



DATA SOVEREIGNTY: WHAT IS IT AND WHY IS IT IMPORTANT?

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DATA SOVEREIGNTY

WHAT IS IT AND WHY IS IT IMPORTANT

Data sovereignty = Tribal sovereignty

“Indigenous data sovereignty [is] the right of each tribe to govern the collection, ownership, and application of data, information, and knowledge about its peoples, lands and resources.”

- National Congress of American Indians, Resolution

- ❖ Reclaiming power and control
- ❖ Preserving cultural knowledge
- ❖ Correcting harmful narratives
- ❖ Addressing data dependency



TRIBAL CONSULTATION – STATE LEVEL

STATE-TRIBAL COLLABORATION ACT (STCA), NMSA 1978, § 11-18-1 *ET SEQ.*

A. By December 31, 2009, every state agency shall develop and implement a policy that:

- (1) promotes effective communication and collaboration between the state agency and Indian nations, tribes or pueblos;
- (2) promotes positive government-to-government relations between the state and Indian nations, tribes or pueblos;
- (3) promotes cultural competency in providing effective services to American Indians or Alaska Natives; and
- (4) establishes a method for notifying employees of the state agency of the provisions of the State-Tribal Collaboration Act and the policy that the state agency adopts pursuant to this section.

B. In the process of developing the policy set forth in Subsection A of this section, state agencies shall consult with representatives designated by the Indian nations, tribes or pueblos.

C. A state agency shall make a reasonable effort to collaborate with Indian nations, tribes or pueblos in the development and implementation of policies, agreements and programs of the state agency that directly affect American Indians or Alaska Natives.

D. The Indian affairs department shall maintain for public reference an updated list of the names and contact information for the chief executives of the Indian nations, tribes or pueblos and for the state agency tribal liaisons.

E. Every state agency shall designate a tribal liaison, who reports directly to the office of the head of the state agency, to:

- (1) assist the head of the state agency with developing and ensuring the implementation of the policy as set forth in Subsection A of this section;
- (2) serve as a contact person who shall maintain ongoing communication between the state agency and affected Indian nations, tribes or pueblos; and
- (3) ensure that training is provided to the staff of the state agency as set forth in Subsection B of Section 4 [\[11-18-4 NMSA 1978\]](#) of the State-Tribal Collaboration Act. Nothing in this subsection shall preclude tribal liaisons from providing or facilitating additional training.

NMSA 1978, § 11-18-3



TRIBAL CONSULTATION

STATE VS. FEDERAL

NEW MEXICO

- STATE-TRIBAL COLLABORATION ACT (STCA), NMSA 1978, § 11-18-1 *ET SEQ.*

FEDERAL

- DEPARTMENT OF THE INTERIOR POLICY ON CONSULTATION WITH INDIAN TRIBES (512 DM 4)
- DEPARTMENT OF THE INTERIOR – SECRETARY’S TRIBAL ADVISORY COMMITTEE



PATH FORWARD

GOVERNMENT TO GOVERNMENT RELATIONS



THANK YOU



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