

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

**September 14-15, 2010  
McKinley County Courthouse, Gallup  
Thoreau Chapter House, Thoreau**

The fourth meeting of the Indian Affairs Committee for the 2010 interim was called to order by Representative Patricia A. Lundstrom at 10:04 a.m. on Tuesday, September 14, 2010, in the McKinley County Courthouse Rotunda in Gallup, New Mexico. The Indian Affairs Committee and the Land Grant Committee met in joint session on Tuesday morning to hear testimony on the House Memorial 74 status update. Representative Lundstrom asked Norman Coeoyate, governor, Pueblo of Zuni, to give an opening prayer.

**Present**

Rep. James Roger Madalena, Co-Chair  
Sen. John Pinto, Co-Chair (9/14)  
Sen. Rod Adair (9/15)  
Rep. Eliseo Lee Alcon  
Rep. Ray Begaye  
Rep. Sandra D. Jeff  
Sen. Lynda M. Lovejoy  
Rep. Patricia A. Lundstrom  
Rep. Jane E. Powdrell-Culbert  
Sen. Nancy Rodriguez

**Absent**

Sen. Eric G. Griego  
Sen. George K. Munoz  
Sen. John C. Ryan  
Rep. Gloria C. Vaughn

**Advisory Members**

Rep. Ernest H. Chavez  
Sen. Richard C. Martinez  
Rep. Debbie A. Rodella  
Rep. Nick L. Salazar (9/14)

Sen. Stuart Ingle  
Sen. Timothy Z. Jennings  
Rep. Ben Lujan  
Rep. Antonio "Moe" Maestas  
Sen. William E. Sharer

(Attendance dates are noted for those members not present for the entire meeting.)

**Staff**

Damian Lara  
Alise Rudio  
Adan Del Val

**Guests**

The guest list is in the meeting file.

## **Handouts**

Copies of all handouts and written testimony are in the meeting file.

## **Tuesday, September 14 — McKinley County Courthouse Rotunda, Gallup**

Committee, staff and audience members introduced themselves.

## **Welcome**

Ernest Becenti, Jr., county commissioner, McKinley County, welcomed the committee to the courthouse and stated that he was very proud of the new building.

## **House Memorial 74 Status Update**

Juan Sanchez, chair, Land Grant Council, told the joint session of the Indian Affairs Committee and the Land Grant Committee that the council was established by the legislature in 2009 to be the state agency for New Mexico community land grants. In 2004, land grants-mercedes were granted political subdivision status. However, as a consequence of that legislation, Mr. Sanchez said it is unclear whether land grant common lands are state lands. Mr. Sanchez said that the council wants legislation that clarifies that land grant common lands are not state lands.

Arturo Archuleta, executive director, Mexicano Land Education and Conservation Trust, said that the land grants want clarification on the law. He believes that an unintended consequence of the 2004 law making land grants units of government or political subdivisions is that a state committee applying the Cultural Properties Act interpreted land grant common lands as public lands. He said that this interpretation affected 19,000 acres of the common lands of the Cebolleta Land Grant and potentially affects all land grant common lands in the state. He said this interpretation is contrary to the intention of the political subdivision statute itself, which was designed to protect common lands and provide support to land grant communities that have lost millions of acres of land to the state and federal governments since 1848. He said the land grants want to adopt legislation to clarify the law. Mr. Archuleta said that the land grants recognize that the traditional cultural property designation is very important to the five nominating tribes and, thus, have requested a series of meetings with the tribes about the land grants' efforts. Mr. Archuleta asked the joint committee to come up with legislation to meet the needs of land grant communities throughout the state. Mr. Archuleta discussed proposed legislation that requires the approval of the board of trustees of a land grant before the common lands of a land grant may be designated as state or public land. According to the bill draft, a person who is not an heir and who has purchased or leased property within the limits of the land grant would not have a right to common lands. Mr. Archuleta said that the discussion had just begun, but he hopes to bring something to both committees for endorsement.

Lawrence T. Morgan, speaker, Navajo Nation Council, discussed the tribes' efforts to protect cultural property through the Cultural Properties Act, the Cultural Properties Protection Act and the New Mexico Prehistoric and Historic Sites Preservation Act. He said that in 2010, House Bill 26 was introduced to exempt land grants from the requirements of those acts. The

Navajo Nation and other tribal entities were concerned about the implications of those actions on the designation of Mount Taylor as a traditional cultural property. House Memorial 74 resolved to address the concerns both of tribes and land grants by requesting the Land Grant Committee and the Indian Affairs Committee to have a joint meeting during the 2010 interim to hear about issues facing both land grant and Native American communities. Speaker Morgan said that the Navajo Nation appreciates that there are common issues facing both communities, including recognizing the importance of protecting traditional and cultural properties. However, Speaker Morgan said that the proposed legislation jeopardizes the state's procedures for protecting sacred sites such as Mount Taylor. He said that the designation of being a political subdivision of the state creates advantages such as recognition as a governmental entity, the ability to procure state money and infrastructure and the ability to be granted lands and other property from the state without violating the antidonation clause. The designation as a political subdivision also creates obligations, he said, such as reporting requirements for funds and budgets, spending requirements for capital improvement funds and compliance with other state laws governing political subdivisions. Speaker Morgan said that the Navajo Nation supports the status quo. The Navajo Nation does not oppose the designation of land grants as political subdivisions but believes the land grants must accept the obligations of that designation, which means that the land grants cannot be treated differently from other political subdivisions.

Chandler Sanchez, governor, Pueblo of Acoma, said that there has been considerable discussion about the issues among legislators, land grant representatives, tribal leaders, attorneys, lobbyists and other interested parties. He reminded the two committees that state law requires tribal consultation and collaboration. He said that other tribes that have lands next to land grants should be part of the discussion because the proposed legislation would affect them as well. He thanked the Land Grant Council for allowing him to comment on the proposed legislation, but he said he thinks that the proposed legislation could severely impact existing state policies and requirements under existing law. Governor Sanchez said that the bill as drafted would allow land grants to maintain their status as political subdivisions but also will allow them to opt in or out by deciding which state or public land laws apply to them. He believes that if the new bill becomes law, land grants would be excluded from existing state laws that affect lands of political subdivisions, including laws that protect cultural property and prehistoric and historic sites. He also believes that the bill draft would affect the existing State-Tribal Collaboration Act, which applies to political subdivisions, and would reduce opportunities for collaboration. He also noted that the Pueblo of Acoma is in the midst of battling a major lawsuit involving the decision to designate Mount Taylor as a traditional cultural property and that any change to existing law would give the other side an unfair advantage and would be unconstitutional. He urged the committees to look at all sides of the proposed legislation, research the potential impacts on state laws and fully understand the consequences before supporting any change.

Frank Cerno, Governor's Office, Pueblo of Laguna, discussed the pueblo's concerns about pueblo lands abutting the land grant common lands and the impact on pueblo lands if a land grant is able to choose not to be part of a designation. He said he is also concerned about the potential impacts the proposed legislation might have on the State-Tribal Collaboration Act and

on the requirement that a subdivision of the state notify the tribes about any impact on cultural resources in the area. He said that the pueblos would be concerned if the land grants are seeking some sort of independent or sovereign status. Mr. Cerno said that the tribes have existed since time immemorial and have government-to-government status while land grants have been treated differently by the state throughout the years. He said that case law indicates that land grant boards are creatures of the legislature and have been defined as "quasi-municipal". He said that the authority of land grants is derived from statute and governed by state law.

Governor Coeoyate introduced Dancy Simplicio, lieutenant governor, Pueblo of Zuni, and Shelly Chimoni, council member, Pueblo of Zuni, and other members of the tribal council of the Pueblo of Zuni in the audience. Governor Coeoyate said that the Pueblo of Zuni is located in a rural, isolated reservation in McKinley and Cibola counties in west central New Mexico and in Apache County, Arizona. The land base is more than 723 square miles. The Pueblo of Zuni is one of the most remote and traditional of New Mexico's pueblos, with a population of more than 11,000. He said that the pueblo's community members hold their cultural and traditional values very dearly and have a great interest in any use of the land that impacts their cultural and religious views. Governor Coeoyate said that the pueblo is very active in the state's legislative and policymaking process and actively supported the passage of the State-Tribal Collaboration Act, the Tribal Infrastructure Act and the amendment to the New Mexico Subdivision Act requiring tribal notification. He said the pueblo is committed to improving governmental relations at all levels. The Pueblo of Zuni was one of the nominating tribes in the effort to designate Mount Taylor as a traditional cultural property and, as a result, participated in the discussions concerning both the legislation to exempt land grants and House Memorial 74. Governor Coeoyate urged the state to be consistent with implementing its laws and policies, including the designation of Mount Taylor as a traditional cultural property. He said the pueblo's concerns about any draft legislation relate to its effect on: (1) other tribes; (2) pending litigation; (3) the designation of Mount Taylor as a traditional cultural property; and (4) the unique status of tribes as sovereign entities with a government-to-government relationship with state and federal entities. Governor Coeoyate told the committees that Mount Taylor remains of paramount importance to the pueblo and that the pueblo would spare no effort to preserve the legal protections of the area.

The committees discussed the history of land grants in New Mexico. Some members suggested that the attempt of land grants to gain recognition as political subdivisions may have weakened attempts to get lands back at the state level. Upon inquiry from the committees, tribal leaders discussed the importance of meeting with land grant leaders and of notifying everyone in designating traditional cultural properties. The tribal leaders said that they recognize that land grants have been here almost as long as the tribes and that they should collaborate and consider whether land grants should be treated in any other way. Mr. Archuleta said that the proposed legislation was based on a concern about private individuals having influence over how the common lands were used. He said that the land grants are not trying to undermine the traditional cultural property designation of Mount Taylor, but simply want to hold onto their land and not allow access to private property owners. He said that the status of the land grants is unclear because of private tax lands. Land grants want status as political entities; however, it was never

their intent to have the common lands be public lands. Mr. Archuleta said that land grants want to address their status as governments but are open to discussion about other legislation.

The committees discussed the need for tribal participation in order to come up with good legislation for everyone. The committees also discussed the importance of studying the legislation and not creating divides. The Indian Affairs Committee suggested that staff analyze the issues and help the committee become better educated before deciding whether to endorse a particular piece of legislation. The committee said it wants a consensus bill.

The Land Grant Committee members left at 12:45 p.m.

### **Counties as Alternative Fiscal Agents for Chapter Capital Outlay**

Gloria Skeet de Cruz, coordinator, Baahaali Chapter, and Annie Descheny, secretary, Baahaali Chapter, told the committee that the Baahaali Chapter would like McKinley County to be its fiscal agent for capital outlay in order to expedite projects. Ms. Skeet de Cruz said that the Baahaali Chapter is one of six certified chapters of the Navajo Nation in New Mexico, which means that the chapters are delegated local government authority. Ms. Skeet de Cruz said that there are many barriers to using funds appropriated by the legislature when the Navajo Nation is given funds. Ms. Descheny said that the chapter has lost funding from the Navajo Nation and needs to do its own projects. Mr. Becenti, the county commissioner, said that McKinley County supports the proposal as an alternative for chapters in the county because the process of working with the Navajo Nation is too slow and cumbersome for the chapters. Doug Decker, county attorney, McKinley County, said that the county is ready, willing and able to become the fiscal agent for capital outlay projects for the chapters. He said that the county could help the chapters with capital outlay projects if it knew about the projects in advance so that the county could provide advice and expertise and the projects are ready to go before the chapters receive funding. He said that the county adopted a resolution in 2003 to become a fiscal agent with a 5% fee. He said that the county may waive the 5% fee at times.

Upon inquiry from the committee, Mr. Decker said that the county is willing to work with the Navajo Nation. Mr. Becenti discussed the possibility of entering joint powers agreements with the Navajo Nation for the county to maintain Bureau of Indian Affairs (BIA) roads. Navajo Nation Council Delegate Leonard Tsosie said that if he is elected this year, he will pursue the possibility of entering agreements with the county. However, he said that people cannot just blame Window Rock or the Navajo Nation for delays in developing projects. He told the committee that the Navajo Nation is wary of turning over roads to the county because the courts will interpret it as giving up jurisdiction. He also said that Arizona recently gave the Navajo Nation \$2 million to build a county courthouse. In contrast, Mr. Tsosie said, New Mexico's reimbursement system makes it difficult to fund projects. He said that it would be helpful if the state would provide funding in advance, including designating money for archaeological and environmental assessments.

The committee asked the parties to work together and to present any proposed legislation to the committee for endorsement at its November meeting.

### ***Aamodt* Litigation Settlement Act of Request for Support**

Charlie J. Dorame, chair, Northern Pueblos Tributary Water Rights Association, discussed the federal *Aamodt* Litigation Settlement Act and asked the committee for a letter supporting the legislation. The bill includes four recent settlements, which are awaiting \$1.1 billion in funding. Two of the four settlements are New Mexico accords, one resolving claims of Indian water rights by the Pueblo of Taos and another settling claims by the four pueblos of Nambe, Pojoaque, San Ildefonso and Tesuque. The bill passed the U.S. House of Representatives but has not been taken up by the full U.S. Senate. Mr. Dorame said that representatives of the four pueblos are returning to Washington, D.C., at the end of September to lobby for the bill and to seek a formal written endorsement from the Obama administration.

James Rivera, tribal council member, Pueblo of Pojoaque, joined in asking for a letter of support. He discussed the pueblo's involvement in developing a wastewater treatment project for Espanola and the Pojoaque Valley and the importance of the regional water system that will be constructed as part of the settlement act. He said that the pueblos are working with non-Indians to provide clean water in the Pojoaque Valley.

Representative Begaye made a motion, seconded by Representative Madalena, to write a letter supporting the legislation. The committee noted that the state has not yet funded its portion of the settlement, which is \$50 million. The committee asked staff to work with the panel to address language in the letter concerning state funding. The motion passed without opposition.

### **Strong Starts for Pueblo Children Status Update**

Jonathan N. Pino, executive coordinator, All Indian Pueblo Council, and Kevin Shendo, education subcommittee member, All Indian Pueblo Council, provided an update on the Strong Starts for Pueblo Children Program. Mr. Pino said that early child development has been the focus of pueblo traditional teaching. The Strong Starts for Pueblo Children Program focuses on parent involvement, school readiness and creating healthy environments for learning and parenting while recognizing the special needs and strengths of the pueblo population. The program will devise plans to foster the health, employment and education of families and their children from birth. The program seeks to engage pueblo community members of all ages in problem solving, ideas for policy change, improved conditions using traditional ideas and methods, decolonization, racial and ethnic equity and political empowerment through a commitment to children and their future. Mr. Pino emphasized that the Strong Starts for Pueblo Children Program is trying to bring different people to the table to create a unique program. Mr. Pino presented the committee with a copy of the Strong Starts for Children Dialogue, which is a dialogue and problem-solving guide that Indian communities can use to begin discussing and planning ways to involve all community members in community improvement.

Mr. Shendo discussed his concerns about Indian education, including the disparity between Native American students and other students, accountability issues regarding impact aid funding and enforcement of the Indian Education Act (IEA), cultural competency of those who

teach Native American students and the need for supplemental or enrichment programs with insufficient funding for Native American student achievement. He discussed the importance of ensuring that money follows the students, promoting proficiency in indigenous languages, ensuring that Native American teachers reflect the percentage of Native American students, providing pre-kindergarten services, defining "pre-kindergarten" in the IEA, addressing special needs and providing support for young parents.

The committee expressed its support for the program and asked the panelists to put their requests for recommendations for the IEA in writing for distribution to the committee.

### **Government Restructuring and the Indian Affairs Department (IAD)**

Alvin Warren, secretary, IAD, urged the committee to retain the IAD as a cabinet-level department, contrary to a proposal before the Government Restructuring Task Force (GRTF). Secretary Warren's discussion focused on three areas: (1) the history, role and importance of the IAD as a cabinet-level department; (2) the IAD's budget reductions; and (3) the IAD's efficiency measures. The IAD became the first cabinet-level Indian affairs department in the United States in 2003. According to Secretary Warren, the IAD serves a central role in facilitating communication and collaboration among the Office of the Governor, the other cabinet agencies and the 22 Indian tribes, nations and pueblos on programs and issues affecting Native Americans in New Mexico. The IAD has statutory authority to act upon Indian conditions and relations within New Mexico, including problems of health, economy and education and the effect of local, state and federal actions. The IAD reinforces tribal governmental efforts to ensure that Native American concerns are addressed in state policymaking decisions; manages and facilitates ways to increase state resources to benefit Native Americans; and collaborates with national, tribal, state and local entities. Secretary Warren said that the IAD's current staff consists of 14 people. Secretary Warren said that the IAD's appropriation was reduced by \$594,000 in fiscal year 2011, which resulted in decreased public information efforts, furloughs for all staff, an inability to replace key staff and reductions in grants to the Tobacco Use Prevention and Control Program and other special projects. According to Secretary Warren, the reduction in the IAD's general fund budget has affected its ability to provide services and to address the needs of Native American constituents in state policymaking. Secretary Warren said that the IAD has implemented efficiency measures, including not hiring a capital outlay engineer, eliminating positions, instituting a hiring freeze, reducing grants to tribes and organizations and reducing expenses for travel, supplies, training and advertising. Secretary Warren said that the IAD might also be able to save costs by increasing social networking and eliminating vehicles. Secretary Warren said that the IAD should be retained as a cabinet-level department in order to protect the commitment made to tribes and Native Americans; reflect the government-to-government relationship between sovereigns; maintain a position of authority with the Office of the Governor; effectively allocate and administer funding to tribes and Native Americans; and decrease Native Americans' historic lack of empowerment in state government. He also said that removing the IAD from the cabinet would not save significant general fund dollars but would likely cost the state more in delayed projects, inefficiencies and legal conflicts.

Bill Hume and June L. Lorenzo, commissioners, Indian Affairs Commission, spoke in

support of retaining the IAD at the cabinet level. Mr. Hume said that tremendous progress has been made through cooperation between state agencies and Indian governments, notably in the areas of water rights settlements, education, health care and state capital outlay. Ms. Lorenzo said that New Mexico has the distinction of making Indian affairs a cabinet-level department, which is a nationwide model for government-to-government relationships. She said that the partnership has made a big difference in raising the profile of issues and is critical to the future.

Members of the audience who spoke in support of retaining the IAD as a cabinet-level department included: Governor Cooney; Governor Sanchez; Robert Ramirez, governor, Pueblo of Isleta; Mr. Rivera; Mr. Dorame; Conroy Chino, managing partner, Advocates for Business and Community Development LLC; Mr. Pino; Jarvis Williams, legislative staff assistant, Office of the Speaker, Navajo Nation; Omar Bradley, regional director, BIA; Isabelle Morgan, president, Baahaali Chapter; and Jeff Kiely, director, Northwest New Mexico Council of Governments.

The committee praised the IAD and discussed its support. Representative Begaye made a motion, seconded by Representative Jeff, to send a letter to the GRTF recommending that the IAD be retained at the cabinet level. The motion passed without opposition. The committee directed staff to write a letter in support of the IAD for the co-chairs to sign. The committee also discussed the need for input on all the recommendations that are being considered before the GRTF. Representative Rodella asked staff to go before the New Mexico Legislative Council at its next meeting to make all committee chairs aware of what sort of recommendations are being considered. Representative Begaye seconded the motion, and it passed without opposition.

#### **Native American Issues and the Federal Patient Protection and Affordable Care Act**

This presentation was postponed until the October meeting.

Following the presentation on government restructuring and the IAD, Representative Lundstrom recessed the meeting at 5:32 p.m.

#### **Wednesday, September 15 — Thoreau Chapter House, Thoreau**

Senator Lovejoy reconvened the committee at 9:05 a.m. on Wednesday, September 15, 2010, at the Thoreau Chapter House.

Committee, staff and audience members introduced themselves.

#### **Thoreau Chapter Status Update**

Valerie Yazzie, president, Thoreau Chapter, welcomed the committee and said that she was proud to have the meeting at the Thoreau Chapter House. Ms. Yazzie said that the chapter needs more economic development and more work done for the community. She said that the chapter has a high youth suicide rate, but it is working on the problem with the help of the Unified Command Center (UCC), which is composed of representatives from the state, Indian Health Service (IHS) and the Navajo Nation. The chapter is trying to find a permanent building

for the UCC and has land for a facility near the chapter's vacant preschool building. Ms. Yazzie said the community needs more parks, daycare, playgrounds, road improvement and jobs. She said that alcohol consumption is another problem on which the chapter is working.

Edmund Yazzie, council delegate, Navajo Nation, thanked the committee for coming out to Thoreau and said it showed the committee's concern for the people. He said that Thoreau has seen a large number of youth suicides. He said that the community and state joined together to fight the problem. He commended the work of counselors and volunteers such as Juliana Ko, who resigned from her teaching job to start an outreach program. He discussed the need to pull together to address the problem. Mr. Yazzie asked for support in establishing a Boys' and Girls' Club in Thoreau and in developing more recreational opportunities for youth such as boxing and a Ropes course. In addition to educating people about alcohol, he would like to have a special investigator for the area. He said that there are six liquor establishments in the community but that there are only two special investigators in San Juan and McKinley counties. He believes that liquor establishments are selling to intoxicated people and minors because there is no special investigator in the community.

The committee expressed concern about the problems in the community. In response to questions from the committee, Mr. Yazzie said that there have been two suicides in two months as well as other suicide attempts. He said that 80% of the suicide attempts are related to alcohol and that the average age of those who attempt suicide is close to 15. He believes that the liquor establishments are taking advantage of the problem. The committee discussed the importance of bringing awareness of the problem of youth suicide to the whole state. The committee expressed its appreciation for help from the Department of Health (DOH) and Secretary Warren. The committee supported the idea of establishing a Boys' and Girls' Club and encouraged involvement in other national movements and organizations.

Upon an inquiry from the committee, Ms. Yazzie said that the total population of the chapter is 3,500 to 4,000, that the average income is less than \$10,000 a year and that the community is losing its elders, with only 40 to 50 people using the senior center. The committee discussed how poverty and income level are tied to poor school performance, depression and alcoholism. Mr. Yazzie said that the Navajo Nation and the IHS are just now starting to take the lead in dealing with the problem of having four liquor establishments in a 13-mile area. When asked what the Navajo Nation is doing to help, Mr. Yazzie said that Navajo Nation Vice President Ben Shelly, who is from Thoreau, is 100% committed to helping the chapter and was instrumental in obtaining counselors for the victims. He said that the chapter's major goal is to obtain funding, including money for a Boys' and Girls' Club. Mr. Yazzie said that the primary financial responsibility of the tribe has been 50% from the Navajo Nation and 50% from the IHS. He said that the counselors from the Navajo Nation have been the backbone of the UCC.

Vice President Shelly welcomed the committee to Thoreau and said that it is "our kingdom". He thanked the people who are working on the youth suicide problem. He said that the chapter has taken immediate action to provide services with minimal financial support while waiting for resources for a full facility. He said that the Navajo Nation is working with the BIA

to find a place next to a clinic that is being built so that the chapter can create a permanent command center. The chapter needs land and a large building that can accommodate all projects and services and 200 to 300 people so that it can handle any incident, including matters relating to homeland security. He said that because some of the clinic area is trust land and some is state land, the chapter is working with the state in a collaborative effort to deal with suicide prevention.

The committee acknowledged Vice President Shelly's wife in the audience as well as Mr. Bradley from the BIA. The committee discussed the importance of having a prelude to a Boys' and Girls' Club and the need for programs and activities as well as a place for young people to come to every day. Mr. Yazzie said that the chapter has had family fun days, prayer days, activities with pastors, a community carnival with law enforcement and other small get-togethers and projects. The community also has encouraged education and music and has made a building available for students after school. He said that the community needs a place that is a refuge for youth.

Vice President Shelly pointed out that in addition to trust land, there is a lot of private and state land around Thoreau, as well as many Indians and non-Indians. He said that there are a lot of issues putting pressure on children and that the community needs more jobs and better teachers. He said it is important to look at the whole picture in trying to determine how to make things better. Vice President Shelly said that Thoreau is a pilot project for improving the community through collaborative efforts.

### **Unified Command Response to Crisis**

Herbert Long, co-commander, Navajo Department of Behavioral Health Services (DBHS), discussed the community's need for help after a rash of suicides that began in May. Mr. Long said that the DBHS initiated meetings with the Navajo Nation, the IHS and the state. The Navajo Nation, which has 31 chapters in eastern New Mexico, declared a state of emergency. Health providers from the IHS set up an incident command post at the McKinley County Sheriff's Office in Thoreau. There was an immediate need to establish a crisis management team, a short-term need to stabilize circumstances and a long-term need to set up a permanent office. Mr. Long stated that the Navajo Nation is collaborating with locals, the IHS and the state to form a team to respond to the crisis and the future needs of the community.

Charles Stacey, clinical therapist and rapid assessment team member, DBHS, told the committee that any time a call comes through that involves suicide, the UCC calls a counselor who makes contact with the family and gathers information. Although there was a spike in suicides, Mr. Stacey said there is an ongoing problem that is like a gas leak that is waiting to explode. He said that the DBHS is trying to focus on the entire family and not just on individuals. He said that there is a significant number of homeless and jobless people and that counselors are looking at all the stressors. Since the UCC was set up in May, it has had 80 individual cases, including 37 individuals with suicide ideation and a plan, 18 individuals who attempted suicide and three individuals who completed suicide. He said that there have been 15 actual suicides in 31 chapters. The DBHS has chosen to focus on 17 chapters. Caseworkers

focus on the family after a suicide by maintaining contact and trying to make a difference over time. Mr. Stacey said that the average age that young people start drinking is 13, and, although there is a problem with selling to minors, many start drinking with their families. He said that domestic violence and alcohol are problems that go hand-in-hand with suicide and play a major role. He said that before the UCC, all community members sought services from governmental agencies that acted like silos, separate and without any interaction. The UCC had the effect of pushing those silos closer together, and now the various governmental agencies provide social services in conjunction with each other for the benefit of community members. The casework has been home-based family therapy, and the UCC hopes to bring full-time people into the community once the initial deployment and short-term need is over.

Dr. Steven N. Adelsheim, director, Center for Rural and Community Behavioral Health, University of New Mexico, said that he was invited to be a partner in the UCC. He was involved in developing a response system and continues to be involved in community development and linking state services. He said that the situation is complex, with multiple systems and multiple providers. He discussed the support of the state, including financial support in working with the school system, the chapters, the Navajo Nation, the IHS and summer youth programs. He said that \$2 million will be allocated toward suicide and substance abuse prevention over the next three years through OptumHealth, with 80% going to programs that serve Native Americans and 20% going to programs that serve rural areas, including those with Native American populations. Dr. Adelsheim said that he is grateful for the funds and that the state is glad to be a partner.

Janie Lee Hall, school health advocate, Public Health Division, DOH, discussed being called in to assist the rural communities in responding to the youth suicide crisis. She said the initial response involved connecting with the schools and making a safe environment for the students. She said that "post-vention" is really prevention. The DOH is planning services for when school starts, including training high school students to identify at-risk youth among their peers. The UCC implemented two culturally appropriate suicide prevention programs specific for Native Americans: the Natural Helpers and Native Hope. She said the schools were very responsive and helpful, and she expressed hope that services will be even more integrated in the future.

Mike Salabiye, planner, DBHS, discussed the facilities needed to meet the goal of providing recreational opportunities and a drop-in center. He said that the UCC is preparing to move into the preschool building and to design a building for the community as a permanent shelter. McKinley County and the Thoreau Chapter are contributing land, and the county is offering help with grading and gravel to renovate baseball and softball fields. He thanked the state and the committee. Mr. Yazzie told the committee that 1% of a 4% tax that the Navajo Nation collects goes to correctional facilities and 1% of the tax should go to facilities such as treatment centers.

The committee members expressed concern about being in a fishbowl of destruction with domestic violence, low income, alcohol, drugs and casinos. The committee asked staff to follow up to see what percentage of money goes into addiction programs in McKinley County. The

committee also asked staff to see what percentage of money from OptumHealth goes into McKinley County and how much flexibility there is when funds are released.

Dr. Adelsheim said that the funds were designated for suicide prevention and substance abuse and that the community put together the program and gave it to the state. He said the program was not top-down directed, but was driven by local efforts, with the state providing resources. Dr. Adelsheim said that if a request is made to use funds for family-based programs, the community can use those funds for family efforts.

Carolyn Thomas Morris, director of Native American affairs, OptumHealth, said the response to the crisis in Thoreau is a grassroots community effort and noted that a group of elders worked out of the McKinley County Sheriff's Department. In response to the committee's questions about funding, she said that the state has contributed approximately \$125,000, including \$25,000 from the IAD, to support community suicide prevention efforts and behavioral health treatment in Thoreau. She said that OptumHealth decided to allocate \$2 million over the next couple of years, 80% of which will go to prevention services, but because of budget cuts, there is less money going to services.

Regina Begay-Roanhorse, partner consultant, the Griffin Group, said that she works with Ms. Hall in implementing the Native Hope Program. She said that it is difficult to recruit community volunteers because transportation and living stipends are not allowed for volunteers. She said that she believes in after-school programs and intervention. She said the Native Hope Program needs more money for a treatment facility and for culture-based, not evidence-based, programs. She said that a Native American-based prevention program is not funded here. She stated that a culturally appropriate program called "Project Venture" was important but lacked funding. The committee asked staff to follow up on the program and issues of funding.

Virgil Davis, representative, IHS, said that things are moving forward with the IHS, which has committed \$100,000. He said that the IHS has to abide by the federal regulations, including requirements for federal acquisition, spending documentation and funding segregation. His role is to account for summer services and to request additional money for federal funding. He is looking at how to expand mental health services and provide services after the summer.

Upon an inquiry from the committee, Paula White, compliance officer, Gallup-McKinley County School District, spoke about how much the UCC has helped the district's schools by providing resources, personnel, training and funding. She said she is grateful for the DOH's training on suicide prevention for students and teachers.

Asked if the programs are reaching high school students, Ms. Hall said that summer activities were attended mostly by younger students. Native Hope involves ninth graders and Natural Helpers will be implemented in the high school in Thoreau as well as in 31 other high schools; both are peer-to-peer programs. She said that the school district is targeting the age group that needs integrative and behavioral health, but that it also needs to be thinking about 19- to 30-year-olds. She said that neither the school district nor the UCC have good strategies for

dealing with that age group. She also said that the school district and the UCC need to do a better job of reaching high-risk teens.

In response to a question from the committee about whether there are clusters or correlations of the suicides in the community, Mr. Long said that the DBHS is continuing to work with epidemiologists, but it is not seeing clusters outside of families.

Mr. Long thanked everyone for coming in and thanked the committee members.

### **Mental Health and Native American Youth**

Dr. Jack Callaghan, director, Public Health Division, DOH, discussed the division's involvement in mental health with respect to youth suicide prevention. Dr. Callaghan introduced Dr. Mary Ramos, school health officer, DOH, Nancy Kirkpatrick, health services administrator, DOH, and Ms. Hall. Dr. Ramos discussed the background, strategies, partnerships and specific efforts of the DOH's youth suicide prevention efforts in Native American communities. According to the DOH, the New Mexico youth suicide rate has been approximately twice the national rate. In 2007, the rate was 21.0 per 100,000 while the national rate was 9.8 per 100,000. Within the past 12 months in New Mexico, American Indian students were almost twice as likely as white students to make a suicide attempt. From 2007 to 2008, the youth suicide rate for New Mexico American Indian youths age 15 to 24 years was 29.7 per 100,000, while the rate for white non-Hispanic youth was 19.8 per 100,000. In 2007, the national American Indian youth suicide rate was 20.3 per 100,000. The DOH's youth suicide prevention strategies include supporting collaborative suicide prevention efforts, reducing stigma, identifying at-risk youth, offering early intervention and treatment and promoting positive youth development in communities, schools and workplaces. The DOH works in partnership with numerous state, tribal and federal entities as well as with local school districts and community members. Specific DOH youth suicide prevention efforts include those in its Epidemiology and Response Division, which collects, analyzes and reports on youth suicide behaviors, makes recommendations on effective evidence-based strategies for prevention and coordinates youth violence prevention programs throughout the state; and those in the Public Health Division, which oversees the Office of School and Adolescent Health (OSAH). The OSAH's goal is to improve the health of all students and adolescents with priorities in school-based health centers, adolescent health promotion and youth suicide prevention. The budget for OSAH youth suicide prevention activities in the state is \$644,600, with an estimated \$344,800, or 53.5%, allocated for services in tribal communities. The Coalition for Healthy and Resilient Youth of McKinley County implements the Rez Hope Curriculum and Natural Helpers and Native Hope programs at Gallup High School and Thoreau middle and high schools. Natural Helpers is a peer-to-peer education program that engages youth as prevention educators for youth suicide, and Native Hope is an indigenous approach to youth engagement and empowerment that focuses on youth suicide prevention.

Ms. Hall stated that the Public Health Division has a presence in every community in the state. She said it was a privilege to work with the community in Thoreau and in a system that tried to break down the barriers to governmental agencies working together to serve community

members. She also spoke of the importance of integrating funds. The committee expressed concern that the amount of money dedicated to youth suicide prevention in the state is way too low. In response to an inquiry from the committee, Ms. Hall said that \$125,000 from the state was going toward summer youth activities and upcoming programs. She said there is a need for ongoing school health programs and that additional schools and behavioral health service providers all will need funding. She said that intervention and prevention services are needed in the schools and that the programs need an effective approach in the community to try to reach at-risk youth who are not in school.

Upon an inquiry from the committee about how data were collected, Dr. Ramos said that she would be happy to follow up to get more detailed information. Ms. Hall said that if anything, the data were underreported. Dr. Adelsheim commented that the numbers can differ based on whether an autopsy is performed. He said that the appearance of clusters of suicides attracts people's attention, but the rate of suicides in the state has been stable since 2007. He would like to see the model used in Thoreau developed in other situations over time. Dr. Callaghan noted that though the Public Health Division's mission is both prevention and treatment, prevention becomes almost symbolic because of the lack of funding. From the state's perspective, the Public Health Division would like to have a daily presence but ends up doing crisis management. He said \$644,000 is not a lot to work with.

### **Minutes**

Upon a motion by Representative Alcon, seconded by Representative Madalena, the committee passed the minutes of the third meeting of the Indian Affairs Committee without objection.

### **Tour — Solid Waste Infrastructure**

After adoption of the minutes, the committee received a tour of the Northwest New Mexico Regional Solid Waste Authority Red Rocks Landfill Facility.

### **Adjournment**

There being no further business before the committee, the fourth meeting of the Indian Affairs Committee adjourned at 2:54 p.m.