



**LEGISLATIVE COMMISSION ON INDIAN  
SERVICES**

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

**DRAFT MINUTES**

**Meeting Date:** January 19, 2022

**Meeting Location:** Virtually via Microsoft Teams

**Members Present:**

Kat Brigham, Chairman, Board of Trustees, Confederated Tribes of the Umatilla Indian Reservation (LCIS Chair Elect)

Brenda Meade, Tribal Chairman, Coquille Indian Tribe (LCIS Vice-Chair Elect)

Dee Pigsley, Tribal Chairman, Confederated Tribes of Siletz Indians

Debbie Bossley, Tribal Chair, Confederated Tribes of Coos, Lower Umpqua and Siuslaw

Diane Teeman, Tribal Vice-Chairman, Burns Paiute Tribe

Cheryle Kennedy, Chairwoman, Confederated Tribes of Grand Ronde

Don Gentry, Tribal Chairman, Klamath Tribes

Raymond Tsumpti, Tribal Chairman, Confederated Tribes of Warm Springs

Carla Keene for Dan Courtney, Tribal Chairman, Tribal Board of Directors, Cow Creek Band of Umpqua Tribe of Indians

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

Kathleen Taylor, Senator

Bill Hansell, Senator

Tawna D. Sanchez, Representative

Daniel Bonham, Representative

**Members Absent:**

None

**Staff**

Patrick Flanagan, Executive Director, Legislative Commission on Indian Services

Adrienne Fischer, Commission Assistant, Legislative Commission on Indian Services

## **WELCOME – Chairman Meade**

Chairman Meade called the meeting to order at 8:30 a.m. and welcomed the members and guests.

## **INVOCATION**

Chair Gentry gave the invocation.

## **ANNOUNCEMENTS**

Senator Kathleen Taylor has been appointed as the new Senate representative to the Commission. The Commission welcomed Senator Taylor.

## **ADOPTION OF MINUTES**

The meeting minutes from the October 2021 meeting were approved by acclimation.

## **EXECUTIVE OFFICER ELECTION**

Chair Brigham was nominated to serve as Chair of LCIS and the nomination was approved by acclimation. Chairman Meade was nominated to serve as Vice-Chair and was approved by acclimation.

## **EXECUTIVE DIRECTOR REPORT**

Executive Director Flanagan shared that he has a written report that was provided to Commission Members previously. Director Flanagan noted that there are several ongoing important issues of interest to the Commission. The office is closely monitoring the situation around water policy and gaming in the State. Today's agenda is reflective of the work that the office has been doing. He noted that that the Tribes have been in contact with Director Byler of the Water Resources Department regarding the Water Vision plan. LCIS is continuing its position carried on from previous directors and is not involved in decisions on gaming but is committed to ensuring that Agencies are consulting with Tribes. He noted there was an effort to identify persistent topics and attempt to bring resolution to those issues. Consultation, and how best to conduct it, is consistent topic for the Commission. A consultation guide developed by Kassandra Rippee of Coquille has been shared which outlines best contacts and best practices for consultation. Director Flanagan also noted that the office was actively tracking legislation and asked Commission members to share any legislation that might be of interest, but that is not currently included on the list.

Chair Kennedy noted that Grande Ronde has been frustrated by the lack of consultation effort from the Oregon Racing Commission. The effort that was made was hurried and disrespectful to the Tribes. There was no real acceptable effort to consult. Chair Brigham

noted that the issues go beyond consultation and there are three things that the Tribes are looking for. One is that there be a study completed by the State of Oregon on a gaming plan that protects gaming for the State of Oregon and the Tribes. Two, the Tribes have asked for a pause from the Oregon Racing Commission. They have also asked for an audit for the Oregon Racing Commission and for the ORC to develop a consultation policy. Cow Creek Tribal Council Member Carla Keene noted that their Tribe had met with the ORC, but that meeting was not considered consultation. They were provided with a copy of the agency's consultation policy, which their Tribe found unacceptable. Representative Bonham asked if consultation was defined anywhere. He also added that he was one of the Legislators who signed a letter to the Governor's Office and the ORC requesting that the process to approve the application of the Flying Lark move forward. He noted that what they thought they were endorsing, was not what has come to light and that he would likely be changing his position on the letter.

### **LAND ACKNOWLEDGEMENT DISCUSSION – Patrick Flanagan, LCIS Director**

Director Flanagan noted that a draft document had been provided to the Commission in the meeting materials. This effort was started under the direction of Interim Director Danny Santos due to numerous inquiries from various State Agencies. Over the last number of years it has become more commonplace. What should be said and who should be recognized are common questions. Some have asked for template language to use as a land acknowledgement. The position of the office has been to not provide template language, because at this point, there are too many variables. There are no consistent opinions. There are positions that can be taken by one Tribe that may be different from the positions of some members of that Tribe. Some have said that land acknowledgements are a good start, while others have questioned the purpose and intent. For others, it can be harmful. For these reasons, the LCIS office is declining to offer template language and instead will offer informational guidance that brings to light the various positions and considerations. Director Flanagan noted that the draft document was an option of guidance to be provided from the Commission but noted that the input of Commission Members was important, and the ultimate guidance would reflect the input of Commission Members.

Chair Gentry shared that from his perspective, it wasn't just a legal authority to a place, but it is a recognition of a spiritual authority. Irrespective of whether there is a land acknowledgement, there is a deference to the host Tribe and their homelands. He also noted that things have changed throughout history, so it can be complicated and many of the designations have been imposed by others. When there is a land acknowledgement, it sets a tone and can be affirming since the Klamath have been so marginalized in their own homelands. He noted that it can be awkward at times, but at other times it is good to hear deference to the people of the land and their spiritual and legal authority on that land. It can be educational and help to highlight Treaties and trust obligations.

Chair Brigham noted that all have beliefs on honoring and taking care of the land so that the land can take care of you. She noted that it could be a very technical definition which might divide us, so it was good to take a general approach and acknowledge that we need to

take care of the land so it can take care of us and our children's children. This was all Indian land and Tribes are reclaiming and taking care of that land. Tribal members may not all see things the same way, but Tribal Leaders have a responsibility to the land. We need to be general and broad so that we can educate all Oregon leaders to take care of the land so that it can take care of us.

Chair Kennedy noted that all Tribes have their own ways of respecting and taking care of the land. To try to articulate a specific way to do a land acknowledgement would be difficult, because every Tribe is unique and must consult with their leadership. Chair Brigham stated that it was important to do an acknowledgement that this was once Indian Land and we all have our own practices, but it is imperative to take care of the land for all people.

Chair Teeman noted that she deals with land acknowledgements often in her position as Cultural and Heritage Director for the Burns Paiute Tribe. She agreed that it is best to maintain a broad approach in land acknowledgements. She has taught students at the university level that do not know that there are still Native Americans alive today. It is important to talk about the "before" but that it is also important to talk about the "now".

Director Flanagan thanked Commission Members for their thoughts and noted that he would be able to take the broad approach to the draft document. He also noted the broad use applications for land acknowledgements and how a broader approach would make it more accessible and usable for more people in more situations.

#### **LEGISLATION FOR UPCOMING SESSION – Senator Hansel Senator Taylor, Representative Sanchez, and Representative Bonham**

Representative Sanchez shared that there was a previous bill, HB 2625, that created the focus group on missing and murdered indigenous women. They committed to following up on the recommendations in the report and now have HB 4102 which will require that the Oregon State Police create a Tribal Liaison position that will be able to create a better avenue of communication with the Tribes and it will also require curriculum development for PL280 Tribes on jurisdictional issues to expand on existing trainings. They expect the bill to move forward. She also shared about a bill for an alcohol and drug policy commission, that bill will add more State Agencies to the information sharing piece on the commission's work.

Representative Bonham commended the work on HB 4102 and shared that it was a very important bill. He also noted that he was bringing forward a victim's rights bill and described the circumstances of a child victim of abuse who suffered permanent injury. The perpetrator however could only be sentenced to a maximum of ten years. The bill would reform sentencing. Representative Bonham has also brought forward a bill for an independent redistricting commission.

## **OREGON BOARDS AND COMMISSIONS – See Eun Kim, Governor’s Director of Executive Appointments**

See Eun Kim introduced herself and thanked the Commission for the opportunity to present. She began by sharing the background of their office. There is a long tradition of community involvement in all levels of governance. There are over 250 boards and commissions and there are a little over 2000 people who serve on boards and commissions. Only a little over three percent identify as American Indian or Alaska Native. This is not where they want to be. It is a priority of the Governor to diversify Oregon’s boards and commissions. The voices at the table should reflect the diversity of the State and they have a goal to have at least 25% BIPOC representation. The boards and commissions fit into eight policy areas: health, human services, education, transportation, public safety, natural resources, jobs, and economy. They also fit into one of five categories: policy making boards, governing boards, advisory boards, licensing boards, judgement boards. Many have statutory requirements for membership. Many positions require Senate approval and are processed usually 4 times per year. Non-Senator confirmed positions are processed monthly and the Governor is the final authority. Using the May Senate confirmation, the deadline for applications is March 4<sup>th</sup>. The application is now electronic. The office recommends visiting the boards and commissions website and viewing the board book which lists all boards and commissions, members, and criteria. There is a vacancy and expiration list to see what positions might be coming available. From there an application would be submitted. They are saved on file through the end of the Governor’s administration so you might be considered for a later opening. From there an applicant would meet with the respective policy advisor and possibly the board or commission administrator.

The Governor’s office held its first State-wide recruitment event which drew many people. They are now looking to do more regionally based recruitment events and engagement with local and community organizations.

Chair Kennedy noted that she has served on several boards and that she found that there was little understanding of Tribal governments and that one Tribal representative was not sufficient. Tribal needs are very different.

Chair Brigham noted that individual Tribal members and Tribal representation is quite different. It is also important to ensure that individuals that are supposed to be representing a Tribe are coordinating with the Tribe.

Chair Teeman shared that it would be beneficial to promote these opportunities in Tribal communities and at Tribal Council meetings.

**TRIBAL REPRESENTATION IN THE GOVERNOR'S INFRASTRUCTURE CABINET –  
Leah Horner, Infrastructure & Regional Solutions Director and Jobs & Economic Policy  
Advisor**

Leah Horner introduced herself to the Commission. As the new Director of Infrastructure, she is working to coordinate and identify all the different funding sources that are coming to the State through the transportation funding bill that was passed by the Federal Government in November. She noted that she wanted to speak to the Commission today because she is setting up an Infrastructure Cabinet. They are still working to understand what it should do and what the membership should be. So today she wanted to have a conversation with the Commission about representation on the Cabinet. They would love to have Tribal representation. She noted that she was glad to have heard the conversation during the previous presentation about Tribal representation and Tribal sovereignty. There are billions of infrastructure dollars coming to the State and it will apply to roads and bridges, as well as water, broadband, culverts, and fish passage. Money is coming to the State as well as Tribes. Funding will come over five years. They are working to understand the different funding streams. Many will be increases to agency funding, but there will be some new programs with competitive grant funding. There are 170 new line items in the bill. As a State, they hope to align their priorities so that can use the opportunities before them in a transparent way. They want to communicate to the community and local officials and foster engagement so that everyone has a voice. They are hoping that the Infrastructure Cabinet will help streamline this work and help set up a process for the next administration who will be implementing this in the long term. She asked for there to be a Tribal representative to serve on the Cabinet and briefly described the meeting schedule.

Chair Kennedy noted that she appreciated the overview and thanked the Governor's office for involving Tribes early in the process. She stated that she was curious about the funding for Tribes and the amounts allocated so that the Tribes could set up their own processes. She also inquired about the general funding to State Agencies and asked that Tribes be notified in areas that affect them. Ms. Horner responded that she is working to get clarity on some of those issues so that they can be communicated clearly to Tribes.

Chair Brigham asked about the number of seats in the Cabinet. Ms. Horner responded that there are currently twelve seats. It is defined as any State Agency who is receiving direct allocation of funding (8), a city government representative, county representative, metro representative and a Tribal representative. There will also be Governor's office staff listening in as well. Chair Brigham noted that CTUIR is looking at the infrastructure bill and are viewing it through an environmental lens. She also noted that there should be rural representation in the Cabinet. Chair Brigham then asked if, at some point, meetings are held in person, would there be reimbursement for travel and lodging and how the Cabinet will function after the change in Administration. Ms. Horner noted that she guesses that there would be travel reimbursement, but that she would confirm that. The Cabinet will be set up with her and the Director of ODOT as co-chairs so that the next Governor will be able to appoint their own representative or continue with only an Agency Chair.

## **WATER VISION – Tom Byler, Director, Water Resources Department & Courtney Warner Crowell, Governor’s Water Policy Advisor, Robin Harkless, Oregon Consensus**

Director Byler noted that he also presented at the last LCIS meeting in October right after the Water Vision letter was sent from the Nine Tribes to the Governor. At that meeting there was discussion about a Tribal/State task force, and there was also conversation about how many water conversations are happening this biennium. He noted that he was present at this current meeting to talk about the Tribal/State task force, and to talk about another work group for which they seeking engagement. Courtney Crowell is here to talk about this task force. He also introduced Robin Harkless to talk about the process underway to set up the second effort called the regional water planning and management workgroup. He also noted that Representative Owens was present at the meeting and was integral to these water related efforts.

Courtney Warner Crowell introduced herself as the Governor’s new Water Policy Advisor. She also continues to serve as the Regional Solutions coordinator. She noted that the Governor was excited to receive the letter from the Nine Tribes asking for a State water vision and the creation of a task force. They are ready to kick off a planning effort with the Tribes to develop a framework for the task force. This was a historic year for water investment by the Oregon Legislature. They want to make sure that the Tribes are involved.

Director Byler reiterated that Tribal engagement was important and they were looking forward to representation from each of the Tribes and starting organization meetings. They would like to have a report for the Annual Tribal/State Summit this year.

Director Byler then began to discuss the Regional Water Planning and Management Workgroup. The focus of this group is a high level look at how Oregon can support Oregonians seeking a secure water future. There any many different interests in water and every part of the State has a different water situation. They recognize that local needs are important. They are working to set up a system to help local communities plan for their future. They will be technical assistance and funding support for communities.

Robin Harkless introduced herself and thanked the Commission for the opportunity to present. Oregon Consensus is a program housed at the Mark Hatfield School of Government at Portland State University. Oregon Consensus serves as a public policy/ dispute resolution service for Oregon governments, communities, and Tribal governments. They were directed by the Oregon Water Resources Department through HB 5006 to serve as a process design facilitator. The scope is defined in the legislation to develop a framework and path for State supported water planning management at the water region or basin level considering regional water management opportunities that build on the one-hundred-year water vision and further the goals of the integrated water resources strategy. The program began with a series of interviews across 55 entities, 96 individuals. All Nine

Tribes were invited and about three interviews took place. They found consistent themes, namely of the need for a modern high-functioning water management system that integrated State and local efforts. It should build on prior efforts and look for innovations. The water system should be managed for stability and change. There was a need to educate and engage the community and equity was a core value for a modern structure.

The proposed purpose of the workgroup will be using a consensus-based process to define diverse systems structure for planning management and investments that connect grassroots regional planning with State resources and tools. The focus in that innovation would be in regional planning with local input, state supports and a framework for decision making. There are a number of tasks, timelines, and deliverables for the next year which will include fact finding, legal policy frameworks and the examining of several models that look at regional planning structure. Two specific deliverables would be describing and recommending integrated state/regional structure and then recommendations for framework for State-wide decision making of investments, planning, and management. There will be several engagement opportunities and letters have been sent to all Tribes. The 2023 Session will be the first major milestone in the timeline. They are in the final stages of establishing the membership and will be kicking off the task force at the end of the month.

Chairman Meade noted that this was a complicated process and encouraged everyone to make time for Tribal leaders to come forward and talk about how we must look at these resources holistically. We must talk about where we have been so that we can see where we are going. For Coquille it is important to view this in a holistic way that recognizes the people and the land.

Chair Brigham noted that it took a lot of work for the Nine Tribes to come together and produce the letter to the Governor, recognizing each Tribe's culture, history and needs. It is a significantly important issue for all Tribes. She noted that there were many questions about the process, but they are hopeful that a good plan will come from the effort so that we can look to the future beyond 100 years.

**BUSINESS OREGON – Michael Held, Regional Development Officer & Ryan DeGrofft, Regional Development Officer**

Ryan DeGrofft introduced himself and his colleague Michael Held. They are project co-managers on the State's Covid economic recovery plan. Mr. DeGrofft gave a background on the project and noted that equity was a priority from the beginning. There are many areas of the State that have not been given opportunities to give feedback on these efforts in the past, so they were prioritized in this effort. The project consists of three phases. The first phase was looking at Oregon's economy pre-pandemic and comparing that to where we are now. This research phase was completed in the fall. The second phase was stakeholder outreach. They worked with a consultant to look at goals and metrics. They used many outreach methods to reach as many different areas of the State as possible. The third phase is the plan development. They will look at the research and feedback to develop a series of



strategies to promote economic recovery. They worked with ATNI and invited all Nine Tribes to provide input. They also heard from several Tribal businesses on what their needs were. The project goals are to hear from people impacted by the economic disruption of Covid, interpret the data, and identify needs for recovery.

Michael Held reintroduced himself to the Commission. He shared a data overview of what they have learned and noted that the effort was ongoing. Oregon is still below the 2019 baseline of employment. They looked at several areas that were identified as strategic industry sectors. Some sectors actually rebounded and/or grew during the pandemic, such as high technologies and outdoor gear & apparel. Food and beverage saw a much steeper impact. They saw that rural counties saw higher impacts and that BIPOC communities are also more heavily impacted.

Senator Taylor noted that she chairs the Senate Labor and Business Committee, and that the committee looks at labor force participation more heavily than unemployment insurance claims and asked if they would be willing to talk about subject. Mr. Held answered that they are seeing the labor force change and that they are down about three or four percent from pre-pandemic levels. There are many reasons keeping people from rejoining the labor force. They are seeing women in particular are not able to rejoin the labor force. Mr. Held noted that the team wanted to engage with a diverse group of Oregonians and found that there were some consistent responses on what the most important topics were. Those were: housing, childcare, and workforce retention/attraction. Other areas of concern were access to capital, workforce training, broadband access, technical assistance, technological equipment funding and advanced manufacturing assistance. Broadband access was often brought up by Tribes.

Mr. Held noted that they were able to get a one-million-dollar planning grant from the economic planning administration to assist with organizing and implementing around these issues. With those funds, they will be able to hire a recovery plan coordinator. They would be tasked with making sure Business Oregon and other agencies are executing the recommendations. They also have funding available to allocate to broadband mapping so that they can better understand the connectivity issues across the state. Another component is to help the agency complete a global trade strategic plan which will take a critical look at supply and trade issues. Finally, there is a component to look at Tribal collaboration. Business Oregon will look at how they are engaging with the Nine Tribes and what barriers exist for accessing resources both within and outside of Business Oregon. They are having active conversation about what might be possible in the short session and are also looking longer term as well. Several topics will become part of the Agency's strategic plan. A copy of the report will be provided to the Commission.

Chair Brigham asked if when they were looking at their plan, were they also looking at the infrastructure bill. Mr. Held noted that they were looking at that and how infrastructure helps in economic development. They are looking about how they can leverage that funding for business success. Chair Brigham also asked about conservation efforts when they are looking at building houses. Mr. Held noted that they had not worked to the level at this

point, but they have been thinking about working with communities to expand housing supply and that there would be more to come on that topic. Chair Brigham noted the Hurst decision in WA that led to some home developments need to secure water before approval. This shows how important water is in all development.

### **REPATRIATION OF ANCESTRAL REMAINS – Diane Teeman, Chair, Burns Paiute Tribe**

Chair Teeman shared a series of photos to begin the conversation. The first photo shared was of a woman whose English name was Maggie Stanley Jim(?) who was a survivor of the march from Fort Harney to a fort in Washington in 1879. She escaped before the rest of the people were able to leave Washington State and was able to return to the Harney valley where she started a family. The Burns Paiute Tribe is not a treaty tribe and when they returned to Oregon, they were landless. Maggie and her family lived in a desperate situation until the 1920's when they received some outside help. Father Huelle(?) was considered a rogue Catholic priest who lost the following of white people in the area for how much he helped Tribal people. Maggie had three children. One of the children, Grace, had an illness thought to be epilepsy. Maggie asked Father Huelle for help. The child was sent to an Indian asylum in South Dakota. Some individuals there may have had mental health issues, but some of them, like Grace, had physical illnesses. Some were even there because their parents refused to send them to boarding school. The asylum was open until the 1930's and was finally shut down because of the horrific conditions. From there, Grace was not able to go home but instead was sent to Washington DC. There are many records of her family try to find her and bring her home. Grace was later sent to Pendleton where she died. Her family never found out where she was. She was cremated, which is against her Tribe's culture, and her physical remains are in the cemetery in Pendleton. There is a mausoleum there with the remains of many Tribal people from the mental hospital in Pendleton.

Chair Teeman noted that she was bringing this story to LCIS because she's knows that there are two people from their Tribe that were taken to the asylum in South Dakota. One was able to return and live out their life with their Tribe. Grace never had that chance and there are others like her. Chair Teeman is hopeful that there can be an effort to repatriate those folks who are still waiting to go home.

Chair Brigham noted that CTUIR was one of the Tribes that took a lead in repatriating the Kennewick man and they believe in returning remains back to the Tribe for proper care. She noted said that she would bring this issue to the Tribe and see what they can do to help.

Chair Kennedy noted that LCIS has a role in repatriation. She said that there were some agreements between the State and LCIS which made some distinctions with the State Police and Institutions. She asks that Director Flanagan take a look at those agreements and any accompanying training. She also mentioned that there can be letters written. She also noted that they support the repatriation of remains.

Chair Tsumpti stated that the Burns Paiute have exhausted efforts to locate a loved one and that person is in Pendleton. He suggested that the most simple path would be for the Cultural resources staff at CTUIR to work on this particular effort.

Chair Teeman, noted that this conversation is about one individual, but there are many more who are still waiting to go home. She also noted that in this case, the cemetery has record of Grace being there, but that it would be a big task to find her physical remains.

## **COMMISSION MEMBER REPORTS:**

Klamath Tribes: Chairman Gentry noted that the Klamath Tribes are experiencing a spike in Covid cases. The Tribe has adopted a vaccine mandate a week ago and will report back to the Commission on results. Chair Brigham inquired about the vaccine mandate and asked if any other Tribe had implemented that. Cow Creek responded that they have one for health care workers.

Chair Brigham noted that Yellowhawk instituted a vaccine mandate, and they had several people leave because they refused. They have also adopted one for the education department and for all screeners checking people at the front door.

Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians: Chair Bossley noted that CTCLUSI has not mandated vaccines. She then introduced Colin Beck to discuss the Forest Practices Act.

Mr. Beck, introduced himself as the Forest Land Manager for the Confederated Tribes of Coos, Lower Umpqua and Siuslaw Indians. He noted that Commission Members may have already seen the letter which was sent from the Tribe to the Governor's office regarding the Forest Practices Act. He noted that a collaborative group consisting of timber industry and large environmental groups had been working together to make changes to the Forest Practices Act as well as a habitat conservation plan that would be negotiated with Federal Services and apply to private forestland. He noted that it would have implications for the Tribes. About half of CTCLUSI's ancestral land is managed as timber lands. Many Tribes also manage forestland in fee. The State does regulate the Tribes through the Forest Practices Act. The Tribe reached out to the Governor's Office to inquire about participating in the effort and didn't receive a response. Last November, the Governor's Office announced a deal and that legislation would be proposed for the 2022 short session. The Tribe is unhappy that they were not involved in the process but could see an opportunity in the Legislation to recognize the sovereignty of Tribes, so that they could manage as they see fit. He stated that it has been difficult to get a response and it seems that the legislation will move forward without input. There is a very short timeline. He hopes that if the Tribes come together there might be some success.

Chair Brigham noted that sometimes one Tribe's voice might not be loud enough and that all Nine Tribes together would be more likely listened to. She clarified that Mr. Beck was

asking for support in making changes to the proposed legislation. She asked for a draft letter or proposal so that she could take it back to CTUIR for their approval. She noted that all Commission members were likely in the same position and would need to bring this back to their councils to see if they would want to sign on.

Cow Creek Band of Umpqua Tribe of Indians: Carla Keene, Tribal Council Member of the Cow Creek Tribe sitting in for Chair Courtney, introduced herself. They are planning for the 40<sup>th</sup> anniversary of their Tribal Recognition, which will be held the last weekend of April. They have acquired a new building in Roseburg which will be home to their new health clinic and this building will have room for expansion of the clinic. They are still vaccinating and boosting for both the Tribe and the public. They are currently working on budgeting plans. Clean up from the mile post 97 fire is ongoing. The Tribe was able to purchase a small portable sawmill to process the waste from the fire which will provide for some revenue and job creation, as well as reducing future fire risk for the area.

Confederated Tribes of Grand Ronde: Chair Kennedy noted that she wanted to dedicate her time to a concern that affects all Tribes. She noted that all Tribes contract with Oregon Health Authority and that there are problems in the contracting language. Once they get contracts from the State, they are back dated, so they can possibly be in breach of contract already. They require that they certify that they are in compliance with all the insurance requirements. The language is ambiguous at best and requires that they have insurance though they are not subcontractors. The certification of insurance needs to be deleted or revised. Another issue is that the terms regarding recovery of overpayments extends to all grants from the State of Oregon. That language needs to be changed. Another issue is OHA agreements containing one-sided indemnities. It is contrary to the entire concept of no waiver of immunity. They have previously agreed that only overpayment recoveries and offsets from future grants would occur. The OHA agreements also contain the same objectionable language that the Tribe's legal department has raised many times. She noted that some of the issues raised are really about sovereign immunity. This issue has been brought forward to the Tribal Liaison of OHA and the cluster groups.

#### **PUBLIC TESTIMONY:**

Chair Brigham asked if there was any public testimony. There was none.

The meeting was adjourned at 12:14 pm