

MINUTES OF THE APRIL 3, 2024
MEETING OF THE BOARD OF TRUSTEES OF
THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

The Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) met via videoconference and/or teleconference on April 3, 2024. The attendee list is included as Appendix 1 to these minutes. Trustee Rion J. Ramirez served as the proxy for this meeting. Trustees James L. Huffman II and D. Michael Rappoport provided signed proxies since they were unable to attend the meeting, and Trustee Eric Eberhard provided his signed proxy in case of his absence at the time of a vote. Trustee Bryan Newland was absent during voting and did not provide a signed proxy; he is not counted in the voting results per the Board's Operating Procedures. Votes at this meeting did not require the use of formal Board Resolutions.

Call to Order and Acting Chair's Remarks

Lisa Johnson-Billy, Acting Chair and Vice Chair, called the meeting to order at 10:00 a.m. (MST-AZ). Communications Program Manager Elizabeth Monroe recorded the minutes. Attendance was taken, and the quorum of voting members needed to conduct business was present. The Acting Chair congratulated Executive Director David Brown and his team on the agency's recent reauthorization by Congress and invited Brown to give his remarks.

Executive Director's Remarks

Brown welcomed everyone to the meeting and included a special welcome to new Trustee Rion J. Ramirez to his first Board of Trustees Meeting. Ramirez briefly provided his personal and professional background and shared that he was excited to get to work and learn from everyone. Brown also congratulated Trustee Tadd M. Johnson for his appointment to the Board for a new six-year term. Since this was a short meeting, Brown did not go into the details of the semi-annual programmatic Board Reports, but he did thank those who prepared the reports. Administrative Officer Sara Moeller reviewed logistical information and requests related to the videoconference. Brown thanked all the staff involved

in preparing and holding the meeting. Brown thanked the Acting Chair for the recognition related to the agency's reauthorization and shared he is happy that the reauthorization is complete. He reminded Trustees that the Udall Foundation received a 1% budget cut in its FY 2024 appropriations, consistent with what many other small agencies received. He told the Trustees there was nothing to announce at this meeting regarding potential new Board nominees. He then invited Chief Data and Information Officer Jerry Carter to briefly discuss the continued roll-out of udall.gov email addresses to the Trustees. Carter shared that Ramirez is currently using his udall.gov email address, and the agency is working with Trustee Eric D. Eberhard to get him set up with his udall.gov email address. This roll-out is the agency's test of supporting Trustees remotely with getting their devices connected to the udall.gov network. Carter hopes that all Trustees will be using udall.gov email addresses within the next couple of weeks. Brown said he is looking forward to seeing the Trustees in person in Washington, D.C., for the July 2024 Board of Trustees Meeting. Brown concluded by sharing that Trustee Dr. Robert C. Robbins announced he will be stepping down as President of The University of Arizona (UARizona) on or before 2026. Brown said Robbins has been a great partner to the Udall Foundation and a supporter and champion of the relationship between UARizona and the Udall Foundation. Brown looks forward to acknowledging Robbins' support before he leaves UARizona and the Udall Foundation Board of Trustees.

Consent Agenda Approval

The Acting Chair introduced the Consent Agenda. On a motion moved and seconded with no discussion requested, the Board approved the Consent Agenda items, including the Minutes of the November 7-8, 2023, Board of Trustees Meeting and the programmatic Board Reports, by a vote of 7 For, 0 Against, and 0 Abstain.¹

¹ It was discovered during this vote that Ramirez's udall.gov email account had automatically logged out, so he was not aware that the proxies for Trustees Huffman and Rappoport had been delivered. Their votes were not included in the results of this vote per the Board's Operating Procedures. All signed proxy forms were emailed once again to Ramirez in time for the Board Officer and Executive Committee Elections agenda item below.

Disband Ad Hoc Committee on Grants, Gifts, and Donations

The Acting Chair called on General Counsel Gwendolyn Franks to provide context for this conversation around disbanding the Ad Hoc Committee on Grants, Gifts, and Donations. Franks shared that Bret Muter, the agency's Grants, Gifts, and Donations Manager, was out of the office and not at the meeting. Franks reminded Trustees that the Board voted several years ago to create this ad hoc committee for the purpose of advising and getting the Grants, Gifts, and Donations program off the ground. The chair of this ad hoc committee was former Trustee Mark Nethery, who resigned from the Board earlier this year. It is Franks' sense of the Board that the purpose of the ad hoc committee has been met, and if the Board wishes to disband the committee, it must be done by a vote per the Board's Operating Procedures. It is Muter's recommendation as the Grants, Gifts, and Donations Manager and Franks' as the General Counsel that the Board hold the vote on disbanding the ad hoc committee. Eberhard thanked Muter, the committee members, Franks, and her predecessor for their work on this committee. There was a lot of time and effort poured into it, and he thinks it was worth it. The committee was an important piece of the Udall Foundation's efforts to broaden its funding base in the years ahead, consistent with the purposes for which the Udall Foundation was established. This disbanding is a welcome milestone from Eberhard's perspective. On a motion moved and seconded with Eberhard's comments above, the Board approved disbanding the Ad Hoc Committee on Grants, Gifts, and Donations by a vote of 7 For, 0 Against, and 0 Abstain.

U.S. Indigenous Data Sovereignty and Governance Summit

The Acting Chair invited Stephanie Russo Carroll, Associate Research Professor, Native Nations Institute for Leadership, Management, and Policy (NNI), Udall Center for Studies in Public Policy (Udall Center), to present to the Trustees on the upcoming U.S. Indigenous Data Sovereignty and Governance Summit 2024: Building Action and Power. The Summit is scheduled for April 11-12, 2024, with a few pre-Summit events on April 10. Carroll shared that the organizers were very proud to be offering the first

summit of this size that is occurring globally as well as the first summit that is focused entirely on advancing Indigenous data sovereignty and governance in the United States. She shared the three goals of this Summit, provided an update on the number of confirmed abstracts and attendee registrations, and mentioned a pre-session of Tribal leaders and scholars. Carroll shared information regarding the Summit's four keynote speakers from the United States, Australia, and Aotearoa/New Zealand as well as an overview of the events scheduled for each day. She concluded by sharing lists of the Summit sponsors and producers. Through its funding to the Udall Center, the Udall Foundation is supporting some of the Summit activities related to the environment. The Acting Chair thanked Carroll and expressed her appreciation for all the great work and asked for questions from the Trustees. Eberhard thanked Carroll for her leadership on Indigenous data sovereignty over the years. Comments, questions, and discussion with the Trustees covered the importance of engaging with corporations in the United States regarding Indigenous data sovereignty and generative artificial intelligence; sharing the Summit's results with Federal agencies; and how Federal agencies can learn about the work of the Indigenous Data Sovereignty Network (Network) and take next steps regarding Indigenous data sovereignty, Tribal sovereignty, and self-determination in partnership with the Network. Carroll will follow up with Trustee Amy Loyd after the event. Carroll mentioned there are plans to move forward this summer with the Network's Federal engagement.

July 2024 Board of Trustees Meeting Updates

The Acting Chair invited Franks and Moeller to update the Trustees on the July 2024 Board of Trustees Meeting to be held at The University of Arizona Washington, D.C. Center for Outreach & Collaboration on July 23, 2024. Franks reminded Trustees that the July meeting will focus on the request made to the Board in November 2023 to provide policy guidance and direction specific to how the Udall Foundation as a whole applies its eligibility criteria in its Native American and Alaska Native programming. Back in November, Trustees asked for additional context for this discussion, so two 60-

minute information sessions will be held prior to the July meeting. One session, to be held May 30, 2024, will 1) describe the John S. McCain III National Center's (National Center) Native American and Alaska Native Service Area, 2) cover the language in the Udall Foundation's enabling legislation specific to how the National Center does work with and applies its authorities related to Federally Recognized Tribes, and 3) discuss the implications of the eligibility criteria in the National Center. The other session, to be held on June 20, 2024, will discuss the Education Programs and will include 1) an overview of the history of the programs, 2) a description of the current eligibility criteria as they are applied to individuals and not organizations, 3) an overview of the program participants in the Native American Alaska and Native award categories, 4) a description of the role that alumni of those programs play at the Udall Foundation, and 5) some conversation around implications. There will be written materials for these information sessions, and the opportunity to ask questions during the sessions. These sessions will be recorded for Trustees who cannot attend, so they may review the recordings along with the written materials in advance of the July meeting. Moeller provided preliminary logistical information related to the information sessions and the July Board of Trustees Meeting. Operations Coordinator Olivia Montes will be reaching out soon to work with Trustees on travel arrangements. Brown thanked Franks and Moeller for their work so far on this meeting. The Acting Chair also appreciates the work that has been put into this particular issue. She looks forward to participating and thinks it will be a great opportunity.

Board Officer and Executive Committee Elections

The Acting Chair introduced the Board Officer and Executive Committee Elections agenda item and then called for nominations for each position.

- **Nominations for Chair:** Trustee Tadd M. Johnson nominated Lisa Johnson-Billy. There were no additional nominations.
- **Nominations for Vice Chair:** Trustee Rion J. Ramirez nominated Tadd M. Johnson. There were no additional nominations.

- **Nominations for Secretary:** Trustee Rion J. Ramirez nominated James L. Huffman II. There were no additional nominations.
- **Nominations for Executive Committee (2 positions available):** Trustee Rion J. Ramirez nominated Eric D. Eberhard. Trustee Rion J. Ramirez separately nominated Tess Udall. There were no additional nominations.

The Acting Chair closed the nominations and then called for voting. Trustee Rion J. Ramirez voted as the proxy for Trustees Eberhard, Huffman, and Rappoport during this agenda item.
- **Election for Lisa Johnson-Billy as Chair:** Lisa Johnson-Billy was elected by a vote of 9 For, 0 Against, and 0 Abstain.
- **Election for Tadd M. Johnson as Vice Chair:** Tadd M. Johnson was elected by a vote of 9 For, 0 Against, and 0 Abstain.
- **Election for James L. Huffman II as Secretary:** James L. Huffman II was elected by a vote of 9 For, 0 Against, and 0 Abstain.
- **Election for Eric D. Eberhard to the Executive Committee:** Eric D. Eberhard was elected by a vote of 9 For, 0 Against, and 0 Abstain.
- **Election for Tess Udall to the Executive Committee:** Tess Udall was elected by a vote of 9 For, 0 Against, and 0 Abstain.

After the elections, the Chair noted that it is an honor to carry on the work of the Udall family. She is excited and looks forward to getting to know everyone better. Brown mentioned that Lisa Johnson-Billy is the first Native Trustee to Chair the Udall Foundation Board of Trustees and offered special congratulations to her on this distinguished honor. He expressed his appreciation and offered his thanks to all the Trustees who were willing to serve in Officer positions and on the Executive Committee.

Hatch Act Training

The Board Chair called on Franks to provide Hatch Act training to the Trustees. Before starting that training, Franks said the annual Ethics training this year is on paper. She asked Trustees to review the summary Ethics document, sign the certification page, and return the document to her, Moeller, or Monroe. Some of the topics covered in the training were the Office of Special Counsel's role, the two categories of employees in the Hatch Act, partisan political activity, when the Hatch Act applies to Special Government Employees, what is not political activity, permitted activities, fundraising, use of official authority, candidacy, social media rules, and penalties. During the Q&A portion of the training, there were no questions from Trustees, but Brown asked Franks several questions. He asked whether it is acceptable for a Udall Foundation Trustee on a trip to Washington, D.C., with Udall Foundation staff to meet with members of Congress, discuss the work of the agency, and ask for more funding or more programming authority for the agency? Franks said yes. In that scenario, the Trustee is acting in their role as Trustee advocating for the agency to receive more money rather than fundraising for a political party or a candidate for political office. In response to another question from Brown, Franks clarified that Trustees may volunteer or be paid by a campaign to do activities. Trustees just need to make sure they are not doing that campaign work at the same time as doing Udall Foundation business or the inverse. Franks briefly mentioned Tribal elections and when those may be covered by the Hatch Act.

There being no further business, on a motion moved and seconded, the Board of Trustees adjourned the meeting via voice vote at 11:19 a.m. (MST-AZ).

Appendix 1

Udall Foundation Board of Trustees Meeting

April 3, 2024

Attendees List

[Final as of 04/04/2024]

Virtual Meeting Via Microsoft Teams

Udall Foundation Trustees & Trustee Representative Attending:

Lisa Johnson-Billy, *Acting Chair-Vice Chair*

Eric D. Eberhard, *Trustee*

Tadd M. Johnson, *Trustee*

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

Jomar Maldonado Vazquez, *CEQ Trustee Representative*

Bryan Newland, *Assistant Secretary for Indian Affairs, U.S. Department of the Interior, Trustee¹*

Rion J. Ramirez, *Trustee*

Denis Udall, *Trustee*

Tess Udall, *Trustee*

Udall Foundation Staff Attending:

Elisa Alvarez, *Contracting Officer's Representative*

Adam Baker, *Application Programmer*

David Brown, *Executive Director*

Jerry Carter, *Chief Data and Information Officer*

Mitch Chrismer, *Project Manager, National Center*

Seth Cohen, *Senior Program Manager, John S. McCain III National Center for Environmental Conflict Resolution (National Center)*

Lauren Cordova, *Program Associate, Education Programs and National Center*

Jason Curley, *Education Program Manager*

Marci DuPraw, *Senior Program Manager, National Center*

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*

Stephanie Kavanaugh, *Deputy Director, National Center*

Stephanie Lucero, *Senior Program Manager and Native American and Alaska Native Service Area Coordinator, National Center*

Elyse Magen, *Program Associate, National Center*

Benjamin Martin, *IT Specialist*

Katherine McPherson, *Senior Financial Manager*

Sara Moeller, *Administrative Officer*

Elizabeth Monroe, *Communications Program Manager*

Olivia Montes, *Operations Coordinator*

Lauren Nutter, *Project Manager, National Center*

Courtney Owen, *Senior Program Associate, National Center*

Scott Rimmer, *Senior Accounting Officer*

Myles Sharp, *Chief Financial Officer*

Ernesto Somoza, *Parks in Focus[®] Program Manager*

Sandra Talley, *Senior Advisor, National Center (on detail from Nuclear Regulatory Commission)*

Ben Zukowski, *Senior Program Associate, National Center*

¹ Newland joined the Board of Trustees Meeting after all voting was completed.

The University of Arizona (UArizona) Partner Program Leadership and Partner Program Staff Attending:

Stephanie Russo Carroll, *Associate Research Professor, Native Nations Institute for Leadership, Management, and Policy (NNI), Udall Center for Studies in Public Policy (Udall Center)*

Stephen J. Hussman, *Curator of Political Affairs Collections, The University of Arizona Libraries, Special Collections*

Bridget Wade Radcliff, *Administrative Manager, Udall Center*

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

Joan Timeche, *Executive Director, NNI, Udall Center*

Udall Foundation Trustees Excused:

James L. Huffman II, *Secretary*

D. Michael Rappoport, *Trustee*

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