



The Our American States podcast—produced by the National Conference of State Legislatures—is where you hear compelling conversations that tell the story of America’s state legislatures, the people in them, and the policies, process and politics that shape them.

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### **Understanding the Quad Caucus, Part 2 | July 26, 2021 | OAS Episode 137**

Ed: Hello and welcome to “Our American States,” a podcast from the National Conference of State Legislatures. This podcast is all about legislatures: the people in them, the policies, process and politics that shape them. I’m your host, Ed Smith.

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*“I think the first convening of our Native American Caucus was back in 1992 but wasn’t formalized until 2005. At that time, I believe we only had about 20 elected members and now, the present day, we’re 80 plus Native American legislators across the country. So, that’s been exciting.”*

Those were Senators Daniel Ivey-Soto and Benny Shendo, both of New Mexico. They’re my guests on the podcast.

This is the second of a two-part series on the Quad Caucus, a coalition of the four national caucuses of color representing Asian-Pacific American, Black, Native American and Hispanic legislators. Combined, the four groups represent more than 1,400 state lawmakers.

On the earlier podcast, I spoke with Washington Representative Sharon Tomiko Santos and Kansas Representative Barbara Ballard about their work with the Quad Caucus.

On this show, I talk with Ivey-Soto, president of the National Hispanic Caucus of State Legislators, and Shendo, chair of the National Caucus of Native American State Legislators. They discussed the work of their caucuses, the census and redistricting, and some of the challenges facing their communities and more. Here’s our discussion.

Senators Ivey-Soto and Shendo, welcome to the podcast.

Sen I-S: Thank you so much.

Sen S: Thank you.

*Time Marker (TM): 02:09*

Ed: First, let me thank you for taking the time to come on the show. This is the second podcast we've done on the Quad Caucus. Our first one featured a great discussion between Washington Representative Sharon Tomiko Santos and Kansas Representative Barbara Ballard.

So, to start, I wonder if you could each tell our listeners a little about your background and the caucus you lead. Senator Shendo, why don't you start?

Sen S: Thank you, Ed. My name is Benny Shendo, Jr. I'm the state senator in New Mexico for District 22. I'm also a tribal member of the Hennis Pueblo Tribe. It's located maybe about 60 miles northwest of Albuquerque and glad to be on the show.

*TM: 02:50*

Ed: Tell us a little bit more about your background and about the caucus.

Sen S: My background is I have an undergraduate from the University of Colorado in Boulder, and attended law school, but decided not to complete it. I spent quite a bit of time in business and also in government relations work. I was a former cabinet secretary of New Mexico back when Governor Richardson first became governor and elevated that position. In 2013, I took office as a New Mexico state senator. I spent almost 20 years in higher education, both at the University of Colorado, UNN, and at Stanford.

Our caucus, I think the first convening of our Native American Caucus was back in 1992 but wasn't formalized until 2005. At that time, I believe we only had about 20 elected members and then now, the present day, we're 80 plus Native American legislators across the country. So, that's been exciting.

We get together every year on professional development, education and also looking at our issues across the country, statewide, what issues are important to Native communities in our respective states and try to share legislation on what's worked and how people are tackling various issues.

*TM: 04:10*

Ed: Thanks, Senator. Now, Senator Ivey-Soto, can you fill us in on your background and the caucus?

Sen I-S: Certainly, I'd be happy to. I'm a former schoolteacher and prosecutor. I did finish law school. In addition to that, I used to be the state elections director in New Mexico and was associate deputy secretary of state for elections, ethics and legal. And then have also served as the executive director for the state's county clerk. So, I have a background in public service in a variety of different areas and policy.

Like Senator Shendo, I joined the New Mexico State Senate in 2013. Actually, he and I sit next to each other on the Senate floor; kind of a nice treat every day when we're in session.

In terms of the National Hispanic Caucus of State Legislators, there are 435 Hispanic legislators throughout the country in 42 states and Puerto Rico. So, we really have a very broad reach throughout the country. The caucus has become increasingly active in terms of focusing on policy areas and working on the interface between what is appropriate for state policy versus what is appropriate for federal policy.

*TM: 05:27*

Ed: Thanks, Senator. The 2020 Census was recently completed and there was a lot of effort around the nation to ensure a complete count. It was also the first Census where households could respond online.

Across the country, we know legislators were involved in complete count efforts. I wonder how that went in New Mexico, particular in the communities you represent. Senator Ivey-Soto, why don't we start with you?

Sen I-S: New Mexico actually historically has been one of the hardest-to-count states. We really unfortunately suffered a very high undercount in the past. The challenges this year with COVID I think will probably keep us in that same category. That will unfortunately be to our detriment for the next decade in terms of various resources that we're not going to be able to benefit from as a result of that.

I will note, by the way, that when it came to the Census, this year the National Hispanic Caucus of State Legislators did pass an emergency resolution rejecting the proposed citizenship question, and we also joined in with Latino Justice to do one of the amicus briefs as that was going through the court system as a way of advocating for our communities as well.

*TM: 06:45*

Ed: Do you think the citizenship question would depress the response rate if it had been included?

Sen I-S: You know, in New Mexico a bit. Other parts of the country much more. We saw the manner in which it was being done as not meeting the standard of the Census. That's one of the things that would be good to understand, how the Census is supposed to operate. Whether that question should be asked or not is a legitimate issue, but the fact that it didn't go through all of the testing, it didn't go through the normal protocols, and the policy justification wasn't there for asking that question is where it became problematic.

*TM: 07:28*

Ed: Senator Shendo, what's your perspective on the effort to get a complete count?

Sen S: Well, just building on what Senator Ivey-Soto said, I think a huge undercount, and that's a challenge every time here in New Mexico because so much of our area is rural. I think this time around... I wasn't aware that this was the first time that Native Americans had the opportunity to self-respond for the first time in history; others have done it before. This was the first time that I learned.

With the COVID, there were other challenges. As you heard in the news, many of our tribal communities were hit very hard, so there were lockdowns in place. That added a challenge to the folks that were out there. But the effort, even with the challenges, I think went very well.

The Census Bureau partnered with the New Mexico Native Census Coalition, which is a group of tribal organization nonprofits and advocates and so forth – they did a really good job. And what was fascinating was that since this was the first time we had a self-response rate, some of the pueblos, like my tribe, Santo Domingo and Cochiti had higher response rates on the self-reporting than the state in some respects.

The challenge was that also we didn't have a whole lot of broadband. So, trying to coordinate hotspots and other things so that people can self-respond was another challenge. They tried to do virtual events in tribal communities, and I think you know people learned a lot and were able to use technology in ways that they haven't done before, but the challenge still remains in rural areas. We don't have broadband.

So, we'll see. I don't know at the end of the day. I think, as Senator Ivey-Soto mentioned, the numbers will still be low. That's just the challenge here in New Mexico and that has a negative impact on the resources, particularly for tribes, because so much of those numbers are used to provide federal funding for many of our programs.

Ed: That's an excellent point about broadband. It's not only critical these days for business, education and healthcare; it's also necessary sometimes to be able to participate as a citizen.

*TM: 09:55*

Ed: The Census, of course, leads us to redistricting. I understand New Mexico now has a redistricting commission. How is that significant for your communities? Senator Ivey-Soto, let's start with you.

Sen I-S: We're going to have for the first time an independent citizens redistricting committee that will make recommendations to the legislature. It would require a constitutional amendment for them to be able to make the decision on redistricting.

So, we got as far as we could under the current New Mexico constitution. They'll be making the recommendations. And what that will do is that will create a different default as we start our legislative work in the special session that we'll have later on this year to do redistricting.

One of the things that I'm really hopeful will come out of that is the way in which communities of interest are grouped together within certain districts. I'm hoping we'll be a little bit more consistent, both for the Latino communities within New Mexico as well as for the 23 different indigenous communities in New Mexico.

For example, we have one tribe in New Mexico, Zuni, that is split right now between two different congressional seats. And so, those are the kinds of issues that I'm hoping will be looked at from a community-based perspective as opposed to a political perspective for us when we start our work.

*TM: 11:25*

Ed: Senator Shendo, how do you see the significance of a redistricting commission?

Sen S: Yes, just building on Senator Ivey-Soto's comment, I think having a citizens community to look at from their perspective how they see their communities. A good example is that several of our tribes' congressional districts are split.

Also, we have the 19 pueblos. We have two Apache tribes, the Navajo Nation. Those are all important and I know that some, at least in my county, we're still under a court order for voters. And so, we have Native American voter folks needing to make sure that the county is doing the right thing.

All of these will be taken into account, and I think trying to make sure that there is fair representation in our legislature is important. I'm curious... I've been working with... there's a workgroup with the All Indian Pueblo Council that's been tasked to look at these things. So, they're coming up with recommendations. I'll be interested to see what those recommendations are.

Ed: Thanks Senator. We're going to take a quick break and then come back with the rest of our discussion.

MUSIC and Gene VO

Education, law enforcement, redistricting, state budgets – states have a steep hill to climb to recover from the pandemic. Join us online August 3<sup>rd</sup> through the 5<sup>th</sup> at NCSL Base Camp 2021 where national thought leaders and policy experts join with states to map the way forward. Register today at [nctl.org](https://nctl.org).

*TM: 13:14*

Ed: I'm back with Senators Benny Shendo and Daniel Ivey-Soto, both from New Mexico. You're both leaders of your national caucus of color. What are the current caucus priorities? Senator Shendo, why don't you go first?

Sen S: Thank you. I think one of things that is really important for our caucus is to understand the whole issue of sovereignty. A lot of folks don't really understand it. In this country, we have three sovereigns: the federal government, the state government, and the tribes. And I think even though we're state legislators, all of us are still tribal members.

And so, the whole issue of sovereignty is really important for us because that allows our tribes to govern, but also within that framework how do you work with state government and counties and other municipalities that have to work with tribes in each of their respective states.

And so, I think to me and many of our legislators, it's probably first and foremost to have that. And then, of course, the other priorities we have are around education, voting, as well as a lot of issues that come across that are important to tribal communities.

We have over 570-some federally recognized tribes in this country and people don't really understand. And some of the largest numbers of tribes are in California, but people don't really understand because the population is so high out there that even with the high number of Native people, they're still dwarfed as compared to the overall population of the state.

And so, these are issues that we have to address. I know that state issues sometimes... the state doesn't have jurisdiction on tribal lands and so forth, so these are other complicated, jurisdictional matters that we have to deal with as tribes in states as we make laws to protect our sovereign right as well.

*TM: 15:17*

Ed: How about for you Senator Ivey-Soto? What do you see as the priorities for your caucus?

Sen I-S: It's really interesting listening to President Shendo talk about the priorities for the Native American Caucus in terms of sovereignty and whatnot. In our case, a lot of it has to do with immigration status which, on the one hand is the flipside of what they're working on and on the other hand, it actually goes to the core of the very same goal that each of us has, which is ensuring that our constituencies are given the respect as human beings and treated appropriately within society and not limited in terms of what they can do.

And so, for example, a lot of the work that we've been doing lately has been in terms of, particularly within the pandemic this has become very evident, is ensuring that benefits are not restricted based upon citizenship status, that benefits that come from the government, occupational license opportunities that come from the government, other things of this nature, I completely understand the policy arguments that people have when they want benefits to be restricted in terms of citizenship or residency.

And yet, when you're looking at something like a pandemic, the virus doesn't stop to ask what passport you have. So, all of us are in more danger if we don't treat everybody within our areas as human beings and as members of our communities.

We also very much want our legislatures, right along the same lines of what the Native American Caucus is working on, we want our legislatures to reflect the population of the states. So, that's another important aspect that we're working on.

And within the National Hispanic Caucus of State Legislators, the last few years we've also had Latinas Lead Academy. The goal of Latinas Leads is to help inculcate leadership within the Latina community in order to also get better balance of representation by gender within our ranks.

*TM: 17:37*

Ed: As we've discussed, New Mexico's Hispanic and Native populations are some of the largest in the U.S., and New Mexico ranks among the nation's most diverse states. Since we know the entire nation is becoming more diverse with growth of communities of color, I wonder what your colleagues in other states can learn from New Mexico. Senator Shendo, why don't you tackle that one first?

Sen S: It's a really important question because as we move forward as a nation and in states, the ability to work with your community is important and I think one of the things that's been really exciting here in New Mexico, and I mentioned earlier my role as a cabinet secretary back in 2003 when Congressman Richardson ran for governor, one of the commitments that he made to the tribe was to elevate what was then the Office of Indian Affairs to a cabinet-level position, so that tribal issues can be elevated at that level.

I think that's made a huge difference here for us in the State of New Mexico. It's allowed for tribes to have a seat at the table, to have a concentration protocol, so that any action that the state is taking, to make sure that how it's affecting our tribal communities.

And having that relationship also is really important because tribes, at least in New Mexico, are huge. They have large land bases, so all of our major infrastructure, our broadband, our railways, our highways, our waterways, all go through tribal lands. So, these are very important issues.

So, I think for us, here in the State of New Mexico, our state tribal relations are probably some of the best in the country. We still have our challenges, but at least we have a mechanism to work with these, and I think that's really been important.

And I know that many states are looking at New Mexico and I know we get a lot of phone calls from when I was cabinet secretary and to this day on how the State of Mexico is dealing with these issues. So, I think we've become, and other states like Montana and Washington and others with large Native populations are trying to emulate the same way, maybe not a cabinet-level position, but certainly a position that's high up within the governor or the lieutenant governor's office.

*TM: 20:06*

Ed: Senator Ivey-Soto, what's your view on that diversity question?

Sen I-S: Senator Shendo and I really live in a very privileged situation. We're in a majority/minority state. I think actually between the Latino population and the indigenous populations in New Mexico, that is the majority of the state. Consequently, our experience is very different from the experience that people have around the rest of the country.

As an example, in Pennsylvania there are close to a million Latinos who live in Pennsylvania, but until about four years ago, there was only one Latino legislator in the entire state in both their House and their Senate. Those are the representational issues that I think both of us are dealing with in terms of our colleagues in other states, and making sure that we're able to, again, have the state legislature reflect the state.

*TM: 21:10*

Ed: As I mentioned earlier, we heard from Representatives Ballard and Tomiko Santos about the formation of the Quad Caucus in 2012, which helped me understand the dynamic among the

four caucuses. Can you tell us how the Quad Caucus has shaped your work in your state and nationally? Senator Ivey-Soto, why don't you start?

Sen I-S: Certainly. The bottom line is, as you're hearing in this podcast, we in the Hispanic Caucus have certain issues and priorities. The Native American Caucus has certain issues and priorities. We come at them in different ways, but at the end of it all, the goals are really very similar. And in that regard, collaboration makes us stronger.

It is really important for the Quad Caucuses to be able to stand together on certain issues and speak with a greater voice. If you add up right now all of the Asian-Pacific Islander legislators throughout the country, all of the Black/African American legislators around the country, all of the Native American legislators around the country, and all of the Latino legislators around the country, that is one out of every seven state legislators in this nation.

And so, in that regard, I think the Quad Caucus and I very much appreciate the administrative support that comes from NCSL for the Quad Caucus, because it really helps us to amplify our voice and make sure that on a lot of these issues where we have very much in common, we're able to be much more effective in attacking this.

*TM: 22:57*

Ed: Senator Shendo, what role has the Quad Caucus played in your work?

Sen S: It's been very helpful. It's very easy for us to become very parochial in just looking at our own issues within our own states and so forth. So, I think the Quad Caucus allows us to really look at a lot of these issues that affect our nations and our state and in particular, our respective groups. And when we come together and share our challenges, more often than not these are very common threads that are impacting all of us in some way.

So, when we tackle these issues, coming together and speaking together on behalf of some of these issues, it's really a louder voice. I think we've done that in the past and to know that we could vet some of our issues with our colleagues, some others to see how these are playing out is really important.

You look at this country today and you look at our Native communities and how... I mean, I don't know if you've had a chance to read the Atlantic articles about national parks. Fascinating, because these are all places of sacred, religious significance that were taken from our lands. These articles are looking at who owns the parks and advocating the return of many of these lands back to tribal people.

We're fighting every day to protect our sacred places and spaces, and yet this country literally just took these from us. And now we've been fighting for 100 plus years to protect these places.

So, it's really fascinating where this country is at today and where it's going, and how it's looking at the various people and how we've been treated. You talk about reparation; you talk about restoration. I think this country is really looking at these various issues and how it's been able to get to where it is, but at what cost, and where are we going to go as a nation and how are we going to hopefully be more respectful towards the people that make up this country.



These are the challenges, and these are the opportunities that we have as the four caucuses coming together to take on these challenges together to hopefully not only reflect our views, but hopefully make a better world for our children and our grandchildren.

Ed: Senators, again, let me thank you for both of your time and this interesting discussion. Take care.

#### MUSIC

Ed: And that concludes this edition of our podcast. We encourage you to review and rate our episodes on iTunes, Google Play or Spotify. You may also go to Google Play, iTunes or Spotify to have these episodes downloaded directly to your mobile device when a new episode is ready. For the National Conference of State Legislatures, this is Ed Smith. Thanks for listening and being part of "Our American States."