

**STATE OF NEW MEXICO**

**INDIAN AFFAIRS DEPARTMENT**

Wendell Chino Building, 2nd Floor

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Santa Fe, NM 87505

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# Governor

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*Cabinet Secretary*

Janelle Frederick

*Deputy Secretary*

Seth Damon

*Deputy Secretary*

**NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS**

By law, under the Inspection of Public Records Act (“the Act”), NMSA 1978, Sections 14-2-1 through -12, every person has the right to inspect public records of the Indian Affairs Department (“IAD”). Compliance with requests to inspect public records is an integral part of the routine duties of the officers and employees of IAD.

**Procedures for Requesting Inspection**

Requests to inspect public records should be submitted to the records custodian, located at the Wendell Chino Building, 2nd floor, 1220 S. St. Francis Drive, Santa Fe, NM 87505 and can be directed via email to IAD.IPRA@iad.nm.gov or by submitting a request using IAD’s online submission form.

Any person wishing to inspect public records may submit a request to the records custodian orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain the name, address and telephone number of the person making the request. The request must describe the records sought in enough detail to enable the records custodian to identify and locate the requested records.

The records custodian must permit inspection immediately or as soon as practicable, but no later than fifteen (15) calendar days after the records custodian receives the inspection request. If inspection is not permitted within three (3) business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the records custodian explaining the reasons inspection has been denied. The written denial shall be delivered or mailed within fifteen (15) calendar days after the records custodian receives the request for inspection.

**Procedures for Requesting Copies and Fees**

If a person requesting inspection would like a copy of a public record, a reasonable fee may be charged. The fee for printed documents 11 inches by 17 inches or smaller is ($1.00) per page. The fee for larger documents is ($1.00) per page. The fee for downloading copies of public records to a computer disk or storage device is the actual costs to the Department. If a person requests that a copy of a public record be transmitted, the actual costs to the Department may be charged for transmission by mail, ($0) for transmission by e-mail and ($0) for transmission by facsimile. The records custodian may request that applicable fees for copying public records be paid prior to copies being made. A receipt indicating that the fees have been paid will be provided upon request to the person requesting the copies.

Generally, IAD will provide responsive records via email free of charge. Please note that, as of May 1, 2024, due to the amount of staff time involved in compiling and processing large requests, IAD will not provide responsive records via email if the request generates more records than can be attached to a single e-mail, generally more than 50 records or 50 MB, or 250 pages of potentially responsive materials. Instead, the requester will be given the option of inspecting and printing the records on-site at $0.50 per page, receiving the records on a CD, or electronically receiving the records via Microsoft OneDrive, a cloud-based file sharing service. If the requester opts to receive the records via CD or Microsoft OneDrive, the requester will be required to pay the actual cost of uploading and transmitting the records. The actual cost associated with uploading and transmitting records via CD or Microsoft OneDrive shall only include the hourly wage of the staff member assigned to upload and transmit the records, pro-rated to the amount of time actually spent on the task. All costs and fees must be paid in advance.

For a copy of the Inspection of Public Records Act Compliance Guide, please visit the New Mexico Attorney General’s website at [www.nmag.gov](http://www.nmag.gov/).