

State~Tribal
Collaboration Act
Summary Report
for State Agencies' Activities
with New Mexico Indian
Tribes, Nations and Pueblos
Fiscal Year 2018



New Mexico Indian Affairs Department
Acting Cabinet Secretary Suzette A. Shije



Susana Martinez
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September 19, 2018

RE: Fiscal Year 2018 State-Tribal Collaboration Act Annual Report Summary

Greetings:

The New Mexico Indian Affairs Department (IAD) is the lead coordinating agency in New Mexico State Government for ensuring effective interagency and State-Tribal government-to-government relations with New Mexico tribes, nations and pueblos.

No later than July 31st of each year, Cabinet-Level State Agencies that communicate and collaborate with New Mexico tribes, nations and pueblos submit a report to IAD on the fiscal year activities undertaken pursuant to the State-Tribal Collaboration Act. The IAD is then tasked with compiling and summarizing all reports for submittal to the New Mexico Governor and State Legislature.

The following is IAD's summary for fiscal year 2018 of each State Agency's report. This summary along with each Agency's full report will be available on the IAD website at www.iad.state.nm.us.

Respectfully,

Suzette A. Shije
Acting Cabinet Secretary

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African American Affairs, Office of

The New Mexico Office of African American Affairs (OAAA) recognizes the need for targeted intervention strategies that address and produce sustained results not only for African Americans, but all New Mexicans. With a purpose of developing and implementing strategies targeted to the specific disparate needs of families, the strategic plan is designed to give a greater voice and sustainability to the well-being of our community. Under original House Bill 909, it is the mandate of this agency to increase awareness and understanding surrounding the multi-dimensional issues that contribute to disparities and successes relevant to African Americans in our state. We strive to develop an action-oriented agenda for disseminating key messages that aid in the decrease and prevention of disparities. We also endeavor to establish approaches that will strengthen collaborative networks that sustain on-going initiatives in the focus areas of healthcare advocacy, educational advancement, economic development, advocacy and policy, and community development.

The mission of the OAAA is to study, identify and provide solutions to issues relevant to African Americans. We strive to be the “go to” authority in New Mexico on matters relating to methods that improve the quality of life for African Americans. By providing valuable resources to our constituents, governor, legislators, educators, healthcare professionals, et al., we will ensure access to resources that improve the quality of life.

Through the agency’s Tribal Liaison, OAAA staff continue to ensure a representative is assigned to participate as a State Tribal Liaison. The OAAA is working to maintain partnerships formed with the Indian Pueblo Cultural Center and define the agency’s active role while serving on the State-Tribal Liaison Leadership Team.

Aging and Long-Term Services Department

The Aging and Long-Term Services Department (ALTSD) continues to collaborate with New Mexico’s tribes, pueblos and nations. The Office of Indian Elder Affairs (OIEA) helps strengthen the capacity to deliver a wide range of programs and services throughout New Mexico for its Indian elders. The ALTSD OIEA coordinates its senior services through the New Mexico Indian Area Agency on Aging (IAAA) and the Navajo Department of Aging and Long-Term Care Services (DALTCS), formerly Navajo Area Agency on Aging (NAAA). Through ardent management initiatives, the ALTSD consultation and communication policies and procedures have created a foundation that fosters an environment of effective communication focusing on the needs of our Native American elders.

Agency Overview/Background

The ALTSD manages state and federal funds to provide services through the OIEA, Aging and Disability Resource Center (ADRC), the Aging Network Division (AND), Office of Alzheimer’s Disease and Dementia Care, Senior Employment Programs, and the Capital Projects Bureau.

The AND provides a constellation of services delivered by four Area Agencies on Aging comprised of four Planning Service Areas (PSAs). The OIEA has contract management authority for two Planning Service Areas: PSA 5 encompasses the Navajo Nation senior centers located within New Mexico and is served by the DALTCS; and PSA 6 encompasses New Mexico’s 19 pueblos and two Apache tribes and is served by the IAAA.

The ALTSD's goal is to continue to successfully enhance nutritional education, reporting requirements, technical support and program oversight among the programs and services the Department provides. In collaboration with its IAAA and the DALTCS, the OIEA is working to identify specific areas of need within the tribal communities and meets with the various tribal constituencies and officials to assess their needs.

The ALTSD Cabinet Secretary and selected staff annually attend the State-Tribal Consultation Summit and the round table session, organized by the Indian Affairs Department. In 2018, capital outlay, senior programs and aging and disability resources constituted the bulk of the comments, inquiries, and questions received by ALTSD from the representatives of the pueblos, tribes and nations during the roundtable event.

FY 2018 State-Tribal Consultation with the Navajo Nation

In October 2017, the Office of the Cabinet Secretary (OCS) reorganized to re-establish the OIEA under the OCS, per NM Statute, 9-23-10. This action called for the Director, Program Manager and Administrator of the Indian Agency on Aging (IAAA), located within the authority of the ALTSD Aging Network Division, to re-classify the IAAA to OIEA. In brief, the OIEA fulfills the role as IAAA and continues to provide contract management, monitoring, training, technical assistance and advocacy with the 19 Pueblos and two Apache Tribes. In addition, the OIEA assumed the new responsibility, through an internal transfer from the Aging Network Division's Senior Services Bureau (AND-SSB) to provide contract management and monitoring of DALTCS's FY 2019 Intergovernmental Agreement for senior services.

This process required a systems analysis of SSB's management of the NAAA contract for program operation, fiscal operation, service data collection, reporting and analysis, contract preparation and monitoring. The ALTSD staff worked closely with Navajo Nation, NAAA and the Tribal Liaison to implement and conduct a State-Tribal Consultation with Navajo Nation to examine, assess and refine current contractual development and monitoring systems originating from ALTSD and Navajo Nation's system of operations. The State-Tribal Consultation was an opportunity for shared learning, responsibility and accountability between ALTSD and Navajo Nation relevant to the establishment of an annual Intergovernmental Agreement (IGA).

The outcome resulted in the successful implementation of the FY 2019 IGA, designed to enhance and administer internal business operations that continues to emphasize adherence to high-quality standards and assurances, and meets required ALTSD and Navajo Nation's deadlines for the execution, monitoring and fulfillment of the annual contract ALTSD and the Nation. The process also reaffirmed ALTSD and OIEA adherence to State-Tribal collaboration protocols and policies with tribal governments for the delivery of senior services to the Navajo elders residing in New Mexico.

Agriculture, New Mexico Department of

New Mexico's food and agriculture industry continues to be an economic driver across the state and is one of the most diverse in the nation. As such, New Mexico Department of Agriculture (NMDA) is responsible for a broad variety of laws, regulations, and programs that protect the consumer, enhance food safety, and provide unique and creative marketing programs to assist New Mexico's producers and processors. NMDA is under the New Mexico State University (NMSU) Board of Regents. NMDA serves on the NMSU President's Cabinet, Vice-President's Council, and Administrative Council.

New Mexico Department of Agriculture's divisions/industry programs and their primary areas of responsibilities are listed below.

DIVISION/PROGRAMS	PRIMARY AREAS OF RESPONSIBILITIES
Agricultural and Environmental Services (AES) Division	Inspections, permits, and consumer protection services related to pesticides and plant pests.
Agricultural Programs and Resources (APR) Division	Analytical services provided to stakeholders regarding state and federal environmental regulations and natural resource issues.
Agricultural and Production Services (APS) Division	Inspections, licenses, and consumer protection services related to dairy; feed, seed, and fertilizer; and produce.
Laboratory Division	Analysis services related to petroleum; metrology; feed, seed, and fertilizer; and pesticides.
Marketing and Development (MD) Division	Development of national and international marketing programs for state agricultural businesses; organic certification program; and fruit and vegetable inspections.
Standards and Consumer Services (SCS) Division	Inspections, permits, and consumer protection services related to weights and measures, petroleum, and other consumer items.
Veterinary Diagnostic Services (VDS) Division	Diagnostic services related to livestock, domestic animals, and wildlife.
Industry and Agency Programs	Liaison services between agricultural industries and state agencies.
Agricultural Biosecurity Program	Advise and administer programs related to agricultural biosecurity.
Legislative and Governmental Affairs	Provide support for agricultural related legislation.

The Director of NMDA serves as the Secretary of Agriculture on the Governor's Cabinet. The Director/Secretary is the agriculture industry's official representative to state and federal government. This unique role as a Cabinet-level agency and member of the NMSU community allows NMDA to combine regulatory functions with research and extension initiatives with the colleges across the university.

For transparency and accountability to its constituents, NMDA uses performance-based budgeting within the NMSU system, publishes a biennial report, and sends weekly highlights to the Governor's office. Through approaches that use the latest science, technology, and economic strategies, NMDA advocates and promotes New Mexico's agricultural industries. NMDA collaborates with over 55 state and national boards, commissions, and organizations. This includes providing technical assistance, finalizing marketing and promotion assistance, and providing regulatory oversight and service.

The NMDA continues to work with tribal leaders, tribal agencies, tribal organizations, and businesses on agricultural biosecurity issues, regulatory pesticide issues, retail petroleum support, jurisdictional and sovereignty issues, farmers' markets, organic certification, water and other natural resource issues, domestic animal health issues, endangered species, and wildlife issues. Detailed statistics of tribal support is provided in the FY2018 STCA Annual Report. Collaborative efforts between tribal representatives and

NMDA will continue through both formal and informal communication methods. NMDA continues to look forward to working with tribal representatives for future collaborations.

Children, Youth and Families Department

The Children, Youth and Families Department (CYFD) provides an array of prevention, intervention, rehabilitative and after-care services to New Mexico children and their families. The mission of CYFD “improving the quality of life for our children” drives the efforts.

The operating principals of CYFD are to be kind, respectful and responsive; be child/youth centric; create a culture of accountability and support; simplify: do fewer, bigger things that produce results; behavioral health and program support strategically enveloped in all programs; and it’s all about the quality of our workers.

The CYFD offers the following:

- **Native American Initiatives:** Indian Child Welfare Act Intergovernmental Agreements (ICWA); Data collection; BIA ICWA Policies and Compliance; Tribal Customary Adoption (TCA); Juvenile Justice Services Tribal Notifications; and ICWA Intergovernmental Agreements (IGAs)
- **PullTogether:** Implementation of campaign; Resources and Access for Parents, Community Members and Young People; and Next Phases
- **Early Childhood Services:** Child Development; Home Visiting; Child Care Services; PreK; and, Family Nutrition
- **Protective Services:** Adoptions; Foster Care; Child Abuse and Neglect; ICWA compliance and Domestic Violence
- **Juvenile Justice Services:** Juvenile Detention Facilities; Probation and Aftercare; Transition Services; and Special Cultural Appropriate Programs for Incarcerated Native American Youth.

Fiscal Year 2018 Highlights

2017 CASEY NM Partners Strategic Plan. The New Mexico Partners for Indian Child Welfare have been meeting since 2015 to present. Throughout these sessions in 2015, 2016 and 2017, the group identified their shared statement of purpose, desired outcomes, and agreements of the group. The major outcome in 2018 was the development of a NM Partners Strategic Plan. NM Partner meeting discussions and data are included in the Strategic Plan as the backdrop and context for the group’s strategic planning process and mutually agreed action steps.

2017 CYFD Protective Services – Indian Child Welfare Act (ICWA) Initiatives. As a result of the Casey ICWA NM Partnership strategic planning meeting, the Native American Liaison submitted four key areas to the CYFD Office of the Secretary that would address the CYFD issues in the NM Partnership Strategic Plan. Key issues and recommendations were included.

CYFD Juvenile Justice Services (JJS)

- **Native PRIDE –Juvenile Justice Services Contract Annual Report** In 2016-2017, CYFD has contracted with NATIVE P.R.I.D.E. (Prevention, Research, Intervention, Development, and Education) to provide culturally appropriate services to Native American youth incarcerated at the CYFD Youth Development and Diagnostic Center (YDDC) and Camino

Nuevo juvenile detention facilities. In 2018–2019 the NAL will directly administer and supervise Native programming at the YDDC and Camino Nuevo Youth Center.

- Mr. Nick Costelles, JJS Field Services Director, established a Tribal Notification Work Group in collaboration with the Navajo Nation Chief of Staff, representatives from Navajo Nation Tribal Courts, NN Division of Social Services, NN Children and Family Services, San Juan County JJS field office, San Juan County Juvenile Detention Center and the CYFD Native American Liaison, to begin to revise the CYFD tribal notification process that is required in the New Mexico Children's Code, in accordance with ARTICLE 2 – Delinquency, 32A-2-5 (B) Juvenile probation and parole services; establishment, juvenile probation and parole officers; powers and duties.

2018 Legislative Session. The following were reviewed during the 2018 New Mexico Legislative Session.

- **SB 0231.** The purpose of the foster youth employment income tax credit is to encourage the employment of individuals who as youth were adjudicated as abused or neglected or in the legal custody of CYFD under the Children's Code or in the legal custody of a New Mexico Indian nation, tribe or pueblo or the United States Department of the Interior Bureau of Indian Affairs Division of Human Services.
- **HM 083.** A memorial requesting that the New Mexico tribal Indian child welfare consortium, in collaboration with other child welfare entities, conduct a study, complete a report and make recommendations regarding compliance with the federal Indian Child Welfare Act of 1978 based on the report's findings.

Corrections Department

The New Mexico Corrections Department (NMCD) is responsible for the care and custody of approximately 7,274 male inmates and 6,514 female inmates; 760 probation and parole population on community supervision; total offenders: 15,647 and 22,921. Approximately 9 percent of the inmate/offender population is Native Indian or Alaskan Indian. The NMCD maintains public safety as the top priority through a number of objectives and implementing activities, ranging from checking the perimeter of a prison facility fence line to providing leadership and supervision for offenders within the walls of our prisons, as well as within the neighborhoods and communities of our State.

Through professional internal and community collaborations, NMCD will actively pursue new approaches to improve public safety by better preparing the inmate and offender population through appropriate services and programs. Evidence-based planning aimed at reducing criminal recidivism offers a sound return on the investment of our resources. The requirements set forth by the State-Tribal Collaboration Act (STCA) shall serve as a guide as we continue to improve our partnerships with the tribes, pueblos and nations through effective collaboration and communication. This strengthened partnership will ensure that a culturally sensitive approach is taken as programs and services are further developed for the American Indians and Alaskan Native inmate and offender population. This report demonstrates the effort and progress NMCD has made in the state-tribal partnership collaboration, as highlighted below:

- Facilitated Native American spiritual practices including sweat lodges, talking circles and spiritual traditions made available to all verified American Indian or Alaskan Native (AI/AN) inmates at all levels.

- Promoted effective communication and collaboration between the state agency and Indian nations, tribes or pueblos.
- Promoted positive government-to-government relations between the Indian nations, tribes or pueblos and NMCD.
- Promoted cultural competency in providing effective services to AI/AN.
- Annual review and employee notification of agency policy and procedures regarding the STCA.
- Continued implementation of the STCA.
- Regular attendance of the Native American Subcommittee (NASC).

Cultural Affairs, New Mexico Department of

The New Mexico Department of Cultural Affairs (DCA) is dedicated to integrating tribal consultation in the development and delivery of services on behalf of the State of New Mexico. The department strives to develop tribal relations and further enhance tribal networks. By nature, DCA's mission to preserve, showcase and provide educational programs about our state's rich cultural resources makes it possible for practically every program throughout the department to touch on Native American communities and interests. In alignment with Senate Bill 196, the State Tribal Collaboration Act, DCA is continually seeking to enhance services and programs geared toward serving the state's tribal communities.

The mission of the DCA is to preserve, foster, and interpret New Mexico's diverse cultural, scientific, and artistic heritage and expression for present and future generations, enhancing the quality of life and economic well-being of the state. The DCA is comprised of the State's Museums, Historical Sites, Archaeology, Historic Preservation, State Library, and Arts divisions. These services and facilities are located in communities across the state. It is imperative that DCA establish and maintain positive, respectful and collaborative relationships with Native American communities and that DCA's policies include requirements for tribal consultation. The department's goal is for every division to regularly interact with tribal and pueblo communities in carrying out its services.

The department continues to encourage and expand collaborative relationships and partnerships with Native American governments and the Indian Affairs Department. Native American tribal and pueblo communities have ongoing relationships with the department's divisions in the areas of arts, preservation, archaeology, museums, historic sites, and libraries.

Building on the Past, Facing the Future: Renewing the Creative Economy of New Mexico

In FY14, the department completed *Building on the Past, Facing the Future: Renewing the Creative Economy of New Mexico*, a study of the arts and cultural industries in New Mexico. This report represents the first statewide economic impact study on arts and cultural industries in 20 years. The report was commissioned by DCA and conducted by the University of New Mexico's Bureau of Business and Economic Research (BBER) to better understand the current impact, deficits, and needs of arts and cultural industries in the state, and to develop policy recommendations to effectively leverage New Mexico's arts and cultural assets in support of the state's economic and social development. The study offers key data, reveals important trends at the city, county, state and tribal levels, and offers research-based recommendations for arts and cultural workers, business investors, educators, leaders and policy-makers.

Specific to tribal communities, the study recommends both the protection of Native American arts and crafts against the effects of misrepresentation, and the development of the capacity of Native American communities and professionals to exercise greater influence in the marketplace for their work. The existing

“truth in advertising” laws include the federal Indian Arts & Crafts Act of 1935 (with amendments 1990, 2000, 2007, and 2010) and New Mexico’s Indian Arts and Crafts Sales Act of 1978. This protection is particularly important because art and craft production is an invaluable source of income for many Native American households in the state and represents a primary avenue for economic development in tribal communities.

Beyond these tribal-specific recommendations, however, all the action items set forth in the study stand to benefit tribal communities. In FY15, DCA began to act upon the study’s recommendations. DCA’s responses so far include:

1. Building cohesion in the arts and cultural sector through statewide public engagement meetings to distribute and discuss the BBER report with key leaders in arts and cultural industries, educators, and the business sector;
2. Developing a statewide web-based platform for networking (a “virtual network”) to:
 - a. Formulate a common agenda;
 - b. Build a vibrant advocacy network;
 - c. Offer training opportunities in business management and marketing;
 - d. Promote the exchange of information, knowledge and best practices;
 - e. Encourage partnerships and collaborative initiatives; and
 - f. Provide information on resources, support systems, investment, and grant opportunities
3. Boosting funding support for New Mexico Arts grant program by developing an economic development track to offer statewide grant competition to stimulate entrepreneurship, creative enterprise, and innovation;
4. Increasing cultural heritage tourism by:
 - a. Developing the *Cultural Atlas* project, an innovative mobile application that puts cultural and heritage sites at the fingertips of smartphone users to promote tourism and bolster our creative economy. The application offers a map, key data and information to promote visitation, experiences, and learning at historic and cultural sites across New Mexico. Since the *Cultural Atlas* went live on December 1, 2016, it has been installed on more than 15,000 devices.
 - b. Planning an innovative Native-designed marketing initiative promoting International Cultural Tourism to benefit economically distressed Native American communities in New Mexico. The program will target the International Cultural Visitor and prepare local Host Cultural Centers and communities for cultural visitation. The Museum of Indian Arts and Culture is spearheading this effort.

The DCA is also formulating partnerships with a wide variety of sectors in New Mexico, including the business, academic, and non-profit sectors, as well as with other state and local government agencies. Through these action items and partnerships, the department is catalyzing innovative programs, incubating best practice models to support New Mexico’s arts and cultural workers, and building springboards for these workers’ success.

The Cabinet Secretary of Cultural Affairs continues to reach out statewide to engage constituencies in addressing the BBER study’s findings and recommendations. The engagement of Native constituencies in this effort is a priority.

Economic Development Department

The mission of the EDD is to enhance and leverage a competitive environment to create jobs, develop the tax base and provide incentives for business development. The EDD's mission to create jobs extends to every corner of the state, including Native American lands. The full annual report provides a menu of programs and services that can be utilized for Native American economic development projects.

In accordance with the State-Tribal Collaboration Act (STCA), the EDD policy to promote and assist Native American entities is to utilize the Regional Representative Program. The Regional Representative, who has Native American tribes within his or her service area, will assist with economic development projects and initiatives, then report to the Primary Tribal Liaison (PTL). The PTL will communicate with the Cabinet Secretary through the proper chain of command. The Regional Representative will also consult with other EDD programs to determine how best to assist with a tribal project.

The New Mexico EDD has many programs and services that facilitate economic development projects in Native American communities and statewide, such as the New Mexico Partnership; Office of Business Advocacy; Office of International Trade; Job Training Incentive Program; Financial Development Team; FUNDIT; New Mexico Credit Enhancement Program; Opportunity Zones; Local Economic Assistance and Development Support; Business Incubator Program; New Mexico MainStreet Program; Arts and Cultural District Program; the State Data Center; and the New Mexico Film Office. Details about these programs and their impact in tribal communities are presented in the full report.

Energy, Minerals and Natural Resources Department

The Energy, Minerals and Natural Resources Department (EMNRD) protects and conserves the state's natural resources and provides recreational opportunities throughout New Mexico. The department was created in 1987 through a merger between the Natural Resources and Energy and Minerals departments; the agency employs a staff of more than 500 professionals.

The department is home to five programmatic divisions, one supportive division and two affiliated programs:

- Energy Conservation Management
- State Forestry
- Mining and Minerals
- Oil Conservation
- State Parks
- Administrative Services Division
- The WIPP Transportation Safety Program
- The Youth Conservation Corps

The department has a long history of tribal interaction and collaboration. The department officially adopted the Energy Minerals and Natural Resources Department Tribal Communication and Collaboration Policy on December 18, 2009.

Fiscal Year 2018 (FY2018) activities included, but were not limited to, continued consultations and collaborations with tribes regarding the following: mining permits, oil and natural gas drilling, energy efficiency, solar and alternative energy endeavors, construction and projects' impacts to activities in state

parks; permitting and mining operations across the state; regarding joint oil and gas well inspections and training; statewide wildland fire courses offered attended by multiple tribal members; and providing Tribal Cultural Competency training. FY2018 activities also included technical assistance provisions for numerous tribal programs regarding forest and watershed health issues that impact tribal lands.

Environment Department

The New Mexico Environment Department (NMED or the department) was established in the Department of Environment Act (Legislature 40), enacted July 1, 1991, as a single, cabinet-level department to administer and oversee the State's environmental laws and to exercise the functions relating to environmental protection and regulation. Through all its statutory and regulatory programs and operations under both state and federal law, NMED's mission is to protect and restore the environment, and foster a healthy and prosperous New Mexico for present and future generations.

NMED Responsibilities:

- Inform citizens and businesses on environmental protection and health and safety requirements.
- Monitor air and water quality to assure state and federal standards are met.
- Issue permits to facilities, businesses, and individuals to ensure facilities and operations meet established environmental and health standards.
- Inspect work sites and industrial facilities to ensure they meet environmental laws and protect public and employee health and safety.
- Assist facilities with compliance requirements of environmental laws and regulations through outreach and technical assistance and enforcement when necessary.
- Resolve environmental issues that threaten the health of our state's residents.

NMED Bureaus

- Air Quality
- Solid Waste
- Construction Programs
- Occupational Health and Safety
- Department of Energy Oversight
- Drinking Water
- Environmental Health
- Ground Water Quality
- Hazardous Waste
- Petroleum Storage Tank
- Radiation Control
- Surface Water Quality
- Office of the Chief Scientist

NMED Assistance Programs

- Office of Nuclear Workers Advocacy
- OSHA Compliance Assistance and Zia Star Voluntary Protection Program
- Small Business Assistance Program of the Air Quality Bureau
- Tribal Liaison

NMED Cleanups and Remediation

- Superfund Oversight — Ground Water Quality Bureau
- Mining Environmental Compliance — Ground Water Quality Bureau
- Voluntary Remediation and Brownfields — Ground Water Quality Bureau
- Hazardous Waste Bureau
- Solid Waste Bureau
- Petroleum Storage Tank Bureau

NMED Protecting Public Health and Safety

- Air Quality Bureau
- U.S. Department of Energy (DOE) Oversight Bureau
- Food Safety, Swimming Pools, and Liquid Waste (Septic Tanks) Programs of the Environmental Health Bureau
- Occupational Health & Safety Bureau
- Radiation Control Bureau

NMED Supporting Water and Wastewater Infrastructure Development and Operations

- Construction Programs Bureau
- Drinking Water Bureau
- Ground Water Quality Bureau
- Surface Water Quality Bureau

In December 2009, then Secretary Ron Curry signed the New Mexico Environment Department Tribal Collaboration and Communication Policy that is still in effect today. The Policy provides guidance to the Department and tribal governments for working together in a collaborative manner and outlines approaches for government-to-government consultation. The policy is posted on the Department's website: https://www.env.nm.gov/OOTS/Tribal_Liaison/NMED_Tribal_Communication_and_Collaboration_Policy.pdf.

Ms. Kathryn Becker is the Department's Tribal Liaison, designated by NMED Secretary Butch Tongate in August 2016, and she continues in this capacity in addition to her role as Assistant General Counsel. In addition to her outreach duties and participation in government-to-government consultation with the Secretary, Ms. Becker, under the direction of Secretary Tongate, has approached each bureau within the Department to share information about the STCA and how she can aid employees in their daily duties with jurisdictional questions and communications.

To meet the obligations and take advantage of the opportunities presented by the State-Tribal Collaboration Act, Environment Department Secretary Tongate and Tribal Liaison Becker participated in the Annual New Mexico State-Tribal Leaders Summit held in Acoma on June 6–7, 2018. In addition, the Secretary has participated in numerous formal government-to-government consultations with tribal leadership over the course of the last year.

Office of Natural Resources Trustee

The New Mexico Office of Natural Resources Trustee's (ONRT) mission is to return injured natural resources and the services they provide to the condition that would have existed absent the release of contamination. The Natural Resources Trustee through the ONRT implements the Natural Resource Damage Assessment and Restoration Program. The ONRT assesses injury to natural resources caused by the release of hazardous substances or oil, and then seeks compensation from the potentially responsible

parties for restoration of those injured resources. Compensation is used to restore, replace, or acquire the equivalent of injured, destroyed or lost natural resources and the services they provide.

The ONRT was established by the Natural Resources Trustee Act enacted in 1978. It also created a Natural Resources Trustee. The Trustee is appointed by and serves at the pleasure of the state governor pursuant to the provisions of federal Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (CERCLA), as amended by the federal Superfund Amendments and Reauthorization Act of 1986, the Federal Water Pollution Control Act. The office is administratively attached to the New Mexico Environment Department (NMED or Department). The ONRT utilizes many resources and has adopted several policies.

The Trustee through the ONRT is required by statute to take all actions necessary to carry out the responsibilities of the natural resources Trustee as provided in the federal CERCLA, as amended by the Superfund Amendments and Reauthorization Act of 1986, the federal Water Pollution Control Act and any other applicable federal law, including the responsibility to:

1. act on behalf of the public to protect New Mexico's natural resources by recovering damages for injury to, destruction of or loss of those resources;
2. investigate injury to, destruction of or loss of natural resources;
3. determine the amount and cause of injury to, destruction of or loss of natural resources;
4. determine the liability of any person for injury to, destruction of or loss of natural resources;
5. assess and collect damages for injury to, destruction of or loss of natural resources, including bringing legal actions and collecting the costs of assessing and collecting the damages; and
6. expend money for the purposes set forth in the Natural Resources Trustee Act [75-7-1 NMSA 1978].

The Trustee and ONRT strive to develop cooperative relationships with responsible parties to achieve a more efficient and effective resolution to resource injuries. The ONRT also works in partnership with other state and federal agencies to forward its mission.

The ONRT organization structure and operations are divided into two categories: damage assessment and restoration. Injury is determined through a damage assessment process. Natural Resource Damage Assessment ("NRDA") can be time-consuming to (1) understand the complex ecosystem of which a particular resource is part, (2) identify the adverse changes to the resources and the services the resources provide, and (3) determine appropriate compensation. Once this is done, fair compensation for the loss of the resources and the services they provide from can be determined. Compensation is either in the form of appropriate restoration projects or cash settlements. The purpose of both restoration projects and cash settlements is first to restore injured resources, and if that is not possible, to replace or acquire equivalent natural resources and the services that were lost or impaired. Cash sums recovered under CERCLA may only be expended for these purposes, and money in ONRT's fund does not revert to the general fund. A careful process is required to plan and implement restoration.

In December 2009, the NMED Secretary signed the "Promoting and Protecting New Mexico's Environmental Tribal Collaboration and Communication Policy" (Policy) that is in effect today. The Policy, in addition to recognizing tribal sovereignty, provides guidance to the Department and tribal governments for working together in a collaborative manner and outlines an approach for communication about consultation. Because the ONRT is administratively attached to the Department, the ONRT adopted and utilizes this Policy. The Policy is posted on the Department's website, www.onrt.env.nm.gov

Finance and Administration, Department of

The mission of the New Mexico Department of Finance and Administration (DFA) is to provide sound fiscal advice and problem-solving support to the Governor, provide budget direction and fiscal oversight to state agencies and local governments to ensure positive impact on the daily life of all New Mexico citizens and ensure every tax dollar is spent wisely.

The DFA provides planning, fiscal services, and the necessary oversight for state and local entities to ensure compliance with all applicable statutes as well as transparency and accountability in the management of taxpayer dollars. This action includes collaboration with all pueblo and tribal entities. Our aim is to continually strengthen New Mexico's financial management and oversight practices through sound analysis, effective communication, appropriate monitoring and excellent customer service.

We are committed to achieving Governor Martinez's performance and accountability goals, and look forward to working with all state agencies, local entities and tribal governments to continue providing efficient services for all New Mexicans.

Game and Fish, Department of

The mission of the New Mexico Department of Game and Fish is to conserve, regulate, propagate and protect wildlife and fish within the State of New Mexico using a flexible management system that ensures sustainable use for public food supply, recreation and safety; and to provide for off-highway motor vehicle recreation that recognizes cultural, historic, and resource values while ensuring public safety.

The New Mexico Department of Game and Fish is the state government agency statutorily created to enforce and administer the laws and regulations relating to game animals, fish, and other wildlife and to otherwise support the State Game Commission in its responsibility to fulfill the purposes of Chapter 17 NMSA 1978 and all other acts for like purposes. To satisfy the expectations expressed within these acts, the Department monitors, assesses, conserves, restores, and regulates the use of game, fish, and other wildlife, manages habitat, and provides relevant technical guidance, information and education, and depredation interventions. The Department provides objective and balanced conservation programs to benefit the full range of wildlife species and their habitats. The Department values collaboration and strives to make the decision-making processes accessible to, and inclusive of, all potentially affected interests and responsive to their needs and concerns. Department services are partitioned into four programs, aggregated by common statutory purpose and outcome: Field Operations Program; Conservation Services Program; Wildlife Depredation and Nuisance Abatement Program; and Administration Program.

The New Mexico Department of Game and Fish (Department) conducted regular annual operations pertaining to the State Tribal Collaboration Act (§ 11-18-3 NMSA 1978) during the New Mexico State Government's fiscal year 2018. The Department participated in both formal and informal interaction with several pueblos, tribes and native nations throughout the state and region. The Department, through its wildlife and fishery missions, came in contact with Native hunters and anglers, conducted government-to-government consultation with Indigenous nations, tribes and pueblos and participated in Department and Tribal collaboration on wildlife and fishery projects.

The Department has assisted and worked with various Tribal law enforcement entities on several occasions concerning wildlife and public safety. The Department continued to participate in wildlife and fisheries management data sharing with nations, tribes and pueblos. The Department, in collaboration with tribal governments has participated in joint studies on wildlife populations. The Department has invited

nations, tribes and pueblos to comment on statewide wildlife and fisheries issues. The Department has consulted with pueblos concerning hunting on pueblo-owned properties that are non-designated trust lands. The Department addressed and assisted tribal traditional cultural request.

The Department participated in outreach and education programs providing training for local Hunter Education classes in Native communities. Department employees were encouraged to receive cultural awareness training offered by the State Personnel Office.

General Services Department

The General Services Division's (GSD's) core mission is to provide services to state agencies, certain local public bodies and vendors. As a result, the agency typically does not interact with New Mexico's tribes and pueblos. Nevertheless, GSD is committed to supporting New Mexico's tribal collaboration efforts and the needs of New Mexico's tribes and pueblos when the opportunities arise.

The GSD will continue to research opportunities to interact with New Mexico's tribal community in fiscal year 2019.

Health, Department of

Accountability for our work on a government-to-government basis is demonstrated annually through this report, which serves as a record of how the New Mexico Department of Health (NMDOH) fulfills the requirements of the State Tribal Collaboration Act.

Based on the State-Tribal Collaboration Act, the NMDOH Office of the Tribal Liaison works to facilitate and encourage agency staff to continuously engage tribal partners and leaders in the creation, cultivation, and expansion of services and resources which respect the tenets of sovereignty and self-determination held by indigenous nations in the state.

For this year's executive summary, the importance of dialog for successful collaboration in planning and implementing programs in Indian Country New Mexico, is emphasized. Consideration of public health and tribal health systems and opportunities to strengthen relationships with New Mexico's American Indian tribes, pueblos, and nations is ongoing work that begins on a face-to-face basis connecting what matters to tribal leadership, program directors and managers with NMDOH staff and resources.

The initiatives that follow provide a snapshot of consultation and collaboration to address public health priorities of diabetes, obesity, teen pregnancy, and substance use (including commercial use of tobacco) among New Mexican populations including American Indian populations. Additionally, two areas are featured: work with the Epidemiology and Response Division to improve American Indian health data and decreasing food deserts in tribal communities. Leveraging resources is a key strategy among programs to increase the reach of limited available resources.

Health Status Priorities: Highlights

Given the number of programs and services included in the full annual report, this summary only highlights the four key health status priorities for the agency: diabetes, obesity, teen pregnancy, and substance use--which includes non-ceremonial use of tobacco. These priorities are also identified as having high health disparities for the American Indian populations in the state.

Diabetes

The Diabetes Prevention and Control Program (DPCP) has a variety of intertwined initiatives that reflects the spectrum of prevention and management working together in a culturally tailored and centered context. The DPCP builds capacity to prevent Type 2 diabetes through the National Diabetes Prevention Program (National DPP) developed by the Centers for Disease Control and Prevention (CDC) for people who are pre-diabetic. The National DPP focuses on reducing calorie and fat intake and engaging in 150 minutes of moderate physical activity each week to achieve and maintain a 5–7 percent loss of body weight. The DPCP consults regularly with the New Mexico Department of Health Office of the Tribal Liaison, Native American Partnership for Diabetes Prevention and Control (NAP) and other tribal diabetes program representatives throughout New Mexico to support efforts to develop diabetes prevention and management activities in their communities that reflect the DPCP goals and strategies. NAP's input as a stakeholder to New Mexico's diabetes prevention and management initiatives is crucial because Native American populations experience the highest diabetes related health disparities of all the state's racial and ethnic groups.

Obesity

Healthy eating and physical activity are the two main lifestyle behaviors that can help prevent obesity and reduce the burden of chronic disease. ONAPA's Healthy Kids Healthy Communities (HKHC) Program works closely with three tribal communities (Pueblos of San Ildefonso, Zuni, and Ohkay Owingeh) to implement sustainable policy, systems, and environmental changes that support healthy eating and physical activity behaviors in a multi-sector community coalition-driven approach. Key strategies include schools/childcare (e.g., strengthening wellness policies), food system (e.g., increasing access to a healthy and affordable food supply), and built environment (e.g., creating safe and active outdoor space).

Teen Pregnancy

Family Planning Services provides comprehensive family planning services, including clinical reproductive health services, community education and outreach. Technical assistance and funding are provided for the Teen Outreach Program (TOP), a positive youth development program for preventing teen pregnancy and increasing school success, at Laguna-Acoma Junior/Senior High School, an Aztec High School dormitory, and Navajo Preparatory School.

Substance Use (including non-ceremonial tobacco use)

There is extensive outreach, education, and engagement designed to reach Native Americans with a focus on secondhand smoke exposure. NMDOH Tobacco Use Prevention and Control Program (TUPAC) engages youth in community awareness and policy development.

Through contracts with Keres Consulting Inc., Albuquerque Indian Center, Oso Vista Ranch Project, and Rescue Social Change Group:

- A total of 69 tribal communities received baseline assessment call (to assess readiness to take on tobacco control activities in the community and identify technical assistance needs);
- A total of 41 tribal communities participated in community tobacco control meetings, presentations, and events; and,
- A total of 6 public high schools (Shiprock, Kirtland, Jemez Valley, Gallup, Aztec, Newcomb) received technical assistance through Rescue Social Change Group to promote best practices in tobacco-free policies that take a comprehensive approach to controlling tobacco use and preventing nicotine addiction.

Opioid Overdose Prevention Program. Legislation passed in 2016 (SB 262/HB 277), Section 24-23-1 NMSA, allows licensed prescribers to prescribe, dispense, or distribute naloxone under a standing order. The NMDOH has issued statewide standing orders for naloxone for pharmacists, law enforcement agencies, public health offices, registered Overdose Prevention and Education programs, and schools. The goal is to expand access to and increase the availability of naloxone, a life-saving opioid overdose reversal medication. All New Mexicans, including tribal members, can get naloxone from a pharmacy without having a written prescription from a medical provider.

Naloxone information, drug overdose epidemiology data, and community-based drug overdose prevention strategies have been provided to representatives from Ohkay Owingeh, Kewa (Santo Domingo) Pueblo, Nambe Pueblo, Jemez Pueblo, Gallup Indian Medical Center, and the Executive Council of the Albuquerque Area Southwest Tribal Epidemiology Center, which serves all American Indian communities in New Mexico, except those served by the Navajo Tribal Epidemiology Center.

American Indian Health Data

The Epidemiology and Response Division (ERD) has engaged diverse partners in dialogs about the presentation of race and ethnicity data as well as a recent meeting in June to discuss the state of American Indian health data and data sharing. Partners at the state of American Indian health data meeting included Navajo Nation Tribal Epidemiology Center, Albuquerque Area Indian Health Service, and Albuquerque Area Indian Health Board Southwest Tribal Epidemiology Center, and the NMDOH.

Food Deserts in Tribal Communities

In 2015, New Mexico received a technical assistance award from the Aspen Institute's *TeamWork: Leadership for Healthy States* program. This program supported a health-in-all-policies approach to an identified public health issue of mutual interest among diverse government sectors. New Mexico's proposal focused on strategies for reducing tribal food deserts. The project was designed to focus on the relationship of food deserts, local food systems and food insecurity as factors that impact chronic disease risk reduction, prevention, and treatment.

Based on stakeholder feedback from tribal and tribal-serving organizations, the primary strategy to impact food deserts (a geographic area where affordable and nutritious food is hard to obtain, particularly for those without access to an automobile) is to focus on strengthening the business of tribal agriculture. The NMDOH Office of Tribal Liaison sponsored the tribal track for the New Mexico Farmers Marketing Association annual conference, coordinated a resource meeting with tribal farmers and ranchers, and sponsored a tribal roundtable on the launch of the first state agriculture plan coordinated by New Mexico First and New Mexico State University.

Higher Education Department

In the fall of 2017, 10,157 American Indian students were enrolled in public postsecondary institutions in New Mexico [including 1,475 at tribal colleges (Navajo Tech did not report data for Fall 2017)], representing 8.4% of the state's total postsecondary enrollment, among the highest enrollment rates of any state. In the raw number of enrolled Native students, New Mexico trails only California, Arizona, and Oklahoma, states with larger populations.

Trifecta of Reforms

The New Mexico Higher Education Department (HED) in collaboration with public and tribal higher education institutions (HEIs) across the state have set long-term goals to improve 4-year graduation rates, transfer and articulation, and remedial education outcomes. HED is pursuing these goals through the following trifecta of reforms:

1. Redesigning the general education core curriculum.
2. Statewide common course numbering and alignment of lower division coursework; and
3. Developing meta-majors and transfer modules.

All four of New Mexico's tribal higher education institutions, Diné College, Institute of American Indian Arts, Navajo Technical University, and Southwestern Indian Polytechnic Institute, are participating in one or more of the trifecta of reforms.

Private and Proprietary Schools Division¹

The Private and Proprietary School (PPS) division provides oversight and regulation of the private colleges and universities in New Mexico, as required by state law (the Post-Secondary Educational Institution Act, Section 21-23-2 NMSA 1978, as amended). During the 2016–17 school year, nearly 1,500 Native American students were attending 56 private (both for-profit and non-profit) institutions of higher education in New Mexico.

Distance Education

In December of 2017, the department enacted a new administrative code part related to the regulation of distance education in 5.99.1 NMAC. As part of the new regulations, institutions will begin reporting data, including demographic data, sometime in the fall of 2018. New Mexico joined the National Counsel for State Authorization Reciprocity Agreements (NC-SARA) in 2015. In 2017, Navajo Technical University became the first tribal institution in the United States to become a SARA member institution.

Adult Education Division

The New Mexico Higher Education Department Adult Education Division (NMHED-AE) provides free literacy education, workplace readiness, and foundational career development opportunities for all qualifying New Mexico adults. In order to qualify for Adult Education services, participants must be at least 16 years of age, not enrolled (or required to be enrolled) in school and must fall below post-secondary skill levels on at least one NRS-approved assessment.

In the 2016–2017 school year, the Adult Education Division officially served a total of 12,755 adults, and of these 1,321 (10.6 %) were Native American. The NMHED-AE oversees a total of 24 adult education programs around the state: three of these serve an entirely Native American population, including Diné College and Sage Xtreme Learning/Tepayac, acting as a consortium on Navajo Nation and Zuni Pueblo land, and Southwest Indian Polytechnic Institute. Six of the AE programs also maintain remote sites on or adjacent to reservation lands, namely UNM-Gallup, UNM-Los Alamos, NMSU-Grants, NMSU-Alamogordo, ENMU-Ruidoso, and Catholic Charities. UNM-Los Alamos also offers programs at Zia, Jemez, and San Ildefonso Pueblos. Programs on or near reservation lands provide outreach to the nearby

¹ These data reported by the Private & Proprietary Schools Division have not been updated for the 2016-17 school year as new reporting requirements have gone into effect with a deadline after this report is due.

Native American communities and have established collaborative relationships with employment and social services operated by tribal governments.

GEAR UP Division

Gaining Early Awareness and Readiness for Undergraduate Programs New Mexico (GEAR UP NM) provides a range of services to students and their families, including rigorous coursework, dual credit, tutoring, credit recovery, supplemental reading and math instruction, mentoring, college visits, student leadership opportunities, college entrance test prep, and financial aid advising and counseling, including submission of the Free Application for Federal Student Aid (FAFSA). These services are implemented in a variety of ways responsive to local needs in the five largely Native American school districts served by GEAR UP NM.

Capital Outlay

The NMHED understands the importance of maintaining and supporting the campus infrastructure of all publicly funded higher education institution (HEI) in New Mexico. This includes the campuses of the Tribal colleges and universities located within the state. In keeping with the commitments as outlined by the NM Legislature, the NMHED has actively collaborated with the four New Mexico Tribal colleges and universities. Trainings and process improvements have given all of New Mexico's publicly funded colleges and universities, including the Tribal colleges and universities a more efficient and well defined process for managing Capital Outlay funding: \$7.885 million in funding has been provided to the four Tribal colleges and universities through the NMHED since 2015; \$67,144 in funding was provided to the four Tribal colleges and universities through the NMHED in 2016 for use in their academic libraries:

Tribal and Native American Student Organization Outreach

NMHED Cabinet Secretary Dr. Barbara Damron has a long history of successfully working with tribal leaders throughout the state of New Mexico, having developed collaborations with numerous pueblos and tribes in her previous cancer education and research outreach work. Since becoming the NMHED Cabinet Secretary, Dr. Damron has met numerous times with tribal leaders to discuss the higher education needs of the tribes and how NMHED can work more collaboratively with the tribes to assist in the preparation for and attainment of higher education awards and degrees. In addition, Secretary Damron and agency Tribal Liaison, Ms. Otero met with Dr. Martin, the tribal college consortium representative, to discuss implementation of NMHED's trifecta of reforms and Dual Credit. Secretary Damron and Ms. Otero also attended the annual State-Tribal Leaders Summit at Acoma Pueblo on June 6-7, 2018, to discuss higher education initiatives with tribal leaders and arrange future meetings.

Homeland Security and Emergency Management, Department of

The Department of Homeland Security and Emergency Management leads the State's response to emergencies and disasters while providing for the safety and welfare of its citizens. Emergencies and disasters can be defined as something caused by natural or human-made events or any other circumstances determined by the Governor of the State Operations Center, assists local jurisdictions whose capabilities are overwhelmed serving as the conduit for assistance from the Federal Government.

The New Mexico Department of Homeland Security and Emergency Management (NMDHSEM) coordinates State and local representatives and resources during emergencies and disasters by implementing and "all-hazards" approach to emergency management—recognizing and planning for disasters, as well as possible acts of terrorism or pandemics. The Department works to educate and engage representatives from State, local, tribal governments during major emergencies and disasters as well as during planning

initiatives, such as winter weather preparedness activities, disaster warning and emergency public information dissemination.

The Department's program managers and local preparedness coordinators, in coordination with the tribal liaison, regularly communicate with and maintain collaborative relationships with New Mexico's pueblos, tribes and nations. By these actions, DHSEM continues to assist tribal governments in building capacity and capabilities and further enhancing their emergency management programs.

The NMDHSEM continues to provide support, prevention, preparedness, mitigation, response and recovery efforts to reduce loss of life and property and decrease the effects of disasters. Damage from wildfire and post-fire flooding continues to be the most significant hazard to tribal communities in New Mexico.

Under the Sandy Recovery Improvement Act of 2013, tribal leaders may request a Major Disaster Declaration directly from the President. In coordination with the local and tribal jurisdictions, state and federal partners, and non-governmental organizations (NGOs), the NM SEOC continues to remain actively involved with maintaining situational awareness for recovery and mitigation activities.

Human Services Department

The mission of the Human Services Department (HSD) is to reduce the impact of poverty on people living in New Mexico by providing support services that help families break the cycle of dependency on public assistance.

The HSD administers numerous programs to support and improve New Mexican's health and economic well-being. Many Native Americans in New Mexico are served through these programs. The HSD *State-Tribal Consultation, Collaboration and Communication Policy* requires consultation when tribal impact is determined to be present in policy and rulemaking. Native American tribes and tribal members as citizens of New Mexico rely upon the State Tribal Collaboration Act (STCA) as a statutory commitment of New Mexico state government to work with tribes on a government-to-government basis to better collaborate and communicate on issues of mutual concern.

The Native American Technical Advisory Committee (NATAC) established by HSD, is comprised of appointees by tribal leaders. Indian Health Service (IHS) management and HSD representatives working on issues of common concern and policy making with the Medical Assistance Division (MAD) and Income Support Division (ISD). The Behavioral Health Services Division (BHSD) is a leading participant in the Native American Sub-Committee (NASC) of the Behavioral Health Planning Council, which addresses prevailing issues in behavioral health.

Innovative tribal healthcare initiatives are underway at HSD. As the single state agency for New Mexico's Medicaid program, HSD has federal authority to operate a Medicaid managed care program through its Section 115 Demonstration Waiver. The waiver is currently pending renewals with the Centers for Medicare and Medicaid Services (CMS) effective January 1, 2019.

The 100% Federal Medical Assistance Percentage (FMAP) project reinterprets the payment policy of CMS with respect to services "received through" an IHS/tribal facility, expanding the scope and nature of services that qualify for the matching rate. The policy is intended to help states, IHS, tribes and Urban Indian Health Programs (UIHPs) improve the delivery of healthcare to American Indians and Alaska Native (AI/AN) Medicaid beneficiaries by increasing access to care and strengthening continuity of care.

The Medical Assistance Division, the Income Support Division, and the Child Support Enforcement Division and the Behavioral Health Services Division provide enrollment data for AI/ANs in HSD programs, and data for division trainings, policy communication and consultations.

Human Services Department Agency Overview

The NM Human Services Department (HSD) manages a budget of approximately \$7 billion dollars in state and federal funds and administers services to more than 800,000 low-income New Mexican through a variety of programs and services.

HSD Divisions and Programs

Medical Assistance Division (MAD)

- Medicaid and Children's Health Insurance Program (CHIP)
- Medicare Savings Programs

Income Support Division (ISD)

- Supplemental Nutrition Assistance Program (SNAP)
- SNAP Education Program (SNAP-Ed)
- Temporary Assistance for Needy Families (TANF)
- The Emergency Food Assistance Program (TEFAP)
- Schools Commodity Foods Program
- Meals for Homeless People
- General Assistance for low-income individuals with disabilities
- Community Services Block Grant (CSGB)
- Refugee Resettlement Program (RRS)
- Low-Income Home Energy Assistance Program (LIHEAP)

Child Support Enforcement Division (CSED)

- Child Support Establishment and Enforcement

Behavioral Health Services Division (BHSD)

Behavioral Health Services (mental illness, substance abuse and compulsive gambling)

*HSD is also a key member of the NM Behavioral Health Collaborative and works across state agencies to collaborate on behavioral health issues.

Indian Affairs Department

Since 2003 the New Mexico Indian Affairs Department (IAD) has implemented ground-breaking state-tribal policies intended to improve the quality of life for the state's Indian citizens. IAD's policy initiatives are designed to strengthen tribal and state relations and address challenges such as economic development, infrastructure improvement, protection of languages and culture, health care accessibility, and educational opportunities for our most precious resource, our children.

The IAD is the first cabinet-level state Indian affairs department in the nation and is the state government's coordinating agency for ensuring effective interagency and government-to-government relations with the New Mexico tribes, nations and pueblos. The mission of the IAD is to support the tribal

communities' efforts to meet their challenges and expand their opportunities, leverage state resources for tribal benefit, and work to create vital relationships across state, tribal, philanthropic, educational and private sectors for the New Mexico Indian tribes, nations and pueblos. Currently, twenty-three (23) federally recognized tribes, nations and pueblos are located in New Mexico. These include nineteen (19) pueblos (the Pueblos of Acoma, Cochiti, Isleta, Jemez, Laguna, Nambe, Ohkay Owingeh, Picuris, Pojoaque, San Felipe, San Ildefonso, Sandia, Santa Ana, Santa Clara, Santo Domingo, Taos, Tesuque, Zia and Zuni); two (2) tribes (Mescalero Apache and Fort Sill Apache); and two (2) nations (Navajo Nation and Jicarilla Apache Nation).

Pursuant to the State-Tribal Collaboration Act of 2009 (STCA), the IAD's activities from July 1, 2017–June 30, 2018, representing fiscal year 2018 (FY2018), are presented herein. The IAD supports tribal communities by participating in boards, commissions and committees; testifying at hearings for proposed legislation; providing tribal project funding through legislative appropriation; providing technical and project support; and providing grants to tribal programs through special project funding that focus on language and culture programs, tribal veterans outreach programs and pilot projects. In partnership with the NM State Personnel Office, the IAD also provides cultural competency training for state employees.

The IAD leverages and administers state funding provided through legislative appropriation for New Mexico's tribes, nations and pueblos towards tribal infrastructure fund (TIF) and capital outlay projects. Currently, IAD manages and monitors a total of fifty (50) active TIF projects totaling over \$31.2M, with nine (9) design/construction projects awarded in FY2018 in the amount of \$8.8M. Forty-five (45) TIF projects were successfully closed this past year. The IAD currently manages and monitors a total of eighty-seven (87) active capital outlay projects on tribal lands, totaling over \$8.4M, with 34 capital outlay projects in the amount of over \$3M appropriated in FY2018. Seventy-two (72) capital outlay projects were successfully closed in FY2018.

Lastly, the IAD creates vital relationships benefitting tribal communities through coordinating a tribal liaison program that provides communication and collaboration across state agencies and organizing a state-tribal leaders summit on an annual basis that allows key delegates from the state's executive branch and tribal leaders to address issues of mutual concern and identify policy and agenda initiatives for the coming year. The IAD hosts the annual Indian Day at the State Legislature and a networking reception the evening prior.

Information Technology, Department of

The New Mexico Department of Information Technology (DoIT/Department) serves as the single executive branch agency to consolidate enterprise information technology (IT) services and provide additional services and functionality to improve IT systems in the executive branch.

The Department provides IT and public safety telecommunications-enterprise products, services and solutions with the goal of improving and streamlining State IT and land mobile radio (LMR) systems with the goal of consolidating services to promote cost savings and efficiency. The Department operates the State Data Center and provides state agencies communication infrastructure including voice, radio, video, and data services. The Department coordinates broadband and geospatial activities within New Mexico that consolidates resources into statewide actionable solutions. The Department is dedicated to improving services, maintaining security and building a stronger technical infrastructure that helps state government better serve the public.

While the vast majority of the services provided by the Department are internal to state government, the degree to which these services have an indirect and at times a direct impact on native nations are within

a collaborative model. Moreover, with an increasingly connected populace, the services the Department provides may be leveraged by other entities. Where possible, the Department seeks to assist tribal interest to leverage IT investments and strategically move forward in new technological arenas. In an era where efficiency is important to provide citizens with the services they deserve, the Department continues to excel in offering innovative solutions for cost-savings and standardization.

The Department engages participation with tribal communities in various information technology initiatives. Where appropriate the Department will assist tribal communities in collaborative opportunities to support telecommunications, public safety, and geospatial technologies within the state.

The Department has some collaborative projects with tribal communities in the areas of Broadband Planning, Telecom Public Safety, Video Quality in Public Safety (VQIPS), IT department development, and Geospatial Technologies. Tribal inclusion on DoIT hosted committees that support these initiatives provide a seamless discussion with regards to statewide solutions in communications and mapping. These efforts are reflected in tribal engagement with the Governor's Broadband for Education (BB4E) Initiative, the Department's Geospatial Advisory Committee (GAC), and in planning for the deployment of the nationwide public safety broadband network (NPSBN). The Department also has a National Tribal Liaison that engages North American Tribes on Geospatial Issues on behalf of the National States Geographic Information Council (NSGIC). Lastly, a DoIT representative serves the Southwest Indian Polytechnic Institute (SIPI) in an educational advisory role.

Military Affairs, Department of

The New Mexico Department of Military Affairs (DMA) is a cabinet-level agency that provides infrastructure support to the New Mexico National Guard (NMNG). In support of the NMNG vision, the DMA provides the necessary infrastructure required to support the Army and Air National Guard, State Defense Force and Civil Air Patrol missions. The DMA optimizes the use of all facilities, ranges and installations.

On 27 October 1999, the Department of Defense (DoD) promulgated its annotated American Indian and Alaska Native Policy, emphasizing the importance of respecting and consulting with tribal governments on a government-to-government basis. The policy requires an assessment, through consultation, of the effect of proposed DoD actions that may have the potential to significantly affect protected American Indian tribal resources, American Indian tribal rights, and American Indian lands before decisions are made by the services.

DMA AI/AN Programs and Services

The DMA/NMNG offers a Youth Challenge Camp, a boot-camp program for at-risk youth. This camp offers structure, discipline, and a chance for troubled youth to turn their lives around. Although not conducted exclusively for Native American youth, many Native youth have benefitted from this opportunity.

The New Mexico National Guard Anti-Drug Unit has taken its climbing wall and Anti-Drug message to many functions and locations, and is available to all pueblos, tribes and nations in New Mexico.

The NMARNG has in the past worked on developing a program which would allow NMRNG personnel and equipment (e.g. graders, front-end loaders) to be used on tribal land to assist tribes with infrastructure improvement issues.

Main agency accomplishments and challenges regarding tribes

The NMARNG has conducted consultations with interested tribes concerning training land surveys and clearances.

The NMARNG has in the past invited New Mexico tribes, pueblos and nations to a meeting to discuss topics of interest to the tribes and provided information on the NMARNG's stewardship practices.

The NMARNG has cooperated with various pueblos, tribes and nations on numerous issues in the past and will stand by for future endeavors.

Public Education Department

The New Mexico Public Education Department (PED)—through its various divisions and bureaus—has been actively engaged with pueblos, tribes, nations, and the school districts serving American Indian students. The purpose of this report is to provide information required by the Indian Education Act and State-Tribal Collaboration Act to stakeholders involved with Indian education in New Mexico. The PED remains committed to ongoing collaboration and communication with the pueblos, tribes, nations and urban Native American communities in New Mexico.

Pursuant to the Indian Education Act, the PED Communication and Collaboration Policy also recognizes the role of the Indian Education Advisory Council in advising the Public Education Secretary and Assistant Secretary of Indian Education on implementation of the provision of the Indian Education Act. The 16-member council consists of representatives of the Navajo, Apache, and Pueblo nations; urban areas including Albuquerque, Gallup, and Farmington; as well as representatives from the Bureau of Indian Education, a Head Start organization, and the general public—at least one of whom shall be non-tribal, but all of whom shall have knowledge of, and involvement in, the education of tribal students. The purpose of this duly-appointed group of individuals is to provide advice and recommendations on matters relative to agency policies, programs, and services.

Indian Education Division 2018 Collaborative Activities

In December 2015, the Every Student Succeeds Act (ESSA) was adopted as the primary law governing K–12 education in the United States. ESSA requires each state to submit a plan that is aligned with the requirements of the new law. The New Mexico PED initiated formal consultation with tribal leaders, tribal administrators, and community members to gain tribal input into the New Mexico ESSA state plan. Over the course of two government-to-government meetings and one additional tribal consultation, tribal leaders were given the opportunity to learn more about ESSA; share concerns, priorities, and expectations with PED leaders; and help the PED set goals for increasing the success of our Native American students. Also, prior to the ESSA consultations, the Indian Education Division, in collaboration with the PED's Federal Programs Division, provided tribal leaders and tribal education department staff with a pre-ESSA workshop to help facilitate a meaningful discussion at the government-to-government meeting and Indian Education Summit. The feedback at the fall 2016 Government-to-Government meeting was facilitated by New Mexico First, a public policy organization that assists communities with important, impactful issues. The findings from the fall consultation were recorded in a final report issued by NM First, "Engaging our Communities for Excellence in Education" and distributed both locally and statewide. The report was additionally used to inform the PED's development of the state plan. In August 2017, the NM ESSA consolidated state plan, that continued to include tribal consultation for title programs, was adopted by the USDOE.

The ESSA created the opportunity for the PED to re-engage with tribal leaders and key stakeholders on major initiatives, while considering how to continuously refine educational systems and best support educators.

- **Tribal Consultation.** The Indian Education Division (IED) developed a process for ensuring meaningful tribal input at the local level to address the ESSA requirements for title programs, affirmation of tribal consultation, and general consultation.
- **Section 8538** requires that affected local educational agencies (LEAs) consult with Indian tribes, or those tribal organizations approved by the tribes, located in the area served by the LEA and prior to submitting a plan or application for programs covered by §8538. This requirement is designed to ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students. The consultation must be done in such time that provides the opportunity for appropriate officials from Indian tribes or tribal organizations to meaningfully and substantively contribute to plans under programs covered by §8538.
- **Assessment.** The IED has created opportunities for tribal communities to develop assessment in heritage languages—through both State and Federal competitive funding.
- **Support the Lowest-Performing Schools.** The IED:
 - identified those schools at the bottom 5 percent of graduation rates and additionally those below 67 percent graduation rate through comprehensive school identification;
 - identified those schools with low-performing subgroups through targeted school identification; and
 - provided additional support for Native American student achievement through direct student services.
- **Excellent Educators for All.** The IED has worked in collaboration with Educator Quality Bureau to ensure that all students have access to highly effective and exemplary educators throughout the course of their academic careers via educator equity.
- **Cultural Competency Training.** The IED has created and launched a pilot cultural competency training that provides support to school districts and New Mexico tribes in developing understanding of native culture and history and the importance of native languages; it has been designed for tribal and nontribal students and approved by New Mexico tribes.

Indian Education Division 2018 Collaborative Activities

The PED's IED has been engaged in the following conferences, workshops, information sessions, activities, and formal agreements to improve education achievement of and accountability for American Indian students in New Mexico. The IED has:

- convened the 22 NM tribes/pueblos/nations, school districts, tribal education departments, educators, parents, and students at the fall and spring semi-annual government-to-government summits. During these, the PED and its bureaus provided hands-on trainings, including for policies and procedures on Impact Aid, Tribal Education Department support, NM social studies curriculum, program management, and technical assistance on tribal language and bilingual programs. An approximate 200 participants attended each of the government-to-government summits.
- partnered with the Regional Technical Assistance Center, South Central Comprehensive Center (SCCC—based at the University of Oklahoma), which identifies and provides technical

assistance to tribes/pueblos and school districts through the NM PED-IED. The SCCC provides resources to school districts in Oklahoma, Arkansas, Louisiana, and New Mexico for the Common Core State Standards, assessment, culturally-relevant curriculum, and other areas of need identified through the respective state education agencies. The SCCC provided guidance throughout the fiscal year by identifying resources for assessment, culturally-relevant curriculum, and other areas of need through the respective state education agencies.

- convened required meetings of the Indian Education Advisory Council (IEAC). Members of the IEAC and the IED staff have adopted IEAC bylaws for a proposed advisement action-planning process for Indian education in New Mexico.
- met regularly with tribal and pueblo leadership throughout the year. The secretary and staff of IED meet with tribal and pueblo leaders semi-annually, in compliance with the government-to-government provisions of the Indian Education Act. Individual tribal/pueblo leadership meetings are additionally held to allow for presentation; discussion; and questions and answers related to Indian education funds, NM social studies curriculum, Impact Aid, language activities, the priorities of the IED, and other areas of concern and interest.
- convened trainings and technical assistance for schools and tribes participating in the Early Warning System for elementary, middle, and high schools.
- celebrated the New Mexico Indian Education Act 2003 – 2018. Stakeholders convened to celebrate 15 years of the enactment of the statute while recognizing the sponsors of the act Former State Representative Ray Begaye and Former State Senator Leonard Tsosie.

On July 8, 2016, the PED approved and adopted its Collaboration and Communication Policy in compliance with the State-Tribal Collaboration Policy. Implementation of the policy requires a constant and ongoing government-to-government relationship between the tribes, pueblos, and nations of New Mexico and the PED. The many collaborative outreach activities with tribes and pueblos are a reflection of the PED's commitment to engage in meaningful dialogue that improves the opportunities for American Indian students to succeed both academically and culturally.

Public Safety, Department of

The NM Department of Public Safety (DPS) protects human life and property through the detection and prevention of criminal activity and enforcement of state laws and regulations. Additionally, the NM DPS provides vital leadership, scientific, training, technical, and operational support to the criminal justice community and the public at large.

The DPS provides law enforcement services for the citizens of New Mexico through the department's divisions of State Police, Special Investigations and Commercial Vehicle Enforcement. The NM DPS/NMSP exists to promote a safe and secure environment for the State of New Mexico through intelligently led policing practices, vital scientific and technical support, current and relevant training, and innovative leadership for our greater law enforcement community.

The New Mexico Department of Public Safety's (NM DPS) primary concern and on-going areas of concern continues to be the challenge surrounding criminal jurisdiction and the coordination of law enforcement efforts by state and tribal officers within, and surrounding, New Mexico's Native American communities.

The department recognizes that more consistent and coordinated law enforcement efforts would go a long way in reducing DWI, drug-related crimes, and domestic violence, violence against children, and other

violent crimes. In addition to law enforcement efforts designed to address domestic violence, DPS participates in meetings with the Tribal-State Judicial Consortium to promote the national initiative known as Project Passport, which is designed to improve recognition and enforcement of orders of protection for victims of domestic violence within and between states and tribes.

The following Tribes and Nations have accepted the use of the First Page Program: Laguna Pueblo, Nambe Pueblo, San Felipe Pueblo, Santa Clara Pueblo, Zuni Pueblo, and the Navajo Nation. Each year the department holds an annual training for all law enforcement officers and its personnel in Sex Offender Awareness and related issues.

The department continues to build partnerships with the governments of New Mexico's pueblos, tribes, and nations by commissioning tribal officers as New Mexico Peace Officers under Statute 29-1-11, communicating with tribal officers and officials during incidents involving tribal jurisdiction, participating in forums that discuss state-tribal issues, and participating in cultural events, and other similar collaborative efforts.

In the latter part of 2013 and early 2014, NMDPS collaborated with SPO, and Mr. Milton Bluehouse, Jr., a consultant to create a refined and functional cultural competency training course for DPS employees, who through their assigned work as a state employee, interact regularly with members of New Mexico's 22 tribes and Pueblos. This training program, the only one in the state and country, has become the center piece accomplishment of DPS, as training, education, and cultural awareness are priorities for our employees. Also hallmarked in this reporting period, is the continued enrollment of DPS LEP Commissioned Officers to attend the BIA – OJS sponsored Criminal Justice in Indian Country Training Course. This 24-hour training course provides each attendee with extensive training and education on Federal Indian Law and Tribal Sovereignty education.

During this reporting period we will have sent approximately 144 commissioned personnel through this training and begun the application process for these employees to receive a Special Law Enforcement Commission (SLEC) with the Bureau of Indian Affairs, thus granting our officers commissions as federal officers when called upon by the Jicarilla Apache Nation, Zuni Pueblo, or Ramah Navajo to perform law enforcement duties within their sovereign jurisdiction.

The overall benefit of the SLEC commission to this agency and sovereign nations alike is that it provides conduit for state and tribal law enforcement to communicate with one another and to work together to provide services. This commission also provides civil liability protections in the form of federal tort protection, to each respective government, and to the employees performing the law enforcement function. This program is a win-win program; agencies and officers receive advanced training to perform law enforcement functions and sovereign communities receive timely and efficient law enforcement services.

While the department recognizes the need for more consistent and coordinated law enforcement efforts, the department also recognizes the importance and necessity of tribal sovereignty, traditions, and customs. As stated earlier in this executive summary, since 2012, DPS focused on assuring its law enforcement leaders and line personnel within the Law Enforcement Program attended the original 8-hour Cultural Competency Training. Since July 14, 2014, all commissioned officers from New Mexico State Police and our civilian personnel, have attended the new DPS-Specific Cultural Competency training.

Jurisdictional issues will continue to present challenges in forging viable cooperative government-to-government agreements with respect to state/tribal collaborative law enforcement efforts. The department's primary focus, therefore, is to continue its collaborative efforts with New Mexico's pueblos, tribes, and nations to work toward long-lasting commissioning of officers, education, and coordinated efforts as our

mission is to provide quality services and professional response to all citizens who request services from DPS.

In 2013 to present, we continue to participate in quarterly Tribal Chiefs of Police meetings sponsored by the BIA Office of Justice Services. These meetings provide opportunity for personal vis-à-vis communication that shows and reinforces genuine commitment from DPS to the state's tribes and pueblo police agencies.

Three primary accomplishments from these quarterly meetings so far are:

1. The opening of dialogue to find common ground / reciprocity between the training mandates from the Federal Law Enforcement Training Academy (FLETC) and NM DPS Law Enforcement Academy.
2. Amber Alert Training to all Tribal and Pueblo Chiefs of Police, and the institution of Tribal Amber Alert Programs.
3. The opening of dialogue with all Tribal Chiefs of Police on the establishment of cross-commissioning with DPS and the positive outcomes of entering into SLEC resolutions. All three discussion points stated above have proved fruitful and dialogue continues to grow between DPS and the states' tribes and pueblos.

Regulation and Licensing Department

The mission of the Regulation and Licensing Department (RLD) is to ensure that licensed New Mexico businesses and professionals provide quality care and services to all their clients. When visiting a dentist for a cleaning, sitting in the barber's chair for a trim or trying to read the alphabet chart for an eye exam, you may take for granted the qualifications of professionals providing these services, but the RLD does not. The RLD is in the business of ensuring that New Mexicans receive quality care and services from qualified individuals and businesses in 35 different industries, professions and trades. We touch everyday activities of every New Mexican, while ensuring fair and prompt administrative processes to help spur economic development.

The RLD certifies and regulates over 400,000 individuals and businesses across New Mexico that fall into the following Divisions:

- Alcohol and Gaming Division
- Boards and Commissions Division
- Construction Industries and Manufactured Housing Division
- Financial Institutions Division
- Securities Division

RLD can offer inspection, regulatory services and technical advice to tribes, but the agency has no jurisdiction, regulatory or enforcement authority on tribal lands. To find out more about the New Mexico Regulation and Licensing Department and the services we offer, please visit our website at: www.rld.state.nm.us.

State Engineer, Office of the

The State Engineer is statutorily charged with supervising the state's water resources through the measurement, appropriation, and distribution of all ground and surface water in New Mexico, including streams and rivers that cross state boundaries. Created as the Office of the Territorial Irrigation Engineer in 1905, seven years before statehood, the agency assumed responsibility over all surface water in 1907 and was renamed the Office of the Territorial Engineer. With statehood in 1912, the organization's responsibilities were expanded again to include all groundwater within declared groundwater basins – now 100 percent of the state – and the office was renamed the Office of the State Engineer.

The State Engineer's approval is required for every use of water in New Mexico. State Engineer permission is needed to make a new appropriation, drill a well, divert surface water, or change the place or purpose of use of an existing water right. The Office of the State Engineer acts on water rights applications, evaluates existing water rights, measures and tracks water use and resources, promotes conservation, and performs the scientific, historical and legal research needed to support all its activities. Additional duties include reviewing subdivision water supply plans submitted by counties, licensing water-well drillers, inspecting non-federal dams, and rehabilitating diversion dams and irrigation ditches.

Although separate under state law, the Interstate Stream Commission staff members function as a division within the Office of the State Engineer. The State Engineer, appointed by the Governor and confirmed by the state Senate, serves as the secretary of the Interstate Stream Commission. The Interstate Stream Commission Director serves as the deputy state engineer. The Legislature created the Interstate Stream Commission in 1935 and gave it broad powers to investigate, protect, conserve and develop the state's water supplies. Its separate duties include protecting New Mexico's right to water under eight interstate stream compacts and ensuring the state complies with each of those compacts, as well as developing and promoting regional and statewide water planning.

Water management in New Mexico is guided by several 100-year-old principles in the New Mexico Constitution: (1) All un-appropriated water belongs to the public and is subject to appropriation by law. (2) The acquisition or continuation of a water right and where and how much water can be used is dependent on how the water is put to beneficial use. (3) Older water rights have priority over more recent water rights. Since 1907, a permit from the State Engineer has been required to divert surface water and put water to beneficial use. Permits are required for diverting groundwater anywhere that the State Engineer has declared a groundwater basin, which is now the entire state of New Mexico.

The Office of the State Engineer processes some 19,000 water rights documents a year, with the overwhelming majority involving groundwater. Currently, a third of the applications for new appropriations of groundwater concern domestic or stock uses. More than 100 applications a year draw protests and are then subject to a formal hearing process.

Water management in New Mexico is complicated by the state's long history. Some uses have been in place for centuries, some before written records or water laws. Another key activity of the Office of the State Engineer is legally establishing existing water rights through water rights adjudication. This court process is required by statute and is akin to a quiet title suit for establishing a clear title to land. The first phase of adjudication is a hydrographic survey to locate, quantify and date water uses within a stream system or underground aquifer. The second, or legal, phase of an adjudication starts with the filing of a lawsuit that names water right owners as defendants and ends with a court order that delineates the parameters and priority of each owner's water right. The process provides the water right owners with opportunities to challenge the state and each other and in almost all cases the preference is to negotiate. The

Office of the State Engineer is involved in numerous adjudications, some of which were decades old but to date several have been resolved and are in some level of implementation.

Water management in New Mexico is further complicated by the scarcity of the supply and the eight interstate stream compacts. New Mexico is under pressure to meet its water delivery obligations to other states. Failure to comply can and often does result in litigation. For example, the U.S. Supreme Court in 1988 ordered New Mexico to pay damages to Texas for New Mexico's failure to meet its delivery obligations on the Pecos River and a court-appointed river master monitors New Mexico's ongoing compliance.

Optimal management of New Mexico's water is dependent on good information and planning. Those needs have been highlighted both by the increasing demand placed on the limited resource by a growing population and by the added stress of a drought. Office of the State Engineer staff are developing more sophisticated tools for measuring and monitoring water resources, and in 2003 adopted a statewide water plan. More recently the agency has been active in the development of regional water plans over the past few years.

The Native American Water Resources Program, created by the governor in 1995, is aimed at promoting a spirit of coordination, communication, and good will between tribal and state governments as separate sovereignties. Under Governor Bill Richardson's administration, a statement of policy and process was signed with the 19 New Mexico Pueblos to work in good faith to amicably and fairly resolve issues and differences in a government-to-government relationship. This policy and process also extends to other tribes and nations within New Mexico.

Rights to water on Indian grant lands and reservations in New Mexico fall within one or a combination of three different doctrines: pueblo historic use water rights, Federal Reserve water rights, or water rights established under the laws of the state of New Mexico. Water rights administration, litigation and negotiation leading to a settlement of rights to water are exceedingly complex when Native American water rights are involved.

The Native American Water Liaison deals with matters related to adjudication of tribal and pueblo water rights, negotiations regarding these rights, and assistance to the individual tribes and Pueblos. The Liaison's role is to advocate equal protection of all water users, emphasizing conservation and the development of feasible alternative water supplies. An important goal is to resolve disputes between the state of New Mexico and Indian pueblos, tribes, and nations, without costly litigation. While the State Engineer began adjudicating water rights on tributaries to the state's major rivers more than 30 years ago, the water entitlements for most of the state's 22 Indian pueblos, tribes, and nations have not been quantified.

State Personnel Office

State Personnel Office (SPO) Efforts to Implement State-Tribal Collaboration Act Policy, Pursuant to the State-Tribal Collaboration Act (STCA): SPO, in collaboration with the Indian Affairs Department (IAD), is to provide cultural competency training that is consistent with the needs of tribal and state governments. The cultural competency training program is offered to all state employees who have ongoing communication with Indian nations, tribes, or pueblos. SPO Training and Development Bureau maintains oversight, guidance, and compliance with the STCA.

Current programs and services include the continued deployment of training and tracking of data to ensure that all state agency managers and employees who have ongoing communication with Indian nations,

tribes, or pueblos complete cultural competency training. Since the cultural competency deployment in 2010, approximately 3,674 state employees were trained. In FY18, 478 state employees received training.

The SPO's efforts in FY2018 to communicate, collaborate and consult with tribes as described in the Tribal Collaboration and Communication Policy was to ensure the training developed in collaboration with IAD remains aligned with the needs of tribal and state governments.

Taxation and Revenue Department

The mission of the New Mexico Taxation and Revenue Department is to administer and enforce New Mexico's tax and revenue laws which provide the funds necessary to operate state and local governments for the benefit of all New Mexicans. The Department also administers the motor vehicle and drivers licensing code. The Department is the unclaimed property administrator for the state of New Mexico. The Taxation and Revenue Department was created by the Taxation and Revenue Department Act (Chapter 9, Article 11 NMSA 1978) to establish a single, unified department to administer all laws and exercise all functions relating to taxation, revenue and vehicles charged to the department. The constituencies of the department include other state agencies, counties of New Mexico, taxpayers (both private and business), and legislators.

TRD processes approximately \$6.25 billion annually in revenues from the general public. This includes revenues received for the various tax programs administered by the Department but not fees received from Motor Vehicle Division. Revenues received are deposited with the State Treasurer and distributed to the State General Fund and other recipients (Road Fund and local cities/counties) as designated by law.

There are a number of statutory provisions administered by the Taxation and Revenue Department that are related to tribes, tribal entities and tribal members. Some of these provisions represent statutory recognition of tribal sovereignty and the limitation the principle of tribal sovereignty places on the State of New Mexico's authority to impose and collect taxes. Other provisions provide for exemptions or deductions from tax for taxpayers selling goods or providing services to tribes. Additionally, there are several statutory provisions which permit the Department to enter into cooperative agreements with tribes to provide for the cooperative administration and collection of taxes.

In 2009, the Department officially adopted its Tribal Collaboration Policy pursuant to the requirements of the State-Tribal Collaboration Act. The Department's policy expresses the fundamental principles that are to guide the Department as it interacts with the sovereign tribal governments and individual tribal members and entities. The principles are designed to:

- Require the Department to recognize and respect the sovereignty of tribes in New Mexico;
- Encourage positive government-to-government relations between the Department and tribal governments and entities;
- Develop means and processes to efficiently and effectively address tribal issues and concerns that relate to the Department's regulatory activities;
- Promote collaboration between the Department and tribal governments, entities and members during the development of policies or procedures and work towards the mutual resolution of tribal issues and concerns;
- Encourage communication between the Department and tribal governments and entities using both formal and informal means.

The adoption of its Tribal Collaboration Policy clarifies and restates the Department's commitment to engage in collaboration with New Mexico's tribes. Its adoption emphasizes the importance effective interaction and communications as a part of the Departments regulatory functions and duties.

Tourism Department

New Mexico True is the celebration of all the things that make New Mexico unique, special and different from any other place in the world. Through our promise to deliver "Adventure steeped in culture," the New Mexico True campaign has seen tremendous success in bringing more visitors to New Mexico and getting more New Mexicans to travel within our state. Our state's cultural heritage is very important to the Department and its campaign. The Department is bringing attention to tribal communities that have a desire to increase tourism, while emphasizing the importance of cultural sensitivity and respect to ancient traditions through advertising, public relations, regional marketing boards, features in the New Mexico Magazine, outreach, visitor information centers, funding opportunities and providing research/data.

All tribal communities and enterprises are encouraged to connect with our Communications Division. We are always looking for additional ways to share the beautiful culture of the tribes and pueblos of New Mexico.

Transportation, Department of

The New Mexico Department of Transportation (NMDOT) continues to maintain a proactive government-to-government working relationship with state tribal entities, addressing the tribes' specific needs and concerns relative to transportation, in coordination with the NMDOT's District Offices and various Divisions. In addition, the NMDOT established the Tribal Coordinating Committee (TCC) as part of the Department's work on updating its long-range transportation plan, the New Mexico 2040 Plan (2040 Plan). The NMDOT intends to reconvene the TCC in 2019 or 2020, as well as other selected statewide committees involved in development of the 2040 Plan, to assist with updating the Plan.

The 2040 Plan contains a unified vision, goals, policies and actions developed through a robust and transparent public involvement process. The 2040 Plan meets the regulatory requirements of the federal transportation bill, Moving Ahead for Progress in the 21st Century Act (MAP-21), to establish a data-driven, performance-based strategic framework that will guide decision-making at all levels within NMDOT and New Mexico's Metropolitan Planning Organizations (MPOs) and Regional Transportation Planning Organizations (RTPOs). The Plan will be updated to comply with regulatory requirements in the current transportation bill, the Fixing America's Surface Transportation Act (FAST Act), passed in 2015. The 2040 Plan meets the requirement for each state to develop a long-range plan based on a wide and diverse stakeholder input, which addresses multiple modes of transportation; is statewide in scope; and has a 20-year minimum horizon.

Tom Church, NMDOT Cabinet Secretary, continues to improve government-to-government working relationships with tribal governments and their representatives in the process of addressing specific concerns and common interests, including his assignment of key administrative staff to participate in the 2018 State/Tribal Leaders Summit. The current Departmental administration has continued the commitment to the principle of partnership with tribal governments by recognizing, respecting and supporting the unique sovereign status of the tribes and pueblos of New Mexico.

The NMDOT's vision, articulated in the 2040 Plan is "A safe and sustainable multimodal transportation system that supports a robust economy, fosters healthy communities and protects New Mexico's environment and unique cultural heritage. The Department's goals are as follow:

- Operate with Transparency and Accountability
- Improve Safety and Public Health for All System Users
- Preserve and Maintain Our Transportation Assets for the Long Term
- Provide Multimodal Access and Connectivity for Community Prosperity
- Respect New Mexico's Cultures, Environment, History and Quality of Life

Former NMDOT Cabinet Secretary, Gary Giron, formally signed and adopted the State-Tribal Consultation, Collaboration and Communication Policy on December 18, 2009, and since that time NMDOT has continued its commitment to the principle of partnership with tribal governments. NMDOT recognizes respects and supports the unique sovereign status of the tribes and pueblos in New Mexico. NMDOT strives to be a national leader in developing government-to-government relations on all matters of transportation in a consultative manner that is respectful of each tribe's culture and traditions.

In accordance with the provisions of the State Tribal Collaboration Act (STCA) on partnership with tribal governments, NMDOT has, with the assistance of its Tribal Liaison, Ron D. Shutiva, pro-actively consulted with the tribal entities in addressing their transportation concerns and needs.

Veterans' Services, Department of

The mission of the New Mexico Department of Veterans' Services is to assist veterans, their widows, and their children in establishing the privileges, which they are legally entitled. The Department is a state government agency statutorily created in 2003 to provide veterans with a cabinet-level agency to address their needs. Department services are partitioned into four divisions and four programs, aggregated by common statutory purpose and outcome.

The New Mexico Department of Veterans' Services (the Department) participated in relevant aspects pertaining to the State Tribal Collaboration Act (NMSA 11-18-3 NMSA 2009) during the New Mexico State Government's fiscal year 2018. The Department participated in both formal and informal interaction with several pueblos, tribes and indigenous nations throughout the state and region.

The Department is committed to promoting fixable exchange between Department personnel, Department administration, and pueblos native nations and tribes. However, the Department routinely collaborates with native nations, tribes and pueblos in mutually beneficial projects for implementation of our respective veterans' programs.

Workers' Compensation Administration

The Workers' Compensation Administration (WCA) provides for timely resolution of disputes in accordance with the law and ensures through educational and regulatory efforts that employers, workers, and their representatives comply with the law. The mission of the WCA is to ensure the quick and efficient delivery of indemnity and medical benefits to injured workers at a reasonable cost to employers. The WCA tribal liaison's role is to assist in the overlap in jurisdiction between sovereign nations and state regulatory matters.

The WCA is willing to assist with any questions regarding benefits or compliance with the New Mexico Workers' Compensation Act. Director Darin Childers and Tribal Liaison, Assistant General Counsel, Craig C. Kling, work towards building working relationships with individual tribes and all the sovereign nations collectively.

Workforce Solutions, Department of

In 2007, the New Mexico State Legislature passed House Bill 1280 thereby creating the New Mexico Department of Workforce Solutions (DWS). The legislation combined all functions and staff of the Governor's Office of Workforce Training & Development with all functions and staff of the New Mexico Department of Labor. Although DWS has experienced several name changes over the years, the mission of the department remains unchanged – to provide workforce services to the citizens of New Mexico.

The federal government provides 77.8% of the New Mexico Department of Workforce Solutions total operating budget currently. A combination of General Fund and other State Funds make up the remainder to funds for department operations. A total of 2,859 female and 2,812 male AI/AN job seekers for a total of 5,671 AI-AN job seekers were served in in FY2018 by the NMWCC. The Employment Services Division (ESD) is responsible for connecting employers to qualified candidates, as well as connecting job seekers to available job openings. The division has two bureaus: the Workforce Services Bureau (WSB) and the Business Development and Outreach Bureau (BDO).

Workforce Services Bureau: The Workforce Services Bureau (WSB) is funded by the US Department of Labor (USDOL) Wagner-Peyser and Veteran grant funds. WSB staff provides front-line employment services to veterans, job seekers, and businesses and are located throughout the state in over 20 communities. The WSB is a partner in all the state's New Mexico Workforce Connection Centers (NMWCC) and works collaboratively with the Local Workforce Development Boards. Services Bureau (WSB) and the Business Development and Outreach Bureau (BDO).

Business Development & Outreach Bureau: Work Opportunity Tax Credit (WOTC) is a federal tax credit program that may earn businesses between \$2,400 to \$9,000 per qualified employee. WOTC provides federal tax credits to businesses who hire new employees from the nine population groups who are targeted for employment opportunities. The nine population groups are: TANF recipients; Veterans receiving food stamps or discharge from the service; ex-felons, high risk youth living in designated areas; workers referred by summer youth; 18–39, year-old food stamps recipients; supplemental social security income recipients; and long-term family assistance recipients.

The NMDWS in partnership with the Workforce Boards manages the NM Workforce Connection Centers (WCC). There are eight workforce centers near Native American lands. There were over fifteen thousand American Indian/Alaska Native (AI/AN) job seekers that were served or utilized the online self-service of the New Mexico Workforce Connection Online System during this report period. AI/AN job seekers using the New Mexico Workforce Connection Online System have the opportunity to access Work Keys, Work Trainings and ProveIt Assessments to assist them with career guidance and job placements. Other benefits available are priority of service to eligible veterans and eligible spouses, Work Opportunity Tax Credits for employers to hire the unemployed, job training, apprenticeship programs, employment preparation workshops, job fair information and other labor market information.

