

MINUTES OF THE NOVEMBER 7–8, 2023
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 in-person in Tucson, Arizona, at Udall Foundation headquarters as well as via videoconference and/or teleconference on November 7–8, 2023. The attendee list is included as Appendix 1 to these minutes. Trustee Eric D. Eberhard served as the proxy for this meeting. Trustees Amy Loyd, Tadd M. Johnson, Vice Chair Lisa Johnson-Billy, Mark Nethery, Bryan Newland, D. Michael Rappoport, and Chair Charles P. Rose provided proxies in case of either technical difficulties or their absence at the time of a vote during the meeting; no technical difficulties occurred. The proxies for Johnson-Billy, Johnson, and Rappoport were exercised during the November 8, 2023, session of the meeting due to their absence that day.

Tuesday, November 7, 2023

Charles P. Rose, Board Chair, called the meeting to order at 1:06 p.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 meeting went into a break at the end of the November 7, 2023, session, and the quorum served for the continuation of the meeting on November 8, 2023.

Call to Order and Chair’s Remarks

The Chair welcomed everyone to the meeting and reviewed the agenda with the Trustees. He said the key focus of this meeting would be a presentation on the John S. McCain III National Center for Environmental Conflict Resolution (National Center) in honor of its 25th anniversary, including guest speakers John Raidt and Tracey LeBeau. The Chair briefly reviewed the career backgrounds for Raidt and LeBeau.

Trustee Remarks

The Chair offered Trustees the opportunity to provide remarks. U.S. Department of Education (ED) Trustee Amy Loyd expressed her gratitude to the Udall Foundation team for their hard work. She is proud to serve on the Board and see the connections between ED's work and the Udall Foundation's portfolio. U.S. Department of the Interior (DOI) Trustee Bryan Newland expressed his appreciation for the Executive Director's monthly updates, which he reviews. He hopes to attend a future meeting in person and build that into his travel schedule. Council on Environmental Quality (CEQ) Trustee Representative Jomar Maldonado was excited to celebrate the National Center's 25th anniversary at this meeting and briefly provided examples of CEQ's current work that the National Center helps to support. Vice Chair Lisa Johnson-Billy welcomed everyone and thanked them for their work.

Executive Director's Remarks

The Chair called on Brown to provide his remarks. Brown shared his time with several Udall Foundation Leadership Team members to provide updates. Director of Education Programs and Chief Diversity Officer Alicia Harris briefed the Trustees on the Udall Foundation's first Minority Serving Institutions (MSIs) Intern, Tanishea Lynn, as well as other diversity, equity, inclusion, and accessibility (DEIA) and outreach efforts related to MSIs. Chief Data and Information Officer Jerry Carter introduced the agency's new IT Specialist, Ben Martin. Brown thanked the employees involved in logistics for the meeting, and Administrative Officer Sara Moeller provided logistical reminders related to the Board Meeting. Brown thanked the Trustees for participating in the October 2023 Special Board of Trustees Meeting held via email during which they voted to amend the Board's Operating Procedures. General Counsel Gwendolyn Franks summarized a few of the amendments including new ending dates in April 2024 for current Board Officers and Executive Committee members as well as refined language around virtual meetings. Brown shared that his update on the Udall Foundation's appropriations and reauthorization legislation would take place during the meeting's November 8th session. Deputy Director

for Education Programs and Grants, Gifts, and Donations Manager Bret Muter briefed the Trustees on the recent Western National Parks Association event celebrating the 25th Anniversary of the Stewart L. Udall Parks in Focus® Program (Parks in Focus®) at which Trustee Denis Udall spoke. Muter also mentioned two additional 25th anniversary events: a Parks in Focus® exhibit kickoff in San Francisco in October 2023 for the Yosemite program and a reception and exhibit in January 2024 at the Tucson Botanical Garden. Muter discussed the Udall Foundation’s online donation tool on its website that connects to Pay.gov; this tool allows both unrestricted and restricted donations in support of the Udall Foundation’s programs and activities. Muter thanked Franks and Chief Financial Officer Myles Sharp for their work in setting up the Pay.gov account for the agency. D. Udall congratulated Muter and Parks in Focus® Program Manager Ernesto Somoza for their work on the WNPA event and spoke of the attendance by young people, the carefully curated exhibit of the participants’ work, and meeting the Tucson Parks in Focus® trip leaders. Muter said if anyone were to ask Trustees how they can support the Udall Foundation, they should be directed to the agency’s website or to him. Franks told Trustees about a new web portal they will use to fill out their OGE 450 forms in January; this portal should make things easier for the Trustees and help the agency maintain compliance with records management tools, privacy concerns, Section 508 compliance, and the 21st Century Integrated Digital Experience Act. In 2024, Franks will institute a conflicts of interest check with Trustees regarding new National Center projects.

Consent Agenda Approval

The Chair reviewed the Consent Agenda items with the Trustees. On a motion moved and seconded with no discussion requested, the Board approved the Consent Agenda items, including the Minutes of the April 20-21, 2023, Board of Trustees Meeting and the programmatic Board Reports, by a vote of 11 For, 0 Against, and 0 Abstain.

Board Officer Elections

The Board Officer elections originally scheduled for this meeting will take place at the April 2024 Board of Trustees Meeting. Instead, the Trustees were updated on the status of Trustee nominations in the Senate and the upcoming impact of those on the Board. The Chair shared that the terms for Board Officers and Executive Committee members expire in April 2024. He also shared that his successor on the Board is pending in the Senate; this means he will most likely not be on the Board come next April, so Trustees need to give thought to Board Officer composition. Currently, there is one open spot on the Executive Committee. Eberhard's current term on the committee ends next April, but he can be re-elected to the committee. The Chair opened the topic for comments or questions. There was discussion of which Trustees are ineligible to serve as Chair per the Udall Foundation's enabling legislation, and the current Chair and Eberhard shared a bit about their experiences as Chair as well as the important role the Chair plays. Eberhard recommended service as a Board Officer to the other Trustees.

John S. McCain III National Center for Environmental Conflict Resolution Overview

Since this year is the 25th anniversary of the National Center, the Chair thought it would be helpful for National Center employees to present to the Trustees on the program's work and impact. Guest speaker John Raidt spoke about the origins of the National Center, which was originally called the U.S. Institute for Environmental Conflict Resolution; Manwaring provided a review of the National Center's work over the past 25 years; and National Center employees Seth Cohen and Elyse Magen along with guest speaker Tracey LeBeau discussed a National Center project: the Western Area Power Administration (WAPA) drought and energy dialogues facilitation. Raidt, who worked with Senator John McCain for more than a decade, including as Legislative Director from 1994-1996, began by saying he appreciates the work the National Center does and the contribution it makes to the memory and legacy of both John McCain and Morris Udall. He recognized Brown's leadership of the Udall Foundation; Manwaring and Kavanaugh for their work at the National Center; and his long-time friend Eric Eberhard,

who worked for McCain as well. His discussion of the origins of the National Center included the impact of the friendship between Morris Udall and John McCain, their work together, and how the idea for the National Center grew out of McCain's and his staff's work with groups in conflict over environmental issues and/or legislation. Recognizing that these types of disputes and conflicts were happening across the nation, McCain concluded that a professional institution should be established to provide training, mediation, facilitation, and collaboration to support the resolution of these types of conflicts. McCain introduced the legislation to create the then U.S. Institute for Environmental Conflict Resolution and decided it should be a part of the Udall Foundation. Raidt expressed that the National Center's work over the last 25 years has exceeded McCain's and his staff's original expectations and hopes. Raidt noted that the legislation was passed quickly by Congress, which he thinks was a testament to the need for this type of institution and the timeliness of the notion. He also spoke a bit about potential future directions or topic areas for the National Center's work. Rappoport recognized Raidt for his work in support of the creation of the National Center.

During the National Center presentation, Brown introduced The University of Arizona (UArizona) President and Udall Foundation Trustee Dr. Robert Robbins who made a brief appearance at the meeting and provided remarks. His remarks included how the Udall Foundation DC Office, collocated in UArizona's Washington, D.C. office suite, could allow for collaborative work between the University's National Institute for Civil Discourse and the National Center.

Manwaring's portion of the presentation included the program's role and function; its mandate in the Udall Foundation's enabling legislation; the National Center's programmatic and organizational features; how the program's location within the Udall Foundation helps with its real and perceived neutrality and impartiality; the history and development of the Alternative Dispute Resolution and Environmental Collaboration and Conflict Resolution (ECCR) fields and various legislation in the 20th century prior to the National Center's existence; the National Center's contribution to the expansion of

ECCR in the Federal Government; the definition of ECCR; the ECCR process; the spectrum of ECCR processes; a summary of the National Center's project history; several project highlights from the National Center's 25 years; the Federal ECCR Forum; the National Center's Training Program, including the Certificate in ECCR; collaborations with the Udall Center (ECCR Fellow and ECCR Post-doctoral Researcher); development of the National Center's webinars during the pandemic; the Native American and Alaska Native (NAAN) Service Area; trends driving Federal ECCR demand; the National Center's impact for the next 25 years; and recognition of the National Center team. Manwaring also acknowledged the support of the National Center's work by Finance, IT, and the Executive Office. Cohen and Magen presented the case study on the drought and energy dialogues for the Colorado River Basin, which was a joint WAPA and Bureau of Reclamation collaboration effort. These dialogues focused on the impacts of dropping water levels in Lake Powell and Lake Mead on hydropower creation. Cohen provided context for the dialogues as well as an overview of the National Center's ECCR process, timeline, and project design for these dialogues. He discussed situation/stakeholder assessments and why assessments are useful for ECCR as well as provided a bit of detail regarding the assessment for this project. Magen shared the themes that came out of the assessment interviews and how these helped them plan the next stage of the collaborative process: the three drought and energy dialogues. Cohen concluded by sharing some of the process outcomes. Manwaring introduced Administrator and Chief Executive Officer of WAPA Tracey LeBeau. Prior to WAPA, she was an appointee in the Department of Energy from 2011–2014 including as Director of the Office of Indian Energy. LeBeau shared more about her career background, how she became aware of the National Center's work, a prior project with the National Center, what WAPA is and its work, the origins of the drought and energy dialogues project, and a few outcomes. In response to a question from the Vice Chair regarding the biggest gift of working with the National Center on this project, LeBeau mentioned 1) the creation of a dedicated collaborative time and space and 2) allowing WAPA to be involved in the dialogues as subject matter experts.

Comments from and discussion topics with the Trustees regarding the National Center's work included Executive authority/action versus congressional approval to help with possible future National Center initiatives, the challenges of getting agencies to use or participate in ECCR, what can be done to help agencies hear about the National Center, briefing agency SES-level employees about the National Center's work, repeating this presentation as part of new Trustee orientation, how conflicting mandates among agencies are a key area of interagency conflict and contributes to the need for ECCR services, and National Center capacity. The Chair said he was grateful for this deep dive into the National Center's work and the contributions of the invited guests.

The evening break began at 4:58 p.m. (MST-AZ).

Wednesday, November 8, 2023

This session of the Udall Foundation Board of Trustees Meeting was called to order at 9:01 a.m. (MST-AZ).

The University of Arizona Fiscal Year 2024 Program Work Plan and Funding

The Chair called on Brown to introduce Andrea Gerlak who started the Udall Center for Study in Public Policy's (Udall Center) presentation. The presentation included an overview of the Udall Center's 2024 work plan elements and funding request as well as snapshots of recent Udall Center and The University of Arizona Libraries, Special Collections (Special Collections) accomplishments and work. Gerlak shared the mission, vision, and values of the Udall Center; the work plan request for 2024 and what it funds; efforts to link their work to their strategic goals, strategic objectives, and performance goals; and how they use Udall Foundation and UArizona funding to leverage additional funding. She mentioned that the Udall Center will convene the U.S. Indigenous Data Sovereignty Network Summit in Tucson in April 2024. The meeting, supported by the Udall Foundation's Trust Fund interest earnings and the NNI set-aside, will bring Indigenous leaders, community programs, academics, policy experts, and others together to develop guidance around appropriate data management structures that support

Indigenous Peoples' own Indigenous data sovereignty and governance initiatives. She also mentioned that the Udall Center is in the early stages of planning a possible seminar, reception, and exhibition on the Downwinders for 2025. Special Collections has a lot of material on this topic, and the Udall Center will engage the Udall Foundation Board to provide input on speakers and the event format. Gerlak turned the presentation over to several colleagues to share about their work. There were short presentations from Laura López-Hoffman regarding NEPAccess, Adriana Zuniga-Teran regarding the inclusion of diverse voices in greening policies and practices related to green spaces/infrastructure, Joan Timeche regarding NNI's 2023 Emerging Leaders Seminar, Britnee Johnston regarding NNI's work with the Center for Economic Policy Research to produce a report on the employment situation of American Indians and Alaska Natives, and Mary Taylor regarding her work as the current Udall Graduate Assistant at Special Collections. Questions, suggestions, and discussion topics with the Trustees included speaking with Denis Udall about the Downwinders; whether it is possible to have one standard related to Indigenous data governance that could be used internationally, or guidance as to which standard should be applied in various circumstances; and collaborations between the Udall Foundation programs and the UArizona partner programs. At the conclusion of the presentation and discussion, Brown recommended the Board approve the funding resolutions. On a motion moved and seconded with no discussion requested, Resolution No. NOV-43-2023: Allocation of Funds to the Udall Center for Studies in Public Policy and The University of Arizona Libraries, Special Collections was adopted by a vote of 11 For, 0 Against, and 0 Abstain. (The resolution is attached to these minutes.) On a motion moved and seconded with no discussion requested, Resolution No. NOV-44-2023: Funds Set Aside for the Native Nations Institute for Leadership, Management, and Policy, a program of the Udall Center for Studies in Public Policy was adopted by a vote of 11 For, 0 Against, and 0 Abstain. (The resolution is attached to these minutes.)

Cybersecurity Updates

The Chair introduced Brown and Carter to provide cybersecurity updates. Brown said the agency is ready to begin implementing some of the steps needed to bring Trustees into its Information Technology environment and strengthen the Udall Foundation's cybersecurity posture when working with the Board. Brown's and Carter's discussion with the Trustees covered creation of cloud-based Microsoft 365 accounts and udall.gov email addresses for Trustees, except those Trustees covered by other Federal Government work email accounts; whether to create generic email addresses for Board Officer positions (e.g., chair@udall.gov) and the UArizona President; creation of a Trustee email distribution list; multifactor authentication; future work related to the use of Teams, SharePoint, and/or OneDrive for the Board; electronic signatures and whether the agency will get its Trustees PIV cards to use for electronic signatures; continued use of the Udall Foundation's guest WIFI by Trustees; no forwarding of Udall Foundation email to a Trustee's personal email account; email and records management; email and FOIA; the increase in FOIA requests over the last nine months (other agencies are seeing an increase as well); required use of either Office.com on Webmail or the Outlook app for udall.gov email; requirement for Trustees to sign a bring your own device policy (currently under development) to use a personal computer, tablet, or phone; and the requirement to sign an Acceptable Use policy. It was decided that the implementation of Trustee email addresses would happen after the holidays with a transition and testing window. Brown and Carter will follow-up with the Board at the April 2024 Board of Trustees Meeting to gather feedback regarding this implementation. The Board Secretary, acting as Chair during Rose's absence from the meeting, agreed the proposed implementation makes sense.

Legislative Updates

Brown led the presentation on and discussion of legislative updates with input from several Udall Foundation Leadership Team members and Gerlak. Topics covered included the status of the

agency's reauthorization; FY 2024 appropriations; the current Continuing Resolution; what it means if there is a lapse in appropriations, and how the Udall Foundation can still remain open during a lapse for a period of time; the need for the National Center to review its project work prior to a lapse in order to know which projects have funding and can be worked on during the lapse; possible funding bill options currently in Congress; money obligated to fund the two UArizona Board Resolutions; status of work on the FY 2025 budget; and the impact if Congress were to zero out the Trust Fund. Regarding the Udall Foundation's reauthorization legislation, there is an effort in Congress to reduce the amount of mandatory spending. Franks discussed the work by several Congressional members to possibly change the Udall Foundation's Trust Fund interest revenue Congressional Budget Office (CBO) score from mandatory to discretionary. There is proposed language that makes that change, and Udall Foundation leadership is working to ensure that the appropriations language adjusts appropriately to allow the agency to use the Trust Fund interest if the authorizing language is changed. Brown clarified that this language only applies to appropriations to the Trust Fund starting with FY 2024. He said the Udall Foundation has access to the interest earned on all money currently in the Trust Fund corpus. A Trustee asked which designation of the Trust Fund interest (mandatory or discretionary) is best for the agency. Brown said it is hard to predict. Brown said the agency needs to build a base of champions in both parties in every Congress.

Other Business

The Board Secretary, acting as Chair, called on Brown and Franks to introduce a proposed deep-dive topic for the April 2024 Board of Trustees Meeting. When the Udall Foundation enabling legislation describes the work of the agency's programs, the statute uses the term Native American. The enabling legislation does not, however, define that term. Through the course of the last year or so, the agency has discovered that the term is being defined differently by the agency's programs. The proposed questions to discuss at the April 2024 Board of Trustees Meeting are how the Board wants the agency to

define eligibility criteria related to the term Native American, and whether the Board wants to pursue legislative changes related to defining the term in the future. Because the term is undefined and used in multiple places within the Udall Foundation's enabling legislation, input and direction from the Board are desired. Discussion topics and questions posed included recent court decisions related to race-based criteria; the variety of definitions for the term Native American both in Federal law and between Native Nations; suggestions to engage stakeholders, constituents, and Udall Foundation Native alumni in this discussion; what might be the merits and tradeoffs of having something more formally codified versus an operational definition that the agency uses to provide programming; a suggestion to consider how the Udall Foundation is defining the term Native American; whether the Udall Foundation's Native American and Alaska Native Service Area employees should facilitate the Board discussion; whether to convene a panel to hear a variety of opinions on this issue; and the Board's need for common understanding of the topic's context prior to the meeting to make the meeting productive. Franks spoke of the timeliness of this topic and the emerging and evolving legal landscape related to the topic. It is a complicated, evolving area. Franks explained that she is not an expert on this topic and can only provide context on risk from an administrative perspective. Several Udall Foundation employees expressed their support for and the need for this discussion to assist them in their work and offered their help to the Trustees regarding this discussion. Brown shared that he would like the Udall Foundation and UArizona partner programs to work from a common understanding of program eligibility criteria for our Native programs.

There being no further business, on a motion moved and seconded, the Board of Trustees adjourned the meeting via voice vote at 11:13 a.m. (MST-AZ).

Appendix 1

Udall Foundation Board of Trustees Meeting November 7–8, 2023 Attendees List

[Final as of 11/13/2023]

Tuesday, November 7, 2023

In-Person Attendees at Morris K. Udall and Stewart L. Udall Foundation Tucson Headquarters

Udall Foundation Trustees & Trustee Representative Attending:

Lisa Johnson-Billy, *Vice Chair*
James L. Huffman II, *Secretary*
Eric D. Eberhard, *Trustee*
Jomar Maldonado Vazquez, *CEQ Trustee Representative*
Dr. Robert C. Robbins, *President, The University of Arizona, Trustee*
Denis Udall, *Trustee*
Tess Udall, *Trustee*

Udall Foundation Staff Attending:

Adam Baker, *Application Programmer*
Melisa Bohlman, *Trip Leader, Stewart L. Udall Parks in Focus® Program (Parks in Focus®)*
David Brown, *Executive Director*
Jerry Carter, *Chief Data and Information Officer*
Seth Cohen, *Senior Program Manager, John S. McCain III National Center for Environmental Conflict Resolution (National Center)*
Gwendolyn Franks, *General Counsel*
Alexandra Garay Sandoval, *Trip Leader, Parks in Focus®*
Alicia Harris, *Director of Education Programs and Chief Diversity Officer*
Stephanie Kavanaugh, *Deputy Director, National Center*
Elyse Magen, *Program Associate, National Center*
Brian Manwaring, *Director, National Center*
Benjamin Martin, *IT Specialist*
Sara Moeller, *Administrative Officer*
Bret Muter, *Deputy Director of Education Programs and Grants, Gifts, and Donations Manager*
Myles Sharp, *Chief Financial Officer*
Ernesto Somoza, *Parks in Focus® Program Manager*

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

Andrea Gerlak, *Director, Udall Center for Studies in Public Policy (Udall Center)*
Verónica Reyes-Escudero, *Katheryne B. Willock Head of Special Collections, The University of Arizona Libraries (Special Collections)*
Bridget Wade Radcliff, *Administrative Manager, Udall Center*

National Center Guest Speakers:

Tracey A. LeBeau, *Administrator and CEO, Western Area Power Administration*
John Raidt, *Vice President, Jones Group International*

Remote Attendees (via videoconference/teleconference)

Udall Foundation Trustees Attending:

Charles P. Rose, *Chair*
Tadd M. Johnson, *Trustee*

Amy Loyd, *Assistant Secretary, Office of Career, Technical, and Adult Education, U.S. Department of Education, Trustee*
Mark T. Nethery, *Trustee*
Bryan Newland, *Assistant Secretary for Indian Affairs, U.S. Department of the Interior, Trustee*
D. Michael Rappoport, *Trustee*

Udall Foundation Staff Attending:

Elisa Alvarez, *Contracting Officer's Representative*
Mitch Chrismer, *Project Manager, National Center*
Lauren Cordova, *Program Associate, Education Programs and National Center*
Jason Curley, *Education Program Manager*
Marci DuPraw, *Senior Program Manager, National Center*
Dana Goodson, *Senior Program Manager, National Center*
Rachel Hammelman, *Program Associate & Training Program Coordinator, National Center*
Terri Harrison, *Contracting Program Manager/Contracting Officer*
Melanie Knapp, *Project Manager & Training Program Manager*
Stephanie Lucero, *Senior Program Manager and Native American and Alaska Native Service Area Coordinator, National Center*
Benjamin Martin, *IT Specialist*
Katherine McPherson, *Senior Financial Manager*
Elizabeth Monroe, *Communications Program Manager*
Lauren Nutter, *Project Manager, National Center*
Courtney Owen, *Senior Program Associate, National Center*
Sandra Talley, *Senior Advisor, National Center (on detail from Nuclear Regulatory Commission)*
Ben Zukowski, *Senior Program Associate, National Center*

UArizona Partner Program Staff Attending:

Stephen J. Hussman, *Curator of Political Affairs Collections, The University of Arizona Libraries, Special Collections*
Brian Pierson, *Administrator, Budget and Finance, Business Services*
Joan Timeche, *Executive Director, Native Nations Institute for Leadership, Management, and Policy, Udall Center*

Wednesday, November 8, 2023

In-Person Attendees at Morris K. Udall and Stewart L. Udall Foundation Tucson Headquarters

Udall Foundation Trustees & Trustee Representative Attending:

James L. Huffman II, *Secretary*
Eric D. Eberhard, *Trustee*
Jomar Maldonado Vazquez, *CEQ Trustee Representative*
Denis Udall, *Trustee*
Tess Udall, *Trustee*

Udall Foundation Staff Attending:

Adam Baker, *Application Programmer*
David Brown, *Executive Director*
Jerry Carter, *Chief Data and Information Officer*
Seth Cohen, *Senior Program Manager, National Center*
Gwendolyn Franks, *General Counsel*
Alicia Harris, *Director of Education Programs and Chief Diversity Officer*
Stephanie Kavanaugh, *Deputy Director, National Center*
Elyse Magen, *Program Associate, National Center*
Brian Manwaring, *Director, National Center*
Sara Moeller, *Administrative Officer*
Bret Muter, *Deputy Director of Education Programs and Grants, Gifts, and Donations Manager*
Myles Sharp, *Chief Financial Officer*

UArizona Partner Program Leadership and Partner Program Staff Attending:

Lisa Duncan, *Collections Management Archivist, Special Collections*
Andrea Gerlak, *Director, Udall Center*
Brittnee Johnston, *Research Analyst, NNI, Udall Center*
Laura López-Hoffman, *Research Professor, Environmental Policy Program (EPP), Udall Center*
Emily McGovern, *Research Director, NEPAccess Program, EPP, Udall Center*
Verónica Reyes-Escudero, *Katheryne B. Willock Head of Special Collections, The University of Arizona Libraries*
Mary Taylor, *Udall Graduate Assistant, Special Collections*
Joan Timeche, *Executive Director, NNI, Udall Center*
Bridget Wade Radcliff, *Administrative Manager, Udall Center*
Adriana Zuniga-Teran, *Assistant Research Professor, EPP, Udall Center*

Remote Attendees (via videoconference/teleconference)

Udall Foundation Trustees Attending:

Charles P. Rose, *Chair*
Amy Loyd, *Assistant Secretary, Office of Career, Technical, and Adult Education, U.S. Department of Education, Trustee*
Mark T. Nethery, *Trustee*
Bryan Newland, *Assistant Secretary for Indian Affairs, U.S. Department of the Interior, Trustee*

Udall Foundation Staff Attending:

Elisa Alvarez, *Contracting Officer's Representative*
Mitch Chrismer, *Project Manager, National Center*
Lauren Cordova, *Program Associate, Education Programs and National Center*
Jason Curley, *Education Program Manager*
Marci DuPraw, *Senior Program Manager, National Center*
Dana Goodson, *Senior Program Manager, National Center*
Rachel Hammelman, *Program Associate & Training Program Coordinator, National Center*
Terri Harrison, *Contracting Program Manager/Contracting Officer*
Melanie Knapp, *Project Manager & Training Program Manager*
Stephanie Lucero, *Senior Program Manager and Native American and Alaska Native Service Area Coordinator, National Center*
Benjamin Martin, *IT Specialist*
Katherine McPherson, *Senior Financial Manager*
Elizabeth Monroe, *Communications Program Manager*
Lauren Nutter, *Project Manager, National Center*
Courtney Owen, *Senior Program Associate, National Center*
Sandra Talley, *Senior Advisor, National Center (on detail from Nuclear Regulatory Commission)*
Ben Zukowski, *Senior Program Associate, National Center*

UArizona Leadership Attending:

Peter Reiners, *Interim Associate Vice President, Research Centers & Institutes*

Trustees Excused

Lisa Johnson-Billy, *Vice Chair*
Tadd M. Johnson, *Trustee*
D. Michael Rappoport, *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. NOV-43-2023: Allocation of Funds to the Udall Center for Studies in Public Policy and The University of Arizona Libraries, Special Collections

I.

WHEREAS, the United States Congress enacted P.L. 102-259 (20 U.S.C. §§ 5601 et seq. as amended, most recently on December 20, 2019) 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 purposes of the Udall Foundation include establishing a program for environmental policy research at the Udall Center (20 U.S.C. § 5604(4)); and,

IV.

WHEREAS, the Udall Foundation enabling legislation, 20 U.S.C. § 5605(c)(2)(C), requires that the Udall Foundation appropriate not less than 20 percent of the current fiscal year interest earnings from the Morris K. Udall and Stewart L. Udall Trust Fund (Trust Fund) to the Udall Center to further the purposes established by 20 U.S.C. §§ 5605(a)(7) and (8); and,

V.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2024 identifying programs that provide resources to properly train professionals in the environmental, natural resource, conflict resolution, and related fields (20 U.S.C. § 5604(5)) and provide educational outreach regarding environmental policy (20 U.S.C. § 5604(6)) and specifies how funding from the Udall Foundation would be used in furtherance of these programs; and,

VI.

WHEREAS, the proposed Udall Center work plan for Fiscal Year 2024 specifies funding for the implementation of a Program for Environmental Policy Research and Environmental Conflict Resolution and Training located at the Udall Center, in accordance with 20 U.S.C. § 5605(a)(8) and consistent with the purposes of the Udall Foundation identified in 20 U.S.C. §§ 5604(5) and 5604(6); and,

VII.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2024 that identifies administrative and operational support funding for NNI that operates programs 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 (20 U.S.C. § 5604(7)); and,

VIII.

WHEREAS, the Udall Foundation enabling legislation requires the Udall Foundation to provide assistance from the proceeds of the Trust Fund to the Udall Center to maintain a repository for Morris K. Udall's and Stewart L. Udall's papers and related public papers and to assure public availability for such papers (20 U.S.C. § 5605(a)(7)); and,

IX.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2024 that specifies funding for the Udall Archives at The University of Arizona Libraries, Special Collections, which serves as the repository for Morris K. Udall's and Stewart L. Udall's papers and related public papers and assures their availability to the public in accordance with 20 U.S.C. § 5605(a)(7);

X.

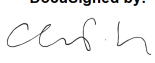
NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby approves the Udall Center Fiscal Year 2024 work plan; and,

XI.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the Udall Foundation to allocate not less than 20 percent of the Fiscal Year 2024 interest from the Trust Fund, projected at \$463,538, to the Udall Center for the approved purposes above, contingent on availability of funding.

CERTIFICATION

WE HEREBY CERTIFY that on the 8th day of November, 2023, at a X **regular** ___ **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 11 FOR, 0 AGAINST, 0 ABSTAIN.

DocuSigned by:

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Chair



Vice Chair

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

Resolution No. NOV-44-2023: Funds Set Aside for the Native Nations Institute for Leadership, Management, and Policy, a program of the Udall Center for Studies in Public Policy

I.

WHEREAS, the United States Congress enacted P.L. 102-259 (20 U.S.C. §§ 5601 et seq. as amended, most recently on December 20, 2019) 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 Board of Trustees expects that there will be an appropriation of funds for Fiscal Year 2024 to the Morris K. Udall and Stewart L. Udall Trust Fund (Trust Fund), which supports Udall Foundation Education Programs, and that such appropriation will include authority to set aside a portion of that appropriation to 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 authorized by 20 U.S.C. § 5604(7); and

IV.

WHEREAS, the Udall Center has submitted a proposed Fiscal Year 2024 work plan identifying specific activities in furtherance of 20 U.S.C. § 5604(7);

V.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees approves the Udall Center Fiscal Year 2024 work plan and set aside of appropriations for the activities of NNI, and intends to provide sufficient funding to support this work plan and ensure its success; and

VI.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees, to ensure that funding is spent in a manner consistent with the Udall Center Fiscal Year 2024 work plan and consistent with good financial management practices and approved uses of appropriated funds, hereby authorizes the Udall Foundation to set aside up to \$1 million from Fiscal Year 2024 funds appropriated for the Trust Fund for use by 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, including the summer 2024 Native American Congressional Internship Program and for its related expenses and costs authorized by 20 U.S.C. § 5604(7); and

VII.

NOW THEREFORE BE IT FURTHER RESOLVED, that the exact amounts to be set aside for use by NNI pursuant to paragraph VI above shall be determined by the Udall Foundation Executive Director, in consultation with the Chair of the Board of Trustees, the Chief Financial Officer of the Udall Foundation, the Director of the Udall Center, and the Executive Director of NNI, and that the determination of the amounts in the previous paragraph shall be set aside as soon as practicable after the funds are appropriated by Congress; and,

VIII.

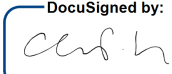
NOW THEREFORE BE IT FURTHER RESOLVED, that the set aside of funding from the appropriation for the Trust Fund is also conditioned upon NNI's agreement that the revenue NNI generates through the sale of publications, distance learning materials, or from the conduct of classes, workshops, education programs and any other activities funded in whole or in part by the Trust Fund shall, to the same extent and in the same proportion as NNI has utilized funds provided by the Trust Fund, be used by NNI for the same or similar purposes in furtherance of 20 U.S.C. § 5604(7); and,

IX.

NOW THEREFORE BE IT FURTHER RESOLVED, that the funding set aside from the appropriation for the Trust Fund is also conditioned upon NNI's agreement that it shall report to the Board of Trustees at the close of Fiscal Year 2024 any revenue NNI generates through the sale of publications, distance learning materials, or from the conduct of classes, workshops, education programs and any other activities funded in whole or in part by the Trust Fund, and the manner in which the revenue was spent.

CERTIFICATION

WE HEREBY CERTIFY that on the 8th day of November, 2023, at a X **regular** 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 11 FOR, 0 AGAINST, 0 ABSTAIN.

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Chair



Vice Chair