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HOUSE MEMORIAL 75

53RD LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2018

INTRODUCED BY

Georgene Louis and D. Wonda Johnson and Derrick J. Lente
and Patricia Roybal Caballero

A MEMORIAL

REQUESTING THAT STATE AGENCIES IN COLLABORATION WITH TRIBAL
ADVISORY GROUPS DEVELOP FINDINGS AND RECOMMENDATIONS FOR POLICY
AND LEGISLATIVE CONSIDERATIONS IN THE AREAS OF EDUCATION,
HEALTH, SOCIAL WELFARE, BEHAVIORAL HEALTH AND OTHER ESSENTIAL
SERVICES TO BETTER MEET THE NEEDS OF NEW MEXICO'S TRIBAL
COMMUNITIES.

WHEREAS, New Mexico is home to twenty-three sovereign
Indian nations, tribes and pueblos that represent nearly twelve
percent of the population and land base; and

WHEREAS, there is a long-established doctrine of federal
trust responsibility as a legal obligation under which the
United States has charged itself with moral obligations of the
highest responsibility and trust toward Indian tribes and
nations; and

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1 WHEREAS, this federal Indian trust responsibility has
2 since its inception resulted in the development of a framework
3 based on government-to-government principles with
4 appropriations flowing from federal agencies to tribal
5 governments to fulfill federal trust obligations; and

6 WHEREAS, beginning in the 1980s under the Reagan
7 administration and the introduction of "new federalism", the
8 federal government granted block grants to states to enable
9 state governments to spend money at their own discretion, and
10 in the process, the federal government transferred resources
11 previously provided to the tribes directly to states; and

12 WHEREAS, this shift forced states and tribes to redefine
13 their relationships to provide the necessary resources to
14 support Native Americans in a new configuration of how
15 resources flowed and how services were delivered; and

16 WHEREAS, New Mexico has become a national model in the
17 development of a statutory framework defining state-tribal
18 relations built on government-to-government principles
19 consistent with the federal framework and for the interactions
20 between federal, state and tribal agencies in the delivery of
21 services to jointly implement the trust obligations; and

22 WHEREAS, in 2009, the New Mexico legislature passed a
23 landmark bill, the State-Tribal Collaboration Act, which was
24 signed into law and which promoted and strengthened the
25 relationships and furthered the commitments between the twenty-

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1 three sovereign nations and the state, and which provided
2 greater consistency across all cabinet-level state agencies to
3 work with tribes and ensure that state-tribal relations
4 remained a priority and that the implementation of programs and
5 the flow of resources were done on an equitable basis; and

6 WHEREAS, the New Mexico legislature has for many years
7 created the interim Indian affairs committee to provide a forum
8 for interaction of stakeholders across the spectrum of issues,
9 challenges and best practices; and

10 WHEREAS, the legislature has a desire to hear from
11 stakeholders across the spectrum on major areas of priority and
12 to receive a thorough assessment and evaluation of the flow of
13 resources through the state to provide services to Native
14 Americans and tribal communities to assess how agencies and
15 stakeholders can collectively improve the use of resources and
16 strengthen the delivery system; and

17 WHEREAS, the interim legislative committee focused on
18 Indian affairs should be informed as to the added complexities
19 created by the use of flow-through funds and the potential
20 impact proposal by the current presidential administration, for
21 reductions in appropriations for education, health, social
22 welfare, behavioral health and other essential services; and

23 WHEREAS, within Native American communities, suicide
24 issues continue to escalate, social welfare issues affecting
25 children, youth and families are increasing and these issues

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1 strain tribal and state judicial systems; and

2 WHEREAS, with minimal treatment facilities available,
3 behavioral health and mental health challenges are becoming
4 epidemic, and there is growing concern that the current managed
5 care organizations lack outreach and institutional capacity,
6 resulting in the under-utilization of available resources; and

7 WHEREAS, the overall educational achievement of Native
8 American students reveals a failure of the educational system
9 at all levels and critical infrastructure investment needs,
10 such as for tribal libraries to provide access to modern
11 information technology and inequities in funding for the
12 elderly;

13 NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF
14 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico
15 clearinghouse for Native American suicide prevention, the
16 center for Native American health, the New Mexico Indian Title
17 VI coalition at the Indian area agency on aging, the southwest
18 Indian law clinic, the American Indian language policy research
19 and teacher training center, the institute for indigenous
20 knowledge and development, the tribal libraries program, the
21 Indian education advisory council, the New Mexico tribal Indian
22 child welfare social workers consortium at the Corrine Wolfe
23 children's law center, Tewa women united and the tribal-state
24 judicial consortium be requested to work together to develop
25 findings and recommendations for policy and legislative

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1 considerations in the areas of education, health, social
2 welfare, behavioral health and other essential services to
3 better meet the needs of New Mexico's tribal communities to be
4 brought before the interim legislative committee focused on
5 Indian affairs; and

6 BE IT FURTHER RESOLVED that copies of this memorial be
7 transmitted to the New Mexico clearinghouse for Native American
8 suicide prevention, the center for Native American health, the
9 New Mexico Indian Title VI coalition at the Indian area agency
10 on aging, the southwest Indian law clinic, the American Indian
11 language policy research and teacher training center, the
12 institute for indigenous knowledge and development, the tribal
13 libraries program, the Indian education advisory council, the
14 New Mexico tribal Indian child welfare social workers
15 consortium at the Corrine Wolfe children's law center, Tewa
16 women united and the tribal-state judicial consortium.

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