



LEGISLATIVE COMMISSION ON INDIAN SERVICES

900 Court Street NE, Room 167
Salem, Oregon 97301-1347
(503) 986-1067

DRAFT MINUTES

Meeting Date: May 17, 2017

Meeting Location: Room 50 & Room 167-A, Oregon State Capitol, 900 Court Street NE, Salem, OR

Members Present:

Dan Courtney, Tribal Chairman, Tribal Board of Directors, Cow Creek Band of Umpqua Tribe of Indians, LCIS Vice-Chair

Joe DeLaRosa, Tribal Chair, Burns Paiute Tribe

Jarvis Kennedy, Tribal Treasurer, Sergeant of Arms, Burns Paiute Tribe

Brenda Meade, Tribal Chairperson, Coquille Indian Tribe

Jackie Mercer, CEO, NARA Northwest (non-voting)

Cheryle Kennedy, Vice-Chair, Confederated Tribes of Grand Ronde

Ted Ferrioli, Senate Republican Leader (Partial/Legislative Business)

Caddy McKeown (Partial/Legislative Business)

Sherrie Sprenger, Representative (Partial/Legislative Business)

Warren Brainard, Chief, Tribal Council, Confederated Tribes of Coos, Lower Umpqua and Siuslaw, attended on behalf of Mark Ingersoll, Tribal Chairman, Confederated Tribes of Coos, Lower Umpqua and Siuslaw

Don Gentry, Tribal Chair, Klamath Tribes

Members Absent:

Dee Pigsley, Tribal Chairman, Confederated Tribes of Siletz Indians, LCIS Chair

Mark Ingersoll, Tribal Chairman, Confederated Tribes of Coos, Lower Umpqua and Siuslaw

Gary Burke, Chairman, Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation

Jody Calica, Tribal Council Representative, Confederated Tribes of Warm Springs

Arnie Roblan, Senator (Legislative Business)

Staff

Karen M. Quigley, Executive Director, Legislative Commission on Indian Services

Adrienne Fischer, Commission Assistant, Legislative Commission on Indian Services

In Attendance:

1. Dennis Richardson, Secretary of State
2. Kip Memmott, Audits Division Director, Secretary of State Office

3. Rebecca Brinkly, Staff Auditor, Secretary of State Office
4. Amelia Eveland, Staff Auditor, Secretary of State Office
5. Pam Johnson, Native Dental Therapy Initiative, Nwaihb
6. Conor McNulty, CAE, Executive Director, Oregon Dental Association
7. Phillip T. Marucha, DMD, PHD, OHSU School of Dentistry
8. Ellen Rosenblum, Attorney General
9. Ellen Klem, Director of Consumer Protection and Education Division
10. Jodi Sherwood, Oregon State Police
11. Dominique Millette, Oregon State Police
12. Lisa Ansell, Business Oregon
13. Kim Travis, Oregon Housing & Community Services
14. Naomi Stacy, Lead Attorney, Office of Legal Counsel, Confederated Tribes of the Umatilla Indian Reservation
15. Justin Martin, Perseverance Strategies/ Confederated Tribes of Grande Ronde

Welcome

Vice-Chair Dan Courtney called the meeting to order at 9:20 a.m., and welcomed the members and guests.

Invocation

Warren Brainard gave the opening invocation.

Announcements

New members:

Gary Burke, Confederated Tribes of Umatilla
Representative Sherrie Springer

Adoption of Minutes

Commission members approved the minutes for the February 8, 2017 LCIS meeting by acclamation.

Karen Quigley introduced the new LCIS Assistant Adrienne Fischer.

Staff Report:

Karen Quigley: Many people utilize the commission daily. We have daily interactions with the State Historic Preservation Office regarding designations of appropriate Tribes for consultation on archaeological permits. The Water Resources Department is starting a new grant program and contacted our office to ensure applicants are consulting with appropriate Tribes. There is a need for training in the essentials of federal, state tribal law and customary law. The Oregon Geographic Names Board contacts the office on occasion. Nominations for name changes are sent to all nine Tribes for comment. State Parks is working on the return of an artifact, held at state park for years, to the Klamath Tribe. The State Medical Examiner's office has asked for a review of protocol for repatriation of native remains. Ocean shore permitting also contacts our office frequently. Other contacts include DOGAMI, HUD, USDA, city and county offices. The Department of Forestry has contacted our office regarding organizational charts. A point to note was that Tribal organizational charts show their members at the top. The Department of Education has asked us for edits on consultation policy. LCIS may want to do some monitoring and review of consultation policies as they're developed by state agencies. The Department of Energy has reached out regarding the Hanford

Nuclear Site. We do realize that a lot of information is sent out to keep members informed. This information goes to each Tribe so they may decide how best to handle that information.

Training, development and oversight is a theme in Director's contact and is something that LCIS may want to visit to determine best practices.

A large part of the Directors function is to remind people that consultation with one Tribe is only consultation with that Tribe. All tribes require consultation. This is constantly reinforced.

Please consider a request. Number of calls have come in over the years regarding NAGPRA. For your consideration, we might request of the Governor an Executive order that directs agencies to look around and report back to LCIS. That would allow Tribes the opportunity to comment and decide what should happen with those items.

Request to consider: An Executive Order to direct State Agencies and institutions of Higher Education to inventory what significant Tribal items they may have. LCIS would be notified and Tribes would then be able to review and decide what appropriate actions should be taken.

Senator Ferrioli: It has taken 6 years for SB 144 to gain traction. It was originally spurred by an investigation of evident, systematic looting in Lake County. The State Police superintendent acknowledged the problem and the investigation resulted in a good police report which was turned into the district attorney who declined to prosecute. Archaeological items had been exposed in a dry lake bed and a ceremonial knife, clearly a funerary object, was incorrectly identified as an arrow point. It is painful to the Tribes that this is happening that the laws are not being enforced. This bill removes the exemption for possession of archaeological objects unintentionally discovered on public lands. If the DA's office declines to prosecute, they will be required to file a report explaining why, and the case will be elevated to the State's Attorney General. This bill has passed the Senate, and could ultimately be an example of how things could and should work.

We have also been working on SB 145, which deals with enterprise zones. Our objective is to remove the sunset on Tribal enterprise zones.

SB 137 add Indian destinations and resorts to the list of properties where state agencies, cities and counties may hold meetings. It is essentially an antidiscrimination bill.

SB 56-9 is a Tribal tax amendment deals with cannabis production. Cannabis that is produced and sold on tribal lands, Tribes would keep 100% of revenue. If it was produced off tribal lands and sold on tribal land, the Tribe would keep 50%.

We are also working also on education and Tribal health.

Secretary of State's Office Update

Secretary of State Dennis Richardson: It is a great pleasure to address this Commission. I have been on the job for four months and have made reaching out to minorities a priority. Vic Atiyeh was a mentor of mine and I know that he was a close and dear friend of the Tribes. He emphasized how important it was to be close to those who were here long before Oregon was a state. I want to be of assistance to the Tribes.

The Secretary of State's Office is essentially heads up a conglomerate of four companies:

Corporation Division, is the entity that all businesses interact with. We have a person here who works specifically for small businesses, and is ready and available to assist those businesses. There is up to \$250,000 available for funding startups. Lots of people don't know about this.

The Archives Division makes documents of historical significance available to all people. We are happy to do research on things relevant to Tribes.

The Elections Division ensures that all eligible voters are registered and can vote. We announced a way to ensure that 60,000 inactive registrations, or about to go inactive, would still receive a ballot and have the

opportunity to vote.

The Audits Division is a key focus for us. We want to ensure that the peoples' money is well spent, and that the government functions the best it can.

Cheryle Kennedy: We appreciated when you came out with Governor Vic Atiyah to Grand Ronde. I am happy to hear about all that you are doing, a specifically that you have a representative available to meet with Tribes. What would be the best way to get in touch with Mr. Morgan?

Dennis Richardson: Anyway that you get in touch with us, we will follow up with it. I will give you the numbers I have for Mr. Morgan – 503-986-1500 and 503-507-4619.

Dan Courtney: Ruth Myles (small business associate) came by and it was a pleasant surprise. She represented the state well.

Cheryle Kennedy: We did have someone speak with us, an one of the questions that was asked was, of all the funds that are received on behalf of Tribes through the State, are you able to identify those funds and are they truly being used for that purpose?

Dennis Richardson: Our office does not oversee budgets, but I would be happy to make sure we connect with those that can make sure that information is gathered.

Brenda Meade: Oftentimes Federal dollars may come in for the Nine Tribes, but can often go to self-identifying Indians, which is probably not the intent.

Kip Memmott – Audits

I am honored and privileged to be here today. I got started in auditing in Arizona. They have 21 federally recognized Tribes and are home to the largest Tribe in the Nation, The Navajo Nation. I led the first audit that I know of in Indian Gaming. I met with most if not all the Tribes and reported back to the State that they needed to back away from what they were doing in terms of invasive oversight. They didn't understand tribal sovereignty and were essentially hurting tribal relations. From there, I visited the Arizona Commission on Indian Affairs and found that they didn't operate in an effective government to government relationship. My point is that I care very deeply about State Tribal relations and will work with that in mind.

I provided training to the Navajo Nation internal audit group and wrote the operating policies and procedures for the Salt River Gaming Tribe in Phoenix. So, I have a lot of experience with Tribal Governments. I've learned a lot and tribal relations and want the office to be more engaged with Tribes. I would like to hear from you how we can best do that.

We will write reports with history and context so that people can understand, and will also come back and follow up on recommendations and provide trend analysis.

Rebecca Brinkly, Staff Auditor on DEQ performance Audit: We are conducting a performance audit of DEQ. We are looking at processes for state agencies to improve services. Reaching out to stakeholders in the beginning of the process, we learned that the nine federally recognized Tribes of Oregon are important partners to DEQ. That's when I reached out to Karen to ask how to begin the consultation process. That's why we're here today, to begin the conversation and understand how best to communicate with the Tribes

and understand your concerns.

Amelia Eveland, Emergency Management Systems: This audit is about the State's effort to prepare. We want to conduct a survey of the emergency management programs. Would like to see if the Tribes were interested and willing to participate. Idea is to collect some information about programs across the state and their efforts to prepare for disaster as well as collect information on the challenges and opportunity for improving the system. Survey would go out to counties as they are required to participate, but also wanted to include cities and Tribes if they have programs and would like to do so. And all other branches of government. We do know that all nine of the Tribes did participate in last year's 2016 Cascadia rising exercise. So, we hope this is of interest.

Brenda Meade: Thank you for being here. Important to share with you about why you may not get a quick response from Tribes. I get a lot of Dear Tribal Leader letters or request for information letters. We want you to know that the work you do is very important to us. Communicating with each of the Tribes is different. It is difficult to know how to get a hold of the Tribes. For Coquille, you should go through the Chairman. We always talk about consultation. We engage with DEQ and emergency management and the like every day. All of them are different. If you had the ability to put that one question in everyone's audits. "how do you ensure that you are consulting with the Tribes, because every department has a different policy, has a different venue and how to do it. One will have a tribal liaison, one will have 3. One agency stated that they knew they had to consult with the Tribe when they used federal dollars. They knew how to do it, but they didn't understand that it is a mandate with the state. If there was ever a day that everybody was doing it the same way, they Tribes would understand whether they were getting request for consultation or if this was just a communication or coordination. Those are just the little c's. We have cluster groups which are useful in getting together. But consultation happened before things are decided. The consultation needs to happen in the beginning, once an issue is identified, before any decisions are made and it must be meaningful.

Cheryle: served as a health administrator and wrote in tribal specific health plans. One of the things that surfaced was air quality due to I-5 and there are other areas of concerns. Not sure how DEQ monitors things like that, but one of the things I've seen in terms of health there has been significant increases in cancer cases, what caused it? All Tribes of Oregon are affected and we see it because our health costs are escalating. However, you look at that, we have information on that. The other thing. Many Tribes were involved in the fish consumption study beginning 15 years ago. Ended up in the water quality standard for Oregon. Not sure what that means as far the workers in the field and how they test. We do know that when there are notices that you're not supposed to get in the water, touch the water, that's a big signal that says things are not improving. Why does that happen? We're concerned about the rates of penalties, if you choose to disobey or disregard those policies. People decide to pay penalties, because they're making so much money from it, that it makes more sense to them to pay the penalties. We're not anti-business, but we think it needs to be monitored closely. Not sure if it is. We hold camps for kids and we go out and test the water ourselves before the kids can play in it. Agricultural runoff. The LCIS has a directory available online with information for contacting the Tribes and staff that are available to help.

Dan: Echoing what fellow commissioners have said. Consultation is important to the Tribes and early is best. I understand that tracking down who you should talk to can be a challenge. For Cow Creek, it can be best to address inquiries to me and then I can direct you to the most appropriate person. Karen is also a good resource for contact information.

Karen: SB 80 touches this topic, not specifically audits. This bill was amended to require consultation with the Tribes. To find out what they want in terms of services provided. What Tribal governments want and

need should shape your approach.

Kip: We anticipate our audits to reflect some social justice issues and what the commission to know that we intend to follow up on what we've discussed here today.

CHAP:

Pam Johnson: Shared some information on the Community Health Aide Program (CHAP). See attachment # _____.

Chief Brainard: We have been enthusiastic about this project since it was first brought to us. I wish that we had this program when I was young. I am planning to go up to Naomi's graduation and we are very proud of her.

Brenda Meade: We are also very proud of our two students going through this process. We are excited to have people from our community fall into that mid-level service was important considering rising cost and getting service to people. It means a lot in terms of prevention. We are looking forward to celebrating their 1st year. We hope that everyone keeps an eye on this. Thinking outside the box, this is a great thing for rural Oregon. It's great that the Tribes are leading the way on this. It could benefit all of Oregon.

Chief Brainard: Not only does it benefit all the tribal members think about how great is it for one of the tribal members to have the opportunity to be in this profession and be able to increase it down the line when they feel like it. I'm proud of that.

Jarvis: I think this is an awesome program, it is interesting and positive. In Native American Communities, that what we need is something positive. Especially for our younger ones. Thank you.

Pam: Thank you for having me here today. When we turned in our application into the State we had letters of support from all nine Tribes in the State of Oregon so I just wanted to thank you all on behalf of our organization/program for being here with us along the way

Oregon Dental Association:

Conor McNulty, CAE, Executive Director, Oregon Dental Association

Phillip T. Marucha, DMD, PhD, OHSU School of Dentistry

Conor: Thank you for the invitation to speak here today. On behalf of ODA's leadership and members I bring best wishes from the organization. The Oregon Dental Association was established in 1893. We provide continuing education and advocacy and other services for dentists and public information for good dental health. The American Dental Association is our parent organization. We know that Oregon has a unique relationship with its federally recognized Tribes and we hope to continue that tradition through solid communication, education and respect for your sovereignty. The reason we're here today is to introduce ourselves and to start a dialogue about improved preventative care. We want to build strong relationships with Oregon's Tribes and identify oral health initiatives for native American audiences. We want to work together on policies and programs. And we want to maximize our collective understanding and opportunities to address issue jointly. Very importantly, we also want to discuss with you today what we don't want to do. We don't want to replicate situations that have surfaced in other states or at a National level in the past which have worked against overall health goals. This has made us realize that

we need a better approach that reflects the collaborative and progressive nature of Oregon, especially in this state where Tribes here are at the forefront of government to government relations. We don't want to disrupt any services or pilot programs which we've heard a little bit about. We want to work together to identify work and provide and enhance the standard of care. We reached out to all of you in the beginning of February to begin to do just that. We will be meeting with the Confederated Tribes of Grande Ronde on June 7th, and look forward to meeting with all of you throughout the summer. We've also shared an interest in supporting oral health education initiatives, incentives and trainings that will help address key areas regarding careers in oral health.

Marucha: I think a wakeup call for all of us is when a student from the Tribes wanting to go to medical school, chose to go to Stanford rather than OHSU because of cost. That brought us to think about how can we do this better and provide opportunities for physicians, dentists and other health care providers through scholarship programs for those coming from the Tribes and that will return to the Tribes? This is also part of our overall program to bring the dentists to where the needs are. We know that there are lots of dentists in Portland. We don't need to create more dentists for Portland over the next few years, we need to get them to where the needs are. When I became Dean, I made that one of my strong commitments. It's also a commitment of OHSU. We have started a program where we have been sending students out to various practices and community health centers and the Indian Health service at Chiloquin to provide care and to get students integrated into those communities and create an opportunity for them to stay in those communities in the long run. In the first year, we did that we provided over a million dollars in care provided by our students. That amount is in dental student fees, so the real number is closer to 2 or 3 million in care in that first year. SB 911 was about trying to put a placeholder to give us time to spend the doing listening tours at each Tribe to understand what the needs are. Our goal is to provide the very best healthcare for your Tribes.

Dentistry today is becoming more complicated. 20 years ago, it was more about drilling, filling and extracting teeth. Today it is about understanding the cavities process and doing basically medical treatment of teeth so we don't have to do so many extractions. Technologies are changing quickly and we need to make sure we provide dental teams that can deal with those changes in technologies and it's most important that we integrate with the rest of the healthcare system, because the system requires that all the primary care providers communicate together. So that the dentist is doing screenings for diabetes and other systemic diseases. So we can catch those diseases early, reduce costs and provide better lifestyle for patients.

I can tell you that we've just run some recent data on our graduates and 68% of the graduates that came from rural areas returned to practice in those areas. So we know it works and our goal is to expand that.

We'll start our meetings in Grande Ronde and our goal this summer is to get to as many Tribes as possible. We have students in 43 sites across the state in rural areas, including Coos Bay, Klamath Falls, Baker City and La Grande. We are expanding that program as we speak.

Conor: What we hope to convey is that we realize that we need to work together. We have the same goals and objective regarding standard of care and are committed to working together.

Meade: Thank you for being here today. I wanted to share what was successful for Coquille Tribe when we talked about the DHAT program for Oregon. Our council was asked if there were community members that want to do this work, and if those members would stay in the community to work for the Tribe. It was important to provide support through the process. Committing to this program defined where

you were going to go to school and live for a year. We were excited to get two students, because we had prepared for one. These two students are not your 18-year-old coming out of high school. They had kids and they were looking for something they could do to work in their community, where they didn't have to go to school for 4 years or 6 years or a huge commitment. They had the ability to take their families with them and have a project and a process that allowed them to still have a connection with their Tribe and community, and the work they could come back to.

So, I think there were a couple of key things that were important for us, when we think about how do we encourage our youth to work in our communities and to come back and to stay home. Those were some of the successes we felt with DHATs. My hope is that our struggles with the state of Oregon is to just ask for your support in this process, because they're going to be supervised and they are going to be the day to day with our head start kids and our community center folks and they're going to be hands on, but they're still going to need the support of you all. I hope that we figure out like you said in Oregon we can do it all, we can have it all, and we can make it good and I hope that we all work together.

Cheryle: I appreciate you all coming and it's good to see you again doctor. I know that the bill that's moving forward basically has funding for dental students for Native American dental students, who if they wish to go that track is there. I guess that we are requesting from you as well is that the DHAT program be supported so it can thrive. I don't know if there's any interest in OHSU in looking at a similar program of teaching that could be incorporated here in Oregon. I have no idea what all that would take. I imagine that it would take a huge change. I know that Oregon recognized mid-level practitioners of various sorts so. It doesn't seem to me to be a huge stretch. I'm not sure it's something that you've looked at or would be interested in doing, but it would support the kind of thinking that goes on for rural Oregonians. Dental care has not been the focal point. We always think of medical care and when I think about dental care, you know our mouth is the closest thing to our brain, I'm sure that if we don't have good dental care, it is also affecting other things that are very important. I think that would be a consideration. So maybe you would be interested in thinking about that. Thank you for being here.

Marucha: Thank you. I would like to make one small comment about that. I think that there are various models that we can use to try to address the needs. We've started out with taking the teams that we have, including dental hygienists, and expanding their function, which is already part of the law, the Dental Practice Act. I think that is the best place to start because we already have a large cadre of well-trained dental hygienists and that's what our pilot project is about, is to expand the function of dental hygienists, but nothing is off the table. I think we always should work together and figure out what's best for Oregon. Because Oregon is unique and its relationship with the Tribes is unique. The State is unique in its topography and where people live. And I've gotten to enjoy that in the short time I've been here and Thank you.

Conor: One of the things that the ODA has taken a leadership role on nationally and with our action for dental health launched earlier this year and sparked some of our outreach and interest in this area. The pilot program legislation was the first of its kind and scope in the country. The ODA also has something that I think you might be familiar with, Tribes in other states are interested in the dental health community coordinator, which is someone who works very closely with populations on oral health literacy. They are part of the delivery team and helps to educate them on the importance of the link between oral and systemic health,

Chief Brainard: I was just wondering if the DHAT students, as they become professionals in the field, and they were to become dentists, will you recognize all their work and treat them the same as anyone in any other program would be? When I was in the military and I got out, there were things that the State

would not recognize at all as part of my training, that I was given no credit for.

Marucha: It's complicated because we don't control any of that ourselves, that's controlled by our accrediting agency, CODA, so we must work within the context of what CODA will allow us to do. I personally think we must be flexible down the way and figure out how to get the right kind of training down the way. Based on the experience of the person who comes before, I've thrown a few things out to faculty recently that probably shocked them in terms of what I was willing to do in terms of economizing on the time to get a dental degree, and so I don't want to leave anything off the table. The only thing that I will take off the table is that we need to make sure that we find the very best type of provider for all of Oregon and that we don't skimp on training that we believe they need to have, because systemic disease is related to oral health. I'm a periodontist by training and that's important to me. If you are a diabetic patient and you have oral health needs, you have a bigger chance of going to the emergency room and a poorer quality of life. We need to make sure we link those things back together and get oral health back to everyone.

Vice-Chair Courtney: Welcome back, I am pleased to introduce Attorney General Ellen Rosenblum.

Ellen Rosenblum, Attorney General: It's wonderful to be here, thank you for inviting me. It's been a couple of years since I've visited with you, so I am delighted to have this opportunity. I do have some prepared remarks and I also wanted to introduce Ellen Klem who is seated with me here. Ellen will also be speaking with you. She is our Consumer Education and Outreach Director for the Oregon Department of Justice. Thank you for inviting me to speak at the Legislative Commission on Indian Services.

The Oregon Department of Justice has not one, but many ways in which we interact and support relationships with Tribal Governments. State and Tribal Governments share important interests in the safety and security of our citizens. We are neighbors. It is important that State Government work with Tribal Governments to coordinate law enforcement and other efforts. In Oregon, there are Tribal lands where the State has jurisdiction pursuant to Public Law 280 and Tribal lands where the State's criminal jurisdiction is more limited. At the Department of Justice, we have two main ways in which we interface with Tribes. First as the legal advisor to State Agencies, and second as a member of task forces, or by implementing independent programs of the Attorney General, including child support enforcement, cultural resources enforcement, and criminal prosecution. Our department policy requires that where ever there is a potential disagreement between the State and a Tribal Government, we seek to understand the Tribe's perspective, try to prevent unnecessary conflict, and interacting with Tribes in a spirit of mutual respect. We are committed to regular review and revision of our department's policies, and this one is no exception. Regardless of the extent of State Jurisdiction, it's important that our governments work together and that we identify barriers to our cooperation. This is not just required by State Law, it is simply put, good public policy.

As members of the Commission, and Tribal Leaders, you serve such an important role here in Oregon. It's hard to believe this Commission was Legislatively created 42 years ago in 1975, which happens to be when I graduated from law school. Since that time, our State and our Tribal governments have benefited from the Commission's work, dedicated to increasing and improving communication, collaboration and mutual respect. With a focus on partnerships and with a goal of reducing litigation. The Commission is a leader in prioritizing government to government relationships ultimately recognized and required by the Governor's Executive Order in 1996 and then codified in 2001 in Oregon Statutes. As you know, in fact Oregon was the first State in the United States to pass this type of law, requiring government to government information sharing and collaboration. The Commission has also played an important role in providing critical training for State Agencies in State Tribal relations.

As recently as 2011, with the passage of SB 412, our state has been able to join Tribes with a focus towards public safety both on and off Tribal Lands. I supported repeal of the sunset clause in SB

412 and I am pleased that it is no longer temporary. It is partnerships such as this that keep all of us safer regardless of where we reside.

I want to take a moment to recognize and honor each of you as leaders from the Siletz, Grande Ronde, Warm Springs, Umatilla, Burns Paiute, Klamath, Cow Creek, Coquille and Coos, Lower Umpqua and Siuslaw Tribes. As the Attorney General of Oregon and the head of Oregon's Department of Justice, it is important to note that each of our nine federally recognized tribal governments is respected as sovereign with a distinct legal and political status. You have occupied and loved the land we call Oregon since time immemorial. In other words, time extending beyond the reach of memory, written record or tradition and indefinitely ancient. And while 27,000 people in Oregon are enrolled members of one or more of your Tribes, there are more than 30,000 enrolled in Tribes of other States who reside here in the State of Oregon. Although the Executive Order and Statute do not extend responsibility beyond the nine Federally Recognized Tribes, ultimately, we all share the goal of enhancing the health safety and welfare of Oregonian Tribal members and non-tribal members alike.

Today, given the changes and uncertainties in our federal landscape, it's more important than ever that tribal and state governments work together. I suspect there will be more changes ahead, including clarity, hopefully, on the federal marijuana laws and enforcement, funding for social services and education, and many other areas affecting us as well. As Oregon's Attorney General, I'm committed to standing together with you, as we face the challenges that come our way, from this new federal administration.

I would like to share with you three pieces of pending legislation relating to Tribes, that we have been involved with, and so have many of you, so thank you for your collaboration. The first bill, SB 144, came about because of concerns related to the non-prosecution by a DA's office of the crime of theft of Tribal artifacts. Our office served on the workgroup that authored and conceived of this bill which will require the Department of Justice to be notified if a case is rejected by a DA's office and it also encourages DA's to contact the Department of Justice to ask for assistance on these prosecutions, instead of simply rejecting the cases outright. Our department already provides assistance to DA's all the time on complex matters and we're pleased to step in if needed to ensure tribal artifacts are preserved and protected. Our thanks to Senators Ferrioli and Roblan, as well as Representatives McKeown and Stark for sponsoring this bill.

Next, as you may be aware, our office and others have sought to improve the public records and transparency of government through several bills this session. In addition, some of this focus has also turned toward public meetings. In order to clarify the nature and requirements of notice and recording regarding public meetings that are held on tribal lands, Senator Boquist sponsored SB 317, which should help clear up the question of what the law intends and make it easier for all of us to implement.

Finally, I am pleased to report on our partnership with Tribal victim advocates related to extending the victim advocate privilege to explicitly include tribal advocates. This bill, SB 826, cleared the Senate and House Judiciary unanimously. It is awaiting a third reading on the house floor, but we are very hopeful about its prospects. Again, our thanks and appreciation to the sponsors of that bill, Senators Ferrioli, Roblan, Gelsler, Manning and Knopp.

There are many other legislative and policy projects that I could share with you, but I know you have a busy day ahead. I do want to tell you that I'm excited for opportunities to expand on our past collaborations. Today, as noted on the agenda, I would like to recognize the more than 20 years of passionate and vigilant work by our department's Native American Affairs coordinator, Stephanie Striffler. Stephanie is on her way over. She has been at the Public Safety Cluster Meeting. She has been a leader in the State and her work in this area and has brought back to the Department of Justice, important messages that guide our work and our policies. I'm grateful that she has agreed to continue to serve our department on a part time basis as she acquaints herself with retirement and helps build a bridge between her knowledge and experience and the new energy and enthusiasm of our incoming Native American Affairs coordinator, Kamala Shugar, who is also one of my special counsels. You are going to enjoy working with her I know and I assure you she is getting up to speed. Stephanie is a wonderful mentor.

They have already been traveling around the state introducing Kamala to each of the Tribes.

I would also like to acknowledge some of our department's other leaders in matters related to Native American Affairs. The Division of Child Support, has had its own designated Tribal Liaison for years. Deputy Division Administrator, Dawn Marquart. She coordinates the work of liaisons in the child support branch offices who work with the Tribes. Clara Groberg, some of you may know her well, in our office, she appears in tribal court on behalf of the division of child support. She and DCS staff have been recognized by the Siletz tribal court for their work. Diana Fleming at Crime Victim Services Division works to strengthen collaborative relationships. Amanda Monaco works for sex trafficking victims. Erin Greenawald is our domestic violence prosecutor. Judy Geers who has worked on marijuana agreements with at least one Tribe so far and likely more in the future. Paul Gerhan lead the team of natural resources attorneys, some of whom you may know. We also have attorney Adrian Delgado who will be providing advice on gaming. Shannon Dennison who serves on our Indian Child Welfare Act liaison and came to us from the Native American Program of Oregon Legal Services. Patrick Flannagan, who works on Culture Resource enforcement. So, these folks and others make up our DOJ team, who will continue to lead by Stephanie and Kamala. Together we've done a lot of great work and together, we will do a lot more.

Today, Ellen is going to speak to you. She is here to share with you, some of the work that we're doing to protect consumers from scams, something that unfortunately affects all of us, whether we're members of Tribes or not, although you will hear that it affects those who have limited resources more severely, and especially our elders. Ellen has visited some of our Oregon Tribes, meeting with seniors and would be pleased to be invited back. So thank you again, I'm honored to be here to share with you a little bit about our work and about our team. I hope you will join me in thanking Stephanie when she gets here and welcoming Kamala to our team. Now, I'll turn to Ellen unless you have any questions.

Ellen Klem, Director of Consumer Education and Outreach, Oregon Department of Justice: Thank you Attorney General. As the Attorney General mentioned, my name is Ellen Klem. I am the Director of Consumer Outreach and Education. I spend approximately 80 percent of my time traveling throughout this great state and talking to mostly older adults and the individuals who serve or connect with them in some way about how to keep them safe from fraud and scams and how the Department of Justice can help. I've been with the Attorney General's office now for about 5 years and it's been a wonderful dream job. I couldn't be happier. About a year into it, I approached the Attorney General and said, "you know, I'm not really making a difference, I don't feel like when I go out and talk to these groups about the latest frauds and scams, that I'm really leaving them with tools and resources that they need in case the next scam pops up." The reason for that is because the scams are ever changing. They're ever evolving, changing with the news and weather, and so we sat down about a year into the Attorney General Rosenblum's term and we developed several materials that are much more helpful to me as a travel around talking to older adults. I'll hand those out shortly. They are helpful tools that you can pin to your bulletin board or refrigerator, and no matter what the scam is, you'll be prepared. I want to hand those out now and I brought enough for everyone in the crowd.

So when I'm going around the State, I wanted to have resources that we could leave with people so that they were prepared. In case I wasn't available, they could have something to rely on. In addition to developing these materials, once we got the content right, we ran it through two tests. The first was determining what grade level they were at. We wanted it to be an eighth-grade level, so that it was accessible to as many people as possible. Then we ran it through a test developed by the National on aging, which was essentially a test on how well older readers can absorb this information. So, these materials were really created for older adults and for everybody. We always encourage folks to copy them, put them in your newsletter, distribute them as widely as possible.

The first and most popular material that we have is titles: Six Signs It's a Scam. This is what I was talking

about earlier when I said I didn't feel like I made a difference when I went out to these retirement communities or senior centers and I talked about the grandparent scam or the IRS scam, because as soon as I got in my car and drove away, they've moved on to something else. So, this contains great information. When I give presentations, which are usually about 45 minutes, with 15 minutes for questions, this is the heart of what we talk about. This has been our most popular piece. We also have lots of other goodies, like notepads, I've included my business cards in here, we have some magnets, there's a bottle opener, we have our wise giving guide which talks about solicitations during the holidays and tips for making sure that the money you give actually goes where you think it's going. We also have our top ten, which has a picture of a son and his grandfather on it. It's another great resource. Again, you can copy all these materials. All the brochures have a space on the back where you can put your own business card, sticker or stamp. Our most recent campaign is the "Just Hang Up" campaign. This was all the Attorney General's idea. I think we both grew very frustrated at hearing the IRS scam and people, especially older adults, who were being scammed over the phone, which is, in many cases, their only lifeline to the outside world. When I was growing up, I was taught to always answer the phone, always answer the door. You never hung up on anyone, you were always polite. That's very tough, when I go out and talk to older adults about how it's ok to hang up. We want you to hang up. That's why we developed this campaign. This handout is not the final product, the final product was a very large poster and we sent them to every long-term care, every retirement community in the State. If you want any copies of those, of anything in this packet, please contact me. Let me know how I can be helpful to you.

I have been to several of the Tribes, I've been to the Caring Conference, and attended the Public Safety meeting. I love doing it and I'd be happy to be invited back. All of this is free.

One other thing that I do in addition to traveling around the State talking to older adults, is I work with our new elder abuse unit, which is a unit that the Attorney General championed for. It took a few years but we got one prosecutor and two investigators for our criminal justice unit and we've started going after some of these bad guys. So we're having our second annual elder abuse conference this October in Seaside. I've brought some handouts if anybody is interested in attending.

Attorney General Ellen Rosenblum: I want to add a couple of things. We do have the hotline, and we get thousands of calls a year. The hotline is manned by about 25 amazing volunteers here in Salem. They are mostly retired, some former teachers. They get trained to answer calls as they come in. Callers get to talk to a live person, who can either answer their question, or they can refer it out. Then have in our consumer protection division in the unit, we have investigators and lawyers if it gets to the point where we have to bring enforcement action. We pride ourselves on resolving those complaints so that people can get their money back or know where to go to get it. That a really important part of our work as well.

Ellen Klem: Thank you for mentioning that. I don't think you've seen these yet, they're hot off the press. We had to print these cards, which are recruitment for our hotline, because so many of our hotline volunteers are aging. So, I can leave you with one of these in case anyone is interested in volunteering.

Chief Ron Brainard: You're missing one of the latest calls on there. The caller says "Grandpa?" and then you say a name and they say "yes, I'm having a little trouble can you talk to these people?"

Ellen Klem: They are very convincing.

Attorney General Ellen Rosenblum: That's called the Grandparent scam. It's a very popular one.

Ellen Klem: Check out the Six Signs It's a Scam and if you walk through it the signs are: a phone call out of the blue, some sort of emergency, a request for personal or financial information, a request to keep it secret, etc. Basically the Grandparent Scam ticks off everyone one of those signs. When that call comes in, it can be very jarring, especially if it's someone you care about. I've presented to older adults before and I've had people in the audience say, "oh yeah, well when Johnny, my grandson called and told me he was in jail, I said good, stay there.

Attorney General Ellen Rosenblum: I do just want to mention that Stephanie Striffler has joined us, so I want to publicly thank her for her many many years as the liaison to the Tribes. I know that you all know here pretty well, but I am just most grateful and we are going to miss her expertise and her enthusiasm for this work. She really has developed deep lasting relationships over these years. I want to thank you Stephanie for all that you have done and I look forward to continuing to see you over this transition period, maybe even after that.

Stephanie Striffler: I have to say that I appreciate the Attorney General for giving me this job to do and that working with these Tribal governments has been the greatest privilege of my career. Thank you all.

Vice-Chair Courtney: Thank you Attorney General for coming in. This was very informative and we appreciate the handouts. Stephanie, you have been a good friend to the Tribes for a long time, so you will be missed. Enjoy retirement. Thank you.

Cheryle Kennedy: On your replacement, is she sitting next to you?

Attorney General Ellen Rosenblum: Yes, that's Kamala. She hasn't had a chance to speak yet.

Kamala Shugar: I look forward to working with all of you and I'm grateful that Stephanie is sticking around to work with me and help me get familiar with everything. I've already enjoyed the meetings and times that I've had to spend going around the state. I hope that I'll have a chance to meet with each of you individually in the coming months.

Attorney General Ellen Rosenblum: Kamala, before she joined me as special counsel, recently has been the head of our Eugene branch office that does child advocacy work primarily. So, she is very familiar with, with the issues involving our children she's worked on foster care issues, has testified at the Legislature, has already assisted me on several bills. So, I think you're going to find that her breadth of experience, in addition to her wonderful enthusiasm and personality will serve you well. You will enjoy getting to work with her and know her.

Break for Lunch

Karen: We have two motions to go vote on. The first motion would be an executive order to request that the Governor consider sending out an all-points bulletin to higher education, community colleges, public schools, and State agencies to take a look around and see if they have any artifacts that belong to Tribes in Oregon.

Meade: I make a recommend a motion to approve the executive order request.

Gentry: Seconded

Motion Carried

Courtney: This is a request for a motion consideration from LCIS Chair Delores Pigsley. It reads: Supporting a discussion with the Executive Director and a subcommittee of the LCIS in the future to include the LCIS chair, LCIS Vice-Chair and LCIS member, Jackie Mercer, for the purpose of determining a one-time payment to the executive director out of the unused general fund dollars from the 2015 – 2017 Biennium to address compensation inequities. The committee will determine an appropriate amount after taking into consideration guidance from legislative employee service, legislative financial service and the director's compensation history.

Meade: Motion to carry

Jarvis: Seconded

Motion Carried

Jodi Sherward, Project Manager, Oregon State Police & Dominique Millette, Program Analyst, School Safety Tip Line, Oregon State Police: We're here to talk to you about the statewide school safety tip line, which came about from the Oregon task force on school safety. (EXHIBIT) The Task force has been meeting for several years and gave recommendations to the Legislature in 2015 and a statewide school safety tip line was a result of those recommendations. The tip line came together in HB 4075 in 2016.

Cheryle: What if the offender is a teacher, or a school district? Are you involved in anything to help that type of circumstance?

Jodi: Those are tips that students or others observing that behavior could send in. It can be something more that what's happening in one moment, something more long term. An adult may need to take more time with the tip looking beyond what's on the surface. We will work to provide more best practices. Remember that the information goes back to the school for the follow-up, but Oregon State Police will be monitoring how those tips are occurring. If over time, we notice a trend of a school maybe not following up on tips, or see a lot of bullying, that's a situation that we can step into and help.

We don't always know what is happening in the home. We always encourage students to tell another adult when something is happening, but they may be told not to do that at home. This gives them a safe avenue to share information.

Joe DeLaRosa: We had a problem with our 911 dispatch in Harney County, so we recently went to another county for our 911 dispatch. Response times and treatment of our officers were a problem. What would your presence be in Harney County? There is a real disconnect between Indian kids and non-Indian kids within the schools.

Jodi: The dispatch community is a hard one for us to crack. They have their business in certain ways for a long time. We are talking to them and We may not get a lot of information, or names on a tip line. The dispatchers can have a hard time with that because they're used to being the ones to pull out information. We're just in the beginning of having conversations with dispatch. I don't have anything to tell about

anything we're doing different in Harney County specifically, in relation to anywhere else. We work with the schools to make sure we have the correct dispatch center. There are 42 dispatch centers across the State. We have to get the local dispatch numbers for tips we receive. If we start noticing a trend where they're not responding or following up, our superintendent is committed to having those conversations with local law enforcement. Some dispatch centers are funded in different ways, it may be through the county or it could be a conglomerate, which means it may vary on who's in charge of that group. Our superintendent is committed to having those conversations if tips are not being followed up on. One of the biggest issues is the suicide rate among students, and I believe it may be higher for Native American students. In the State, it may be outpacing motor vehicle accidents. We have to all do something a little bit different in a better way to help these students. There are some great instances of dispatch sending through tips, but not all communities send through all tips.

Joe: We've seen half the money going to someone else. It makes you wonder what you're really paying for.

Jodi: Another thing about dispatch, just to let you know, every community struggles financially with their resources, especially in southern Oregon. There was an incident where a kid emailed two girls, and using his real name, and said that he was going to kill them that day. We called 911 and it took two hours before someone came out. It was a K-12 school, so when something like that happens, everyone knows. The school called to let us know that no one was coming out, so we were getting ready from the Oregon State Police side to respond to that.

Joe: We do have a contact at DOJ and have been dealing with some of these issues. We are treated like second class citizens oftentimes. It was disturbing, especially after the militia occupation last year, it brought us together in some ways, but there is still that disconnect. Just recently, one of the representatives from the county tried to talk us out of getting out of our contract with them and going with someone else, but it was too late. Getting treated that way, as second class citizens, really left a bad taste.

Jodi: I'm sorry that happened. At the Oregon State Police, we have two of our own dispatch centers and we back up most of those dispatch centers, so maybe there's something in the conversations that can be helpful.

Meade: How can we look and see if our schools are participating?

Jodi: That's a process that we want to improve on. What we've learned is that schools sign up, they don't always use it the same day. So to provide a full list is a bit hard to do. One way to find out is to go to the website and start typing in the school name. If the school name fills in, it has already signed up. It's an important part to mention that anything we can prepopulate in the web form, we do.

Karen: Is there any outreach to parents? It seems that parents oftentimes overhear what their kids are saying and could also use the service. Is this only focused on kids?

Jodi: It's not strictly focused on kids, however, we try to encourage adults to use their adult reporting systems. The schools still want parents to call into the school and help share information, but if for any reason they don't feel comfortable doing that, they can use the tip line. We really want to encourage them to use adult reporting systems so that they help open the conversations. We are seeing adults use this, but we don't know if everyone realizes that the reports all go back to the school, which is why we encourage

parents to talk directly to the school. We are working to help improve these processes all the time.

Cheryle: That's an interesting point on the parent because we live in Dallas and I've raised grandchildren who have graduated. There was what I considered a horrible situation, where two kids in the school knew where the KKK outfits were housed. They put this on and ran after all the students of color. I spoke to the school about it and they just passed it off and said that the kids didn't really mean anything by it. Nothing was done about the incident.

Jodi: It is our hope that we can elevate conversations differently. I think schools are used to doing their own things and hopefully this will be a way for us to bring some of that out. There are schools that are used to doing things the same way, so maybe this will help inform and change that.

Our law enforcement officers go in at the last possible point, when local authorities say that they need more help. The things they see are tremendous. They want to be part of improving things in a different and better way.

Joe: How do they do their hiring process? One thing that I see in our community is that officers that are trained by us will go into town, where it seems to be run by the "good ol' boys," and they continue bullying behavior that started in school. It seems as if they are more interested in defending their own way of doing things, and we are treated as second class citizens. How does the state hire and train?

Jodi: We have similar training to city level police academies. We have a separate training for State Police. If you haven't, I would really recommend speaking with Eric Gabliks, because he sees a lot of different communities. He could share with you what he sees in trainings across several communities, and how new recruits are trained versus higher level certifications.

Karen: We have had a conversation with Eric Gabliks about the Tribes priorities in terms of making sure there is an understanding of sovereignty in the curriculum, though we understand there is a time limitation there. Also, in regards to conversations on bullying, it is important to acknowledge that while we are talking about children being bullied, the parents are likely experiencing that as well. It is a family target.

Jodi: We have a lot of work to do. We are just 100 days in and are at only 269 schools with the hope of being in 1200. I think that once we're out of the sign-up process, we'll be able to see some real trends. We can bring that back and help inform everybody about what we're seeing. This is just the start.

Courtney: Thank you for coming in.

Commission Member Reports and Discussion

Cheryle Kennedy, Confederated Tribes of Grand Ronde:

We've been talking about issues facing the Tribe. There is a lack of mental health services for our members. I think there's a shortage of quality mental health services in the whole state. We are hiring for a few mental health positions and are expanding the facility area to include more counseling spaces. I suspect that this isn't just an issue for our Tribe, but for all Tribes. Maybe there can be a group effort. Years ago, you may recall, the Indian Health Service employed a psychiatrist in the area office. When the community didn't know what to do, or when something was going on that they couldn't handle, they could call upon that area psychiatrist to do an assessment and give direction to the health department or to the counseling

service. It seems to me that there's a scarcity of that kind of resource, and we've found it hard to fill those types of positions.

We recently finished our Head Start program review. The DC folks out of the federal agency came out and spent about a week at our center and met with staff and parents, looked at records. They said that the program was excellent. There were no findings, and in fact, they said that there were some good ideas that they could incorporate into the way that they do business. It was very encouraging. Our Head Start program always has a waiting list. We incorporate our language program in our Head Start and Kindergarten programs. They are getting a well-rounded education.

We are currently working on our Elders' Honor Day that will happen on Friday, July 9th at Grand Ronde. That same evening begins our Veterans Pow Wow, which will continue through the weekend. We generally work with our VA Department to get their resources to the Pow Wow so the veterans can sign up for service. We know that oftentimes, veterans are not the most eager to go talk about things they have experienced and what their situation might be. Sometimes they need advocates as well to get their needs met. So, we're working on doing that. We expect that will be a good crowd. There will be invitations going out for the Tribes and especially for the Veterans. We do provide some services while the Veterans are there and make referrals. It will be July 6th, 7th and 8th.

We are looking at receiving a report from our internal auditors so we can see how things are working in our HR departments. We had two separate HR departments, one for the Tribal organization and another for our casino and we merged them about a year ago. We want to see how that's working. Because on the Tribal side, we do a lot of Tribal work for training and setting up skills banks; all those things, I'm not sure the casino did much of that. They had a lot of employees to deal with. So, we want to see if that's working well. It has resulted in a lessening of staff, since there's now just one operation.

With our cultural department, we continue to provide repatriation efforts and site protection. We also have our museum. We started with the purchase of a local public school and retrofitted it for the museum. That piece of it is done. Our collection is growing so we have to make more space available so we're doing renovations right now for the educational piece of it, so we can provide teaching to anyone who wants to learn and or course there will be sites set up for basket weaving, gathering of materials and different family's methods for weaving. We already have outside of the school, a canoe carving area, which used to be a basketball court. So, we're doing a lot of work that I'm really pleased about.

We constructed a food bank at Grand Ronde about three years ago, and entered into a contract with Marion Polk Food Share to manage it and hire our members to work in it. It's getting to be a huge operation because it seems like the need is so prevalent that we're serving more and more people. I'm not sure why that is, since Oregon is supposed to be in an economic boom. Our contract goes to two years at a time so we'll be renewing that soon.

Our public safety, police, we're fully hired. We have six peace officers on sight including our Chief of Police. It seems to be working well. They have a preventative program and go into the schools and are present at every tribal activity we host. Their presence is well-known and appreciated.

The fire station is fully staffed. There was a call recently where they were not able to save the house, but they were able to assist the family in moving cars and getting things situated. The fire department is a good resource. We get so concerned as we build more and more houses, the fire station that we depended on before was 20 miles away. The traffic can be so bad in that area, given that Highway 22 is so heavily traveled, that response times could be significant. So, we're fortunate that we now have a fire station so

close.

Our timber and natural resources management is working well. We had finished up a management plan for land and timber. Both plans exceeded the State's standards. We incorporated into our plans a robust cultural focus, which we're happy about. In a nutshell, that's what we've been working on.

Dan Courtney: I want to share, and I'm sure everybody is aware, that our longtime Chairman, Sue Schaffer passed away recently. Sue was well known with LCIS and those of you that knew her, she was quite a fireball. Sue's family has a set up a public celebration of life at Umpqua Community College to be held on June 24th.

One of the things we do in July is a veteran's dinner. Sue was instrumental in that. She was a strong advocate for veterans, and originated that dinner. It is very well attended every year. We plan to honor her at this year's veteran's dinner on the Fourth of July at Cow Creek. Sue will be missed by lots of folks. She was well known in Indian Country and elsewhere.

Education down in Cow Creek, we've been working on a fourth-grade curriculum. Dr. Beckham is providing a lot of content. The cultural department is helping to develop content as well. It will be presented in the Roseburg and South Umpqua school districts. We are in the final process of selecting a curriculum writer, so we can ensure that we meet the State curriculum requirements.

We have been offering a 10-week parenting class and it has been well received. Our behavioral health clinic staff have put the class together. We've had good participation, so it seems to be a service that is valuable and good to have available.

We continue to work on our hazard mitigation plan. We were recently awarded a FEMA pre-disaster planning grant. We're contracting with an ecology and environmental group and this is something that we will continue to work on.

We have recently started another housing area down in TriCity. There will be 33 single home units to go into the Tribal housing inventory. They have started and will be phased in over the next few years. We hope to be able to provide more housing for Tribal members who need it.

We continue to offer senior meals, and find there is reliable attendance. There are probably 17 to 20 elders who attend weekly. For elders who cannot easily leave their houses to attend those dinners, there is a program to deliver frozen meals to their houses. We are adding items to the lending closet. This is a program that loans medical equipment such as wheelchairs or crutches for short term needs. We have also partnered with the local YMCA to provide low impact physical activities for our elders.

In terms of natural resources, we have been looking at the wetland mitigation banks. The Tribe is looking at potential sites on our properties that might meet the guidelines to be a wetland mitigation bank.

We recently hired a workforce development specialist. That's really a good program. We are working with the youth and young adults to help job training and working to open opportunities not only with the Tribe, but also with the local community and the Community College. They are looking at having a Youth Council, which is something we haven't had. We are excited to get that program going.

Brenda Meade: Our council has been discussing the increased costs that we've been incurring through our healthcare system, whether it be dental, pharmacy, or specialty care. We have self-funded insurance for OSA Tribal Members. We are the first payer for those folks and it's not sustainable. So, we're thinking about how to deliver those same services that membership gets in service areas to those outside service area folks. A couple of things that we've been tackling lately is the pharmacy costs. I'm happy to say that we're going to be opening a pharmacy. I was also happy to hear the conversations today about dental, because the things that are happening with the Portland Area Indian Health Board, thinking about rural areas, how to you get services to residents in rural areas? I'm glad that we had those conversations today. We're preparing for our DHATs to come home next year and we're going to have a place for them and we're going to figure out a place for them in our community so we can work on prevention. It can't all be cookie cutter in Oregon. It doesn't work like that. Rural Oregon sometimes gets left out when it comes to specialty care needs.

We've been working on our comp plan. I've probably told you this because it's been such a burr for me. Our Tribe started a comp plan right after restoration that didn't get a lot of input from the membership and community and I've always felt we needed that. So, we are currently working on our comp plan for Tribal lands. You know how it is to get input from your membership at town hall meetings and such. It's good, but it can be difficult too. There have been some struggles. We decided that we would accept a grant from ODOT to support hiring a contractor to work on these things. The first thing they asked for was a waiver of sovereign immunity. I'm not sure if you all have experienced that before, but I'm not interested in waiving our sovereign immunity for a contract with ODOT. I told council that I would be sharing that with the Commission. It didn't happen and it's not going to happen.

It is summertime and we have some projects. We are working on the roof of our plank house. We are dealing with some rot issues. You're supposed to have a fire in that house more often than we do. So, with the wetness and the way it was built, if you don't have a fire going in there, you might have some problems. We're building it a little bit different so that there's some more air space up there. The logs are going to come off our ancestral homelands. Those logs are through a MOU with the Forest Service. So, we're really happy this is working out. It was a huge commitment for the previous council to build that house with all Coquille Forest logs. I quite honestly don't think that we have the cedar logs it would have taken to put that roof on. So, we're happy that we're working together. We'll have some logs for canoe building as well. Just so you know, Rogue Siskiyou National Forest folks are really interested in working with Tribes in the area. We've done the first MOU so you guys follow ok? I think Grand Ronde has done it up north. So, it's been good to do this down here.

We are building a warehouse for our housing development. We've been struggling with having space for equipment and operations housing. It's taken five years to get the funding put together. We're going to do some financing which is interesting. Our Housing Authority, they don't have a lot of revenue, there going off what our housing already does. It's interesting how they did it and it's going to be a great project.

We are also working on our hazard mitigation plan. It's amazing how many events are part of that plan. High winds closing highways, flooding or all those other things we need to react to. One thing that came up as we were writing our plan was, it would be new and amazing if the nine Tribes of Oregon came together and worked on an MOU that we would be dedicated to any one of us that found themselves in the middle of a disaster. I think those are important things to think about.

Again, it's summertime, so there are lots of things going on, including gathering trips. We're doing Youth Corps again this year, so we'll have a bunch of youth working for the Tribe and helping our elders. Our

restoration celebration is at the end of June, the same day at the memorial service. We are going to find a way to support that family. We want to offer our condolences. Sue Schafer was amazing for Indian Country. She was a warrior and a great friend to the Coquille.

Don Gentry: We have a lot coming up. Our youth council, which is and new and something we're excited about, will be coordinating our Memorial Day Pow Wow. They will have the assistance of some responsible adults. We have some funding and are looking to eventually hire a youth project coordinator. We are also looking to develop a gymnasium and other facilities that this project coordinator could manage and run. So there's the old Chiloquin High School gym where we've had all our high school sporting events, but we have the issue of free access for our folks, plus it could be used for lots of other events.

We're coming up to the 20th anniversary of the Kla-Mo-Ya Casino. We're thankful that it has been a viable operation since we have a limited market. We've spent 20 years in a temporary facility and we are of course looking to improve things. We will break ground on our new hotel in June. We are planning other related projects including an RV park and a living culture museum. We are also looking at developing a ceremonial site for hosting things like Pow Wows, weddings and other historical ceremonies. There are many different visions for it, so we will take those into consideration. The living culture museum will have language recovery, storytelling, basket making, and other things. Over Memorial Day weekend, we have what is called Restoring the Spirit. I'm not exactly sure what is planned this time, but the last time we had that gathering, there was a video shown that talked about termination and the impact on our people. It was powerful and emotional, but healing at the same time. I'm so thankful that we have such a great crew in our tribal health area to take these things on. It's good for our community. We will have our Restoration Celebration in August at the high school track.

Also on Memorial weekend, we are planning to be involved in the Salmon Run. It is a relay race where the runners run with carved male and female salmon from the mouth of the river up to the head waters. We'll be involved in the last leg of that. Part of that will be to meet at the proposed area for the LNG pipeline so we can share our concerns about that. That area is very sensitive to us. Every time someone tries to do something there and disturbs the ground, it seems that human remains are found. We have done many reburials whenever they widen the highway or other projects. That has been a difficult thing for us. We are also concerned about potential impacts to the river, water quality and efforts to restore fisheries. It's not just the Klamath river, that whole area hasn't had salmon in 100 years. We have to go over to the Rogue River to fish. I'm thankful that we can trade with some of our salmon families downriver.

We are excited about our youth initiative and the things they're doing. Our culture camp is coming up in July and August. We are also improving our air filtration system in our casino, which is something that has been long needed. We have a new general manager that has really brought a lot of positive change for the casino. Our general manager, George Lopez, has really helped us follow through with things that we've been talking about for years. He just seems to have that ability to bring the right folks together and staff some of the issue that we raised and some of the projects. We have been looking at economic opportunities in the cannabis industry. We had a special general council meeting and they brought forth a draft ordinance that frankly is lacking. We've had several meetings with the Department of Justice and know that the ordinance needs some work. What we need to know from our members is whether this is something that we even want to do. It raises so many issues. There may be economic opportunity, but this is something that our members need to decide if they want to do, knowing that we have social issues with other legal things like alcohol. We're going to have a simple referendum to find out if our members want us to dedicate money and resources to exploring the opportunities.

The last thing I wanted to talk about, just so folks have a better understanding of some of the water battles

that we're dealing with. It's been an interesting year with the wet weather. It's been the wettest year since our right were quantified and enforceable in 2013. We built into our claim, maintaining flood conditions, because folks that understand how rivers work, flooding is a natural part of the maintenance and health of the river. I know that it shocked some folks when we reached some flooding thresholds, we made a call on our water rights. There weren't a lot of people irrigating, but it would impact those who were storing water. Even meeting those marks and the water coming back down, we're still not going to have enough water in those streams to satisfy our rights. So we have a call that will affect the Wood River valley and some of those folks. Because of the past drought, there is just a little more water than normal. There's going to be regulation this year. You may have seen in the news that our regulation has even affected water to Crater Lake National Park. Some people think that we have this discretion on water and that we're shutting off water to the park. The way the it works, is that we have the right to keep water at certain levels in the Wood River and the Annie Creek, which supplies water to Crater Lake, flows into the Wood River. The way water rights work essential is "first in time, first in right." The park has a very junior status in water rights compared to the 26 or so irrigators and then our Tribe. So when we make a call, the most junior rights may be shut off. What helped in 2013 during the drought conditions, is that the Governor can make a drought declaration and then water can be used for human use and stock water. However, being a wetter year and not enough water to satisfy our right, Crater Lake National Park has had to come up with a strategy to get water. They've been working since 2013 to get an alternative water source.

We don't have any water agreements with legislation not moving forward except one for the Upper Klamath Basin Comprehensive Agreement which was built out of KBRA which terminated. We've gone through the meet and confer process and mediation. The Secretary of the Interior needs to issue a negative notice for the agreement to go away. Then we will be in a similar situation to what we've been in the past. We're still in the courts battling for our water rights. I anticipate we may be in court another 10 to 20 years, potentially right us to the Supreme Court without a water settlement. Our folks, not only the Klamath Tribes, but the agricultural community as well, has been disappointed because we've gone so long and hard to develop these settlement agreements and folks are not about to repeat the same things over again. We need a clear indication that there's a pathway to at least some of the elements that worked for us. We don't see a commitment from our Congressman. We certainly turn to our Senators Wyden and Merkley who have helped us in the past, but our Congressman Walden has indicated that he doesn't have any ideas at this point. We're in a difficult situation and we're going to be the bad guys again, like we native people often are in our own communities. Our interests aren't as important as others. Our Senator Linthicum, has worked to taint the agreements in the past, but is now saying that we need to sit at the table. He has recently posted an article and accompanying cartoon portraying the Tribe in a bad way. They seem to only be working in favor of agriculture and against the Tribe. They're ultimately not working towards a good solution.

Ron Brainard: We'll have a letter coming around to everyone, asking for your support on creating a historical place. As you know, the LNG Jordan Cove project is a current concern and we are trying to come up with a solution to take care of our ancestors and village sites. I have personally talked to them and they will look you right in the eye and tell you the biggest lie you've ever heard, then turn around and say that you're not cooperating with them. I'm not against their project and I work hard to keep the council from being against their project, but if they don't want to work with us, what are you going to do? To create a historical site out there will make them have to deal with us more. I feel that these projects are going to happen one way or another, so it would be better if we could be involved in the process, protect what's important, and have a voice.

There's also good news. We've been working on the Coos Head cleanup and we just received word that we're to the "no further action" phase of the process. It has been an amazing and long process. Originally, they wanted to clean it to commercial standards, but we want to be able to use it for home sites.

It's a lot more work to get it to that place. One of the biggest things in cleaning up the ground water. However, I think we are getting close. It has been a hard process.

Joe DeLaRosa: I've been on council for about 7 months and it's been a rollercoaster. There's a lot of stuff that we've been working on and a lot of stuff that we need to address. One of the biggest issues has been the Malheur occupation. Jarvis and I attended the court hearings for that. It was my first taste of Tribal government and how much you're supposed to stand up for your people. It had a tremendous impact on me.

One of the biggest things we've worked on recently was attending to our Tribal Code. We went through everything and cleaned up old, outdated drafts, so that we can all be on the same page.

Going back to the occupations, we've been working with the DOJ and drafting a letter to be heard at the sentencing. If any of you could support in that, I think it could be beneficial. Desecration of artifacts isn't just a problem for our Tribe or even Oregon Tribes; it is a nationwide problem. The sentencing should be in two months.

We just recently had an economic coordinator come in. We are also looking into cannabis. We are trying to do an event for the eclipse. Jarvis, our economic coordinator and myself took the lead on putting that together. We'll be camping up near Mt. Vernon. That should be something that our Tribe should be able to enjoy. Hopefully we will make a little revenue.

We will have two interns this summer who will work with us on real estate. We have staff looking towards retirement so, we need have new people coming in.

Our tribal council is doing well and not divided. We're looking at doing bigger and better things. We have a newer generation coming in and bringing new ideas. We are looking towards the future and striving to do what's best for our people.

Don Gentry: We would like to provide a letter of support. We would like to work with you so that we know what issues to raise and what will be most effective.

Joe DeLaRosa: The idea has been to put out letters so that people recognize whose land it really is. That harming these artifacts is harming our ancestor. It's not something that should be taken lightly. People are acting out because they see that there are no real consequences for it.

Another thing that we are trying to do, working with the State, is to acquire an armory. This is an existing building that already has rooms that we can use for exercise classes and other things, basically a community center. It would be a lot easier than having to build something.

Jarvis Kennedy: The one thing that I can say about the new Council that is 100% positive is that its 300% percent better than the old one. Everybody is positive and ready to get projects going.

Jackie Mercer: I'll start with AFMAP. It really has to do with the amount of money the federal government reimburse the State for work the Tribes do and for work the Tribes refer out for. As you know, the Governor, who made a commitment to the Tribes to reinvest savings back into Tribal communities. It has been a long tedious process working with the State and SMC to get this to work. So, it is actually

working. Umatilla submitted the first claim and the State got paid back at 100%. There are several other health centers that are either in the process or already getting that done. It's at a time where there are a few decision points for you all. One of those that your Tribal health director's will be taking to you about is, Umatilla's money is sitting with the State right now, because there should be a decision about how much money should go to the State and how much money you're going to take. There is a proposal on the table at the moment for discussion purposes. Potentially the Tribes might give the State 10%, take 50% and leave 40% for the creation of a bigger Tribal entity. We haven't had a chance to talk about the bigger Tribal entity, but that would always be your 40%. The real idea for the Tribal entity has to do with the fact that less than half of the Native people in this State that are eligible for 100% AFMAP are seen by Tribal programs, so they're not affiliated. Some could see us, but in general there's a whole group of people, around 18,000 people that are unaffiliated with Tribal programs. So, if you were to get a Tribal entity that provided care for all those people, you could end up with double or more of the money coming back to Tribes. So, there's decision points, lots of conversations about what that could look like. Cheryle and I have been talking about it. I have also talked to Joe Finkbonner about whether the Board could do that. It seems that the easiest thing for the Board to do would be to contract with a care provider. Again, these are just ideas. At some point let me just say that the amount of money makes me very excited for you all. It could be 30 million dollars that we're talking about that could be reinvested in Tribal communities. We've been pushing the State to let the Tribes use the money as they see fit, not to push for it to be used in any specific way.

There are several factors that create just a little bit of a push. One of those is that nobody knows what is going on with...

Brenda Meade: I just have a clarifying question. Did you just say that the State is holding the dollars...?

Jackie Mercer: Just for Umatilla's two claims. Just until you all decide how you want to do it.

Brenda Meade: Are we all supposed to be decided how we want to do it before the State will allow...

Jackie Mercer: No, the State will give the money right away. Umatilla hasn't opted to take their money yet. So it's up to you all. Anybody could take their money. I know that Grand Ronde has two or three big claims that are hanging out there and that Umatilla has one large claim that's going to be paid soon in the big scheme of things. That's when it will really be about what you want to do with your money. Do you want to take it all now? Then you have to figure out what the state gets in the middle of all the state stuff. I haven't heard of anyone approaching the State about what they would get. There is some work in it that they have to do. Right now it is a paper system and that's there to make sure it happened. Now that everybody knows that it works. Now with the change in administration, it puts more pressure on getting it going, because it would be harder to take it away. Any Tribe could go on their own or join with two or more other Tribes State. It's not up to me, I'm just presenting some options. If we could figure out a way for CMS to give a stamp of approval to it, that those people are patients of that Tribal entity, then it could potentially double the amount of money.

About specialty care, one of the thoughts in the very beginning was that if you have a lot of resources coming in, you can't pay a different rate, but what you can do is provide incentives. Everybody is having trouble getting to see fee for service clients, but if you wanted to, you could make an arrangement with the providers in your area to see them and then you give them an incentive so that they're really going to want to see the people that you have. You have to have a care coordination agreement with a provider. Right now there are 3 hospitals that everyone has signed onto, OHSU, Providence, and maybe Legacy. Right now, everyone is trying to figure out how to create this system. Ultimately, this is something that you all have to make a decision about, either individually or collectively.

Don Gentry: I know that we have some capable folks around, are there joint meetings planned?

Jackie Mercer: Yes, there are phone meetings every Friday from 9:00am to 10:00am. Chandon, Brandon and Lena are all part of that call, so you've had really good participation. It's a little harder for Burns because you don't have the back up, but we keep people involved and talk to Twila.

Karen Quigley: Mr. Vice-Chair and Commission Members, I would like to thank Jackie. I've been watching this process and you, Jackie, have done so much to get that group together. I get the emails about the Friday morning meetings too. This is something that will continue on.

Jackie Mercer: There are some decisions that need to be made. If you don't want to put aside money to create that entity, funds will still be required to cover legal fees and things like that. First there has to be some approach to CMS to ensure this is a concept they'll buy. Once you know that, you're looking at double the amount of money that could come to the nine Tribes.

Your folks have worked so hard. There's a lot of knowledge there. I think we're all at the place where they need to come to you all to figure out what you want to do and how to do it. I understand that this can be a complicated process. The bottom line is that there can be much better care provided and more money for that care. The reinvestment in the Tribes by the Governor is what can make this happen.

In January of 2016 there was a commission meeting and it has taken a year, at this point the State has agreed to fund Care Oregon, who was chosen by the Tribes, to provide care coordination services for the people that are on fee for service, but not those on managed care. This should be much better than the previous situation. I met with the CEO of Care Oregon and I would love for you all to meet him. He has a heart for helping Tribes and wants to do the right work.

There is a position open for a tribal liaison, so hopefully there's interest in being on that interview panel. They need your input.

There's also the behavioral health collaborative. They've had trouble working with the State. You have all recently sent a second group of letters asking that they please consult with you. There have been a variety of issues and I haven't been able to find anyone that really knows what the State's plan is. There's millions of dollars involved in this. They are repurposing money that has already been allocated, to fit behavioral health agendas in regions. The State wasn't planning on the money going to you, it would have one to the regions and local CCOs. What we're trying to do is create a space for the Tribes. We are not sure what the recommendations to you would look like, but there are a few options. I'm sure you will be hearing more about this from your people.

There are new rules around pharmacy and payments that could cost you a lot of money. There is a call soon to talk about this. Your staff and pharmacists have been very involved in tracking this and can hopefully push back.

That finishes up what I wanted to talk to you about. Thank you all. Without you, we wouldn't be in the good position we're in with Care Oregon. It shows that there can be good opportunity, even in uncertain times.

Cheryle Kennedy: I think that we should have some opportunity to talk with the Governor tonight. Our Chair and I have pulled the Governor aside and talked about these issues and she asked if there was another state model we could look at.

Jackie Mercer: We are the model.

Cheryle Kennedy: I told the Governor that what we were trying to do was very different. Basically, the idea is to have Tribes determine how they will serve their people. You could think of it as a 51st State concept, where you carve out that money for Tribes.

I want to thank Jackie for all of the hard work she's been doing.

It has been a challenge between the lack of consultation and the pushback from the Health Authority. I think that it is important we figure out next steps, because they are way ahead of us. We are essentially starting from the beginning with little clarity. The Governor seems committed to helping us.

Brenda Meade: Knowing what to ask for is the hard part.

Jackie Mercer: If you knew how much money was on the table, it would make it easier to know what to ask for. Right now, no one knows, so it's a shot in the dark. One of the things we've been able to confirm with them is not cutting mental health and addiction funding. For the time being we seem to be stuck until there are some decisions made about several different issues.

If an entity was created, you would be prepared in case the Federal Government decided to do block grants. One hope for me is that if there's an entity created and refers go through it, then NARA could participate. Right now, the work we do is not reimbursed by the Federal Government. We could potentially have \$800,000 to \$900,000 to contribute to this organization, just based on the work we already do not even counting referrals we send out.

Karen Quigley: Tomorrow is the Spring Gathering. It's going to be a great day. The display tables will be located in the Senate lobby from 8:00am to 9:00am. The main program will begin at 9:00am.

Vice-Chair Dan Courtney: This concludes our meeting. Thank you.

Vice-Chair Courtney adjourned the meeting at 2:40 p.m.

Attachments:

- 1 – February 8, 2017 LCIS Meeting Minutes
- 2 – LCIS Budget Summary
- 3 – Oregon Department of Education Policy Manual draft
- 4 – PowerPoint: “Community Health Aide Program – Expansion in Oregon”
- 5 – PowerPoint: “Safe Oregon – Statewide School Safety Tip Line”
- 7 – LCIS/Nine Tribes Spring Celebration Program