

**MINUTES
of the
FIRST MEETING
of the
INDIAN AFFAIRS COMMITTEE**

**August 4, 2020
House Chambers and Video Conference Meeting
Santa Fe**

The first meeting of the Indian Affairs Committee was called to order by Representative Georgene Louis, co-chair, on August 4, 2020 at 10:48 a.m. in the House Chambers and by video and audio conference via an online platform.

Present

Rep. Georgene Louis, Co-Chair (In-Person)
Sen. Shannon D. Pinto, Co-Chair (In-Person)
Rep. Eliseo Lee Alcon (In-Person)
Rep. Kelly K. Fajardo (Online)
Rep. D. Wonda Johnson (In-Person)
Rep. Derrick J. Lente (Online)
Sen. Richard C. Martinez (In-Person)
Sen. Cliff R. Pirtle (In-Person)
Sen. Nancy Rodriguez (Online)
Sen. Benny Shendo, Jr. (In-Person)
Sen. William P. Soules (Online)

Absent

Rep. Anthony Allison
Rep. Zachary J. Cook
Sen. Mark Moores
Sen. William E. Sharer
Rep. Martin R. Zamora

Advisory Members

Rep. Abbas Akhil (In-Person)
Rep. Gail Chasey (Online)
Rep. Harry Garcia (In-Person)
Sen. Roberto "Bobby" J. Gonzales (In-Person)
Rep. Patricia A. Lundstrom (Online)
Sen. Gabriel Ramos (Online)
Rep. Patricia Roybal Caballero (Online)
Sen. Clemente "Memé" Sanchez (Online)
Rep. Melanie A. Stansbury (Online)
Rep. Elizabeth "Liz" Thomson (Online)

Rep. Doreen Y. Gallegos
Sen. Stuart Ingle
Sen. George K. Munoz

Guest Legislator

Rep. Susan K. Herrera (In-Person)

Staff

Lenaya Montoya, Staff Attorney, Legislative Council Service (LCS)
Tom Kricka, Staff Attorney, LCS
Sara Wiedmaier, Research Assistant, LCS

Guests

The guest list is in the meeting file.

Handouts

Handouts and other written testimony are in the meeting file and are posted on the legislature's website.

Tuesday, August 4

Call to Order and Introductions (10:48 a.m.)

Representative Louis called the meeting to order and introduced the 2020 proposed work plan and the presentations for the day.

Update on Voting on Tribal Lands (10:51 a.m.)

Ahtza Dawn Chavez, executive director, Native American Voters Alliance (NAVA) Education Project; Austin Weahkee, political director, NAVA Education Project; and Martin Aguilar, liaison, Native American Elections Information Program, Office of the Secretary of State, made presentations to the committee on the status of voting on tribal lands. The presentation materials can be found here:

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%201%20SOS%20NAEIP.pdf>;

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%201%20SOS%20Native%20American%20primary%20voting%20results.pdf>; and

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%201%20SOS%20Native%20American%20Voting%20Task%20Force%20Agenda.pdf>.

Comments from committee members included the following:

- Native American Elections Information Program staff are preparing a report on why certain voting precincts were combined;
- Senate Bill 4 (2020, 1st S.S.) will help in an ongoing effort to establish more convenient voting sites for tribal members;
- voting for Native Americans is generally eight to nine points below the national average;
- the Navajo Nation has 51 chapters in New Mexico and 110 total chapters in New Mexico, Arizona and Utah;

- having voting information available only on the internet may not reach people in rural areas where broadband is not available;
- research by Common Cause New Mexico found that over 60% of absentee ballots and applications were discarded because the ballots and applications were turned in too late or were missing information;
- the United States Postal Service is not always very quick, and some rural areas have limited access to postal services;
- new voter registration on tribal land has been steadily increasing; and
- the original goal to increase voter turnout on tribal land was 5%, but because of the COVID-19 pandemic, the new goal is 2% to 3%.

Update on Census Data Collection on Tribal Lands (12:20 p.m.)

Ms. Chavez gave a presentation to the committee on census data collection on tribal lands. The presentation materials can be found here:

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%202%20NAVA%20census%20coloring%20book.pdf>;

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%202%20NAVA%20census%20presentation.pdf>; and

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%202%20NAVA%20Tribal%20Census%20Financial%20Impact.pdf>.

Comments from committee members included the following:

- self-response for the 2020 census on tribal land is currently at 33%; in the 2010 census, there was a 5% undercount reported; for the 2020 census, there is currently a 1% undercount, which would result in the loss of \$43 million in federal funding over a 10-year period;
- tribal members have better access to information than census workers, and not enough tribal members have been hired to work on the census;
- information received from the United States Census Bureau only contains self-response rate and internet self-response rate; there is no information on how many people mailed in their census information or responded by telephone;
- those who are able to reach large numbers of people through a public platform are encouraged to make public service announcements to encourage people to respond to the 2020 census and to vote, and they can contact the NAVA Education Project for more details and to get information and graphics; and
- those who have not received a form from the United States Census Bureau may contact the New Mexico Native Census Coalition or visit www.nmnativecensus.org to receive instructions and information.

Update on COVID-19 Responses on Tribal Lands (2:50 p.m.)

Kathleen Kunkel, secretary, Department of Health (DOH); Brooke Doman, tribal epidemiologist, DOH; Tierney Murphy, medical epidemiologist, DOH; Miranda Durham, M.D., medical director, Northwest Region, Public Health Division, DOH; Sandra Cole, tribal liaison, Bureau of Health Emergency Management, Department Operations Center, DOH; Janet Johnson, project coordinator, Office of Tribal Liaison, DOH; and Aiko Allen, tribal liaison, Office of Tribal Liaison, DOH, made a presentation to the committee on how people are dealing with the COVID-19 pandemic on tribal lands. The presentation can be found here:

<https://www.nmlegis.gov/handouts/IAC%20080420%20Item%203%20DOH%20presentation.pdf>.

Comments from committee members included the following:

- while Indian Health Services has received funding for testing and some grants are available, there is still a need for more funding;
- the data from the DOH represents the number of unique individuals who have tested positive for COVID-19;
- the fluctuation that is seen in the number of people who test positive for COVID-19 is due to when the data is collected; for example, numbers are higher when testing clinics are conducted;
- N95 masks are decontaminated through a 24-hour process of applying heat and hydrogen peroxide;
- the "gold standard" of COVID-19 tests was considered to be the nasal swab test, but as of May 2020, the oral swab test and the mid-turbinate test are also considered accurate if performed correctly; and
- no one should have to pay to be tested for COVID-19; all types of health insurance cover the cost of the test, and the Department of Health will cover the cost of testing for people who do not have health insurance; some insurers may be compensated differently for COVID-19 testing.

Public Comment (4:15 p.m.)

There was no public comment.

Adjournment

There being no further business before the committee, the meeting adjourned at 4:20 p.m.