work program is the strongest and fastest-growing program at NMHU. In recent years, the program has grown by 25% overall and 8% in the undergraduate program. The program provides benefits to students, communities and the whole state, she said.

Ms. Duran told the committee that she is a former governor of the Pueblo of Pojoaque and a lifetime member of its tribal council. She discussed the importance of having a Native American Studies program at NMHU and wants it to address issues that promote licensed social worker resources in Native American communities. She said that there is a great need statewide for social workers, particularly those with the social and cultural values of Native American communities. She told the committee that many tribes have unlicensed and non-degreed workers conducting social services, which is problematic later in courts and dealings with the Children, Youth and Families Department.

Ms. Duran discussed chronic issues with tribes resisting being subjects of study. She said that most tribes refuse to participate for fear of exploitation. She told the committee that NMHU has the highest percentage of Native American students compared to other social work schools. She contended that this was the perfect environment to establish a Native American specialty social work program. She told the committee that in her experience, many tribal students typically return to their reservations following their education. She told the committee that the

Native American-gear social work program will not be exclusive to Native American students. She stressed that rather than being Native American, it is critical to know tribal sovereignty issues, to recognize differences in values and culture and to know how to work with tribal persons and governments. She told the committee that if she saw a non-Native American apply for a job with her tribe's social work agency, she would certainly hire that person as long as the person had a Native American Studies certificate or degree from NMHU.

Ms. Duran told the committee that she supports the program and is advocating that tribal entities and the IAC adopt a resolution supporting the proposal.

In response to a question, Dr. Durán and Dr. Blanchard discussed the origins of the graduate school and its namesake, Facundo Valdez. Dr. Blanchard recommended the committee propose a students' stipend that would require students to take 12 credit hours of courses in Native American Studies concentrations.

The committee thanked the panel for its work in the social work field.

Pueblo of Taos Status Update

Gilbert Suazo, Sr., governor, Pueblo of Taos, discussed the pueblo, people, government and lands of the pueblo. The Pueblo of Taos is a World Heritage Site, recognized for enduring structures and living culture. The approximately 2,600 members of the Pueblo of Taos speak Tiwa and focus on preserving their ancestors' way of life. The tribal government is an unwritten system rooted in prehistory and adapted to the modern world. The pueblo's traditions and culture are dependent on the traditional and spiritual way of life, with year-round culturally related activities and practices. Governor Suazo told the committee that the Pueblo of Taos has a historic role in protection of homelands, culture and traditions, such as its role in the Pueblo Revolt of 1680 and water rights cases.

Governor Suazo discussed the pueblo's programs and community plan and priorities. He discussed the senior citizens' program, police department and tribal court, division of natural resources and other tribal government programs. The pueblo proposed a comprehensive community and land use plan for tribal infrastructure funding. The proposal was rejected. Priorities for the community are education, economic development, housing and health care.

Governor Suazo discussed issues and problems within the Pueblo of Taos community. The issues involve unemployment, drugs and alcohol, trespassing, drought, a housing shortage and lack of treatment and detention facilities. To address some of these, Governor Suazo discussed planned and active projects, including a wellness center, a multicomplex facility, an express plaza, water administration facility and senior day care and assisted living center. Further needs of the pueblo involve pueblo preservation, maintenance and repair and detox or addiction treatment facilities.

Governor Suazo discussed recommendations for the legislature. He proposed that Subsection E of Section 32A-1-8 NMSA 1978 be amended to recognize tribal court orders pertaining to Indian children that are recognized and enforced by the district courts. He recommended the recognition of tribal court orders for allowing tribal members access to state services. The Pueblo of Taos also supports the reappropriation of funds for NMHU to secure social services for ICWA training and education.

Governor Suazo discussed the *Abeyta* water settlement. He told the committee that the pueblo is implementing the settlement that forebears the exercise of more than one-half of its historic irrigation water rights, a major compromise on the pueblo's part to benefit its non-Indian neighbors. He told the committee that the forbearance will decrease over time as non-Indian water rights are acquired, including those that were forfeited or abandoned under state law.

He discussed the pueblo's funding sources and federal contracts, self-governance compacts, state tribal infrastructure funding, federal grants for housing, environmental protection and Head Start and congressional appropriations. The tribal economy is supported by tourism, the Taos Mountain Casino, tax revenue and big game hunting, with a total of 239 employees in tribal government and agencies. He briefly discussed the pueblo's need to diversify its economy and discussed a new business that will be a gateway for tourists. The business will sell fuel, convenience store items and groceries, as well as Pueblo of Taos-made food and goods.

In response to a question, Governor Suazo told the committee that big game hunting includes elk and bighorn sheep. The pueblo controls a 15,000-acre ranch where hunting is conducted.

In response to a question, Governor Suazo confirmed that over two years, the Pueblo of Taos has not received tribal infrastructure funds. Members of the committee agreed to follow up on the governor's concern by contacting the Indian Affairs Department (IAD). Governor Suazo expressed that he had reached out to the IAD and was informed that tribal infrastructure funds were decreased for planning and design projects in recent years. The committee discussed the history of the Tribal Infrastructure Fund and its establishment. A member of the committee found that over a 10-year period, 2007 through 2016, tribes contributed \$647 million to the state General Fund. Over the same period, tribes received about \$85 million back from the state in tribal infrastructure and other project funds.

Adjournment

There being no further business, the committee adjourned at 3:20 p.m.