

## LEGISLATIVE COMMISSION ON INDIAN SERVICES

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## LEGISLATIVE COMMISSION ON INDIAN SERVICES SUMMARY MINUTES

Meeting Date: August 19, 2015

Meeting Location: State Capitol Bldg., Hearing Room 50  
900 Court Street NE, Salem, OR 97301

Called to Order: The meeting came to order at 9:02 a.m.

Adjourned: The meeting concluded at 1:16 p.m.

### Members Present:

1. Dee Pigsley, Confederated Tribes of Siletz, LCIS Chair
2. Dan Courtney, Cow Creek Band of Umpqua Tribe of Indians, LCIS Vice-Chair
3. Jarvis Kennedy, Burns Paiute Tribe
4. Mark Ingersoll, Confederated Tribes of Coos, Lower Umpqua and Siuslaw
5. Aaron Hines, Confederated Tribes of the Umatilla Indian Reservation
6. Brenda Meade, Coquille Indian Tribe
7. Cheryle Kennedy, Confederated Tribes of Grand Ronde
8. Raymond Tsumpti, Confederated Tribes of Warm Springs
9. Don Gentry, Klamath Tribes
10. Jackie Mercer, NARA Northwest (in at 10:00am)
11. Caddy McKeown, Representative (in at 10:00am)
12. Ted Ferrioli, Senate Republican Leader (in at 11:00am)

### Members Absent:

1. Arnie Roblan, Senator

### Staff

1. Karen M. Quigley
2. Dianna Brainard-King

### In Attendance:

1. Gary Burke, CTUIR Board of Trustees Chairman
2. Leo Stewart, CTUIR Board of Trustees Vice-Chair
3. Nancy Hirsch, Dept. of Forestry
4. David Genz, Oregon Employment Dept.
5. Nadja Jones, Dept. of Human Services
6. Jason Younker, University of Oregon
7. Jodie Jones, Oregon Housing Authority
8. Erick Rau, Office of Emergency Management
9. Keith Baldwin, Dept. of Forestry

10. Ted Hughes, Cow Creek lobbyist
11. Sharon Hughes

Dee Pigsley, Chair welcomed everyone to the meeting. She questioned where the state representatives were for this meeting.

Karen Quigley shared Senator Ferrioli would be joining us around 10:00 a.m., however, the other legislators are unavailable. Senator Roblan sends his regrets from the east coast and Representative Caddy McKeown is traveling. Tina Kotek, the Speaker of the House has not finalized the new appointment for the 2<sup>nd</sup> representative and is waiting to confer with Senate President Peter Courtney.

Dee brought this up because it was mentioned at our last meeting that it was a concern they were absent.

Karen shared she relayed that message.

Cheryle Kennedy opened with the invocation.

Dee asked if the agenda needed additions or corrections; none were voiced. She requested today's agenda as well as minutes from the May 13, 2015 meeting be reviewed, and moved for approval. Approval of the agenda and minutes were seconded and approved.

Dee asked Karen for the LCIS staff report.

**Karen Quigley, Legislative Commission on Indian Services**, acknowledged the busy agenda and went over a list of staff notes she had provided in their meeting packet, which listed directors, deputy directors or managers from state agencies who had contacted her in regards to strategy with tribal situations, as well as contacts made by tribes. Karen shared she attended the Public Safety Cluster meeting with Raymond Tsumpti a couple of times these past few months, as well as the Cultural Cluster and Natural Resource Workgroup. She has been meeting regularly with the Governor's Office about issues as well as preliminary discussions for the annual summit. Ben Souede hoped this Commission would have him visit this afternoon during our planning meeting so he can stress that the draft agenda for the summit is just a starting point, absolutely subject to revision.

In the packet there was a summary and eleven goals for the new American Indian/Alaska Native Education Plan for the State of Oregon that was just revised. Karen was informed the University of Oregon (UO) is going to invite Dr. Bryan Brayboy for a visit in November. Dr. Brayboy is a special advisor to the President at Arizona State University (ASU). Karen believes there are 28 federally recognized tribes in Arizona. His area of expertise is Indian education, specifically working in Alaska, Utah and Arizona to train and retain indigenous teachers. He and his team have been so successful that in the past 15 years they've recruited, trained, and retained 125 teachers who are still working in Indian country. Karen spoke to April Campbell, Indian Education Specialist for the State Dept. of Education who said she had met Dr. Brayboy when she was attending training at ASU with counterparts in other states. The State of Oregon is attempting to implement some of Dr. Brayboy's programs to attract more Native American teachers. Karen sent information about Dr. Brayboy to April, the governor's advisor on education, the executive director of HECC, and to Tammie Hunt of Cow Creek who does the coordination for the Education Cluster. She asked that they forward the information. Karen heard from UO this morning who is hopeful they can extend Dr. Brayboy's visit in order for him to have meetings with state and tribal folks.

In the packet was a flyer about a fire prevention workshop in February that will be held in Kah-Nee-Ta, as well as a flyer requesting donations for the Oregon State Hospital.

Dee requested Dr. Phil Mote from the Oregon Climate Change Research Institute (OCCRI) begin his presentation.

**Dr. Phil Mote** introduced himself as a professor at Oregon State University (OSU) in the College of Earth, Ocean & Atmospheric Sciences and the Director of OCCRI. OCCRI was created by the State Legislature in 2007. Staff work from:

- OSU
- University of Oregon (UO)
- Portland State University (PSU)
- University of Washington (UW)
- University of Idaho (UI)
- Oxford University in the United Kingdom

OCCRI has been charged to better understand climate change and provide resources on how to deal with its effects. They have obtained grants and are hosting the NOAA funded regional climate effort called the *Climate Impact Research Consortium*, one of eleven across the country. This consortium serves Oregon, Washington, Idaho and Western Montana. They also competed to host the Northwest Climate Science Center thru the Dept. of Interior (DOI), one of eight centers around the country. These are funded on five year renewable cycles, and OCCRI is entering their sixth year for both sites.

Last year the U.S. Dept. of Agriculture (USDA) set up their own sets of "hubs". No other place in the country has the same type of alignment Oregon does with these three different entities, the NOAA Consortium, the DOI and the USDA. The Climate Science Center with the DOI has more direct engagement with tribes. The Bureau of Indian Affairs (BIA) has created five (5) tribal liaison positions, and one of these liaisons will work with the 54 federally recognized tribes in the Pacific Northwest. Phil acknowledged that will be a challenge to make it effective.

A National Climate Assessment is federally mandated every year. In 2013 it included a chapter on Native American issues with climate change. This brought to light the importance of cultural connections with tribe, such as salmon and their value to the tribe. Samantha Chisholm Hatfield, a Siletz tribal member, has spent two years interviewing tribal elders across the Pacific Northwest listening to stories of resource changes and cultural impacts due to alterations in natural resources. Phil discussed western, mainstream time that runs on clocks and calendars while native concept of time is more fluid, tied to events as they relate to the natural world.

OCCRI has engaged with tribes in several ways. Currently involved in a project where three tribes in Washington receive funding from DOI, which they contributed to the consortium to help them understand the western observations and their own observations. Involved with the Umatilla Tribe in reporting, presentations and advice.

Cheryle appreciates the information, but is skeptical about the information obtained because time is long. There are man-made impacts that artificially change the environment. She heard rumors that the explosions from cannons during wars altered the rain. Are changes made artificially? How long after we realized the ozone layer was depleting did it take to understand what caused that to happen? She does not know how science is being applied but is very interested to learn. As a tribal leader she is interested in how exchanges are made. Cheryle is interested in what laws might come from these studies. This is making big changes in our environment. It impacts the oceans and along with the oceans numerous countries. She is

interested in understanding the research which has occurred. How will this assist people in realizing they have to make personal changes before our rivers, lakes, oceans are destroyed?

Phil discussed the atmospheric gases such as carbon dioxide (CO<sub>2</sub>), methane and water vapor, and how those gases maintain the earth's temperature. Humans have increased the amounts of these gases, stating the amount of CO<sub>2</sub> has increased 40%. CO<sub>2</sub> is now at 400 parts per million (ppm) which is the highest level ever recorded, estimated to be 1000 times higher than what would naturally occur. Phil believes the summer of 2015 may be Oregon's common summer by the year 2040, or 2090 if we cannot reduce the amount of greenhouse gases.

In regards to the depletion of the ozone layer, in 1975 Oregon was one of the first states to ban chlorofluorocarbons (CFC's) in aerosol cans. President Reagan took the lead globally to reduce CFC's. Substitutions for CFC's were available for refrigeration units and aerosol cans, which assisted in banning these chemicals; however, substitutions for fossil fuels are not so readily available. Oregon has been working very hard to reduce greenhouse gases. We rely heavily on renewable energy, hydropower, and have already been reducing our greenhouse gases for many years.

Don Gentry wondered what resources and presentations Dr. Mote could bring to the tribes. The Klamath Tribe has seen snow levels change, which has a huge impact on resources, and huckleberries are ripening earlier than normal. He is hopeful the tribe can come to understand the fundamental reasons why climate change is occurring and what to expect in the future. This will affect cultural heritage, natural resource departments, forest management, water settlements, etc. Don believes this will assist all the tribes.

Phil shared they enjoy engaging with folks. OCCRI's rule of thumb generally is to provide one to two days, up to one week of training. Going in person is more valuable to be engaged in the conversation with materials, but they may need assistance to cover the costs of travel.

Brenda Meade believes climate change has been a topic of discussion for the Coquille Tribe for decades. The Tribe recognizes there will always be change as we take more than we give back. She wondered what tribes can do to implement climate change.

Phil believes it is important to understand what is causing this to occur. Increase in gases such as CO<sub>2</sub> and methane are definite causes. In Oregon, again because we have hydropower, it is essential we reduce fossil fuels, by increasing the use of electric vehicles and utilizing public transportation. Other alternative energy sources such as solar panels and wind turbines will save funds and decrease the carbon footprint. Another consideration is capping dairy legumes to capture harmful methane gases, which is 20 times more potent than CO<sub>2</sub>.

On August 3, 2015 President Obama and the Environmental Protection Agency (EPA) announced the [Clean Power Plan](#) under Rule 111(d) which requires power plants to reduce CO<sub>2</sub>.

Dr. Mote referred to a 2009 publication by Michael Brower: "*Consumer Guide to Effective Environmental Choices: Practical Advice from the Union of Concerned Scientists*" that identified "the most harmful consumer activities":

1. Cars and light trucks (avg. 2 cars/household = 3.7 metric tons of carbon emissions/year)
2. Meat and poultry (20% of water pollution caused by these)
3. Fruits, vegetables and grains (tremendous amount of water for irrigation)
4. Home heating, hot water, and air conditioning
5. Household appliances and lighting

6. Home construction
7. Household water and sewage

Phil acknowledged facts are not enough to change minds, moral statements change minds. We need to tackle climate change because it's the right thing to do. Maintain sustainable practices to ensure future generations.

Dee shared Siletz as a coastal tribe has seen clam and mussel changes due to the climate. Siletz received a grant from OSU and NOAA to determine what they could do personally, what the tribe could do, what the state could do and now globally. Dee wondered if OSU networks with other scientists and countries.

Phil stated yes they do. Phil has been involved in all three national climate assessments and has lead two of the three local assessments.

Dee shared a WWII veteran told her they dumped tank trucks, bombs and additional debris 12 miles from the coast into the ocean every day for nearly three years. (This was a common practice for many nations from WWI all the way to 1975 when the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter came into force (<http://www.earthmagazine.org/article/danger-deep-chemical-weapons-lie-our-coasts>)).

Cheryle wondered if they have a marketing component.

Phil said OCCRI has an effort of communication beyond publications, a few different Twitter handles and a monthly newsletter.

Cheryle wished to stress the importance to get the message out, and not to keep the dedication and good will within this group. Her background was in Health Promotion Disease Prevention and back then all studies showed that children need to be aware by engaging them in learning about the environment and how to keep it healthy for future generations. Cheryle recalled Earth Day used to be such a big celebration 15 years ago, yet today it is almost forgotten. Cheryle is very concerned about how the environment is changing.

Mark Ingersoll discussed the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians (CTCLUSI) salmon ceremony and how there was a very large die-off of salmon in the rivers due to increased temperatures. He wondered if there were immediate studies being done on how to alleviate the increase in temperatures in our streams and rivers. Are they able to look at historical numbers 25 years out? A large number of salmon are remaining in the bay rather than moving upstream to spawn due to the warm temperatures. Should there be changes in logging practices? What studies are available?

Phil stated anadromous fish (those who live most of their life in the ocean yet are born and die in fresh water, such as certain species of salmon, smelt, and sturgeon) are having the most difficulties. Predicting a salmon run in a short coastal stream will be much different than the salmon run in the Columbia River. It is difficult to predict how much warmer a river will become. Short term strategies such as retaining riparian vegetation in order to provide shade to waterways are important.

Phil shared a story of presenting to the Legislative Assembly in Idaho, and one representative asked should we just give up on salmon runs, fish ladders, etc. because it is so dire. Phil said no, we need to control greenhouse gas emissions. Salmon have historically adapted to large

climate changes in the past. They may begin traveling up different streams in order to survive. Humans allow species to go extinct and that is something that needs to be addressed.

Mark agrees it's a moral issue, yet we are used to being able to drive whenever we wish. He understands we will have to make personal changes.

Karen thanked Phil for his presentation, sharing she recommended the Cultural Resource invite Samantha to present to them.

Dee suggested conducting Commission Member reports because they were ahead of schedule.

**Dan Courtney, Cow Creek Band of Umpqua Tribe of Indians**, shared they held tribal elections earlier this month and all three council members retained their seats. He shared Cow Creek's Natural Resource Director Jason Robison was nominated and accepted to be on the BLM advisory committee for southwest Oregon.

The county had two large fires, Stouts Creek and Cable Crossing, with the Stouts Creek coming within 1.5 miles of tribal lands. Approximate acreage burned thus far is 24,000 and currently is 60% contained. Cable Crossing fire was near Glide but burned about 1,900 acres and currently 85% contained. There are a couple of additional fires near Crater Lake and Diamond Lake that are more difficult to contain.

Education – two projects to report on. Cooperative with culture and elders published a reading book. Second is the Douglas County School District.

Received funding from Administration on Aging, to develop a meals program four days per week. The program is working really well.

Housing program looking to expand housing by purchasing several properties.

Data backup service is being implemented in two separate locations.

**Raymond Tsumpti, Conf. Tribes of the Warm Springs Reservation**, shared the County Line 2 fire has burned 62,000 acres and was suppressed by a majority of structural personnel units of towns throughout Oregon. Lost four structures, though three were previously abandoned. Raymond is concerned about the origin of the fire. He understood a motor home was pulling a trailer which was running on its rims causing sparks for six miles on the highway. Hard to understand no one realized the trailer was running on its rims for six miles. The person who pulled the trailer stopped at the Cove Palisades Park and remained over the weekend.

VFW conference in June.

Regarding fire personnel response, the structure units do listen to the tribes, though the federal folks did not listen in the past. Tried to tell them the fuel, terrain, wind movements, time of day affected the fire, yet they did not listen. These individuals from State Fire Marshal have listened and he appreciates it.

**Cheryle Kennedy, Conf. Tribes of Grand Ronde**, shared they finished their large Powwow with lots of people in attendance. The arbor around the area had some issues with the cover when it rained and the wind blew.

This was their first year for a drum contest which was well participated.

Grand Ronde called Warm Springs to find out if they needed assistance with their fires this past weekend.

They are holding deliberations for their budget, and attempting to control expenses and maintain current levels. There are facility, maintenance and upkeep costs for new structures, such as the HR building they completed. HR staff moved in along with TERA and additional employment and training opportunity offices.

Grand Ronde sent their emergency manager, Jamie Baxter to Warm Springs, who had worked with the Katrina disaster, in order to assist with fires.

During this hot summer, Grand Ronde opened cooling centers in their gymnasium and the elder center for elders and members. The gymnasium was not well attended but perhaps elders went to the elder center.

The tribe is preparing for the school year. They know there are problems with the children and the Grand Ronde flag in the school, which became such a large issue. One of the school board members, a Grand Ronde member, requested the Grand Ronde flag be allowed on school grounds. The school board closed the meeting and walked-out, leaving a few hundred Grand Ronde members in the audience. Since then tribal council met with the school board to learn about their concerns. There was a change in heart and the principal and superintendent have been replaced. The tribe did reach out to the governor and have contacted the superintendent or director of schools. The outfall was affecting our youth which sprung a bullying effect on our kids.

The stipend for the youth in school was \$25 but has been increased to \$100, age groups K-12.

Health Services has an interim director who is a consultant reviewing all systems of health delivery provided. He will come forward with a recommendation after interviewing a variety of people. Our health services will be a health authority so a policy has been developed for health authority to conduct business for health services.

Raymond wished to thank Grand Ronde and their powwow participants for their donation to the Warm Springs fire victims.

**Lynne Saxton, Oregon Health Authority (OHA)**, discussed work underway at OHA to support tribal health. There is a transition in the tribal liaison position, very robust response, over 30 applicants, will be interviewing in September and filling in September. Tribal Liaison will report directly to Lynne. She had 18 or more direct reports, not structured for results for Oregonians, confusion on accountability, so now has 7 direct reports, 7 divisions. Happy to send an organizational chart to Karen for distribution. Functioning in a much more results driven way. Tribal Liaison is the 8<sup>th</sup> direct reporter.

Several priorities, Caroline Cruz will work with team of people to elicit from tribe what are next priorities to ensure services. Open card challenge has existed for five year, possible solutions, very excited about that. Work group of tribes will produce what next priorities are. One challenge OHA has faced is it's a new agency, yet the agency responsible for the coordinated care organization and implementation of the affordable care act and Medicaid expansion, which was a huge assignment. Tripled projections.

OHA is able to listen effectively to tribal concerns and discuss priorities in a timely manner. Lynne shared she is an organized person and someone who values direct candid conversation. She will be open about what to expect with health care and looks forward to frank conversations with the tribes.

Have a new eligibility system coming on line in December and January. Have a very large and dedicated team getting ready for the "One Eligibility System". The team is decoding the language and making it physically accessible and simpler to understand. Will not do everything you may want it to do, but OHA can develop a list of what you would like it to do and plan for implementation. This system comes from the State of Kentucky's system, which is simple, manageable and successful.

OHA has consolidated the Addictions & Mental Health Division and the Medicaid Assistance Programs Division into the Health System Division. OHA was asked by legislature to complete 2.5 years ago. OHA's goal is to provide excellent support and service and health to all Oregonians. Coordinated Care Organizations expressed concerns with Lynne that there was lack of clarity within OHA. New tribal liaison will be held accountable to benefit the tribes.

Cheryle said her experience as a health executive in Oregon for 30+ years, history repeats itself in regards to health care for tribes. She has lived through probably four (4) variations of changes that the State of Oregon embarked on. Tribes are treated as a step child. They are not the first at the table during initial conversations. After all is said and done, systems are already in place and they wonder how to deal with tribes. Tribes exert lots of energy trying to work around the system in place. There is no clear path for tribes to follow. Appreciates Lynne identified that and is working on it. Tribes of Oregon are the only people who have guaranteed health care through the US government due to treaties, yet they are the last ones invited to join the conversation. What in Oregon needs to be changed that states when the first meeting begins tribes need to be at the table? Cheryle has been finding this out for 30 years where this is but the system changes. A lot of resources and efforts are spent. Grand Ronde wants a seamless health service delivery system. Tribes can coordinate services that include purchase preferred care, from Indian Health Services funds to purchase hospitals and specialty care, per capita an amount is awarded.

Lynne said one advantage Oregon now has in its health system is we have really strong data. Investments were made before she came to make informed decisions based on data. The tribes have access to a number of funding sources and we can look at both where the gaps are in the funding sources and what the barriers are. Part of the gift of the Oregon health system is the ability to look at data with the tribes to determine solutions. Within the next 30-days hope for a solution to open card challenges. Our approach is to look at data and hold conversations with tribes. Important to understand that we are in the early stages of the most significant change in this country in health care in decades. This may be a tremendous disadvantage or an opportunity for the tribes. Seamless care is everyone's care in Oregon.

Cheryle is there a document?

Lynne answered there are several documents. The Affordable Care, Oregon laws, and tribal agreements are the documents OHA works under. It is very complex.

Mark asked for a map to work most successfully with OHA to take back to our health directors. How can we work through that system? Who do we contact first?



Lynne answered the tribal liaison. OHA is currently preparing for the Health & Human Services Cluster a list of all the other contacts the tribes work with in our organization. Lynne does not believe you can have six people accountable for the nine tribes, so looking at management capacity and ability at tribal liaison applicants.

Aaron Hines raised issues from Umatilla to improve how coordinated care organizations (CCO's), OHA and tribes can work together; provide tribal liaison the authority to resolve issues in a timely manner; address payment issues with CCO's and tribes; and possibility of tribes to presumptive eligibility. Tribes are willing to step up and assist, as tribal members hold tribal council accountable for their health care.

Lynne values direct communication and asked everyone to contact her directly at (503) 930-3614 and her email at [lynne.saxton@state.or.us](mailto:lynne.saxton@state.or.us).

Dee announced Ben Cannon, Director of the Higher Education Coordinating Commission (HECC).

**Ben Cannon, Higher Education Coordinating Commission** appreciates the work of LCIS. He provided a handout with a PowerPoint presentation as an overview of HECC.

Senator Ferrioli questioned the chart regarding community college numbers of students and full time enrollment (FTE) status. He said there are anywhere from 200,000 to 300,000 families who are attending community colleges, with different needs and expectations. This is a primary indicator of how poorly or well the state is doing.

Ben offered to discuss residency policy at public universities; HECC's role in the American Indian/Alaska (AI/AN) Native Education Plan, updated by ODE; and update the Minority Teacher Act Report, which is linked to in the AI/AN plan.

Brenda spoke to her education manager at Coquille who shared they've had some good things happening at Coquille where more private and some public universities have reached out to the tribe. Brenda wanted to mention that, and state they've noticed the difference in the last few months. Policy is something your commission does, but who oversees the issues of universities offering in-state tuition for folks who don't live in Oregon.

Ben said it is his understanding for many years the Oregon University System has a single residency policy that provided members of tribes outside of Oregon designated are eligible for in-state tuition, came by the State Board of Higher Education, which no longer exists. HECC does not have authority to establish residency compliance. Universities have voluntarily entered into a residency compact with each other. This compact mirrors the long standing policy of higher education. It remains in-tact today at all seven of the public universities. It is possible to speculate that because this is a voluntary compact a university could pull out, but HECC will cross that bridge when they come to it. Legislature could pass a bill to alter the compact and HECC may influence the bill because they provide funding.

Brenda wondered if that included scholarship funds. Is HECC tracking money the state receives or federal funding or other funding? Brenda has communicated with some of the universities the Coquille Tribes concerns with lack of funding for Oregon tribal members. Brenda also wanted to learn if tribal members who live in the State of Washington could receive funds for college in Washington.

Ben believes Oregon scholarships are only available to Oregon resident students, so a tribal member who is not an Oregonian would not qualify for the Oregon Opportunity, for example. There are lots of scholarships, some which are administered by the university that he cannot speak to.

Rep. McKeown believes historically OSAC managed the determination of tribal members who lived outside Oregon and their eligibility for in-state tuition. She wondered if there was a relationship between the seven universities and OSAC in managing how this process works.

Ben does not believe there is a formal role within OSAC in the determination of residency status. He offered to forward the policy to Karen and everyone here the compact the universities entered into that lists the tribes that qualify for in-state tuition rate and describes decision-making process, case-by-case basis.

Rep. McKeown believes they were involved in the past. She requested the policy be sent to Karen.

Ben wished to address additional topics, the first being HECC's role in the AI/AN Education Plan, which is a real testament to April Campbell with the Oregon Dept. of Education (ODE) and others. He looks forward to supporting the Indian Education Specialist at ODE in implementing the state's responsibilities. The second topic regards increasing access of AI/AN youth to visit post-secondary institutes. One of the goals for this is AI/AN youth will graduate from high school with at least three college credits. HECC is working towards developing standards for dual credit or accelerated learning so high schools may work with colleges and universities. In tribal settings it is more of a challenge to get colleges to work with high schools due to their locations.

Objectives IV and VI speak to recruitment and retention of diverse educators. (Dee requested the document but Ben did not provide copies). In 2015 HB3375 passed that requires HECC to work with each public teacher education program to approve proposals on recruitment and retention of diverse educators.

His final point was engagement objective. As state agencies we have a long way to go before we can say we have meaningful engagement of community partners, such as students, parents, family members, community-based organizations, and multiple governments. He looks forward to making this community relationship possible with the tribes.

Brenda appreciates his speaking on engagement, because coordination is necessary to be effective. She invited him to come to Coquille and speak on this matter.

Break at 11:30 a.m.

Dee introduced Jodie Jones, Administrator for the Hospital Replacement Project from the Oregon State Hospital (OSH).

**Jodie Jones, Oregon State Hospital** provided a PowerPoint presentation and handout to the Commission to explain the history behind this project.

Jodie went over a second handout that listed 23 unidentified urns OSH believed to be affiliated with tribes. She listed two Summers' brothers as the first who were returned home to the Coos Tribe, but Brenda corrected Jodie that the Summers boys were Coquille and not Coos tribal members.

Dee commented this all ended in 1971 as far as the cremations, but even though it may have ended for OSH there are urns that are not identified in funeral homes. She asked if that was true.

Jodie said nothing they had. Anything prior to 1971 there should not be unidentified urns.

Dee asked if OSH sent the urns to funeral homes in the area from 1971 and Jodie said yes but she does not know what the agreement was. Dee stated they may be sitting on shelves still. Jodie agrees work needs to be done if there are any Native Americans still at OSH today. Work needs to be done so that when they pass away there is a connection with their affiliated tribe. No research was done after 1971 in regards to where Native American members may be living at OSH, and they would have death records at the OSH. Jodie offered to send contact information to Karen for Joanie Detront, who would have death records past 1971 for OSH.

Brenda shared with them an experience of returned members, the Summers boys, the first tribe to go through the process with Jodie. She recognized Jodie and her staff for the respect and appropriateness of the process. They celebrated the Summers' boys and the family is very interested in sharing their story. Brenda discussed other entities where remains are being kept, and she feels the State of Oregon has to think about that as well. The Tribes dealt with the repatriation of the medical examiners' office that did not go well. We are not good at it for some reason and we need to stop the nonsense. Need to say in the State of Oregon we don't handle remains correctly and we need to hold conversations on how to take care of these issues better. These issues are going to continue for the tribes and it's damaging for them. Family members had no idea why their relatives were there.

Dee shared at Siletz they never had a process of reburial because they were buried once before. It is difficult. She thanked Jodie for all her work.

Raymond asked about veteran determination. Jodie stated the Oregon Dept. of Veteran's Affairs (ODVA) determined that, went through and did further research via their records, to find them affiliated in both state and national level. Raymond said recently a Korean Veteran was not recognized until further review and other comrades he served with elevated his less than honorable discharge to honorable and given all new medals. Raymond was thankful to his family and comrades he served with to clear that up. Hopes someone will give a second look at the ineligible to give them what they deserved because they stepped up to serve their country.

Karen introduced Erious Johnson, Jr. from the Dept. of Justice (DOJ).

**Erious Johnson, Jr. Dept. of Justice**, shared he has been with DOJ as the Office of Civil Rights for about 1.5 years. He moved from New York. He did outreach to Latino, Asian, disabled communities but did not reach out to the Oregon tribes. He is interested in learning about their culture, to learn about everyone in the State. He plans on visiting all the tribes and understands he cannot serve all Oregonians if he does not speak to all Oregonians.

**Keith Baldwin, Dept. of Forestry** stopped by to speak on the status of current forest fires. He stressed the importance of fire prevention and explained fires are occurring simply when someone mows their lawn, it is that dry across the State.

12:20 p.m. break to lunch to 12:34 p.m.

**Aaron Hines, Conf. Tribes of the Umatilla Indian Reservation**, shared celebrating 20<sup>th</sup> anniversary for Wildhorse and Casino. Last month celebrated huckleberry feast (a month early) and shared roots were also a month early. Working on water rights settlement within the Umatilla Basin. It is

important to keep water flows in the Umatilla River at sustainable levels for salmon. Mouth of Umatilla where it meets the Columbia River, 10 miles upstream water levels are very low.

Pendleton Roundup is next month, with a lot of tribal participation in the event. Invited everyone to attend. They set up a large encampment.

Received word today Cat's brother, Ralph, was in a car wreck so keep him in your prayers.

**Jackie Mercer, Native American Rehabilitation Association, NW**, put in for an application for the Adult Residential Program. Rule came out in 1965 for institutions of mental disability that is a national concern. Institutions for Mental Disabilities (IMD) moved folks from institutions into communities. IMD limits the number of people allowed in a facility to 16. Also includes alcohol and drug to 16. It would shrink capacities drastically nationwide. There is the possibility the state may ask for a waiver because the Center for Medicaid and Medicare is open to waivers. The 1965 rule was developed to keep people from being warehoused in institutions. California asked for a waiver, Washington State is not asking for one. She may be asking everyone here if we could submit an Indian waiver to take it out of the State. Jackie was considering the possibility of tribes writing letters to Indian Health Services (IHS).

Six Annual Spirit of Giving Conference is September 1-3 at the Red Lion Hotel in Jantzen Beach.

Sen. Ferrioli asked if the waiver letter comes from OHA. He said if Jackie provides a paragraph or two he would be willing to drop a handwritten note to the OHA director for consideration. Oregon is usually first in line for waivers. Jackie explained there's something about this waiver, ruling against Oregon and the State Hospital. Sen. Ferrioli guessed someone was concerned about warehousing in institutions and programs. What was the population in the 1960's? There is a huge recognition of alcoholism being an illness, yet the rules persist. Jackie said the rule has thought of every possibility.

**Senator Ted Ferrioli, Senate Republican Leader**, shared he was happy to return home. The session did OK and other things he felt, small business and sustainability. Oregon 40<sup>th</sup> year low for small business, 5<sup>th</sup> worse place to do business. Very high unemployment, have to create work themselves. He was disappointed the transportation package did not finalize. Everyone relies on this, all of us struggle for rural communities and those who live in poverty, where mass transit is not available. People rely on safe roads. Bridge and road construction brings good paying jobs to rural communities.

Climate change is an issue for Oregonians. This is a concern that rises to the top of the list. All elected officials need to see this as a priority and concern. There may be different approaches to deal with this concern. We could take all funding from transportation and place it in a reduction in carbon footprint, more lanes, proved incentive for research and development for fuel efficiency, structure gasoline tax may change how people use roads, remove money from anyone who buys fuel to those who produce a produce. He did not like this idea. Move away from incentives and mandates, accomplish two goals, safety and investment plus carbon reduction. Low carbon fuel standard that's unresolved. He believes one of these will be on the ballot.

Marijuana was legalized by the citizens of Oregon. He has had more than one long time law enforcement official resign rather than have an Oregon where marijuana is legal. In 2016 marijuana will be available in several hundred outlets in a community, unless the community votes by 55% to opt out for retail establishments. An individual can own four plants, grow their own supply, and have up to 8 ounces of finished product in their possession. Tribes are looking

how this change in Oregon may alter their way of life and their tribal homeland. Decisions have to be made by each sovereign. His efforts are to make sure local governments have local control.

Currently in Eastern Oregon if a city population is less than 40,000, after 6:00pm you can pump your own gas, plus drive over 65 mph. Session was very tough, very polarized. Reauthorized SB412 to remove the sunset from limitation on authority of tribal police.

**Sen. Ferrioli** shared he has attended the Pi-Ume-Sha Treaty Days celebration, and last years' governor's dinner when Vic. Atiyeh and his wife Dolores were there. This year Vic Atiyeh's family attended the Pi-Ume-Sha governor's dinner and repatriated the Eagle Feather Bonnet to the Conf. Tribes of Warm Springs. He felt this was very moving to witness this repatriation and to witness the warmth towards the Atiyeh family.

Dee shared she appreciated visiting with Sen. Ferrioli's staff. Sen. Ferrioli invites his staff to attend all the tribal celebrations he is invited to attend.

**Jarvis Kennedy, Burns Paiute Tribe** discussed the air quality in the area, where they see ash flowing in the mornings. They check on the elders and youth. Tribal council are currently on a tour bus hosted by BPA to Bonneville Dam, Astoria, and eventually to Lincoln City. Due to dry conditions Burns Paiute Tribe are buying a new pumper for the volunteer fire fighters. Improved resolution, fire fighters could not enter reservation due to their boundaries; \$100 fee for a household which had to be paid or assistance would not be given.

They are taking soil samples to get their new gym up. As soon as marijuana was passed Burns Paiute was the first to put out a proclamation banning marijuana use. Some people are looking to cultivate the plants on their lands.

Chairman Gary Burke shared Burns is getting their gym going.

**Mark Ingersoll, Conf. Tribes of the Coos, Lower Umpqua & Siuslaw Indians,** feels for everyone with fires in their area. There has been a fire on the south coast. He offered to assist all the tribes.

Working on natural gas pipeline facility, storage, docking system to link it up. There has been press stating CTCLUSI was totally against this project. The main thing is this area was highly active so contains burial sites and cultural artifacts. The mill was on top of the site. Working on government-to-government started, hired people to get up to speed. Went to siting council meeting, yet it appeared a decision had already been made; disturbed about that. One representative almost said the decision had been made, nevertheless the tribe spoke, held many more meetings. Main thing is how do we get our people out of there and rebury them, in a way that won't damage them. Just starting with this. Held another meeting with the pipeline folks. Initially the plant they were going to put in it was going to be an import plant, now an export plant. In order to liquefy the gas they have to dig down 80 feet.

Working on self-governance plan.

Thanked Sen. Ferrioli and everyone for passing the bill to eliminate the sunset on the tribal police statute.

They recently held a Salmon ceremony, which was great. They are working on their dancing and songs which has increased dramatically over the past six years. Purchased Ten-Miles Lake Camp which has a new cooking and community center with a new roof. They have been

working on restoring the cabins. Twenty-six (26) kids were recently out there for a week long camp. It is lakeside so there was algae bloom and kids didn't get to swim, but they did fish.

**Don Gentry, Klamath Tribes**, shared they are celebrating their 29<sup>th</sup> Restoration Celebration this coming weekend. Klamath has accomplished a lot these past 29 years. Working on restructuring economic development, with their executive director who is more involved in improving operations of casino and travel center. In a planning effort where they own the property looking at developing a living cultural center and an RV Park, hotel and casino expansion. The daycare center will be opening soon. Community Center has had difficulties with the contractor to finish the work. Had to bring in legal folks to make this happen.

Changed their blood quantum for enrollment, and enrollment has increased by 1,200 since that occurred. Most live in Klamath County, next is the Portland area then Eugene. Dr. Scott Powell is working on three-year plan and over 3 months has shown significant improvements.

Klamath has an in-house attorney, and there are several positions open in the natural resource department.

There has been historic trauma in boarding schools and termination. There are different healing events for these traumas. Klamath is planning a 3-day event in October to help members understand how boarding schools affected us. This event will hold certain healing models that may be applied on the reservation. Restoring the spirit where tribal members discussed termination on a video.

Klamath Settlement Agreements help with community but there are deep rooted prejudices. Significant number of tribal members were opposed to this last agreement, and Don thinks that may have occurred because it happened so fast.

Big issue was the Mazama Forest component where the parcel was sold. This put the tribe in a bad way without a parcel. Senators Merkely and Wyden addressed the Secretary of Agriculture and Forestry. A new parcel which is just shy of 100,000 acres and is located on former reservation lands has been identified. This new lot is more culturally significant and is right next to the Klamath Marsh, which is the center of their people. Thinks this has worked out well because members who did not like Mazama Forest like this new parcel. Economic balance they bargain for. Congressman Walden feels this will pass. Dam removal opposition still in place. Agreements must be finalized this year or they will go away.

**Brenda Meade, Coquille Indian Tribe** was sad to hear about the fires that are happening. Celebrated their 26<sup>th</sup> Restoration at the end of June. Held a ceremony to repatriate over 200 acres of land on the Sixes River in Curry County. They feel blessed to be back on that land. Bring on a crew that is focused on management of this land, they are all tribal members, five young people who have moved up ranks from youth corps group, very proud of this group. Program that has evolved over eight years, ages 14 to 18 paid for working with the tribe during the summer. Work with different programs and learn about their culture, take care of lands, the sweathouse. Her son was one of the first of the group. Huckleberry season, salmon are entering the bay, very excited to see how we can improve the waters, address the invasive species and manage the lands correctly.

Election season, budget season. Three year strategic plan, one key issue is looking at an elder facility, take care of elders outside of service area, always a challenge. Health care challenges, again an issue for members who do not live in Oregon.

Broke ground on a laundry facility with a workout gym for staff at The Mill.

Pipeline folks, wants to stay on top of them, not opposed or supported, need jobs in their community, need to do it the right way. Everyone has to be there to ensure it is done correctly.

Self-sufficiency plan: (1) economic development-both for government and tribal member. Worked really hard for 25 years for the government but recognize didn't put a lot of infrastructure in place to support tribal businesses. Met with tribal businesses to find out how the government could support them. Will meet back with them in January to see what they can do to assist. Keep money in the communities.

Brenda is going to the tribal youth camp, one of the best things they do. Ages 10 to 18, counselors, interns, teachers, directors. Coos tribal members are also out there, including some teachers. Beading, basket weaving and gathering.

**Dee Pigsley, Conf. Tribes of the Siletz Indians**, said the Tyee program is for youth ages 15 to 18 who must have a 2.5 or higher GPA. Economic development looked at what the casino buys a lot of, spend a lot of money on, to determine what we can buy locally or at least in the State of Oregon. We all buy the same things, too bad we can't merge into buying something locally in Oregon, keep money flowing back to tribes. Might be something we could work on in the future.

Started an ortho program – ran kids through Chemawa, contracted funds to serve 30 students rather than 5 by just contracting the funds. Working really well.

Received a 250,000 grant to see what they can do to do their share in climate change. It will be a challenge to see what a tribe can do compared to the State, Nation, and World.

Marriage and divorce – Tribal Court recognizes gay marriages. Ready for Run to Rogue, not sure what the fire season will do to the event. Bud Lane and Education Dept. put together the run, leave Siletz Friday morning, arrive Rogue River noon on Saturday. All are welcome.

Not sure why mascot was taken off the agenda. The Board was supposed to adopt a rule according to legislator, now we won't be a part of it, don't know who the stakeholders are, apparently not us.

Concluded their big powwow. Working on development of an interactive museum where staff will be on hand to explain practices.

Karen explained we are not going to adjourn but will be moving to the Senate Republican Room on the 3rd floor. Legal counsel will speak about what it means to be a public officer, then Ben Souede will discuss the Annual Summit. Cow Creek will host the Summit. It is difficult to figure out the governor's schedule, but Dec. 15-16 has been put on hold. Separate from kinds of meetings you have with the governor, based on what the law requires for state agencies and tribes to have conversations. Have had many of these over the years, going back from more recent years. State agencies report finding the most instructive is hearing tribal leaders and governor talk to them and talk to one another. Proposal to have you on stage in a living room format while everyone gets dessert and coffee. Concern there wasn't enough time in the past so proposal the clusters will speak to you and the governor about what they are doing to address priorities with tribes and the State.

The meeting was adjourned at 2:34pm.