

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

**September 30, 2021
Indian Pueblo Cultural Center
2401 12th Street NW
Albuquerque**

**October 1, 2021
Isleta Resort and Casino, Grand Ballroom C
11000 Broadway Boulevard SE
Albuquerque**

The fifth meeting of the Indian Affairs Committee was called to order by Senator Shannon D. Pinto, co-chair, on September 30, 2021 at 10:13 a.m. at the Indian Pueblo Cultural Center in Albuquerque.

Present

Rep. Georgene Louis, Co-Chair
Sen. Shannon D. Pinto, Co-Chair
Rep. Eliseo Lee Alcon
Rep. Anthony Allison
Rep. Kelly K. Fajardo
Rep. D. Wonda Johnson
Rep. Derrick J. Lente
Sen. Brenda G. McKenna
Sen. Cliff R. Pirtle (10/1)
Sen. Nancy Rodriguez (10/1)
Sen. Joshua A. Sanchez (10/1)
Rep. Martin R. Zamora

Advisory Members

Rep. Gail Chasey
Sen. Linda M. Lopez (10/1)
Rep. Elizabeth "Liz" Thomson (10/1)

Absent

Rep. Brittney Barreras
Rep. Zachary J. Cook
Sen. Leo Jaramillo
Sen. William E. Sharer
Sen. Benny Shendo, Jr.

Rep. Doreen Y. Gallegos
Rep. Harry Garcia
Sen. Stuart Ingle
Rep. Patricia A. Lundstrom
Sen. Michael Padilla
Rep. Patricia Roybal Caballero
Sen. William P. Soules

Guest Legislator

Rep. Marian Matthews

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

Staff

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)
Sara Wiedmaier, Research Assistant, LCS
Samantha DeLap, Intern, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and posted on the legislature's website.

References to Webcast

The time reference noted next to each agenda item in this document is cross-referenced to the webcast of the committee meeting, which can be found at www.nmlegis.gov, under the "Webcast" tab. The presentations made and committee discussions for agenda items can be found on the recorded webcast for this meeting. Please note that the webcast of this meeting is only available for Thursday, September 30, 2021.

Thursday, September 30 — Indian Pueblo Cultural Center**Welcome and Introductions (10:13 a.m.)**

Members, staff and guests introduced themselves, and representatives from the Pueblo of Laguna opened the meeting with prayer.

Update from the All Pueblo Council of Governors (10:25 a.m.)

Amber Carrillo, executive director, All Pueblo Council of Governors, updated the committee on the council's work within the reconciliation process following the treatment of Native American children in boarding schools, the Youth Council petition asking the former director of the Legislative Education Study Committee to resign and the redistricting committee that has been formed. She informed the committee that the All Pueblo Council of Governors has drafted two resolutions to support consensus maps and ensure that principles of self-determination are solidified in legislation.

Regis Pecos, co-director, Leadership Institute, Santa Fe Indian School, updated the committee on the development of the Tribal Remedy Framework. He gave the committee a history of American Indian education policies and their impacts on children, families and communities. He introduced a proposal for House Bill 84 from the 2021 legislative session and discussed the challenges and potential successes involved with the topic areas of the bill.

Joseph Little, attorney, Native American Voters Alliance, updated the committee on the redistricting process, including new maps that are being drawn to emphasize self-governance, communities of interest and representation.

Update from the Indian Pueblo Cultural Center (12:38 p.m.)

Beverlee McClure, vice president, Cultural and Community Engagement, Indian Pueblo Cultural Center, welcomed the committee. Shannon Romero, cultural education specialist, Indian Pueblo Cultural Center, and Dr. Christine Sims, associate professor, Educational Linguistics and American Indian Education, University of New Mexico, provided the committee with an overview of the Indian Pueblo Cultural Center's initiatives and progress in developing a Pueblo-based curriculum. Azella Humetewa, head of school, Native American Community Academy, informed the committee about the goals and courses within the academy's newly developed curriculum.

Michael Lucero, director, Guest and Entrepreneurial Experience, Indian Pueblo Cultural Center, discussed the partnership with the Indian Pueblo Opportunity Center to develop the Indian Pueblo Innovative Entrepreneurship Program to enhance and support Native-owned businesses. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=2>.

Update from the Indian Affairs Department (1:30 p.m.)

Lynn Trujillo, secretary, Indian Affairs Department, provided the committee with updates on the projects, funding and policy priorities of the State-Tribal Collaboration Act. Lawrence John, capital outlay and Tribal Infrastructure Fund administrator, Indian Affairs Department, and Secretary Trujillo informed the committee about current projects and processes of the Tribal Infrastructure Project Fund, the Indian Pueblo Opportunity Center and the Indian Pueblo Kitchen. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=3>.

Presentation on the United States Bureau of Land Management Ball Ranch Area of Critical Environmental Concern (ACEC) (3:02 p.m.)

Anthony Ortiz, governor, Pueblo of San Felipe; Ricardo Ortiz, officer, Tribal Historic Preservation Office; Pinu'u Stout, natural resources officer, Pueblo of San Felipe; and Franklin Chavez, special agent, Bureau of Indian Affairs, provided the committee with an overview of the cultural significance of the Ball Ranch ACEC to the Pueblo of San Felipe and explained the conflict between the cultural preservation of the Pueblo of San Felipe and the scientific endeavors of the New Mexico Museum of Natural History and Science and the United States Bureau of Land Management. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=4>.

Motions (3:48 p.m.)

Upon a motion made by Representative Lente, seconded by Representative Louis and without objection, the committee moved to send the following letters.

To the Cultural Affairs Department: A letter in support of the Pueblo of San Felipe's request to stay all activities that disturb and desecrate sacred sites within the Ball Ranch ACEC.

To Governor Michelle Lujan Grisham: A letter in support of the Pueblo of San Felipe's request to implement a moratorium on all activity in the Ball Ranch ACEC by state agencies.

To the Cultural Affairs Department: A letter recommending cultural competency training for all Cultural Affairs Department staff.

Upon a motion by Senator Pinto, seconded by Representative Louis and without objection, the committee moved to send a letter to the New Mexico congressional delegation in support of the Pueblo of San Felipe's request to stay all activities that disturb and desecrate sacred sites within the Ball Ranch ACEC.

Presentation on the State Indian Child Welfare Act (4:12 p.m.)

Representative Louis; Phillip Perez, governor, Pueblo of Nambe; Jacqueline Yalch, director, Social Services, Pueblo of Isleta, and president, New Mexico Tribal Indian Child Welfare Consortium; and Ann Rodgers, owner-attorney, Chestnut Law Offices, P.A., updated the committee on efforts to advocate for development of a state-level Indian Child Welfare Act.

Public Comment (4:58 p.m.)

A list of individuals making public comment is available in the meeting file.

Approval of Minutes

Upon a motion made by Representative Louis, seconded by Representative Alcon and without objection, the committee moved to approve the minutes of the August 4-6, 2021 and September 9-10, 2021 meetings.

Recess

The committee recessed at 5:01 p.m.

Friday, October 1 — Joint Meeting with the Legislative Health and Human Services Committee, Isleta Resort and Casino

Reconvene

Representative Louis reconvened the meeting at 9:25 a.m.

Update from the Pueblo of Isleta (9:30 a.m.)

Vernon Abeita, governor, Pueblo of Isleta, provided the committee with a summary of the COVID-19 situation at the Pueblo of Isleta.

Kristyn Yepa, M.P.H., B.S.N., R.N., director, Public Health Services, Isleta Health Center, informed the committee of the Pueblo of Isleta's newly developed Department of Public Health Services, data analysis capabilities and COVID-19 monitoring and treatment plans. Ms.

Yepa explained the time line of public health orders and how the Pueblo of Isleta is adapting and informing members about the evolving COVID-19 pandemic.

Blane Sanchez, second lieutenant governor, Pueblo of Isleta, presented a brief history of Native American suffrage. He informed the committee that the Pueblo of Isleta wants to remain in House Districts 8 and 69 and Senate District 30 when the redistricting process begins. He stated that the Pueblo of Isleta stands in solidarity with the All Pueblo Council of Governors and Native American Redistricting Working Group plans for redistricting and informed the committee that the pueblo will be focusing primarily on advocating for improved public health systems, water infrastructure and broadband infrastructure. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=6>.

Responses to questions and comments from committee members included the following:

- the weekly status report was created by summarizing the activities that the operations branch was doing on a weekly basis; the status report was then consolidated and sent to the chief executive officer of the health center and the governor to use in determining how they would inform the committee;
- the future goal of the pueblo is to do monthly communications, increase health literacy and distribute the monthly communications to pueblo members who do not have access to technology;
- a vaccination rate is not available because it is challenging to get an accurate count of tribal residents;
- the pueblo has not experienced any funding challenges during the COVID-19 pandemic;
- the pueblo is currently fully staffed and is looking to increase staff to help with COVID-19 testing;
- the pueblo is focusing on finding ways to get salaried employees instead of relying on contracted positions;
- the infrastructure that is needed will be developed to assist with the screening process;
- there are no current issues with cybersecurity within the pueblo's health system;
- the potential effects of long-term COVID-19 are being discussed;
- transitioning into a smoke-free casino has improved business at Isleta Resort and Casino; and
- there are concerns over Abiquiu Lake because it was not meant to store water for irrigation.

Update on COVID-19 Responses on Tribal Lands (11:06 a.m.)

Laura Parajon, M.D., M.P.H., deputy secretary, Department of Health (DOH); Christine Ross, M.D., M.P.H., state epidemiologist, DOH; Tierney Murphy, M.D., M.P.H., medical epidemiologist, DOH; Miranda Durham, M.D., northwest region medical director, DOH; and

Janet Johnson, acting tribal liaison, DOH, shared the mission and goals of the DOH. They provided the committee with a summary of the current COVID-19 statistics and trends in the state and among Native populations. They informed the committee about COVID-19 variants and their prevalence, as well as statistics on breakthrough cases. The presenters explained the methods for distributing COVID-19-related information to tribes and pueblos, conducting contact tracing and coordinating outbreak responses and updated the committee on new partnerships and funding resources. The DOH Community Resource Center has been created to pull together resources to fight COVID-19 and improve access to resources.

Jill Jim, Ph.D., M.P.H., M.H.A., executive director, Department of Health, Navajo Nation, provided the committee with a time line of public health orders on the Navajo Nation and the structure of the Navajo health care system, including tribal, federal and urban health centers. Multiple organizations and community partners meet consistently with representatives from the Navajo Nation to collaborate and coordinate efforts. Dr. Jim discussed mitigation strategies and their associated challenges. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=7>.

Responses to questions and comments from committee members included the following:

- tracking at-home COVID-19 tests is challenging because there is no standardized system to determine whether the tests were conducted accurately; and
- at-home COVID-19 tests are a benefit for the community because they allow the public to know immediately if they are infected.

Presentation on Maternal Mortality (1:40 p.m.)

Abigail Reese, Ph.D., manager, Maternal Health Programs, Family Health Bureau, Public Health Division, DOH; Sunshine Muse, executive director, New Mexico Birth Equity Collaborative; and Corrine Sanchez, executive director, Tewa Women United, reviewed the scope and goals of the Maternal Mortality Review Committee, and they explained how the committee identifies and reviews pregnancy-related death cases and reviewed the organizational and policy priorities of the New Mexico Birth Equity Collaborative. The presenters updated the committee on the current state of birthing safety and the goals of the DOH Maternal Health Program and explained the value that midwives can bring to maternal health care. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=8>.

Responses to questions and comments from committee members included the following:

- women in New Mexico are dying at concerning rates, and this warrants state action that amplifies the voices of communities of color;

- the process for selecting committee members for the Maternal Mortality Review Committee is through a combination of formal appointments and open calls, with specific regard for Black and Native American representation;
- the DOH will release a report that will include strategies to address the causes behind maternal mortality and recommendations for health care access, mental health care, etc.;
- it is unclear whether current maternal mortality statistics account for cases of domestic violence;
- concerns were expressed that misinformation is being spread regarding COVID-19 vaccines causing stillbirths;
- it is important that the reports and opinions put forth to the Maternal Mortality Review Committee be viewed through a racial justice lens; and
- guest experts will be allowed to contribute to the Maternal Mortality Review Committee.

Update on the Missing and Murdered Indigenous Women and Relatives Task Force (2:43 p.m.)

Secretary Trujillo and Stephanie Salazar, general counsel, Indian Affairs Department, reviewed the history of the legislation and plan of action to create a task force to study the problem of missing and murdered indigenous women. They provided a summary of statistics regarding missing and murdered indigenous women in the state, the data collection plan and the limitations imposed by the COVID-19 pandemic. The presenters explained the challenges in enforcement due to jurisdictional confusion between tribal and state law enforcement and provided the committee with recommendations to remedy the situation moving forward. These recommendations included providing support services for survivors and families, providing resources for tribal justice systems, conducting outreach and education and considering the recommendations of law enforcement. The presentation materials can be found here:

<https://www.nmlegis.gov/Committee/Handouts?CommitteeCode=IAC&Date=9/30/2021&ItemNumber=9>.

Responses to questions and comments from committee members included the following:

- efforts to make these issues more visible in the media have been working, but the issues still demand more coverage and resources;
- there are two members from the Office of the Attorney General on the task force, one of whom is dedicated to sexual assault investigations;
- there are currently no structured plans for reporting missing women and sharing this information between state and tribal law enforcement;
- the Missing and Murdered Indigenous Women and Relatives Task Force is partnering with the University of Nebraska to collect and analyze data to identify trends in the cases of women who have gone missing;
- the United States Department of Justice has funded a position for a coordinator, and the coordinator is currently seeking to collect data to determine how many women have gone missing from reservations as opposed to off reservations;

- the Indian Affairs Department is not currently looking into data about how the Native American women have been murdered; and
- since the latest report, the task force has been expanded to 40 members.

Public Comment

There was no public comment.

Adjournment

There being no further business before the committee, the meeting adjourned at 3:48 p.m.