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VIA EMAIL ONLY

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Re: Trust Acquisition Regulation Revision

Dear Ms. Appel,

On behalf of the Pueblo of Laguna ("Pueblo"), this letter provides our input to the Department of the Interior ("DOI") on ten questions related to potential revision of trust acquisition regulations, as stated in the December 6, 2017 "Dear Tribal Leader" letter by Principal Deputy Assistant Secretary for Indian Affairs ("AS-IA") John Tahsuda. Before responding to those questions, I first provide relevant background on the Pueblo and its trust acquisitions to provide important context for our comments.

Laguna Lands Background

The Pueblo is located in west-central New Mexico, with the Village of Laguna located approximately 45 miles west of Albuquerque. The Pueblo's members have lived in fixed, self-governing communities in villages along the Rio San Jose Valley since well before the arrival of Spanish, Mexican, and American settlers. The Village of Old Laguna was first recognized by a Spanish land grant in 1689, and additional Laguna lands were secured in the 1700s and early 1800s. The Pueblo's legal status continued when the region passed to Mexican control in 1821, and all of those lands still in the Pueblo's possession are held by the Pueblo itself in restricted fee status. After the 1848 Treaty of Guadalupe Hidalgo, the United States gained control of the territory but failed to adequately protect pueblo lands, resulting in substantial land loss. The United States did not officially patent the Pueblo's original land grant until 1909, and only addressed some historic pueblo land losses via the Pueblo Lands Act of 1924. Therefore, through

the early 1900s, the Pueblo of Laguna only managed to regain a small portion of its historic lands that had been lost due to lack of sufficient federal superintendence.

Given these circumstances, the Pueblo has had to use its own money to repurchase additional portions of its historic lands and invest in the future welfare of its members. Because the Pueblo had lost significant lands through adverse possession outside retained historic lands rather than via allotment, the Pueblo's land acquisitions have focused on lands outside of its initial land grant. In addition, the Pueblo has notable checkerboarding of land with the U.S. Bureau of Land Management. In 2015, the BIA approved the Pueblo's land consolidation plan under the Indian Land Consolidation Act, to help consolidate and augment the Laguna land base into larger, more useable tracts. Currently, the Pueblo has just over 500,000 acres of restricted fee and trust lands, all within the Pueblo's aboriginal territory. Additionally, there are a total of approximately 4,000 acres of trust allotments owned by individual members of the Pueblo, including about 2,000 acres located within the Laguna Indian Reservation.

Since 2001, the Pueblo has sought and obtained nine separate trust-land acquisitions, covering almost 18,000 acres. All but one of those were off-reservation, but either contiguous or close to it. These acquisitions all have restored additional aboriginal lands for the Pueblo and variously have preserved historic sacred sites and important natural resources and facilitated valuable economic development for the benefit of the Pueblo's members. None of those trust-land acquisitions have been used for gaming, and none of them have been objected to or appealed by state or local governments or others. Instead, the Pueblo continues to have good, working relationships with state and local governments, including cooperation on a range of matters of mutual interest and benefit. The Pueblo also continues to be a sound steward of its reacquired lands, as it has been for centuries. Finally, apart from delays caused by title issues or environmental remediation, trust acquisition delays for the Pueblo appear to derive from lack of sufficient BIA staffing and timely federal follow up. All this history and context illustrates that the current regulations governing trust-land acquisitions well address that process and could be implemented better, but there is no need for regulatory changes. With this context, we address the questions posed here as stated in the DOI's recent "Dear Tribal Leader" letter.

1. What should the objective of the land-into-trust program be? What should the Department be working to accomplish?

As expressly stated in the governing statute, the objective of this DOI program must be to acquire trust land "within or without existing reservations . . . for the purpose of providing land for Indians." 25 U.S.C. § 5108. Congress enacted this provision of the Indian Reorganization Act of 1934 ("IRA") to help reverse the disastrous economic, social, cultural, and political effects of the allotment policies from the late 1800s. *See* Readjustment of Indian Affairs, Hearings before H. Cmte. on Indian Affairs on H.R. 7902, 73rd Cong., 2d Sess., at 17-18, 26 (1934) ("Readjustment Hearing"); Readjustment of Indian Affairs, H.R. Rep. 73-1804, at 6 (1934); 78 Cong. Rec. 11,123 (statement by Sen. Wheeler), 11,726-11,732 (1934) (statement by Rep. Howard); 64 Fed. Reg. 17,574, 17,576 (April 12, 1999) (proposed regulation revision preamble). And while the Pueblo did

not suffer from allotment like other tribes, a lack of federal protection for pueblo lands in New Mexico similarly cost the pueblos dearly regarding their lands. In particular, through bad federal policies, Indian lands holdings throughout the United States had been cut from 138 million acres in 1887 to just 48 million acres in 1934, with most valuable lands lost and nearly half of the remaining lands being desert or semi-desert. Readjustment Hearing, at 17; *see also* 78 Cong. Rec. 11,728. Thus, under the governing statute, this program must support both on-reservation and off-reservation trust acquisitions simply to provide land for Indians. *See Chevron v. N.R.D.C.*, 467 U.S. 837, 842-43 (1984) (if "Congress has directly spoken to the precise question at issue . . . , that is the end of the matter").

In addition, the objective of this program must be to fulfill the IRA's basic purposes to advance tribal self-determination and self-governance, *County of Yakima v. Confederated Tribes and Bands of the Yakima Indian* Nation, 502 U.S. 251, 255 (1992), and "'to rehabilitate the Indian's economic life[.]'" *Mescalero Apache Tribe v. Jones*, 411 U.S. 145, 152 (1973) (quoting H.R. Rep. No. 73-1804, at 6). Indeed, acquiring land in trust for Indians is fundamental to safeguard land against future loss, to restore tribal homelands, and to ensure tribal sovereignty. Also, in seeking to fulfill those objectives, the governing statute must be construed liberally in favor of Indians and interpreted to their benefit. *Confederated Tribes of Grande Ronde Community v. Jewell*, 830 F.3d 552, 558 (D.C. Cir. 2016). Therefore, the DOI must interpret and apply those purposes broadly when addressing trust-land acquisitions.

Consistent with those statutory purposes, the current governing regulations properly recognize that the trust-acquisition program serves to facilitate tribal self-determination, economic development, Indian housing, and land consolidation. 25 C.F.R. §§ 151.1, 151.3(a), (a)(3). These purposes and objectives also are supported by the BIA's basic mission to "enhance the quality of life, to promote economic opportunity, and to carry out the responsibility to protect and improve the trust assets of American Indians, Indian tribes, and Alaska Natives[.]" https://www.indianaffairs.gov/about-us; *see also* 130 DM 1.3(D) (regarding BIA functions). Those authorities and the governing statute thus also readily support trust acquisitions for lands that will be used for cultural purposes, education, health care, and other core sovereign tribal needs. There can be no change to all these purposes and objectives for this program under the governing statute.

Finally, two additional points warrant mention here. There is no provision in the governing statute mandating consideration of or deference to the concerns of states or local governments. This makes sense, given that at the time of enactment of the IRA, even the Supreme Court had recognized that "the people of the states where they [Indian tribes] are found are often their deadliest enemies." *United States v. Kagama*, 118 U.S. 375, 384 (1886). In addition, the United States is only a fiduciary to Indians and not also for state or local governments or others, and the DOI must discharge its "trust responsibilities with a high degree of skill, care, and loyalty." 303 DM 2.7. Therefore, the federal duty to advance Indian interests in trust-land acquisitions must never be subordinated to or balanced against interests of others or conflicting policy preferences of federal officials not mandated by any other law.

2. How effectively does the Department address on-reservation land-into-trust applications?

DOI currently addresses on-reservation land-into-trust applications somewhat effectively, with room for improvement in applying the existing regulatory process, while changing the existing process would materially exacerbate existing issues. In particular, the Pueblo's experiences with trust acquisitions and related formal reservation proclamations lead to several lessons and suggestions: keep things local; increase funding, staffing, and training where needed; and set and enforce deadlines. Each of these points is explained below.

The Pueblo only once has suffered an extreme administrative delay of multiple years in the trust-acquisition process. However, the Pueblo repeatedly has experienced delays of four and more than six years in issuance of formal reservation proclamations for lands that already have been acquired in trust. That is especially disconcerting since the BIA's Fee-to-Trust Handbook states that "BIA will endeavor to process the reservation proclamation as soon as possible following acceptance of the land into trust" and "such action is simply an administrative function that allows the Tribe to take advantage of special federal assistance programs." BIA, Fee-to-Trust Handbook 7-8, 42 (June 2016). From the Pueblo's experience and understanding, unwarranted administrative delays are most acute when matters are being handled by officials within DOI above the BIA. That is not surprising since there are few high-level officials addressing issues arising from throughout the United States, in addition to changing national federal policies, and it is difficult for such officials to be familiar with myriad local histories and issues that can vary tremendously. Accordingly, the Pueblo recommends having local BIA officials handle trust acquisitions as much as possible, to be more efficient and effective in handling these important, fact-intensive federal functions.

Also, the Pueblo regularly experiences inordinate delays at every stage of the trust acquisition process within the BIA and at DOI locally outside of the BIA. This includes the following numerous examples of undue delays over the last 19 years:

- 138, 81, and 77 days between submission to the BIA and its issuance of simple form notices to state and local governments;
- 1201, 251, 211, and 209 days between submission of a complete application to the BIA Agency and its transmission to the BIA Regional Office;
- 292 and 118 days between transmission to the BIA Regional Office and its issuance of a request for a preliminary title opinion ("PTO);
- 129 and 102 days between request for and issuance of a PTO;
- 288, 217, and 149 days between issuance of a PTO and issuance of the BIA decision; and
- 245 and 186 days between issuance of the BIA decision and closing.

Each of these steps should take much less time. And these inordinate delays are not because of any knotty or other challenging issues. We also understand that these experiences are typical, as

the U.S. Government Accountability Office ("GAO") has reported that "many land in trust applications have not been processed in a timely manner." GAO, BIA's Efforts to Impose Time Frames and Collect Better Data Should Improve the Processing of Land in Trust Applications, GAO-06-781, at summary (July 2006) ("GAO Report"). Moreover, these delays are not immaterial.

> Lengthy application processing times can place a burden on BIA, Indian applicants, and state and local governments. If applications are not processed in a timely manner because of delays by BIA . . . , information in the applications can become outdated, particularly environmental assessments, comments from state and local governments, and tax data. When this happens, BIA must devote additional resources to obtaining updated information and reprocessing the applications—an inefficient and time-consuming process[.]

Id. at 36-37.

The Pueblo recognizes that BIA officials are overburdened with many obligations. However, the BIA has an existing regulatory framework here that can and should work effectively and more efficiently. The BIA must improve implementation of this current process. This process does not need additional regulatory burdens and complications that would result in additional steps, reviews, requirements, and delays. Instead, the BIA should demand and provide larger budgets, more good staffing, and additional training regarding existing regulatory processes where weaknesses exist.

Finally, the BIA should set and enforce deadlines for each stage of the process and overall. Over a decade ago, the BIA considered setting a 120-day time limit for making a decision for both on- and off-reservation acquisitions once an application is complete. *See id.* at 6. The BIA should implement that proposal, and set additional time limits for each stage of the process, so that important trust acquisitions do not continue to be routinely and unduly deferred, delayed, and preempted by other administrative obligations. Indian tribes have waited and worked over many years and incurred significant costs and efforts to regain their sovereign authority over small portions of their historic territory. This especially applies where Indian tribes have investment-backed expectations for the benefit of their communities hanging on BIA decisions. Indian tribes should not be made to wait or endure any more than absolutely necessary, and the current trust-acquisition process should not be expedited, not exacerbated.

3. Under what circumstances should the Department approve or disapprove an off-reservation trust application?

Consistent with the governing statutory purposes and existing regulatory standards noted above, DOI should approve an off-reservation acquisition when it facilitates tribal self-determination, economic development, Indian housing, or land consolidation. 25 C.F.R. §§ 151.1, 151.3(a), (a)(3). This should include preservation of sacred sites and natural resources, as noted above and has been done for trust acquisitions for the Pueblo. Also, DOI must continue to treat contiguous

acquisitions as on-reservation ones, as provided for in the current governing regulations. *Id.* § 151.10.

4. What criteria should the Department consider when approving or disapproving an off-reservation trust application?

DOI should follow and apply the existing regulatory criteria when approving or disapproving an off-reservation trust application. As the Supreme Court has recognized,

> The regulations . . . are sensitive to the complex interjurisdictional concerns that arise when a tribe seeks to regain sovereign control over territory. Before approving an acquisition, the Secretary must consider, among other things, the tribe's need for additional land; "[t]he purposes for which the land will be used"; "the impact on the State and its political subdivisions resulting from the removal of the land from the tax rolls"; and "[j]urisdictional problems and potential conflicts of land use which may arise."

City of Sherrill, N.Y. v. Oneida Indian Nation, 544 U.S. 197, 220-21 (2005) (quoting 25 C.F.R. § 151.10(f)). In addition, under the existing regulations, the DOI must confirm that there are no preclusive environmental or title issues regarding the proposed acquisition. 25 C.F.R. §§ 151.10(h), 151.13(b). Also, if any development is planned, state and local governments and others can comment on draft environmental assessments or environmental impact statements under the National Environmental Policy Act ("NEPA"). Moreover, there are clear, existing additional criteria for off-reservation acquisitions: "For off-reservation requests, the regulations also require the Secretary to, among other things, give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition as the distance away from the reservation increases and give greater weight to concerns raised by state and local governments." GAO Report at 2 (citing 25 C.F.R. § 151.11).

Furthermore, there already is a well-developed body of case law applying the existing criteria in the governing regulations, both from federal courts and via the Interior Board of Indian Appeals ("IBIA"). Those regulations and relevant case law provide clear guidance for Indian tribes, federal decision-makers, and others. Changing the governing regulations would unduly disrupt those settled standards and impose unwarranted and substantial additional burdens, costs, and delays on all interested parties. Moreover, courts have repeatedly rejected claims that there are not adequate standards for BIA to apply in considering whether to acquire land in trust for Indians. *See, e.g., Michigan Gaming Opposition v. Kempthorne*, 525 F.3d 23, 33 (D.C. Cir. 2008); *Shivwits Band of Paiute Indians v. Utah*, 428 F.3d 966, 974 (10th Cir. 2005); *South Dakota v. U. S. Dep't of Interior*, 423 F.3d 790, 796-99 (8th Cir. 2005). Also, any trust acquisition decision remains subject to review under the Administrative Procedure Act ("APA"), even after the BIA closes on a trust acquisition. *Match-E-Be-Nash-She-Wish Band of Pottawatomi Indians* v. *Patchak*, 132 S. Ct. 2199, 2203 (2012). Finally, as noted above, the United States only has a trust responsibility to protect and advance Indian interests in trust-land acquisitions, so those policies must never be subordinated to

interests of others or conflicting policy preferences of federal officials in considering off-reservation trust acquisitions.

In sum, there is no need to change the existing criteria for considering off-reservation trust acquisitions and there are many reasons to continue applying the existing criteria.

5. **Should different criteria and/or procedures be used in processing off-reservation applications based on:**

   a. **Whether the application is for economic development as distinguished from non-economic development purposes (for example Tribal government buildings, or Tribal health care, or Tribal housing)?**

No, neither different criteria nor procedures should be used for considering proposed economic developments other than the existing requirements for submission and consideration of "a plan which specifies the anticipated economic benefits associated with the proposed use." 25 C.F.R. § 151.11(c).

   b. **Whether the application is for gaming purposes as distinguished from other (non-gaming) economic development?**

Applications to acquire land in trust for gaming purposes should continue to be considered and processed under the distinct procedures in 25 C.F.R. Part 292 that were expressly developed and promulgated just for that purpose. The DOI should not revise the general trust-acquisition regulations to specifically address gaming-related acquisitions. Indeed, the BIA previously specifically rejected a proposal to include gaming-specific provisions in Part 151, concluding that "a new part will be added to the 25 CFR pertaining to off-reservation acquisitions for gaming." 60 Fed. Reg. 32,874, 32,878 (June 23, 1995). That separate new part now exists and should continue to be used for that purpose. Consideration of gaming issues must remain separate from general consideration of trust acquisitions.

   c. **Whether the application involves no change in use?**

The only different criteria and process that should apply to a trust acquisition when there is no change in use is continued application of the existing NEPA categorical exclusion under 516 DM 10.5(I).

6. **What are the advantages/disadvantages of operating on land that is in trust versus land that is owned in fee?**

The numerous advantages of operating on land in trust include the following:

- application of tribal jurisdiction, laws, and regulations;

- protection of natural, environmental, and cultural resources;
- protection from alienation and encumbrances;
- exemptions from state and local taxes, both for land and improvements;
- exemption from state income taxes for resident tribal members; and
- federal tax, contract, and program preferences and eligibility.

Obviously, each of these reflects a corresponding disadvantage of operating on land in fee status. In particular, the tax exemption expressly provided for trust lands by statute is critical given that the relevant tribe must exercise full regulatory authority over acquired land.

The two disadvantages of trust status and the corresponding advantages of fee status are that trust land cannot be alienated or encumbered and that use of land held in trust is subject to federal approval, which can make projects take longer and cost more. However, the alienability of fee land is only a benefit for tribes that want to sell or mortgage their real property, and they can freely maintain that ability by retaining fee status. In turn, federal approval requirements can be ameliorated by use of land assignments, application of the HEARTH Act, or subleasing by federally chartered tribal corporations, where possible.

7. **Should pending applications be subject to new revisions if/when they are finalized?**

No, unless an applicant specifically requests that.

8. **How should the Department recognize and balance the concerns of state and local jurisdictions? What weight should the Department give to public comments?**

DOI should recognize and address the concerns of state and local jurisdictions as already provided in Section 151.11(b): "as the distance between the tribe's reservation and the land to be acquired increases, the Secretary shall give greater scrutiny to the tribe's justification of anticipated benefits from the acquisition . . . . [and t]he Secretary shall give greater weight to the concerns raised pursuant to paragraph (d) of this section." The Department should consider but should not give any particular weight to public comments, as those should be reflected in the comments of state, local, and any relevant other tribal governments. This especially applies if those comments reflect simple ignorance or outright racism. As the GAO has found, there is little opposition to trust acquisitions. GAO Report, *supra*, at summary. Moreover, trust acquisitions basically just consist of Indian tribes regaining authority over small portions of their original aboriginal lands, as the Pueblo has done. The DOI therefore ought not change the existing process to advance the interests of rare and outlier Indian opponents to the detriment of tribes to whom DOI has a trust responsibility, contrary to the clear guiding purpose of the governing statute.

9. **Do Memoranda of Understanding (MOUs) and other similar cooperative agreements between tribes and state/local governments help facilitate improved tribal/state/local relationships in off-reservation economic developments? If MOUs help facilitate**

improved government-to-government relationships, should that be reflected in the off-reservation application process?

MOUs can help facilitate improved intergovernmental relations in off-reservation economic development but require good pre-existing relevant intergovernmental relations in order to be negotiated and put in place. For examples, relevant MOUs may not be feasible where local governments categorically oppose trust acquisitions or tribal authority or there are not existing good relations between local communities, and such situations should not count against approval of trust acquisitions. MOUs must not be suggested or required for trust acquisitions because that impermissibly would be used by state and local governments to hold tribes hostage to extort unreasonable demands or impose vetoes in order for tribes to proceed with acquisitions, especially where they involve economic development plans. The DOI should not do anything that would allow, facilitate, or encourage such situations. Instead, MOUs already can be and are considered under the existing regulatory requirement for consideration of "[j]urisdictional problems and potential conflicts of land use which may arise" under 25 C.F.R. Section 151.10(f).

10. **What recommendations would you make to streamline/improve the land-into-trust program?**

As noted in response to the second question above, the Pueblo of Laguna has the following recommendations for streamlining and improving the land-into-trust program: process trust acquisitions locally; increase funding, staffing, and training where needed; and set and enforce deadlines. In addition, the DOI should not reinstate a former and now unnecessary extra 30-day waiting period for administrative review, and must retain and improve existing processes to reduce cost impacts for federal agencies and others.

First, DOI should redelegate final decisions to regional offices, revoking the April 6, 2017 memo from the Acting AS-IA to Regional Directors on delegated authority for off-reservation fee-to-trust decisions. There is no need to centralize decision-making to ensure greater consistency, defensible decisions, and resolution of legal or policy issues. Trust acquisitions—like tribes and states—vary tremendously from region to region, and the BIA's Regional Offices are most familiar with those issues and best equipped to assess and address them.

Second, the costs and effort that DOI would have to bear for promulgating and implementing regulatory revisions would be far better spent on hiring more regional realty staff and doing more and better training under existing regulations. This is especially significant considering the existing underfunding of the BIA, which must be increased, not decreased. Thus, local knowledge, sufficient staff, and good training will facilitate sound and efficient decision-making, and an additional layer of delayed, remote decision-making in DC will not.

Third, an easy and effective way to improve the existing process that already takes too long is to set and enforce internal administrative deadlines for processing applications, both at each stage and overall. Even the GAO and the BIA have recognized the importance of addressing this issue.

This issue should be resolved, not exacerbated by adding additional open-ended reviews by remote and already overburdened federal officials.

Fourth, DOI should not reinstate the 30-day delay for closing on trust-land acquisitions after final decisions for DOI as proposed in an OMB announcement regarding the current rulemaking. As explained by DOI itself in the prior formal rulemaking which eliminated that extra delay, "[f]ollowing *Patchak*, the 1996 procedural rule establishing a 30-day waiting period is no longer needed because interested parties may have the opportunity to seek judicial review of the Secretary's decision under the APA even after the Secretary has acquired title to the property." 78 Fed. Reg. 67,928, 67,929 (Nov. 13, 2013).

That additional delay of up to a month and a half or more is harmful and has been experienced by the Pueblo five times over the last decade. For example, for one of the Pueblo's most recent trust acquisitions, that delay caused the land to be subject to State rather than Pueblo regulation during hunting season, which affected management of that land. The unnecessarily consecutive appeal period also creates a concern that state or local governments which receive a notice of decision but fail to appeal within the initial 30-day appeal period may nonetheless file an appeal during the subsequent published 30-day appeal period. *See* 78 Fed. Reg. 43843, 43844 (July 22, 2013) (addressing similar issues regarding appeals from the ONRR to the IBLA). States and local governments should not receive two successive appeal periods, and the DOI should not recreate problems for the BIA and tribes that it previously has resolved for them and for other federal agencies.

Finally, well-established and recently reinforced mandates for efficient government administration preclude the recently suggested revisions. Specifically, the Unfunded Mandates Reform Act recognizes that significant regulatory actions must consider the anticipated costs and benefits of the federal mandate to State, local, and Tribal governments. 2 U.S.C. § 1532(a). Moreover, even absent a statutorily required statement on those issues, the DOI should "identify and consider a reasonable number of regulatory alternatives and . . . select the least costly, most cost-effective or least burdensome alternative that achieves the objectives of the rule, for . . . tribal governments, in the case of a rule containing a Federal intergovernmental mandate[,]" unless "the head of the affected agency publishes with the final rule an explanation of why the least costly, most cost-effective or least burdensome method of achieving the objectives of the rule was not adopted[.]" *Id.* § 1535(a)-(a)(1), (b). Consistent with those statutory requirements, Executive Order 13,771 recently reaffirmed that "it is essential to manage the costs associated with the governmental imposition of private expenditures required to comply with Federal regulations." 82 Fed. Reg. 9339, § 1 (Feb. 3, 2017). Moreover, "any new incremental costs associated with new regulations shall, to the extent permitted by law, be offset by the elimination of existing costs associated with at least two prior regulations." *Id.* §§ 2(c) (for FY2017), 3(a) (applying same to later fiscal years). The DOI should comply with those mandates to improve implementation of the existing trust-acquisition regulations rather than exacerbate that process with additional requirements, costs, and delays for federal agencies, Indian tribes, and others.

Conclusion

In summary, there are many reasons and ways to improve implementation of the existing trust-acquisition regulations, and no reasons consistent with governing law warrant revisions to those regulations. As noted during an April 25, 2018 hearing of the Senate Committee on Indian Affairs, off-reservation acquisitions are vital for Indian tribes, but the vast majority of acquisition requests concern on-reservation lands and very few concern gaming. The current rulemaking thus seems to be an undue effort to craft an unhelpful solution in search of a problem. As Senator Udall noted at that hearing, "[f]or an administration supposedly focused on streamlining, it strikes me as odd that the Department is looking at regulations that will make the process more difficult, more time-consuming, and more costly—all at Indian Country's expense." Thank you very much for your consideration of these comments. For questions regarding these comments, please contact our Government Affairs Director, Ethel Abeita, at 505-552-5781.

Sincerely,

PUEBLO OF LAGUNA

Virgil Siow

Virgil Siow
Governor

cc: Senator Tom Udall
Senator Martin Heinrich
Dan Rey-Bear
Ethel J. Abeita