

Subpart U General Welfare

U-1 Drug and Alcohol Testing Policy for Persons Requesting or Receiving Assistance

(a) The Governor may order a drug or alcohol test of any applicant or recipient of financial assistance or social services.

(b) If the first drug/alcohol test is positive, the applicant/ recipient may request a second test, at their own expense, to ensure the validity and reliability of the first test. The second drug/alcohol test must be requested and taken within an hour of receiving the result of the first drug/alcohol test.

(c) If the applicant/recipient tests positive for drug/alcohol use, they shall be subject to First Offense Penalties.

(d) First Offense Penalties are mandatory. First Offense Penalties include: At a minimum, the applicant/recipient shall be given one week leave without pay. After the one week, the applicant/recipient may again receive benefits, but for the three months from the time of the negative result, they are subject to random drug testing at the discretion of any Tribal Official. The applicant/recipient employee shall be responsible for the costs of all drug testing within the probationary period.

(e) Second Offense Penalties are mandatory. After a second offense, the applicant/recipient employment shall be terminated from receiving any benefits for one year. The applicant/recipient must submit to a test for illegal drugs or alcohol and test negative prior to regaining eligibility for financial assistance or social service programs.

(f) DUI convictions: At the discretion of a Tribal Official, any applicant/recipient convicted in any Court of the violation of Driving under the Influence may be subject to the First and Second Offense Penalties.

(g) Any applicant/recipient who is subject to the first or second offense penalties remains eligible for social service programs regarding rehabilitation and counseling for the substance abuse problem.

(h) Any person who is receiving financial assistance for educational purposes and who tests positive for drugs or alcohol shall:

1. Repay the Pueblo one-half of the last stipend payment that the recipient received (e.g., if the recipient receives a monthly stipend of \$1,000, the recipient shall repay \$500 to the Pueblo).
2. Take another drug/alcohol test prior to receiving any further education financial assistance. If the test is negative, they shall be eligible to receive educational financial assistance. However, if the test is positive, the recipient shall repay the Pueblo the total

amount of educational financial assistance that the recipient received for the current semester in which the recipient tests positive and they shall be ineligible to receive any educational financial assistance for one year from the date of the negative test result.

U-2 Liquor Control Act

(a) Definitions.

1. “Alcoholic beverages” means distilled or rectified spirits, potable alcohol, brandy, whiskey, rum, gin and aromatic bitters of any similar alcoholic beverage, including blended or fermented beverages, dilutions or mixtures of one or more of the foregoing containing more than one-half of one percent alcohol, but excluding medicinal bitters:

A. “Spirituous liquors” means alcoholic beverages except fermented beverages such as wine, beer and ale;

B. “Beer” means any alcoholic beverage obtained by the fermentation of any infusion or decoction of barley, malt and hops or other cereals in water and includes porter, beer, ale and stout;

C. “Fortified wine” means wine containing more than fourteen percent alcohol by volume when bottled or packaged by the manufacturer, but does not include:

i. Wine that is sealed or capped by cork closure aged two years or more;

ii. Wine that contains more than fourteen percent alcohol by volume solely as a result of the natural fermentation process and has not been produced with the addition of wine spirits, brandy or alcohol; or

iii. Vermouth and sherry.

D. “Wine” includes the words “fruit juices” and means alcoholic beverages obtained by the fermentation of the natural sugar contained in fruit or other agricultural products with or without the addition of sugar or other products that do not contain less than one half of one percent nor more than twenty-one percent alcohol by volume.

2. “Club” means any nonprofit group, including an auxiliary or subsidiary group, organized and operated under the laws of the Pueblo of Pojoaque with a membership of not less than twenty members who pay membership dues at the rate of not less than five dollars (\$5.00) per year and who, under the constitution and bylaws of the club, have all voting rights and full membership privileges and which group is the owner, lessee or occupant of premises used exclusively for club purposes and which group the Commission finds is operated solely for recreation, social, patriotic, political, benevolent or athletic purposes.

3. “Commission” means the Pueblo of Pojoaque Alcoholic Beverage Commission.

4. “Dispenser” means any person licensed under the provisions of the Liquor Control Act selling, offering for sale or having in his possession with the intent to sell alcoholic beverages both by the drink for consumption on the licensed premises and in unbroken packages for consumption and not for resale off the licensed premises.
5. “Micro brewer” means any person who produces less than five thousand (5,000) barrels of beer in a year.
6. “Minor” means any person under twenty-one (21) years of age.
7. “Person” means any individual, estate, trust, receiver, cooperative association, club, corporation, company, firm, partnership, joint venture, syndicate, Pueblo-chartered corporation, or any other legal entity.
8. “Restaurant” means any establishment having a New Mexico resident as a proprietor or manager which is held out to the public as a place where meals are prepared and served primarily for on-premises consumption to the general public in consideration of payment and which has a dining room, a kitchen, and the employees necessary for preparing, cooking and serving meals; provided that “restaurant” does not include establishments serving only hamburgers, sandwiches, salads and other fast foods.
9. “Wholesaler” means any person holding a license issued under the Liquor Control Act who sells, offers for sale or possesses for the purposes of sale any alcoholic beverages for resale by the purchaser.

(b) Pueblo of Pojoaque Alcoholic Beverage Commission.

1. The Commission is composed of up to five voting members. All members shall be named by the Tribal Council to serve for terms to be decided by the Tribal Council. The Commission shall determine its officers and chairperson.
2. Commission members shall meet at the call of the chairperson. Members of the Commission shall be reimbursed for per diem and mileage and shall receive a monthly stipend in accordance with Pueblo of Pojoaque Tribal guidelines.
3. The Commission will be responsible for issuing licenses and determining the outcome of all matters relating to the use and sales of alcoholic beverages within land owned by the Pueblo of Pojoaque within the exterior boundaries of the Pueblo of Pojoaque. These decisions will be made in accordance with applicable federal and New Mexico laws.
4. It shall be the policy of the Commission that the sale, service and public consumption of alcoholic beverages within the exterior boundaries of the Pueblo of Pojoaque shall be licensed, regulated and controlled so as to protect the public health, safety and morals. Therefore, the Commission shall investigate the qualifications of the applicants for licenses

and shall investigate the premises for which any license is sought before the license is issued.

5. Any person to whom a license is issued shall be fully liable and accountable for the use of the license, including but not limited to liability for all violations of the Liquor Control Act.
6. All managers are responsible for acts relating to alcohol service within the scope of their employment or while performing alcohol-related duties in the conduct of business.
7. All fees collected by the Commission shall be placed in the General Operating Fund of the Pueblo of Pojoaque under the designation "Pueblo of Pojoaque Alcoholic Beverage Commission" or under such designation as the Pueblo of Pojoaque Financial Officer shall recommend.
8. The final decisions of the Commission may be appealed only to the Tribal Council.
9. The Commission is authorized to license any person within the boundaries of lands over which the Pueblo of Pojoaque has jurisdiction if the alcoholic beverages are purchased from New Mexico wholesalers.

(c) Regulations Concerning Alcoholic Beverages.

1. Compliance with Liquor Control Act.

A. The sale or the possession for the purpose of sale or offering for sale, manufacture or transportation of alcoholic beverages is hereby prohibited within the exterior boundaries of the Pueblo of Pojoaque except on the terms and conditions specified in the Liquor Control Act.

B. It is unlawful for any person to deliver any alcoholic beverages for resale within the exterior boundaries of the Pueblo of Pojoaque unless such person has complied with the laws of the Pueblo of Pojoaque and applicable laws of the State of New Mexico.

2. Alcoholic Beverages in Unlicensed Public Places. It is unlawful for any person to drink or consume alcoholic beverages or for any person who is the owner, proprietor, operator or agent of the owner, proprietor or operator to sell, serve, furnish or permit the drinking or consumption of alcoholic beverages in any public place or any public club, whether operated for profit or not, except in those establishments having a license to dispense alcoholic beverages.

(d) Regulations Concerning Minors.

1. Employment of Minors. It is unlawful for any licensee knowingly to employ any person under twenty-one (21) years of age in the sale and service of alcoholic beverages.

2. Selling or Giving Alcoholic Beverages to Minors.

A. It is unlawful for any club, retailer, dispenser or any other person to do any of the following:

- i. Sell, serve or give any alcoholic beverages to a minor, or to permit a minor to consume alcoholic beverages on the licensed premises;
- ii. Buy alcoholic beverages for or procure the sale or service of alcoholic beverages to a minor;
- iii. Deliver alcoholic beverages to a minor; or
- iv. Aid or assist a minor to buy, procure or be served with alcoholic beverages.

B. It is unlawful for any minor to consume, buy, attempt to buy, receive, possess or permit himself to be served with any alcoholic beverage in a licensed premise.

C. If any person not a minor deceives another person to believe that a minor is legally entitled to be sold, served or delivered alcoholic beverages, he and not the person deceived shall have committed an unlawful act.

D. It is unlawful for any person to give, loan, sell or deliver an identity card to a minor with the knowledge that the minor intends to use the identity for the purpose of procuring or attempting to procure any alcoholic beverages.

E. It is unlawful for minor employees to ring up and/or accept payment in liquor in licensed premises. All alcohol servers must wear a color-coded tag verifying LCC certification on their badge during business hours. Updated lists of certified alcohol servers shall be submitted to the Commission annually, with license renewal applications. Upon completion of alcohol server's training, certifications shall be forwarded to the Commission.

(e) Licenses and License Tax.

1. Licenses; Required Sales and Shipment. It is unlawful for any person, on his own behalf or as agent for another person, except a duly licensed wholesaler, directly or indirectly to sell or offer for sale or ship or transport into the exterior boundaries of the Pueblo of Pojoaque for resale any alcoholic beverages, except to a duly licensed retailer, dispenser, club, micro brewer, restaurant, canopy operator or special dispenser.

2. Application for Pueblo of Pojoaque License. Applications for a Pueblo of Pojoaque license under this Section shall be made to the Commission and shall contain such information as the Commission shall prescribe.

3. License Tax.

A. Annual license taxes on the privileges of persons holding liquor licenses issued by the Commission are imposed as follows:

- i. Dispenser: an annual fee of one thousand two hundred and fifty dollars (\$1,250);
- ii. Retailer: an annual fee of one thousand two hundred and fifty dollars (\$1,250);
- iii. Club: an annual fee of one thousand two hundred and fifty dollars (\$1,250);
- iv. Micro brewer: an annual fee of one thousand two hundred and fifty dollars (\$1,250);
- v. Restaurant: an annual fee of one thousand dollars (\$1,000); and
- vi. Canopy: an annual fee of one thousand two hundred and fifty dollars (\$1,250).

B. The licenses specified in Paragraph (A) of this Section shall be reissued annually on or about July 1 upon the payment of the annual license fee. Renewal applications and fees shall be submitted no later than May 1 for the proper review and evaluation. Application fees and/or licensing fees shall not be prorated. Any late renewal applications shall be subject to a late fee assessment of not more than ten percent (10%) of the liquor application fee.

4. Special Dispensers' Permits. Any person granted a special dispenser's permit for use within the exterior boundaries of the Pueblo of Pojoaque shall pay in advance a fee of fifty dollars (\$50.00) per day for each day or fraction thereof that the permittee is to dispense alcoholic beverages. Any other fees will be determined by the Commission at the time of licensing. The Commission shall consider the proposed use, location and extent of the permit before determining the fees. Special dispenser's permits may only be issued in connection with a public celebration upon written approval from the Commission.

(f) Penalty. As provided in the Liquor Control Act, the failure to pay the license or permit fees imposed by this Act, in addition to any penalty imposed by the Pueblo of Pojoaque Tribal Court, shall be grounds for closing forthwith the place of business of any defaulting licensee.

U-3 Tribal Elections

(a) Eligibility of Candidates; Filing for Office.

1. Eligibility for Tribal Office. Any qualified enrolled member of the Pueblo of Pojoaque who is at least twenty-one (21) years of age, shall be eligible to seek and hold elective office.

2. Filing for Office. Each candidate must file a letter of intent with the Tribal Secretary no later than thirty (30) days prior to the election date. The letter of intent shall indicate which position the candidate is running for. No candidate may run for more than one (1) Tribal Official position in any given election.

(b) Qualifications for Candidacy. In order to be eligible to seek and hold elective office, candidates must:

1. Reside within the exterior boundaries of the Pueblo of Pojoaque;
2. Be an eligible voter of the Pueblo;
3. Be in good standing with the Tribal Council;
4. Not be banned from the Pueblo;
5. Be in good financial standing, and not be in default, with the Pueblo;
6. Have no felony convictions;
7. Be mentally capable of performing the duties of the office sought; and
8. Be subject to and pass a drug test prior to being declared an eligible candidate.

(c) Affidavit and Release Authorization. Candidates may be asked to sign an affidavit stating they meet the above listed requirements, and are a person of good character and sound judgment. All candidates must sign a release authorizing a criminal and financial background check.

(d) Pending Criminal Matters. Candidates must disclose to the Tribal Council any pending criminal matters for which they are a party.

U-4 Tribal Historic Preservation

(a) Introduction. In an ongoing effort to protect the culturally unique identity of the people of the Pueblo of Pojoaque, the Tribal Council of the Pueblo of Pojoaque Finds it necessary to apply to the Secretary of the Interior to assume New Mexico State Historic Preservation Officer duties. The Pueblo of Pojoaque has developed a Pueblo of Pojoaque Tribal Historic Preservation Program Plan to aid in assuming New Mexico State Historic Preservation Officer duties on Pueblo land. The formation of the Tribal Historic Preservation Office shall supplement the established protection and conservation methods used by the Pueblo of Pojoaque regarding items including, but not limited to, artifacts, remains, and sites located within the exterior boundaries of the Pueblo of Pojoaque, lands held by the United States in trust for the benefit of the Pueblo of Pojoaque, and land owned by the Pueblo of Pojoaque.

(b) Background. Like many Pueblos in the State of New Mexico, the Pueblo of Pojoaque has had a turbulent history of invasion, assimilation, survival and prosperity. Pueblo people have had to discover their identity by looking at the past rather than by living their culture in the present. Pojoaque people feel it is necessary to protect what they know of their heritage as well as to protect their present well-being and future opportunities. The Pueblo has developed several programs over the past few years that demonstrate the Pojoaque people's will to flourish culturally and socially.

The Pueblo of Pojoaque's Tribal Council established the Poeh Cultural Center and Museum in 1988 as the first permanent tribally owned and operated mechanism for cultural preservation and revitalization within the eight Pueblo communities of the northern Rio Grande Valley. The Center emphasizes arts and cultures of all Pueblo People with focus on the Tewa-speaking Pueblos of Nambe, Pojoaque, San Ildefonso, San Juan, Santa Clara and Tesuque; and the Tiwa-speaking Pueblos of Picuris and Taos.

Since its inception, the Poeh Cultural Center and Museum's mission has been to support the future of the Pueblo people by: teaching the arts, collecting great works of art, and promoting public understanding of, and respect for, Pueblo history and culture. After sixteen years, the Center, its education initiative, Poeh Arts, and its Museum have taken that mission to heart and evolved into successful vehicles for artistic expression, both Native American and public education, and successful economic development strategies.

In keeping with the purpose of the Poeh Cultural Center and Museum, the Pueblo of Pojoaque has been active in repatriation and protection of cultural items and sites. A map indicating locations where cultural artifacts have been found on the Pueblo of Pojoaque is on file with the Poeh Cultural Center and Museum and may be disclosed only with the approval of the Executive Director of the Poeh Cultural Center and Museum.

The Pueblo of Pojoaque began to take a proactive lead in preservation in the early 1990s with the Nambe Highway project, which called for a disturbance of tracts of land that ran through Pojoaque Pueblo. In the years that followed, the Pueblo of Pojoaque has worked with federal agencies like the Bureau of Indian Affairs and Department of Energy to develop the land and commerce while maintaining a high standard of respect for land. The Pueblo of Pojoaque hopes to maintain this high standard through the creation of the Pueblo of Pojoaque Tribal Historic Preservation Office.

The Tribal Historic Preservation Office of the Pueblo of Pojoaque, shall hereafter be known as the Pueblo of Pojoaque Tribal Historic Preservation Office ("Preservation Office") and the Tribal Historic Preservation Officer shall be referred to in this Ordinance as "THPO".

(c) Tribal Historic Preservation Goals. The Pueblo of Pojoaque, in cooperation with the U.S. Department of the Interior and the State Historic Preservation Office of New Mexico, proposes to assume all of the duties and responsibilities of the New Mexico State Historic Preservation

Officer, in accordance with subsection 101(d)(2), and as further referenced in subsections 101(b)(2) and (b)(3), of the National Historic Preservation Act, 16 U.S.C. § 470 *et seq.*, with respect to tribal land.

By assuming specific duties and responsibilities listed in the Pueblo of Pojoaque Tribal Historic Preservation Program, the Pueblo of Pojoaque intends to strengthen its own cultural and historic preservation program and to protect the cultural and historic interests of the surrounding area and Indian peoples. (A map showing surrounding areas of interest including Nambe, Cuyamungue, and Jaconita is on file with the THPO).

(d) State Historic Preservation Duties to be Assumed by Pueblo of Pojoaque Tribal Historic Preservation Officer. It shall be the responsibility of the Tribal Historic Preservation Officer:

1. to administer the Pueblo of Pojoaque Tribal Historic Preservation Program through the Preservation Office under the administration of the Poeh Cultural Center and Museum;
2. to utilize any, all, or none of the entities within the Pueblo of Pojoaque Departments, Agencies, or Corporate Enterprises to fulfill the duties and purposes of the Preservation Office;
3. to direct and conduct surveys of all land within the exterior boundaries of the Pueblo of Pojoaque and historic properties and maintain inventories of such properties;
4. to identify, with the assistance of the Pueblo Cultural Advisor, and to nominate eligible properties to the National Register and otherwise to administer applications for listing historic properties on the National Register;
5. to prepare and implement a comprehensive Pueblo of Pojoaque Tribal Historic Preservation Plan with the aid of the Poeh Cultural Center and Museum, Pueblo of Pojoaque Legal Department, Pueblo of Pojoaque Environment Department, Pueblo of Pojoaque Realty Department, and other tribal departments and members as determined by the Tribal Historic Preservation Officer;
6. to administer the program of federal assistance for historic preservation within the Pueblo and surrounding areas of cultural importance to the Pueblo of Pojoaque;
7. to advise and assist, as appropriate, federal, Indian and state agencies and local governments in carrying out their historic preservation responsibilities;
8. to cooperate with the Secretary, the Advisory Council on Historic Preservation, and other federal and state agencies, local governments, and organizations and individuals to ensure that historic properties are taken into consideration at all levels of planning and development;

9. to provide information to the public, and solicit and consider comments from the public regarding the goals and activities of the Tribal Historic Preservation Program, through the use of the Poeh Cultural Center and Museum website and Pueblo of Pojoaque community memorandums;

10. to provide technical assistance to interested parties in historic preservation;

11. to cooperate with local, pueblo and other tribal governments in the development of tribal historic preservation programs and assist pueblo and tribal governments in becoming certified pursuant to subsection (c) of the National Historic Preservation Act as amended;

12. to consult with appropriate federal, Indian, state, and local agencies and governments, in accordance with National Historic Preservation Act section 106 as amended, regarding

A. federal undertakings that may affect historical properties; and

B. the content and sufficiency of any plans developed to protect, manage, or to reduce or mitigate harm to such properties; and

13. to advise and assist in the evaluation of proposals for rehabilitation projects within the exterior boundaries of the pueblo according to 36 C.F.R. 67 that may qualify for federal assistance.

(e) Pueblo of Pojoaque Land. The Pueblo of Pojoaque expressly retains all legislative, regulatory and adjudicatory jurisdiction over all lands within the exterior boundaries of the Pueblo of Pojoaque; all lands held by the United States in trust for the benefit of the Pueblo of Pojoaque; and all lands owned by the Pueblo of Pojoaque.

The Pueblo of Pojoaque will cooperate with the State Historic Preservation Officer in cases where land within the exterior boundaries of the Pueblo of Pojoaque is owned by non-tribal members, in accordance with section 101(b)(2) and (b)(3) of the National Historic Preservation Act, as amended. A map showing tracts of Private Claim land is on file with the THPO.

(f) Office Staff and Organization.

1. The Tribal Historic Preservation Office shall be a part of the Poeh Cultural Center and Museum and under the direction of the Executive Director of the Poeh Cultural Center and Museum (hereafter "Executive Director").

2. Poeh Cultural Center and Museum staff shall act as staff for the Preservation Office unless such staff is otherwise appointed by the Executive Director.

3. The Museum Director (“Director”) shall act as the Tribal Historic Preservation Officer responsible for carrying out the duties described in the Pueblo of Pojoaque Tribal Historic Preservation Program unless such other person is appointed by the Executive Director.
4. Working with the THPO will be the Pueblo Cultural Advisor who shall act on behalf of the Pueblo of Pojoaque as Tribal Historic Preservation Officer when it is not possible for the Museum Director to advise on culturally sensitive matters.
5. A Tribal Advisory Board will be available for consultation to both the Museum Director and the Pueblo Cultural Advisor regardless of whom is acting in the Tribal Historic Preservation Officer capacity.
6. The Executive Director has the authority to appoint or create other staff or positions as necessary.

(g) Consultation and Participation. In accordance with Section 101(d)(4)(c) of the National Historic Preservation Act, the Preservation Office shall provide for appropriate participation by:

1. Traditional Cultural Authorities in the form of the Pueblo Preservation Advisory Board and the Pueblo Cultural Advisor, as follows:
 - A. A Pueblo Preservation Advisory Board consisting of now fewer than three (3) tribal members and at least one (1) member of the War Chief staff is established in the Pojoaque Tribal Preservation Program. The board’s duties include providing meaningful advice and guidance to the Tribal Historic Preservation Officer, reviewing appropriate documentation submitted to National Park Service in connection with the Historic Preservation Fund, reviewing National Register nominations according to 36 CFR 60 where that tribe has assumed responsibility for that nomination process, and other appropriate duties as determined by the Executive Director.
 - B. Pueblo Cultural Advisor – The position of Pueblo Cultural Advisory is created to advise the THPO regarding matters of cultural sensitivity to the Pojoaque people. Because the THPO does not have to be a tribal member of the Pueblo of Pojoaque, the Pueblo Cultural Advisor is created to maintain participation of Tribal Members. The Pueblo Cultural Advisor does not have any of the responsibilities of the THPO unless he chooses to be involved. The Pueblo Cultural Advisor will be Pueblo of Pojoaque Tribal War Chief or some other person appointed to the Pueblo Cultural Advisory by the Pojoaque Tribal War Chief.
2. Representatives from other tribes whose tradition lands are under the jurisdiction of the Pueblo of Pojoaque, however, at this time there are no lands belonging to other tribes within the boundaries of the Pueblo of Pojoaque.

3. Interested Public: The THPO may inform the general public of projects on Pueblo property by posting an annual State of the Office report and announcements of approved project plans in the Tribal newsletter. The public shall also be notified of public hearings/consultations regarding specific projects to the extent they are required by federal law. The interested public may access information on collections and activities at the Poeh Cultural Center and Museum through the www.poehcenter.com website.

(h) Technical Assistance. The Pueblo of Pojoaque may request technical assistance from the National Park Service regarding administration of the THPO, the Advisory Council on Historic Preservation regarding the Section 106 process, and the New Mexico State Historic Preservation Office regarding state historical and archeological inventories and surveys.

(i) State Historic Preservation Officer and Secretary of the Interior Duties. It is the intent of the Pueblo of Pojoaque to assume all duties of the State Historic Preservation Officer that are applicable on tribal lands. However, any duties of the Secretary of the Interior not expressly assumed by the Pueblo in the Pueblo of Pojoaque Tribal Historic Preservation Program shall remain the duties of the appropriate officer in accordance with the National Historic Preservation Act, as amended.

(j) Current Cultural Policy. The Pueblo of Pojoaque does not currently allow permits for ground breaking or archeological digs. Economic development projects, on the other hand, are assessed through the Pueblo of Pojoaque Environment Department using an archeologist under contract from the University of New Mexico or other state agency or a private contractor. If the site proposed for economic development shows no signs of cultural or historic significance as determined by the acting Tribal Historic Preservation Officer, the project is allowed to continue and the Pueblo of Pojoaque grants the necessary real estate agreements for the development project. For example, Right of Way Agreements are granted by the federal government with the consent of the Pueblo of Pojoaque. If the THPO determines that a project threatens cultural or historic artifacts or sites, the THPO or Executive Director shall have the authority in their sole discretion to issue a Stop Work Order, and work on the project shall immediately be terminated. If the project cannot be modified to reduce or mitigate harm to the property, the THPO or Executive Director in their sole discretion has the authority to terminate the project.

(k) Education and Training. The Tribal Historic Preservation Officer and staff of the Preservation Office involved in the management of cultural resources should be adequately trained in historic preservation, compliance requirements and use of the Tribal Historic Preservation Program.

The historic preservation staff shall also be responsible for the development of a tribal public education program on historic preservation. This program would provide information,

techniques, processes, and requirements on all aspects of the National Historic Preservation Act, tribal historic preservation laws and programs, and historic preservation in general.

(l) Current Policies and Procedures of the Poeh Cultural Center and Museum.

1. Permanent Collection. The Permanent Collection of the Poeh Cultural Center and Museum contains those items that belong to the Poeh and remain permanently on Pueblo land or, by the sole discretion of the Executive Director, are exhibited off Pueblo land but ownership remains at all times in the Poeh.

2. Repatriated Objects.

A. The Pueblo of Pojoaque actively repatriates pertinent objects/artifacts from museums and other federal, state, and private institutions. It is the policy of the Poeh Cultural Center and Museum to store all repatriated objects in a non-visible cabinet. Repatriated objects are never to be viewed by the public nor are they ever to be exhibited.

B. Repatriated objects are catalogued but never photographed nor physically numbered.

C. Pueblo of Pojoaque members have access to repatriated or culturally sensitive materials through authorization of the Governor, Lt. Governor, or Executive Director. Non-Pueblo members do not have access to repatriated materials.

3. Permanency of Records. All file copies of catalog worksheets, documents, photographs, negatives and other materials related to cultural objects are to be of archival quality and stored in archival conditions that meet currently accepted industry standards. The Curator of the Poeh Cultural Center and Museum is responsible for ensuring the proper safety and storage of the records.

4. Collections Inventory. A comprehensive physical inventory of the permanent collection is completed annually and a report of the inventory results is submitted to the Executive Director and Director.

5. Access to Collections.

A. Pueblo of Pojoaque Tribal Members have access to the permanent collection and to all collection records. Poeh Cultural Center and Museum Staff must accompany all tribal visitors into the collections and must assist with the access to all collection records.

- B. Visitors from the general public must complete a “Collections Research Request Form.” The Museum Director or Curator of the Poeh Cultural Center and Museum must approve the form.
- C. Qualified researchers are given reasonable amount of access to the collections and assistance in their research needs keeping care and security of the collections a priority. The general public does not have access to repatriated or culturally sensitive objects.
6. General Conditions Governing Researchers are as follows:
- A. All research projects require an appointment, approved in advance by the Director.
- B. Access to the collections are at the sole discretion of the Executive Director, Director or Curator.
- C. The Poeh Cultural Center and Museum reserves the right to request references from researchers.
- D. Admittance of qualified researchers to the collection storage areas shall be at the sole discretion of the Executive Director, Director or Curator.
- E. The Poeh Cultural Center and Museum may request copies of the notes taken on the collections, and copies of research papers and publications shall be provided free of charge to the Pueblo of Pojoaque.
- F. Photography of collection items, or Xerox copies of collections records requires a written Permit to Reproduce, which must be completed by the researcher and approved by the Executive Director.