

Duplicates/Conflicts with/Companion to/Relates to:
Duplicates/Relates to Appropriation in the General Appropriation Act

SECTION III: NARRATIVE

BILL SUMMARY

Synopsis:

HM 45 is a memorial proposed in response to the creation of an advisory group called the “department of government efficiency” (DOGE) recently established by President Trump via executive order. Despite the name, DOGE is not a “department” of the federal government at all, which would require an act of congress to create, but instead is an extension of the Executive Office of the President.

The memorial states that DOGE reports to the White House Chief of Staff and that DOGE and/or the White House have cut billions of dollars of federal spending, which has led to the termination of employment for tens of thousands of federal employees. The memorial questions the constitutional authority of the White House and DOGE to cut this federal spending and notes the lack of transparency concerning the inner workings of DOGE, including who has the authority to administer DOGE or who works for DOGE. The memorial finally acknowledges that it is clear that these spending cuts have affected or will affect the work, research, and livelihoods of New Mexico residents.

In response to these actions taken by the White House and DOGE, the memorial would require that the Legislative Finance Committee investigate the impact of the actions of the White House and DOGE on residents of New Mexico and work performed in New Mexico funded by federal spending. The memorial would further require that the results of that investigation, together with any recommendations to mitigate the harms caused to New Mexico, be provided to the members of several legislative committees by July 31, 2025.

FISCAL IMPLICATIONS

The memorial does not have a direct fiscal impact on the State Land Office. However, it should be noted that federal cuts to personnel and resources with respect to land management agencies, such as the Bureau of Land Management and the U.S. Forest Service, may have significant negative impact on the New Mexico State Land Office’s (NMSLO) efforts to address biological, cultural, environmental and fire related challenges on a landscape level. The agency relies heavily on partnerships with federal agencies and these reductions in force and capacity may result in greater costs and reduced abilities in managing and responding to needs.

SIGNIFICANT ISSUES

The actions taken at the federal level pursuant to DOGE direction have been chaotic, inconsistent, often based on misinformation and misunderstanding, and have the potential to significantly impact the state and New Mexicans. The Legislative Finance Committee’s assessment of these impacts would be helpful in better understanding and responding to these misguided federal actions.

PERFORMANCE IMPLICATIONS

For any of these leases or rights of way held by federal agencies that are being paid on an annual basis, should the federal agencies lose funding, those leases would need to be terminated and reclamation activities undertaken per the agreements. This would require undertaking reclamation activities and monitoring.

ADMINISTRATIVE IMPLICATIONS

The New Mexico State Land Office (NMSLO) has at least 14 business leases with departments or divisions of the federal government, including:

- Federal Aviation Administration (FAA)
- Federal Bureau of Investigation (FBI)
- Social Security Administration
- United State Postal Service (USPS)
- United States Air Force (USAF)
- US Customs and Border Protection
- US Department of Energy (DOE)
- US Homeland Security

Seven of these leases are expired and are in various stages of being reissued. Seven have terms that expire between 03/23/2025 and 10/31/2101. Additionally, NMSLO has at least 174 rights of way with departments or divisions of the federal government, including:

- Bureau of Indian Affairs (BIA)
- Bureau of Land Management (BLM)
- Bureau of Reclamation
- Melrose Bombing Range (USAF)
- United State Army
- United State Forest Service (USFS)
- United States Air Force (USAF)
- US Army Corps of Engineers
- US Border Patrol
- US Dept. of Agriculture (USDA)
- US Dept. of Energy (DOE)
- US Dept. of the Interior
- US Public Health Service
- USPHS (Navajo Area Indian Health)

For any of these leases or rights of way that are being paid on an annual basis, should they lose funding, those leases would need to be terminated and reclamations activities undertaken per the agreements.

CONFLICT, DUPLICATION, COMPANIONSHIP, RELATIONSHIP

TECHNICAL ISSUES

The memorial explains that DOGE “exists under the executive office of the president with

DOGE teams established by the heads of federal agencies.” Consider adding language to clearly state that DOGE is not an actual department of the federal government. For example:

WHEREAS, President Trump established an advisory group entitled the “department of government efficiently,” or “DOGE,” by executive order on January 20, 2025;

WHEREAS, DOGE is not a true department of the federal government but instead exists under the executive office of the president with DOGE teams established by the heads of federal agencies.

In the second to last paragraph, the memorial would require that the Legislative Finance Committee present its report and “any recommendations related to mitigating the harms caused to the state” to the members of several legislative committees. This language could be construed narrowly to mean harms to the State of New Mexico itself, rather than harm to residents of New Mexico. Because the memorial otherwise appears concerned with the harm to New Mexico residents, consider adding slightly broader language such as “harms caused to the state or its residents.”

OTHER SUBSTANTIVE ISSUES

ALTERNATIVES

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL

AMENDMENTS