



# ALL PUEBLO COUNCIL OF GOVERNORS

Officers:  
E. Paul Torres, Chairman  
Governor Val Panteah, Sr., Vice Chair  
Governor J. Michael Chavarria, Secretary

## INDIAN AFFAIRS COMMITTEE MEETING

September 8, 2017

American Indian Student Center, Room 112  
3015 Andrew Wall Place  
New Mexico State University  
Las Cruces

Acoma

Cochiti

Isleta

Jemez

Laguna

Nambe

Ohkay Owingeh

Picuris

Pojoaque

Sandia

San Felipe

San Ildefonso

Santa Ana

Santa Clara

Santo Domingo

Taos

Tesuque

Ysleta Del Sur

Zia

Zuni

Good Morning. I want to thank the Chair and the Committee for this opportunity to discuss the State-Tribal Collaboration Act and the annual summit.

### Overview and History

The State-Tribal Collaboration Act was enacted in 2009 by then Governor Bill Richardson. It was the codification of the Richardson administrations 2003 "Statement of Policy and Process" signed by the Governor and the 22 tribes of New Mexico, which up until then had been implemented through a series of two executive orders.

The five main components of the Act are as follows:

1. An Annual Summit to be held between the Governor of New Mexico and the 22 tribes.
2. The establishment of Communication and Collaboration Policies by all 33 cabinet-level agencies to promote government-to-government relations amongst the State and the 22 Tribes.
3. The designation of a tribal liaison within all the cabinet-level agencies to act as a point of contact to ensure compliance with policies.
4. Required training for state agency employees who have regular contact with tribes through the State Personnel Office in collaboration with the Indian Affairs Department.
5. The submission of an Annual Report through the Indian Affairs Department on the implementation of the Act.

The first summit was held that spring at Acoma Pueblo on May 5. The day prior to the first summit, a pre-meeting, dinner, and reception were held that allowed participants to prepare for the summit and participate in informal discussions and relationship building while enjoying cultural entertainment and food. All 22 tribes attended the meeting and summit.

The topics of the first summit were infrastructure development, economic development, health care, and collaboration on DWI enforcement. The outcomes

from the 2009 summit were included in a detailed 35-page report presented at the 2010 summit. Progress included:

- Dedicated funding for the Tribal Infrastructure Fund being adopted in 2010
- Inclusion of tribal projects in Water Trust Board consideration
- Greater cooperation between state and tribal law enforcement agencies including participation in DWI Task Force programs.

There were other areas of progress that resulted from that first meeting too, but these were some of the primary ones that impacted both tribes and the state.

### **Current State of the Act**

Moving forward to 2017, some progress has been made each year between tribal governments and the state on certain issues of concern. Governor Martinez and her administration has worked with tribal leaders on a number of issues including education, health care, water rights, and more.

However, many problems remain the same and, in recent years, dialogue and action seem to have stagnated. In fact, the agendas for the summit in 2016 and 2017 were identical. The last time there was a published “report” on the outcomes from the previous year’s summit was in 2012, although verbal reports on progress have been provided.

In discussions with attendees at the summit from this year, attendance was down amongst tribal leaders. Also, direct engagement between Governor Martinez and tribal leaders was limited. While we thank the Governor for attending and helping to open the meeting, there wasn’t any opportunity for direct back-and-forth dialogue between the Governor and tribal leaders. This is in stark contrast to the initial summit in 2009 and the summits with Governor Martinez in 2010 and 2012.

Pueblo Governors that I spoke with feel that this year’s summit in particular was a missed opportunity to engage in meaningful dialogue with the Governor and state officials on issues critical to tribes. This was especially disappointing given the budget difficulty that the state has faced over the past two years and the need for the state to retract capital outlay funds, changes in the Tribal Infrastructure Fund, proposed changes to bilingual education funding, tax reform, and more.

Participants feel the summit has transformed more from an open back-and-forth exchange on issues of concern by both the state and tribal governments to become just more of a showcase of what the Administration is doing in Indian Country. While this is appreciated, the intent of the State-Tribal Collaboration Act was to foster more of a mutual dialogue.

Additionally, tribal leaders questioned why the luncheon focused on a tribal youth group from out-of-state. While the story of success and community engagement was appreciated, there are numerous such stories from inside New Mexico from Boys and Girls Clubs and other entities throughout New Mexico. Would it not have been better to showcase a group from New Mexico?

Unfortunately, I'm speaking on information based on Governors and Tribal Leaders who attended, **not as a participant**. I was initially not invited to the summit, and then informed the day before that I could attend, but only as an observer. I chose not to attend.

This is unfortunate as I have worked with the Martinez administration the past four years while Governor of Isleta, and am engaged at a high level with all the Pueblos in the state as Chairman of the All Pueblo Council of Governors.

## Moving Forward

While there are is concern about stagnation, there is hope that the State-Tribal Collaboration Act can continue to be the bedrock of tribal state communication. It is a great tool that provides transparency and accountability on tribal programs as well as serve as a springboard for further collaborations between the state and tribes.

We recommend the following:

1. Engage legislative leadership by inviting them to attend.
2. Highlight partnerships between the state and tribes particularly the areas of economic development, tax agreements, and job creation.
3. Establish a permanent Steering Committee to help develop topics and ensure follow up is pursued and reported upon on an annual basis.
4. Ensure that there is ample time for dialogue on both sides between tribes and state agencies.

## Conclusion

Tribal governments and enterprises are a vital component of the state's economy across a variety of sectors including:

- Hospitality
- Tourism
- Construction
- Services
- Manufacturing

The Pueblo governments are working on an extensive economic impact study to show our collective contributions and impact on New Mexico's economy. Here are just a few facts to share:

- Isleta Pueblo employs 2,000 people yearly in the Bernalillo and Valencia County area. Nearly 95% of these employees are not tribal. It is currently working a \$40 million renovation at Isleta Casino and Resort and is actively pursuing manufacturing ideas and opportunities to expand its economy.
- In the Espanola Valley, Ohkay Owingeh and Santa Clara Pueblo combined employ more than 1,000 people in the region. Again, the overwhelming majority of these employees are non-tribal.
- Ohkay Owingeh has employees throughout the state in Roswell, Rio Rancho, Los Alamos, and Espanola.

All of this activity is happening in the state while the overall economy is struggling. It comes at a time when the state is paying millions to entice new industry to the state, which is good policy, but the tribes' contributions to the state are often ignored. Indeed, in recent years, there have been accusations by some that tribes are taking from the system. Given the limited investment that the state provides to tribes for the amount of jobs and economic activity that is created off reservation by tribal governments and enterprises, such criticism is unwarranted.

Through active dialogue between all players in the state including the Administration, Legislature, and tribal leadership, such misconceptions can be created and strong policies can be developed and maintained that keep the incredible partnership between the state and tribes moving forward.

I am happy to stand for questions.