

MINUTES OF THE AUGUST 19, 2024
SPECIAL MEETING OF THE BOARD OF TRUSTEES OF
THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

The Board of Trustees (Board) of the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) met via videoconference and/or teleconference on August 19, 2024. The attendee list is included as Appendix 1 to these minutes. Trustee Eric Eberhard served as the proxy for this meeting. Trustees Rion Ramirez and Denis Udall provided signed proxies since they were unable to attend the meeting.

Call to Order and Chair's Remarks

Lisa Johnson-Billy, Chair, called the meeting to order at 1:03 p.m. (MST-AZ). Administrative Officer Sara Moeller recorded the minutes. Attendance was taken, and the quorum of voting members needed to conduct business was present.

Program Eligibility

The Chair reminded the Trustees that the proposed Board Resolution was posted to the Trustee website. The resolution included: 1) direction to engage in formal Tribal Consultation, including specific potential eligibility criteria language for Native American and Alaska Native programming to use during the Consultation, 2) direction to collect anonymous feedback from Scholarship, Internship, and Fellowship award alumni in specific areas, and 3) interim eligibility guidance for the 2024–2025 Education Programs' Scholarship, Internship, and Fellowship awards cycle. On a motion moved and seconded, the Chair called for discussion. No discussion was requested, and Resolution No. AUG-45-2024: Interim Eligibility Guidance for the 2024–2025 Programming Cycle was adopted by a vote of 10 For, 0 Against, and 0 Abstain (the resolution is attached to these minutes). The Chair then reminded Trustees that the Proposed Schedule for Future Board Action was also posted to the Trustee website. This schedule will lead to a final Board policy guidance discussion on Native American and Alaska Native programming eligibility criteria no later than June 2025. The Chair then provided the General Counsel

with an opportunity to summarize the schedule, including the milestones related to Tribal Consultation. The General Counsel gave an overview of the schedule and sought feedback from the Trustees on whether the Consultation should be held as a live session (e.g., allowing Tribes to offer comments during a meeting) or electronically (providing a window of time where Tribes may submit written comments). Trustee Eberhard and Vice Chair Tadd Johnson suggested an electronic Consultation to allow for more varied responses while Trustee Bryan Newland suggested a mixed approach featuring both a live session and an opportunity for written comments to be submitted.

There being no further business, on a motion moved and seconded, the Board of Trustees adjourned the meeting via voice vote at 1:22 p.m. (MST-AZ).

Appendix 1

Udall Foundation Special Board of Trustees Meeting

August 19, 2024

Attendees List

[Final as of 09/23/2024]

Virtual Meeting Via Microsoft Teams

Udall Foundation Trustees & Trustee Representative Attending:

Lisa Johnson-Billy, *Chair*

Tadd M. Johnson, *Vice Chair*

James L. Huffman II, *Secretary*

Eric D. Eberhard, *Trustee*

Amy Loyd, *Assistant Secretary, Office of Career, Technical, and Adult Education, U.S. Department of Education; Trustee*

Jomar Maldonado Vazquez, *Director for NEPA, Council on Environmental Quality; Trustee Representative*

Bryan Newland, *Assistant Secretary for Indian Affairs, U.S. Department of the Interior; Trustee*

D. Michael Rappoport, *Trustee*

Tess Udall, *Trustee*

Udall Foundation Staff Attending:

Adam Baker, *Application Programmer*

David Brown, *Executive Director*

Lauren Cordova, *Program Associate, Education Programs and John S. McCain III National Center for Environmental Conflict Resolution (National Center)*

Jason Curley, *Education Program Manager*

Theresa Fernandez, *Financial Technician*

Gwendolyn Franks, *General Counsel*

Rachel Hammelman, *Program Associate & Training Program Coordinator, National Center*

Alicia Harris, *Director of Education Programs and Chief Diversity Officer*

Terri Harrison, *Contracting Program Manager/Contracting Officer*

Crystal Janes, *Contract Specialist*

Stephanie Kavanaugh, *Deputy Director, National Center*

Brian Manwaring, *Director, National Center*

Benjamin Martin, *IT Specialist*

Sara Moeller, *Administrative Officer*

Ben Zukowski, *Senior Program Associate, National Center*

The University of Arizona Partner Program Leadership Attending:

Verónica Reyes-Escudero, *Katheryne B. Willock Head of Special Collections, The University of Arizona Libraries*

Udall Foundation Trustees Excused:

Rion J. Ramirez, *Trustee*

Denis Udall, *Trustee*

Dr. Robert C. Robbins, *President, The University of Arizona; Trustee*

RESOLUTION OF THE BOARD OF TRUSTEES
OF THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

Resolution No. AUG-45-2024: Interim Eligibility Guidance for the
2024-2025 Programming Cycle

I.

WHEREAS, the United States Congress enacted P.L. 102-259 (20 U.S.C. §§ 5601 et seq. as amended, most recently on March 23, 2024) on March 19, 1992, to establish the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) as an independent entity of the Executive Branch for several purposes, including to:

- Increase the awareness of the importance of and promote the benefit and enjoyment of the Nation's natural resources;
- Establish a program for environmental policy research at the Udall Center for Studies in Public Policy (Udall Center) at the University of Arizona;
- Establish as part of the Udall Foundation the John S. McCain III National Center for Environmental Conflict Resolution (National Center) to assist in the implementation of the National Environmental Policy Act (42 U.S.C. §§ 4331 et seq.) by providing assessment, mediation, and other related services to resolve environmental issues, conflicts, and disputes involving agencies of the United States; and,
- Develop resources at the Native Nations Institute for Leadership, Management, and Policy (NNI) to properly train Native American and Alaska Native professionals in health care and public policy, by providing education to and conducting management and leadership training of Native Americans, Alaska Natives, and others involved in Tribal leadership, providing assistance and resources for policy analysis, and carrying out other appropriate activities; and,

II.

WHEREAS, the Udall Foundation is subject to the supervision and direction of the Board of Trustees (20 U.S.C. § 5603(b)); and,

III.

WHEREAS, the Udall Foundation is authorized to award Scholarships, Fellowships, and Internships for study in fields related to the environment and to Native Americans and Alaska Natives in fields related to health care and Tribal public policy (20 U.S.C. § 5605(a)(1)(A)(i)); and,

IV.

WHEREAS, some Udall Undergraduate Scholarships are to be awarded to outstanding Native American and Alaska Native undergraduates who intend to pursue careers in health care and Tribal public policy (20 U.S.C. § 5605(a)(2)(A)); and,

V.

WHEREAS, the Morris K. Udall and John S. McCain III Native American Graduate Fellowship in Tribal Policy is to be awarded to outstanding Native American and Alaska Native graduate students who intend to pursue advanced degrees in health care (20 U.S.C. § 5605(a)(3)(A)); and,

VI.

WHEREAS, the Native American Congressional Internship is to be awarded to deserving and qualified Native American and Alaska Native individuals (20 U.S.C. § 5605(a)(4)(B)); and,

VII.

WHEREAS, the Udall Foundation enabling legislation does not define the term “Native American and Alaska Native” or related terms for purposes of program eligibility; and,

VIII.

WHEREAS, the Udall Foundation Board of Trustees would like additional information before providing final policy guidance to the Udall Foundation programs for how to determine program eligibility for Native American and Alaska Native programs; and,

IX.

WHEREAS, the Udall Foundation Board of Trustees understands that the Udall Foundation Scholarship, Internship, and Fellowship programs would benefit from interim policy guidance for the 2024-2025 program cycle;

X.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby directs the Udall Foundation staff to engage in formal Government-to-Government Consultation with Tribes, as contemplated in Executive Order 13175, on the potential eligibility criteria, including the following avenues for establishing eligibility: (1) Enrolled members of Federally Recognized Indian Tribes that are included in the annual list of Indian Tribes published by the Secretary of the Interior pursuant to 25 U.S.C. § 5131; (2) Anyone who the Secretary of the Interior recognizes as eligible for the special programs and services provided by the United States to Indians because of their status as Indians; or (3) Any member of an Indian Tribe that was previously recognized by the United States that was terminated, or prevented from receiving services available to Indian Tribes, by an act of Congress after 1940, unless otherwise prohibited by law; and,

XI.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees hereby directs the Udall Foundation staff to collect anonymous feedback from the Udall Foundation Scholarship, Internship, and Fellowship award alumni about their participation in the Scholarship, Internship, and/or Graduate Fellowship Programs after their award year has concluded; feedback related to the potential agency changes to eligibility criteria for Native American and Alaska Native programming; and feedback related to whether and how their level of participation in and support of the Scholarship, Internship, and Graduate Fellowship Programs is likely to change if the eligibility criteria are updated as proposed; and,


XII.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees hereby directs the Udall Foundation to limit eligibility in the Native American and Alaska Native award categories for the 2024-2025 Scholarship, Internship, and Fellowship award cycle to enrolled members of Federally Recognized Indian Tribes that are included in the annual list of Indian Tribes published by the Secretary of the Interior pursuant to 25 U.S.C. § 5131.

CERTIFICATION

WE HEREBY CERTIFY that on the 19th day of August, 2024, at a regular X special meeting of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation at which time a quorum was present, the foregoing resolution was adopted by a vote of 10 FOR, 0 AGAINST, 0 ABSTAIN.


Chair



Vice Chair