



STATUS UPDATE ON FEDERAL FUNDING

FEDERAL FUNDING STABILIZATION SUBCOMMITTEE

Santa Ana Star Casino

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INDIAN AFFAIRS DEPARTMENT (IAD) NMSA 1978, § 9-21-7

- A. The department is the coordinating agency for intergovernmental and interagency programs concerning tribal governments and the state.
- B. The department shall:
- (1) investigate, study, consider and act upon the entire subject of Indian conditions and relations within New Mexico, including problems of health, economy and education and the effect of local, state and federal legislative, executive and judicial actions. The department shall collaborate with other state departments or agencies that have an interest or stake in the subject being investigated, studied or considered. In performing its functions, the department shall provide an opportunity for the presentation and exchange of ideas in respect to Indian affairs of the state by all interested persons; and
 - (2) assist in setting the policy, and act as the clearinghouse, for all state programs affecting the Indian people of New Mexico.

GENERAL OVERVIEW

- ▶ Priorities in Indian Country
- ▶ How Tribes Get Federal Funding
- ▶ Federal View
- ▶ New Mexico View
- ▶ Additional Resources

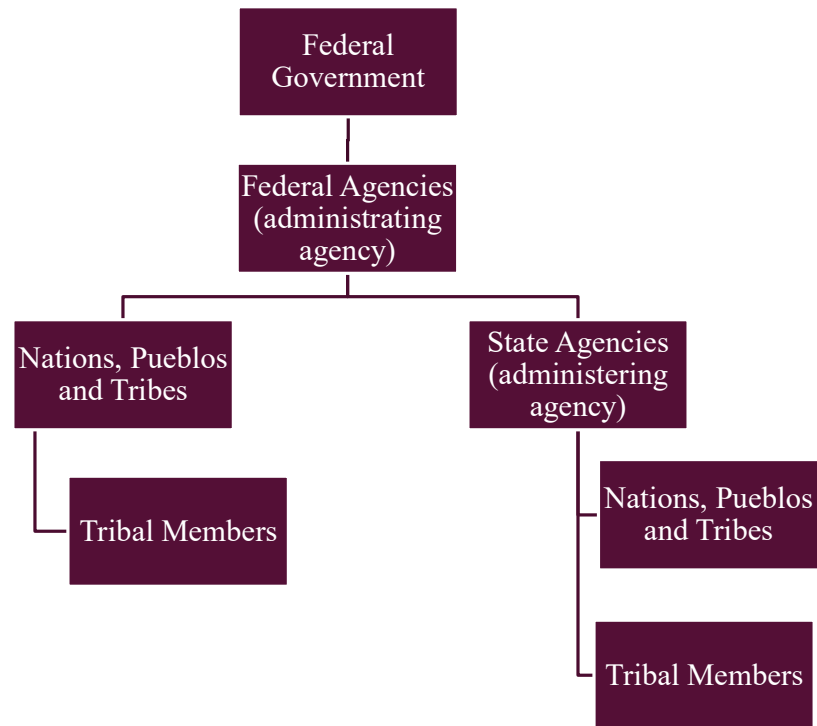
PRIORITIES IN INDIAN COUNTRY

- ▶ Aging and Senior Services
- ▶ Education
- ▶ Energy
- ▶ Healthcare
- ▶ Lands
- ▶ Law Enforcement
- ▶ Public Safety
- ▶ Water

FEDERAL LEGISLATIVE PROCESS/CONTEXT

- ▶ January 20, 2025, DOGE makes cuts across agencies
- ▶ July 4, 2025, H.R. 1 signed into law by President Trump
- ▶ July 24, 2025, H.R. 4, Rescissions Act of 2025 signed into law; cancels previously appropriated funds
- ▶ May 2, 2025, Presidential Budget completed; influences Executive and Legislative Branches
- ▶ Executive Orders: policy changes, including EO 14151 and EO 14332
- ▶ Congress is deliberating on the Appropriation Bills
- ▶ Other legislation may result in changes to policy, programmatic functions, and funding

HOW TRIBES RECEIVE FUNDING FROM THE FEDERAL GOVERNMENT



Federal Obligations and Relations

- ▶ Federal Trust Responsibility
 - ▶ Comes from Treaties, Executive Orders, Compacts, Statutes, Common Law, and the Constitution.
 - ▶ The BIA provides this statement:
 - ▶ The federal Indian trust responsibility is also a legally enforceable **fiduciary obligation** on the part of the United States to protect tribal **treaty rights, lands, assets, and resources**, as well as a duty to carry out the mandates of federal law with respect to American Indian and Alaska Native tribes and villages. In several cases discussing the trust responsibility, the Supreme Court has used language suggesting that it entails legal duties, moral obligations, and the fulfillment of understandings and expectations that have arisen over the entire course of the relationship between the United States and the federally recognized tribes. [Emphasis added] <https://www.bia.gov/faqs/what-federal-indian-trust-responsibility> (accessed on August 26, 2025).
- ▶ Commerce Clause
 - ▶ “The Congress shall have the Power . . . To regulate commerce with foreign Nations, and among the several states, and with the **Indian Tribes**.” United States Constitution, Art. I., § 8, cl. 3.
- ▶ Plenary Power
 - ▶ Comes from Congress’ power under the Commerce Clause and essentially, common law has determined that Congress has almost unlimited authority regarding Indian matters.

Federal Obligations and Relations

▶ Snyder Act of 1921

- ▶ The Bureau of Indian Affairs, under the supervision of the Secretary of the Interior, shall direct, supervise, and expend such moneys as Congress may from time to time appropriate, for the **benefit, care, and assistance of the Indians** throughout the United States for the following purposes:
 - ▶ General support and civilization, including **education**.
 - ▶ For relief of distress and conservation of **health**.
 - ▶ For industrial assistance and advancement and general administration of Indian **property**.
 - ▶ For extension, improvement, operation, and maintenance of existing Indian **irrigation systems** and for development of **water supplies**.
 - ▶ For the enlargement, extension, improvement, and **repair of the buildings and grounds of existing plants and projects**.
 - ▶ For the employment of **inspectors, supervisors, superintendents, clerks, field matrons, farmers, physicians, Indian police, Indian judges**, and other employees.
 - ▶ For the suppression of traffic in intoxicating liquor and deleterious drugs.
 - ▶ For the purchase of horse-drawn and motor-propelled passenger-carrying vehicles for official use.
 - ▶ And for general and incidental expenses in connection with the administration of Indian affairs.
 - ▶ Notwithstanding any other provision of this section or any other law, **postsecondary** schools administered by the Secretary of the Interior for Indians, and which meet the definition of an “institution of higher education” under section 101 of the Higher Education Act of 1965, shall be eligible to participate in and receive appropriated funds under any program authorized by the Higher Education Act of 1965 or any other applicable program for the benefit of institutions of higher education, community colleges, or postsecondary educational institutions.

25 U.S.C.A. § 13

▶ Federal Agencies

- ▶ Under DOI: BIA/BIE (est. 2006) (Education)
 - ▶ BIE and Tribally Controlled Schools
 - ▶ Johnson O’Malley – support for Native students enrolled in public schools
- ▶ Under HHS: IHS (Healthcare)

What We Know

H.R. 1 (P.L. 119-21)

Updates on Federal Funding in Indian Country

Funding	Change	Source
Corporation for Public Broadcasting, Next Generation Warning System grants (3 tribal stations in NM, 28 total outlets)	Eliminated	Recissions Bill
Institute of Museum & Library Sciences (IMLS); loss of access to Native American Basic Grants and Native American Library Services Enhancement Grants	Eliminated	H.R. 1
Local Foods for Schools / Local Food Purchase Assistance (supports food in schools, nutrition programs)	Eliminated	USDA cancelled program (DOGE)
Multi-State Information Sharing and Analysis Center (cyber threat prevention, protection, response and recovery for state, local and tribal governments)	Eliminated, moving to fee-for-service	DOGE
Tribal Colleges / University Funding (Dine College, SIPI, Navajo Technical University, and IAIA)	Budget remaining flat	H.R. 1
Tribal Energy Loan Guarantee Program (support for tribal energy initiatives that are solar, wind or battery technologies)	Eliminated	H.R. 1

What We Don't Know

Tribal Health Services		
Funding	Change	Source
Tribal set-aside funding programs (Tribal Opioid Response grants, Behavioral Health grants, Zero Suicide program)	proposed elimination (\$128M)	President's Budget
Indian Health Services (IHS)	\$7.4M proposed increase over FY25 budget of \$8.2B	Senate Appropriations
OVERALL	Nearly \$120.6M in cuts	

Human Services		
Funding	Change	Source
Medicaid impact	~39k Native adults receive Medicaid in NM (16% of all recipients)	per HCA estimation
Low Income Home Energy Assistance Program (LIHEAP)	~\$1.2M reduction (NM) from \$5.6M	per HCA estimation
Supplemental Nutrition Assistance Program (SNAP)	~\$2.8M reduction (NM) from \$13.7M	per HCA estimation
Temporary Assistance for Needy Families (TANF)	~\$60k reduction (NM) from \$288K	per HCA estimation
OVERALL	Nearly \$4M in cuts to NM	

What We Don't Know

Aging Services		
Funding	Change	Source
Older Americans Act (OAA) Title VI Grants (Native American Nutrition, Supportive and Caregiver Services)	Flat funding for FY26; \$50.3M allocated in FY25	Senate Appropriations Bill
Senior Community Service Employment Program (SCSEP) Title V; Adult Protective Services (APS)	\$10M reduction for FY26, \$385M allocated in FY25	Senate Appropriations Bill
OVERALL	Nearly \$10M	

Labor and Education		
Funding	Change	Source
Federal Agency Layoffs	459 total unemployment claims; 64 are former employees of the Bureau of Indian Affairs	Department of Workforce Solutions
Bureau of Indian Education (BIE)	~\$450M reduction in FY26 (-33%), \$1.37B allocated in FY25	President's Budget
OVERALL	Nearly \$450M	

What We Don't Know

Rural Development, FDA

Funding	Change	Source
Women, Infant and Children (WIC)	\$7.8M reduction in NM, affecting 29k participants	President's Budget
Promoting Internet Needs of New Mexicans (PINON) grant	Elimination (\$8.6M)	H.R. 1
OVERALL	Nearly \$16.4M	

Energy and Water Development

Funding	Change	Source
DOE Indian Energy	\$20M reduction from \$70M for FY25 to \$50M in FY26 (-29%)	President's Budget
OVERALL	Nearly \$20M	

Housing

Funding	Change	Source
Indian Housing Block Grants (IHBG)	Flat funding for FY25 (\$1.34B); In NM, \$155.8M allocated in FY25	Senate Appropriation Bill
OVERALL	Nearly \$129M in NM	

Potential Funding Reduction

Nearly \$749M

EXAMPLE – TCUs and Indian Higher Ed.

- Pursuant to HED – How TCUs and Indian Higher Education are impacted by various federal funding complexities

Navajo Technical University (NTU)*

Grant Title	Funding Type	Amount Impacted	Indirect Costs Impacted
DOE Water Equity and Building Workforce on the NN	Department of Energy	\$3,600,000	\$258,202
San Juan State University Research Foundation	Department of Transportation	\$149,211	---
NSF Subaward RAMP (NTU)	National Science Foundation	\$83,986	\$24,260
Total		\$3,833,197	\$282,362

*As of June 25, 2023, NTU reported that it is not facing direct federal funding cuts.

Federal Funding Impacts at Non-Tribal Higher Education Institutions

Institution	Grant Title	Funding Type	Amount Impacted	Indirect Costs Impacted
San Juan College	Native Student Outreach, Achievement, & Relationships (SOAR)	Title III	\$349,941 (waiting to hear from Department of Education on whether it is cut)	---
UNM – Health Sciences Center	Native Chair Care (Tribal hair stylists talking to clients about immunizations)	Centers for Disease Control	\$9,250	\$482.23

EXAMPLE – Policy Implications – EO 14151

- ▶ **United States Executive Order 14151 (2025): Ending Radical and Wasteful Government DEI Programs and Preferencing**
 - ▶ The EO mandated cessation of DEI programs across federal agencies, confusing race with political class in policy decisions.
 - ▶ While this EO does not include specific mention to Nations, Pueblos, Tribes, Native American people, or Indian Country, the reverberating impacts have been seen throughout the Country. In New Mexico, we have not seen direct impact, however, New Mexico should be cognizant of such concerns as they may implicate Nations, Pueblos, Tribes, and Native American citizens in our state.

NEW MEXICO'S COMMITMENT TO TRIBES

▶ **IAD - Cabinet Level Position (NMSA 1978, § 9-21-1 *et seq.*)**

- ▶ 2004 – Established
- ▶ Upon information and belief, New Mexico is one of three states to have a cabinet level Secretary.

▶ **State Tribal Collaboration Act (NMSA 1978, § 11-18-1 *et seq.*)**

- ▶ Every state agency shall develop and implement a policy that:
 - ▶ (1) promotes effective communication and collaboration between the state agency and Indian nations, tribes or pueblos;
 - ▶ (2) promotes positive government-to-government relations between the state and Indian nations, tribes or pueblos
 - ▶ (3) promotes cultural competency in providing effective services to American Indians or Alaska Natives; and
 - ▶ (4) establishes a method for notifying employees of the state agency of the provisions of the State-Tribal Collaboration Act and the policy that the state agency adopts pursuant to this section.
- ▶ The STCA mandates state agencies to make a reasonable effort to collaborate with tribes when programmatic actions may have tribal implications or otherwise affect American Indians/Alaska Natives.

NEW MEXICO'S COMMITMENT TO TRIBES

▶ **Indian Capital Outlay (NMSA 1978, § 6-28-1 *et seq.*)**

- ▶ A. The legislature finds that many residents of this state living within Indian country are impoverished and are involuntarily living without electric service, indoor plumbing, adequate potable water, telecommunications or related infrastructure due to federal government policies over the decades...
- ▶ B. Since the nineteenth century, the federal government has assumed a trust responsibility for Native Americans, but since New Mexico attained statehood, it has had a responsibility for its Native American residents.
- ▶ C. The legislature finds it is the policy of the state of New Mexico to improve the basic quality of life of residents within Indian country through the use of any means available.
- ▶ D. The purpose of this act is in part to enable the state, in compliance with the provisions of the constitution of New Mexico, to provide financial assistance to residents within Indian country so that they may be served by basic residential services such as electric service, indoor plumbing, sewer, adequate potable water, telecommunications and related infrastructure.

▶ **Tribal Infrastructure Act (NMSA 1978, § 6-29-1 *et seq.*)**

- ▶ B. The purposes of the Tribal Infrastructure Act are to:
 - ▶ (1) ensure adequate financial resources for infrastructure development for tribal communities;
 - ▶ (2) provide for the planning and development of infrastructure in an efficient and cost-effective manner; and
 - ▶ (3) develop infrastructure in tribal communities to improve the quality of life and encourage economic development.

What We Can Do

New Mexico is dedicated to working in partnership with NPTs, and tribal citizens in our state, as exhibited through our state laws.

- ▶ As the state learns of direct impacts to NPTs, the state should work with them to determine how the state can assist in either filling in gaps or advocating alongside NPTs.

IAD Will Continue To:

- ▶ Communicate and collaborate with NPTs regarding their priorities.
- ▶ Provide training opportunities on tribal sovereignty, legal systems and cultural competency.
- ▶ Track and update federal funding changes on our website
- ▶ Work with NPTs and State Agencies to determine how New Mexico works in partnership with NPTs.

ADDITIONAL RESOURCES

▶ Federal Entities that Provide Direct Services

- ▶ US Department of Health and Human Services (HHS)
→ Indian Health Services (IHS)
- ▶ Department of Interior (DOI) → Assist. Sec. of Indian Affairs (ASIA) → Bureau of Indian Affairs (BIA) and Bureau of Indian Education (BIE)
- ▶ Department of Agriculture (USDA)
- ▶ Department of Energy (DOE)

▶ State Agencies that Provide Direct Services

- ▶ Department of Veterans' Services
- ▶ Department of Workforce Solutions
- ▶ Early Childcare Education & Care Department
- ▶ Health Care Authority
- ▶ Higher Education Department
- ▶ Public Education Department
- ▶ Office of Broadband Access and Expansion

▶ New Mexico Federal Delegation

▶ External Resources

- ▶ American Indian College Fund
- ▶ Coalition for Tribal Sovereignty
- ▶ Indian Country Today
- ▶ Indianz.com
- ▶ Let's Talk New Mexico
- ▶ National Congress of American Indians (NCAI)
- ▶ Native America Calling
- ▶ Native American Finance Officers Association (NAFOA)
- ▶ Native American Rights Fund (NARF)
- ▶ Native News Online
- ▶ Tribal Newspapers and Publications
- ▶ Turtle Talk



THANK YOU

When Tribes are doing well, all of New Mexico is doing well.