

Oneida Business Committee



Executive Session
10:00 AM Tuesday, September 26, 2023
 BC Conference Room, 2nd floor, Norbert Hill Center

Regular Meeting
8:30 AM Wednesday, September 27, 2023
 BC Conference Room, 2nd floor, Norbert Hill Center

Agenda

Meeting agenda is available here: oneida-nsn.gov/government/business-committee/agendas-packets/. Materials for the "General Tribal Council" section of the agenda, if any, are available to enrolled members of the Oneida Nation; to obtain a copy, visit the Government Administrative Office, 1st floor, Norbert Hill Center and present a valid Tribal I.D. or go to <https://goo.gl/uLp2jE>. Scheduled times are subject to change.

I. CALL TO ORDER

II. OPENING

- A. Special Recognition - 2023 Native American Indigenous Games athletes, coaches, and parents**
 Sponsor: Tehassi Hill, Chairman

III. ADOPT THE AGENDA

IV. RESOLUTIONS

- A. Adopt resolution entitled Intergovernmental Cooperative Agreement to Satisfy Eligibility for the Wisconsin Recycling Consolidation Grant for Calendar Year 2024**
 Sponsor: Mark W. Powless, General Manager
- B. Adopt resolution entitled The Oneida Nation Farm's Buffalo Acquisition Project Application to InterTribal Buffalo Council**
 Sponsor: Mark W. Powless, General Manager

V. APPOINTMENTS

- A. Determine next steps regarding one (1) vacancy - Oneida Community Library Board**
 Sponsor: Lisa Liggins, Secretary
- B. Determine next steps regarding one (1) vacancy - Oneida Gaming Commission**
 Sponsor: Lisa Liggins, Secretary

- C. **Determine next steps regarding one (1) vacancy - Oneida Land Commission**
Sponsor: Lisa Liggins, Secretary
- D. **Determine next steps regarding one (1) vacancy - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
- E. **Determine next steps regarding four (4) vacancies - Oneida Personnel Commission**
Sponsor: Lisa Liggins, Secretary

VI. TRAVEL REPORTS

- A. **Approve the travel report - Chairman Tehassi Hill - Government Accountability Office Tribal Advisory Council Meeting - Washington, D.C. - February 8-10, 2023**
Sponsor: Tehassi Hill, Chairman
- B. **Approve the travel report - Chairman Tehassi Hill - American Indian/Alaska Native program testimony - Washington, D.C. - March 8-9, 2023**
Sponsor: Tehassi Hill, Chairman
- C. **Approve the travel report - Chairman Tehassi Hill - Midwest Alliance of Sovereign Tribes (MAST) Impact Week - Washington, D.C. - March 19-21, 2023**
Sponsor: Tehassi Hill, Chairman
- D. **Approve the travel report - Chairman Tehassi Hill - Government Accountability Office Tribal Advisory Council meeting - Seattle, WA - May 1-4, 2023**
Sponsor: Tehassi Hill, Chairman
- E. **Approve the travel report - Chairman Tehassi Hill - Democratic Congressional Campaign Committee (DCCC) Team Program Dinner - Washington, D.C. - May 11-12, 2023**
Sponsor: Tehassi Hill, Chairman
- F. **Approve the travel report - Vice-Chairman Brandon Yellowbird-Stevens - Indian Gaming Association (IGA) Mid-Year Conference & Expo - Ledyard, CT - September 10-12, 2023**
Sponsor: Brandon Yellowbird-Stevens, Vice-Chairman
- G. **Approve the travel report - Councilman Kirby Metoxen - 2023 Wisconsin State Fair - West Allis, WI - August 4-6, 2023**
Sponsor: Kirby Metoxen, Councilman
- H. **Approve the travel report - Councilman Kirby Metoxen - State Tribal Consultation Department of Agriculture, Trade and Consumer Protection (DATCP) & Tourism - Madison, WI - August 15-17, 2023**
Sponsor: Kirby Metoxen, Councilman
- I. **Approve the travel report - Councilwoman Jennifer Webster - Administration for Children & Families Tribal Advisory Committee (ACF-TAC) Triannual Meeting - Chiloquin, OR - June 12-16, 2023**
Sponsor: Jennifer Webster, Councilwoman

- J. **Approve the travel report - Councilwoman Jennifer Webster - 2023 Tribal Self-Governance Conference - Tulsa, OK - June 26-30, 2023**
Sponsor: Jennifer Webster, Councilwoman
- K. **Approve the travel report - Councilwoman Jennifer Webster - National Tribal Opioid Summit - Seattle, WA - August 22-24, 2023**
Sponsor: Jennifer Webster, Councilwoman
- L. **Approve the travel report - Councilwoman Jennifer Webster - Indian Health Service's Tribal Self-Governance Advisory Committee Meeting - Washington, D.C. - August 29-September 1, 2023**
Sponsor: Jennifer Webster, Councilwoman
- M. **Approve the travel report - Councilwoman Jennifer Webster - Dept. of Health & Human Services Secretary's Tribal Advisory Committee meeting - Rapid City, SD - September 11-15, 2023**
Sponsor: Jennifer Webster, Councilwoman

VII. TRAVEL REQUESTS

- A. **Approve the travel request - Councilman Kirby Metoxen - Tribal Nations Tourism Discovery Meeting - Twin Cities, MN - November 27-29, 2023**
Sponsor: Kirby Metoxen, Councilman

VIII. NEW BUSINESS

- A. **Approve the 2023-2026 Strategic Plan**
Sponsor: Lisa Summers, OBC Area Manager
- B. **Post one (1) vacancy - Oneida Election Board**
Sponsor: Lisa Liggins, Secretary
- C. **Post one (1) vacancy - Oneida Land Claims Commission**
Sponsor: Lisa Liggins, Secretary
- D. **Post two (2) vacancies - Oneida Nation Arts Board**
Sponsor: Lisa Liggins, Secretary
- E. **Post one (1) vacancy - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary

IX. GENERAL TRIBAL COUNCIL

- A. **Schedule the 2024 annual General Tribal Council meeting**
Sponsor: Lisa Liggins, Secretary

X. EXECUTIVE SESSION**A. REPORTS**

1. **Accept the Chief Counsel report**
Sponsor: Jo Anne House, Chief Counsel
2. **Accept the General Manager report (1:30 p.m.)**
Sponsor: Mark W. Powless, General Manager
3. **Accept the Intergovernmental Affairs, Communications, and Self-Governance September 2023 report (10:00 a.m.)**
Sponsor: Melinda J. Danforth, Director/Intergovernmental Affairs
4. **Accept the Treasurer's August 2023 report (11:30 a.m.)**
Sponsor: Lawrence Barton, Treasurer

B. NEW BUSINESS

1. **Approve one (1) new enrollment**
Sponsor: Jennifer Hill-Kelley, Chair/Oneida Trust Enrollment Committee
2. **Review application(s) for one (1) vacancy - Oneida Community Library Board**
Sponsor: Lisa Liggins, Secretary
3. **Review application(s) for one vacancy - Oneida Gaming Commission**
Sponsor: Lisa Liggins, Secretary
4. **Review application(s) for one (1) vacancy - Oneida Land Commission**
Sponsor: Lisa Liggins, Secretary
5. **Review application(s) for one (1) vacancy - Oneida Nation School Board**
Sponsor: Lisa Liggins, Secretary
6. **Review application(s) for four (4) vacancies - Oneida Personnel Commission**
Sponsor: Lisa Liggins, Secretary

XI. ADJOURN

Posted on the Oneida Nation's official website, www.oneida-nsn.gov pursuant to the Open Records and Open Meetings law (§ 107.14.)

The meeting packet of the open session materials for this meeting is available by going to the Oneida Nation's official website at: oneida-nsn.gov/government/business-committee/agendas-packets/

For information about this meeting, please call the Government Administrative Office at (920) 869-4364 or (800) 236-2214

Special Recognition - 2023 Native American Indigenous Games athletes, coaches, and parents

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input checked="" type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: Memo | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant



Memorandum

To: Oneida Business Committee

From: Tehassi Hill, Chairman

Date: September 19, 2023

Re: Special Recognition NAIG Athletes, Coaches, and Parents

This memo is a formal request that I would like to recognize all of the athletes, coaches, and parents who attended and supported the Native American Indigenous Games 2023. A recognition video will be played during the next Oneida Business Committee meeting and then shared on our Nation's FB website.

Adopt resolution entitled Intergovernmental Cooperative Agreement to Satisfy Eligibility for the Wisconsin

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approval of a resolution to support and submit the Intergovernmental Cooperative Agreement to Satisfy Eligibility for the Wisconsin Recycling Consolidation Grant for Calendar Year 2024

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
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| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: Marsha Danforth, Grant Specialist

ONEIDA LAW OFFICE

CONFIDENTIAL: ATTORNEY/CLIENT WORK PRODUCT

TO: Marsha Danforth
Grants Department

Use this number on future correspondence:

2023-0862

FROM: Peggy A. Van Gheem

Peggy A. Van Gheem	Digitally signed by Peggy A. Van Gheem
	Date: 2023.09.05 10:09:31 -05'00'

DATE: September 5, 2023

RE: Tri-County Recycling-Intergovernmental
Cooperative Agreement to Satisfy Eligibility for the
Wisconsin Recycling Consolidation Grant for
Calendar Year 2024

<i>Purchasing Department Use</i>
Contract Approved
Contract Not Approved
<i>(see attached explanation)</i>

If you have any questions or comments regarding this review, please call 869-4327.

The attached agreement, contract, policy and/or guaranty has been reviewed by the Oneida Law Office for legal content only. Please review for compliance with the current budget resolution prior to entering said contract. Please note the following:

- ✓ The document is in appropriate legal form. *(Execution is a management decision.)*

Intergovernmental Cooperative Agreement to Satisfy Eligibility for the Wisconsin Recycling Consolidation Grant for Calendar Year 2024

This agreement is made by and between the Cities of De Pere and Green Bay, the Villages of Allouez, Ashwaubenon, Bellevue, Denmark, Hobart, Howard, Pulaski, Suamico, Wrightstown, and Towns of Eaton, Glenmore, Green Bay, Holland, Humboldt, Lawrence, Ledgeview, Morrison, New Denmark, Pittsfield, Rockland, Scott and Wrightstown, each of which is a municipal corporation, and the Oneida Nation, a federally recognized Indian tribe, all of which are a Responsible Units as defined in Section 287.01(9) of the Wisconsin Statutes (collectively referred to as the “Responsible Units” or “RUs”) for purposes of implementing efficiencies related to operating an effective recycling program in accordance with ss. 287.11 and 287.24, Wis. Stats., and ch. NR 542, Wis. Admin. Code. This agreement is intended to qualify for the 2024 Wisconsin Recycling Consolidation Grant.

WHEREAS the RUs believe that, by working together in this cooperative agreement, they can more effectively and efficiently provide for the recycling education needs of their citizens; and

WHEREAS the RUs desire to collaborate in an effort to educate about recycling; and

WHEREAS the RUs recognize the importance of educating residents about recycling and their RU responsibility to do so; and

WHEREAS Brown County partnered with Outagamie and Winnebago Counties, collectively known as Tri-County Recycling, to fund, host, and promote the *Tri-County Recycling Guide*; and

WHEREAS Tri-County Recycling will continue to fund, host, and promote the smartphone recycling app Betterbin; and

WHEREAS Tri-County Recycling will continue to fund, host, and promote the Waste Wizard Material Search Engine tool; and

WHEREAS the Tri-County Recycling Guide, the Betterbin smartphone app, and the Waste Wizard Material Search Engine provide comprehensive information on single-stream recycling guidelines, recycling plastic bags, proper medical sharps disposal, electronics recycling, universal waste recycling, household hazardous waste programs, pharmaceutical drop boxes and waste reduction tips; and

WHEREAS Section 66.0301(2) of the Wisconsin Statutes authorizes cooperation between municipalities and between municipalities and Indian tribes, and allows municipalities to contract with each other and with Indian tribes for the receipt or furnishing of services or the joint exercise of any power or duty required or authorized by law; and

WHEREAS each participating RU will maintain a copy of the other above listed RUs' cooperative agreements on file, given that not all cooperating RUs will be able to sign a single document;

NOW THEREFORE IT IS AGREED THAT the above listed RUs have and will continue to make available to its residents the *Tri-County Recycling Guide*, the Tri-County Recycling Betterbin smartphone app and Waste Wizard Material Search Engine (<https://recyclemoretricity.org/waste-wizard/>), recognizing additional and consistent education will reduce contamination and improve recycling, thereby enabling the processing and marketing of these recyclables in the most efficient and cost-effective manner possible.

SIGNATURE

TITLE

MUNICIPALITY

DATE

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank
Intergovernmental Cooperative Agreement to Satisfy Eligibility for the
Wisconsin Recycling Consolidation Grant for Calendar Year 2024

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WHEREAS, the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

WHEREAS, This agreement is made by and between the Cities of De Pere and Green Bay, the Villages of Allouez, Ashwaubenon, Bellevue, Denmark, Hobart, Howard, Pulaski, Suamico, Wrightstown, and Towns of Eaton, Glenmore, Green Bay, Holland, Humboldt, Lawrence, Ledgeview, Morrison, New Denmark, Pittsfield, Rockland, Scot and Wrightstown, each of which is a municipal corporation, and the Oneida Nation, a federally recognized Indian tribe, all of which are a Responsible Unit (RU) as defined in Section 287.11 and 287.24, Wis. Stats., and ch NR 542, Wis. Admin. Code. This agreement is intended to qualify for the 2024 Wisconsin Recycling Consolidation Grant; and

WHEREAS, the RUs believe that, by working together in this cooperative agreement, they can more effectively and efficiently provide for the recycling education needs of their citizens; and

WHEREAS, the RUs recognize the importance of educating residents about recycling and their RU responsibility to do so; and

WHEREAS, Brown County partnered with Outagamie and Winnebago Counties, collectively known as Tri-County Recycling, to fund, host, and promote the *Tri-County Recycling Guide*; and

WHEREAS, Tri-County Recycling will continue to fund, host, and promote the smartphone recycling app Betterbin; and

WHEREAS, Tri-County Recycling will continue to fund, host, and promote the Waste Wizard Material Search Engine tool; and

WHEREAS, the Tri-County Recycling Guide, the Betterbin smartphone app, and the Waste Wizard Material Search Engine provide comprehensive information on single-stream recycling guidelines, recycling plastic bags, proper medical sharps disposal, electronics recycling, universal waste recycling, household hazardous waste programs, pharmaceutical drop boxes and waste reduction tips; and

BC Resolution # _____
Intergovernmental Cooperative Agreement to Satisfy Eligibility for the
Wisconsin Recycling Consolidation Grant for Calendar Year 2024
Page 2 of 2

43 **WHEREAS,** Section 66.0301(2) of the Wisconsin statutes authorizes cooperation between
44 municipalities and between municipalities and Indian tribes, and allows municipalities to
45 contract with each other and with Indian tribes for the receipt or furnishing of services or the
46 joint exercise of any power or duty required or authorized by law; and
47

48 **WHEREAS,** each participating RU will maintain a copy of the other above listed RUs' cooperative
49 agreements on file, given that not all cooperating RUs will be able to sign a single
50 document; and
51

52 **NOW THEREFORE IT IS AGREED THAT,** the above listed RUs have and will continue to make available
53 to its residents the *Tri-County Recycling Guide*, the Tri-County recycling Betterbin smartphone app and
54 Waste Wizard Material Search Engine (<https://recyclemoretricity.org/waste-wizard/>), recognizing
55 additional and consistent education will reduce contamination and improve recycling, thereby enabling the
56 processing and marketing of these recyclables in the most efficient and cost-effective manner possible.
57

58 **NOW THEREFORE BE IT RESOLVED,** that the Oneida Nation authorizes and supports the submission of
59 an Intergovernmental Cooperative Agreement to Satisfy Eligibility for the Wisconsin Recycling
60 Consolidation Grant for Calendar Year 2024 to the Brown County Port & Resource Recovery.
61

Adopt resolution entitled The Oneida Nation Farm's Buffalo Acquisition Project Application to InterTribal...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Request a Resolution

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: Oneida Nation Farm

5. Additional attendees needed for this request:

Mark W. Powless, General Manager

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- Bylaws
- Fiscal Impact Statement
- Presentation
- Contract Document(s)
- Law
- Report
- Correspondence
- Legal Review
- Resolution
- Draft GTC Notice
- Minutes
- Rule (adoption packet)
- Draft GTC Packet
- MOU/MOA
- Statement of Effect
- E-poll results/back-up
- Petition
- Travel Documents
- Other: Resolution Memo

7. Budget Information:

- Budgeted – Tribal Contribution
- Budgeted – Grant Funded
- Unbudgeted
- Not Applicable
- Other: *Describe*

8. Submission:

Mark W. Powless Digitally signed by Mark W. Powless
Date: 2023.09.14 10:41:13 -05'00'

Authorized Sponsor: Mark W. Powless, General Manager

Primary Requestor: Donald M. Miller, Grant Specialist, Grants Office

A good mind. A good heart. A strong fire.



Date: September 13, 2023

To: BC Agenda Request

From: Donald Miller, Grants Office

Re: Resolution - "The Oneida Nation Farm's Buffalo Acquisition Project"

Good day,

The nature of this request is for a BC resolution that would allow the Oneida Nation Farm to request/accept the delivery of up to 12 adult buffalo for the purpose of Tribal consumption.

We respectfully request authorization to submit this resolution to the Business Committee for their consideration.

Thank you

If there are further questions, please contact:

Don Miller
920-496-7329
Dmiller1@oneidanation.org

Oneida Nation

Post Office Box 365

Phone: (920)869-2214



Oneida, WI 54155

BC Resolution # Leave this line blank

The Oneida Nation Farm's Buffalo Acquisition Project Application to InterTribal Buffalo Council

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WHEREAS, the Oneida Nation is a federally recognized Indian government and a treaty tribe recognized by the laws of the United States of America; and

WHEREAS, the Oneida General Tribal Council is the governing body of the Oneida Nation; and

WHEREAS, the Oneida Business Committee has been delegated the authority of Article IV, Section 1, of the Oneida Tribal Constitution by the Oneida General Tribal Council; and

WHEREAS, the Oneida Business Committee has expressed its commitment to farm activities that improve the health of the Oneida people; and

WHEREAS, the Oneida Farm has been committed to providing nutritious buffalo meat to the community by raising and caring for the Oneida buffalo herd; and

WHEREAS, the Oneida Business Committee has long supported the activities of the Oneida Farm related to providing buffalo meat to the Oneida community; and

WHEREAS, the InterTribal Buffalo Council has presented the Oneida people with an opportunity to improve the health of its community by providing new buffalo to the Oneida Nation at no cost; and

NOW THEREFORE BE IT RESOLVED, that the Oneida Business Committee authorizes the Oneida Farm to submit an application for up to twelve (12) new buffalo for consumption purposes on behalf of the Oneida Nation.

BE IT FINALLY RESOLVED, that the Oneida Business Committee agrees to the stipulations included in the offer, to wit, the buffalo received as part of this offer will be cared for in a manner befitting the importance of the buffalo in Oneida culture and that they will be humanely killed and consumed by the Oneida community as part of the Oneida Nation's meat program.

Determine next steps regarding one (1) vacancy - Oneida Community Library Board

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

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|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Appointment(s) – Oneida Community Library Board

Background

One (1) vacancy was posted for the Oneida Community Library Board. The vacancy is for term ending March 31, 2024.

The vacancy has been posted since August 2, 2023. The latest application deadline was September 8, 2023, and one (1) application was received for the following applicant(s):

- Stephanie Metoxen

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending March 31, 2024, OR
- 2) reject the selected applicant(s) and oppose the vote**; OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding one (1) vacancy - Oneida Gaming Commission

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
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| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Appointment(s) – Oneida Gaming Commission

Background

One (1) vacancy was posted for the Oneida Gaming Commission. The vacancy is to complete a term ending July 31, 2024.

The vacancy has been posted since August 9, 2023. The latest application deadline was September 8, 2023, and two (2) applications were received for the following applicant(s):

- Jeremy King
- Jermaine Delgado

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2024.
- 2) reject the selected applicant(s) and oppose the vote**, OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding one (1) vacancy - Oneida Land Commission

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
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| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Appointment(s) – Oneida Land Commission

Background

One (1) vacancy was posted for the Oneida Land Commission. The vacancy is to complete a term ending July 31, 2025.

The vacancy has been posted since May 16, 2023. The latest application deadline was September 8, 2023, and two (2) applications were received for the following applicant(s):

- Stephanie Metoxen
- John Danforth

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2025.
- 2) reject the selected applicant(s) and oppose the vote**, OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding one (1) vacancy - Oneida Nation School Board

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Appointment(s) – Oneida Nation School Board

Background

One (1) vacancy was posted for the Oneida Nation School Board. The vacancy is to complete a term ending July 31, 2025.

The vacancy has been posted since September 14, 2022. The latest application deadline was September 8, 2023, and one (1) application was received for the following applicant(s):

- Melissa Skenandore

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending July 31, 2025.
- 2) reject the selected applicant(s) and oppose the vote**, OR
- 3) request the Secretary to re-notice the vacancy(ies)

Determine next steps regarding four (4) vacancies - Oneida Personnel Commission

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Appointment(s) – Oneida Personnel Commission

Background

Four (4) vacancies were posted for the Oneida Personnel Commission. The vacancies are to complete terms ending March 31, 2024, March 31, 2026, March 31, 2027, and March 31, 2028.

The vacancies have been posted since April 14, 2021, and April 27, 2022. The latest application deadline was September 8, 2023, and one (1) application was received for the following applicant(s):

- Stephanie Metoxen

Select action(s) provided below:

- 1) accept the selected the applicant(s) and appoint to a term ending March 31, 2024, March 31, 2026, March 31, 2027, or March 31, 2028, OR
- 2) reject the selected applicant(s) and oppose the vote**; OR
- 3) request the Secretary to re-notice the vacancy(ies)

Approve the travel report - Chairman Tehassi Hill - Government Accountability Office Tribal Advisory...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve the travel report – Chairman Hill – Govnerment Accountaiblity Office Tribal Advisory Council Meeting – Washington, DC, Feb. 8-10, 2022

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other:

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Travel Report | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill
Travel Event: Government Accountability Office Tribal Advisory Council Meeting
Travel Location: Washington, DC
Departure Date: 02/08/2023 **Return Date:** 02/10/2023
Projected Cost: \$1,873.90 **Actual Cost:** \$1,149.04
Date Travel was Approved by OBC: 02/08/2023

Narrative/Background:

In 2022, US Government Accountability Office (GAO) began the process of forming its first-ever Tribal Advisory Council (TAC) to provide insight and recommendations on issues affecting Tribal Nations and their citizens. Chairman Hill was nominated and elected to serve as Vice-Chairman on the GAO TAC. They held their very first meeting, February 9, 2023, in Washington, D.C. As Vice Chairman of the GAO TAC, it was important as the representative for Oneida Nation, to be in attendance for this meeting.

*Travel was reimbursed from Self-Governance

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Accept the travel report.

Approve the travel report - Chairman Tehassi Hill - American Indian/Alaska Native program testimony -...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve the travel report – Chairman Hill – American Indian/Alaska Natives Program
Testimony – Washington, DC, March 8-9, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Travel Report | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill

Travel Event: American Indian/Alaska Natives Program Testimony

Travel Location: Washington, DC

Departure Date: 03/08/2023 **Return Date:** 03/09/2023

Projected Cost: \$1,396.67 **Actual Cost:** \$1,331.27

Date Travel was Approved by OBC: 02/22/023

Narrative/Background:

Intergovernmental Affairs Director had requested that I provide testimony for American Indian/Alaska Native programs, in Washington, DC.

Here are my remarks.

RE: FY23 Annual Appropriations

Dear Chair Simpson and Ranking Member Pingree,

On behalf of the Oneida Nation of Wisconsin (“the Nation”), I submit the following testimony for the Subcommittee on Interior, Environment and Related Agencies hearing on the fiscal year 2024 annual appropriations bill. The subcommittee has requested written testimony from tribal leaders on the issues and needs of Indian Country related to the Department of Interior, the Indian Health Services, and other Agencies. The agencies and programs involved in the Nation’s requests are: the Indian Health Service, the Bureau of Indian Affairs, and the Environmental Protection Agency.

Indian Health Services Funding

I would like to begin my formal remarks by offering this subcommittee and those who serve on the full committee the gratitude of the Oneida Nation of Wisconsin for your efforts to provide advanced appropriations to cover the Indian Health Service for fiscal year 2024. As you know, providing health security to our members has been a priority for our Nation and all of Indian Country for many years. Your efforts will likely save lives and bring calm to many who depend on the IHS for their services. This was

a great first step in ensuring the federal government meets trust and treaty obligations.

The next step is full and mandatory funding for the IHS. Access to healthcare is a core element of the federal treaty and trust responsibility. Last year, for the first time ever, the President's budget proposed mandatory funding for the IHS. Moving IHS funding from discretionary to mandatory will ensure that the health of our people will no longer be impacted by government shutdowns or delays in the appropriations process. I am here to ask that you work with your colleagues on other committees to help us reach this goal.

Long-Term Care

Groundbreaking language giving the IHS specific authorities for provision of long term care was authorized under the Affordable Care Act. These authorities represented a major step forward for our communities. Unfortunately, while authorized, these services have not been funded. We request Congress fund long-term care in their FY 2024 appropriations. The Nation has operated a long-term care facility since 1978 and currently operates a 48-bed multi-purpose building that includes skilled nursing, a congregate elder meal site, and physical therapy services. Currently, we do not receive IHS funding to provide our long-term care services.

BIA Law Enforcement

Our Nation's law enforcement program is severely underfunded, even by Indian Country standards. We only receive about 4% of our operating budget for criminal investigations. That doesn't even cover the payroll of one of our 22 officers. We use our own tribal funds to make up the difference. We have no choice....we need to keep our people safe. Our funding allocation for public safety is so low because the BIA has chosen not to fund police for tribes in Public Law 280 States. The Bureau tells us that in P.L. 280 states like Wisconsin the state-not our tribal government-has primary criminal jurisdiction. So we don't need the money, they say. That is wrong. If we don't provide emergency services for the 27,000 people living across the 102 square miles of our Reservation, no one will. In 2021, our officers made 173 arrests, of which 133 were drug-related. We cannot ignore these crimes and just say someone else will handle it.

I appreciate that the Committee is already engaged on this issue. We supported the language included in the Fiscal Year 2023 omnibus. But I am here to tell you that you need to go further. Every tribe must receive some BIA law enforcement funding so that we can protect our people. If the BIA won't allocate the money to keep us safe, you need to force them to do it. To that end, I ask that you set a minimum allocation of \$500,000 for each tribe within the BIA public safety line item.

Realty Services Funding

The Nation asks appropriators to increase funding for equipment to assist and expedite our processes to acquire lands. The BIA's Division of Land Titles and Records is to maintain timely and certified Federal land title ownership records. However, many of the details associated with the work of this office are carried out by tribes on their respective reservations.

Specifically, tribes are often responsible for carrying out duties associated with the management of the Trust Asset and Accounting Management System (TAAMS), the BIA's electronic trust land management system. While BIA employees are provided with new equipment on a regular basis, the tribes being asked to help carry out these programs are failing to receive similar upgrades, or in some instances, enough computer hardware to carry out their responsibilities. Beyond the lack of support for technology, BIA has an abysmal track record of completing realty transactions in a timely manner. Fee to trust applications for even the clear-cut examples can take between five and ten years to complete. Realty transactions on Tribal residential, agriculture, and commercial leased properties can take six months to a year, if not longer. Individual trust probates take at least five years if not longer. It is clear that the BIA's trust and realty offices are under-resourced and understaffed, and the Nation asks that Congress provide funding to rectify these chronic issues.

EPA Funding

We would like the Committee to know the Oneida Nation takes the protection of our lands and waterways seriously. To this end, we have partnered with the Environmental Protection Agency for many years. For example, Section 106 of the Clean Water Act funds a major part of our Water Resources Program. However, our resources are stressed, particularly since funding has not increased in 24 years. We also take advantage of Section 319 of the Clean Water Act which partially funds our non-point source program. This program did recently see an increase after many years, from \$30,000 to \$36,000 annually - thank you.

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Accept the travel report.

Approve the travel report - Chairman Tehassi Hill - Midwest Alliance of Sovereign Tribes (MAST) Impact.

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve the travel report – Chairman Hill – Midwest Alliance of Sovereign Tribes – Washington, DC – March 19-21, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Travel Report | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill
Travel Event: Midwest Alliance of Sovereign Tribes
Travel Location: Washington, DC
Departure Date: 03/19/2023 **Return Date:** 03/21/2023
Projected Cost: \$2,461.50 **Actual Cost:** \$2,101.23
Date Travel was Approved by OBC: 03/08/023

Narrative/Background:

As current Vice President of MAST, I serve as a representative for Oneida nation, meeting on many key issues facing Indian Country. MAST Impact Week included:

*Presentations on key issues that would name the key players, committees, and recommended strategies to address them.

Breakout sessions provided the content for the forums and round tables and opportunities for the tribes to weigh in and how they can support/oppose/revise the proposed positions and develop strategies for who will meet with whom and what the message will be.

*Additional resources/assistance/ideas to help increase lobbying efforts

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Accept the travel report.

Approve the travel report - Chairman Tehassi Hill - Government Accountability Office Tribal Advisory...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve the travel report – Chairman Hill – Govnerment Accountaiblity Office Tribal Advisory Council Meeting – Seattle, WA – May 1-4, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Travel Report | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill
 Government Accountability Office Tribal Advisory Council
 Meeting

Travel Event: _____

Travel Location: _____ Seattle, WA _____

Departure Date: _____ 05/01/2023 _____ **Return Date:** _____ 05/04/2023 _____

Projected Cost: _____ \$2,578.96 _____ **Actual Cost:** _____ \$2,578.96 _____

Date Travel was Approved by OBC: _____ 04/12/2023 _____

Narrative/Background:

In September 2022, Chairman Hill was appointed to the first tribal advisory council for the U.S. General Accountability Office (GAO). The GAO is the investigative arm for Congress and is an independent, nonpartisan agency that exists to support Congress in meeting its constitutional responsibilities.

GAO also works to improve the performance of the federal government and ensure its accountability to the American people. The agency examines the use of public funds; evaluates federal programs and policies; and provides analyses, recommendations, and other assistance to help Congress make informed oversight, policy, and funding decisions. GAO provides Congress with timely information that is objective, fact-based, nonideological, fair, and balanced. GAO's commitment to good government is reflected in its core values of accountability, integrity, and reliability.

The Tribal Advisory Council responsibility is to help inform the agency's future work and priorities in examining federal programs that serve tribal communities and indigenous peoples.

The Tribal Advisory Council's work included the following.

1. Change the name of the Council to recognize Alaskan and Hawaii Natives. The new name is the Tribal and Indigenous Advisory Council (TIAC).
2. Finalization the TIAC Charter.

3. GAO declined the Council's request for a high level cabinet member to the Comptroller General on tribal and indigenous matters. The TIAC did not let this issue rest and advocated for this position and expressed the importance of this person to Indian Country.
4. Learning how the GAO conducts their work and the process on how the GAO conducts its audits.
5. Hands on review of the GAO's Physical Infrastructure Team. TIAC participated in the initiation phase of an audit related to congressional funding to Indian Country. This helped the TIAC understand where in the process they could participate and helped GAO to understand the importance, influence and help the TIAC can be to the GAO's work.
6. Review of GAO's high risk list to learn about how federal programs get on the high risk list and how they can come off the list.
7. Funding associated with TIAC, the consultant contract (Self Governance Communication & Education Consortium) is not flexible and did not account for the meetings TIAC wanted to hold this year. Funding was not rolled over and that is a problem for TIAC to meeting. GAO committed to revising the contract.

*Self Governance will reimburse for travel.

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Accept the travel report.

Approve the travel report - Chairman Tehassi Hill - Democratic Congressional Campaign Committee...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve the travel report – Chairman Hill – Democratic Congressional Campaign Committee Team Program Dinner/Fundraising Event– Washington, DC – May 11-12, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: Travel Report | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Tehassi Hill, Chairman

Primary Requestor: Danelle Wilson, Executive Assistant

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Tehassi Hill

Democratic Congressional Campaign Committee Team
Program Dinner/Fundraising Event

Travel Event: _____

Travel Location: _____ Washington, DC

Departure Date: _____ 05/11/2023 **Return Date:** _____ 05/12/2023

Projected Cost: _____ \$1,179.80 **Actual Cost:** _____ \$1,282.17

Date Travel was Approved by OBC: _____ 05/10/023

Narrative/Background:

The attended event was a fundraising event for the Democratic Congressional Campaign Committee (DCCC) and the Democratic Senatorial Campaign Committee (DSCC).

The Oneida Nation has an approved federal legislative strategy that the Nation intends to execute for the remainder of this Presidential Administration that includes high priority issues such as the Indian Child Welfare Act (ICWA), mandatory IHS funding, Oneida specific legislation, etc.

This was an opportunity to gain support for these issues as Oneida is preparing to reintroduce legislation to address ICWA compliance, and execute the remainder of our federal legislative plan.

PACE, the Nation's federal lobbyist, hosted this fundraising event along with Spirit Rock consulting, on behalf of their tribal clients. Tribal leaders had direct access to the Democratic leadership, allowing them to express the importance of and gain support for legislation that is being prepared to be introduced.

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Accept the travel report.

Approve the travel report - Vice-Chairman Brandon Yellowbird-Stevens - Indian Gaming Association (IGA)

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Accept and close out Travel Report for Vice-Chairman Yellowbird-Stevens – Indian Gaming Association (IGA) Tradeshow & Convention 2023 Mid-Year Conference – Ledyard, CT – September 10th – 12th, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input checked="" type="checkbox"/> Other: Hotel, Flight, and Rental Car paid for by IGA | |

8. Submission:

Authorized Sponsor: Brandon Yellowbird-Stevens, Vice-Chairman

Primary Requestor: *Name, Title/Entity*

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for:

Choose a Traveler Name
Vice-Chairman Brandon
Yellowbird-Stevens

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Enter name(s) of other
Travelers OR [SPACE BAR] to
delete

Travel Event:

Indian Gaming Association (IGA) Mid-Year Conference

Travel Location:

Ledyard, CT

Departure Date:

09/10/2023

Return Date:

09/12/2023

Projected Cost:

\$172.50

Actual Cost:

\$195.95

Date Travel was Approved by OBC:

08/23/2023

Narrative/Background:

The Indian Gaming Executive Board convened and approved the annual budget and approved the Federal Policy Priorities. Attached is the Federal Policies portion that was discussed in the meeting. The regulation portion will be forwarded to the Gaming Commission.

Item(s) Requiring Attention:

N/A

Requested Action:

To Accept and close out the Travel Report for Vice-Chairman Brandon Yellowbird-Stevens - Indian Gaming Association Mid-Year Conference - Ledyard, CT - September 10th - 12th, 2023

FEDERAL POLICY PRIORITIES

Indian Gaming Association: 2023 Mid-Year

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Outlook for the 118th Congress: Tribal Priorities

Legislative Outlook

Senate Priorities. After two years of work to enact an aggressive agenda that included passage of the American Rescue Plan, bipartisan gun safety, infrastructure, the CHIPS Act, and the highly partisan Inflation Reduction Act, Senate Democrats plan a more moderate agenda for the 118th Congress. Leader Schumer has focused the 118th Congress on must-pass bills that include passing debt limit legislation, the annual defense bill (NDAA), the Farm Bill, and the annual appropriations bill. The Senate also continues to prioritize judicial and agency confirmations.

House Priorities. House Republicans are taking a more hardline approach. In the first weeks of reclaiming the majority, House Leadership advanced bills to cut funding for the IRS included in the Inflation Reduction Act, address reproductive rights, and increase energy production. House leaders have also focused on investigations of the Biden Administration and President Biden's family and the origins of the COVID-19 pandemic. The House Oversight Committee Republicans have launched a wide-ranging investigation into the Biden family's domestic and international business dealings to determine whether these activities compromise U.S. national security. Republicans have also created a Judiciary subcommittee on the "weaponization of the federal government" and are using the forum to review the FBI investigations into former President Trump. These investigations are meant to fire up the Republican base and have thus far not resulted in any substantive legislative activity.

FY'24 Appropriations. House Republicans have pledged to cut discretionary spending by \$130 billion from the FY'23 levels, aiming to limit federal agency and program funding to FY'22 levels. The House will press appropriators to return to regular order to enact annual funding bills, vowing to reject the massive year-end omnibus bills that have kept government operations and programs open in recent years.

Senate Appropriations Chair Patty Murray (D-WA) and Ranking Member Susan Collins (R-ME) released a joint statement promising to "reach sensible solutions" to fund the government for FY'24. They have also resolved a return to regular order – passing each of the 12 individual spending bills through Committee. So far, the House and Senate Subcommittees have endeavored to live up to this commitment and have been moving bills through the various Subcommittees. On July 13, the House Interior Appropriations Subcommittee approved their bill and it will be marked up by the full committee on July 19. The Senate Interior Appropriations Subcommittee has not taken action on their bill.

In related news, on June 1, Congress passed the Fiscal Responsibility Act of 2023. The bill was a negotiated compromise between the House Republican leadership and the Biden Administration to raise the debt ceiling while limiting future spending. The law keeps non-defense funding essentially flat for the fiscal year that begins in October 2023 at approximately \$637 billion. Defense funding would be capped at President Biden's budget request of \$886 billion, a 3.5 percent increase over FY'23 spending. Non-defense spending would increase by 1 percent in FY'24, followed by years of non-enforceable funding targets. A group of House Republicans have stated opposition to an omnibus spending bill. They have threatened to cut spending across the board by 1 percent – a return to sequestration – if appropriators do not pass all 12 separate spending bills by the end of December 2023. There is some hope that this carrot-and-stick approach will motivate Congress to pass annual, low-drama appropriations bills in calendar year 2023.

Indian Country Priorities. Indian Country continues to press Congress to advance many of the longstanding basic reauthorizations and updating of the Native American Housing Assistance and Self-Determination Act and others that have been held up in recent years by a few Senators seeking

to advance bills to acknowledge groups as federally recognized Indian tribes. Indian country is also working to protect funding for key programs in the appropriations and farm bill, as discussed in more detail below.

Limit Impacts of *Castro-Huerta*. Tribes nationwide continue to debate how to address the expected fallout from the Supreme Court's 2022 decision in *Castro-Huerta v. Oklahoma*, which held that state governments have concurrent jurisdiction to prosecute crimes committed by non-Indians against Native victims on Indian lands. The Court reasoned that under its "precedents, federal law may preempt state jurisdiction in certain circumstances. But otherwise, as a matter of state sovereignty, a State has jurisdiction over all of its territory, including Indian country." (Citing the Tenth Amendment to the U.S. Constitution for this statement). The longstanding authority in Indian country is that a state only has the power to exercise authority on Indian lands pursuant to an express act of Congress or the consent of the Tribe. The *Castro-Huerta* Court turns this presumption on its head, imposing a new test: "unless [affirmatively] preempted [by an Act of Congress], States may exercise jurisdiction to prosecute crimes committed by non-Indians against Indians in Indian country."

Indian Country will work through the Senate Committee on Indian Affairs, the House Natural Resources Committee, and the Biden Administration to blunt the impacts of this decision on tribal sovereignty, including potential down-the-road impacts on Tribal Government taxing authority, civil and regulatory jurisdiction over non-Indians, and related impacts on Tribal government economies.

ICWA Protection. On July 15, the Supreme Court issued its decision in *Brackeen v. Haaland*. Several states had argued that ICWA's placement preferences violate the Constitution's equal protection clause and unlawfully commandeers state governments. In a significant 7-2 victory for Indian country, the Court upheld ICWA as constitutional. Justice Gorsuch noted the decision "safeguards the ability of tribal members to raise their children free from interference by state authorities and other outside parties. In the process, the Court also goes a long way toward restoring the original balance between federal, state, and tribal powers the Constitution envisioned." However, the Court did not rule on the merits regarding the equal protection challenge to ICWA. That claim was dismissed for lack of standing and could be subject to a future legal challenge.

Tribal Tax Provisions. Indian Country will continue to press Congress to enact key reforms to the U.S. Tax Code to respect the governmental status of Indian Tribes for purposes of issuing tax-exempt bonds and acknowledge direct tribal government access to the Low-Income Housing and New Markets tax credit programs, respect tribal court rulings for the purpose of the federal child adoption tax credit, provide parity to the tax and pension treatment of tribal police officers and other key tribal government officials, among other longstanding needs.

Indian Health Service Advanced Appropriations. Indian Country achieved a historic victory in securing advance appropriations for Indian health care services and programs as part of the FY'23 Omnibus Appropriations Act. However, this achievement fell short of permanent advance appropriations funding. As a result, while funding is secure to prevent impacts from delayed funding or a government shutdown for FY'24, tribes nationwide will work to retain at least one-year advance appropriations in the next spending package.

2023 Farm Bill. The House and Senate Agricultural Committees are working through the process of drafting their Farm Bill reauthorization legislation. Generally, the farm bill comes before Congress every five years, with the current (2018) farm bill set to expire on September 30. The Farm Bill process is never easy; however, several factors will make this reauthorization an uphill battle. First, Republicans are looking to cut back funding for most programs in the bill, especially those under the Conservation title. Many USDA programs received significant funding under the COVID relief bill and the IRA. Republican members argue that those plus-ups should count as a sort of forward funding, and the Farm Bill should reflect that. Second, Republicans would like to cut nutrition programs within the bill. Republicans secured some increased work requirements for the SNAP food

assistance program and Temporary Assistance for Needy Families (TANF) programs but will be looking to make more cuts and add further requirements using the Farm Bill. Indian country has been actively engaging in these discussions through the Native Farm Bill Coalition and Congressional allies in the House and Senate.

Work with the Biden Administration. As noted above, legislative activity has been difficult in the divided Congress. Indian Country has leaned into working with the Biden Administration and the various executive agencies to secure policy achievements, including working to build on the Administration's initiatives to improve regulations to restore tribal government homelands, protecting sacred places on federal lands, expanding on tribal government co-management and use of traditional indigenous knowledge in managing federal lands, BLM's proposed Conservation Rule to enhance protections for sacred places, and new initiatives to expand economic opportunities throughout Indian Country – including updating the Part 293 IGRA compacting regulations discussed in detail below.

Proposed Rule to Amend 25 C.F.R. Part 293 – IGRA Class III Compact Regulations

On Tuesday, December 6, 2022, the Interior Department published a rule that proposes changes to regulations governing the IGRA compacting process at 25 C.F.R. Part 293. The proposed rule stems from draft revisions to Part 293 that the Department released in March 2022. The Department hosted four tribal leader consultation sessions on the draft revisions and accepted written comments.

The Department's current Part 293 regulations were promulgated in 2008. The 2008 Regulations were designed to "address[es] the process for submission by Tribes and States and consideration by the Secretary of Class III Tribal-State Gaming Compacts, and [are] not intended to address substantive issues." The proposed rule would address these substantive issues by codifying Departmental policy developed since 1988 through decision letters and federal case law. These decisions address the appropriate scope of class III gaming compacts, revenue-sharing provisions, and other factors.

In publishing the proposed rule, Interior acknowledged that "the Indian gaming industry remains one of the most significant sources of Tribal economic development in Indian Country. The changes proposed to 25 C.F.R. Part 293 ... would provide clarity on the criteria the Department would consider when deciding whether to approve compacts by clarifying boundaries as to allowable topics of negotiation, better defining key terms, and clearly outlining when the Department must review a gaming compact."

The most substantive provisions in the proposed rule are located at Subpart D, which examines the "Scope of Tribal-State Gaming Compacts." This Subpart clarifies provisions/topics deemed permissible and impermissible for purposes of tribal-state gaming compact negotiations. For example, permissible provisions include those relating to the application of laws or regulations or that address tribal or state jurisdiction "that are directly related to, and necessary for, the licensing and regulation of gaming activity" (Part 293.17-18); provisions "directly related to the operation of gaming activities" (Part 293.23). Proposed Part 293.24 will govern how the Department will determine whether a provision is "directly related to the operation of gaming activities."

Part 293.25 would codify the Department's policy governing whether "revenue sharing" provisions in tribal-state gaming compacts are lawful under IGRA. The proposal states that compacts may include "revenue sharing in exchange for a State's meaningful concessions resulting in a substantial economic benefit for the Tribe." "Meaningful concession" is defined at Part 293.2(h).

Proposed Part 293.27 would clarify that "If the State allows any form of class III gaming, then the State is regulating all forms of class III gaming. A State's refusal to negotiate in a compact over all forms of class III gaming, not prohibited in the State, is considered evidence of a violation of IGRA." This position is referred to as the "class-based test." It was adopted by the Second Circuit in *Mashantucket Pequot Tribe v. Connecticut* and the Tenth Circuit in *Northern Arapahoe Tribe v. Wyoming*.

Proposed Part 293.29 would make clear that compacts may include provisions allocating State and Tribal jurisdiction over remote wagering originating outside Indian lands where state law or the compact deems the gaming to take place on the Tribe's Indian lands where the server accepting the wager is located. The federal register notice explains that "the overwhelming majority of commenters agreed that the Department should include provisions related to i-gaming," noting the need for Tribes to be able to compete in the digital industry. However, the notice also acknowledged that "a handful of commenters opposed the Department addressing i-gaming in the draft revisions." The recently decided *West Flagler* case regarding the Seminole Tribe's compact with the state of Florida upheld the "hub-and-spoke" model of i-gaming. See *Federal Court Updates for more information below*.

Text of the federal register notice of the proposed rule, executive summary, and summary of comments received can be found here: <https://www.govinfo.gov/content/pkg/FR-2022-12-06/pdf/2022-25741.pdf>. The agency accepted comments and feedback through March 1, 2023. The agency is reviewing the feedback, and a final rule should be published in late 2023.

Proposed Rule to Amend 25 C.F.R. Part 151 – Fee to Trust Process

On Monday, December 5, 2022, the Interior Department published a proposed rule to amend regulations governing the discretionary acquisition of tribal land into trust applications at 25 C.F.R. Part 151. These regulations implement the land into trust provision included in the Indian Reorganization Act of 1934. Interior indicates that the proposed rule seeks to streamline the tribal land-to-trust process, reduce costs for tribal government applicants, and establish clear decision-making criteria.

The proposed rule is part of the Biden Administration's two-year initiative to help restore tribal government homelands. In October 2021, Interior held Tribal Leader consultation sessions that discussed the need to improve the administrative process to restore tribal homelands. On March 28, 2022, the Department released draft revisions to Part 151 based on comments received from the October 2021 consultation. The Department then held four Tribal Leader consultations, which led to the current proposed rule.

The proposed rule makes minor changes throughout the existing land into trust regulations, which were last substantially amended in 1995. Proposed Part 151.3 establishes that it is the Department's policy to acquire tribal trust land to strengthen self-determination and sovereignty, ensure that every Tribe has protected homelands where its citizens can maintain their Tribal existence and way of life, and consolidate land ownership to strengthen Tribal governance over reservation lands and reduce checkerboarding.

To help expedite the process and increase certainty, Proposed Part 151.8 would require the Department to make a final determination on tribal fee-to-trust applications within 120 calendar days of assembling a complete application package.

To help reduce costs, Proposed Part 151.15 would limit trust land applications to a single environmental assessment, with a potential update - if necessary - after notice of the decision has been signed.

The proposed rule, at Part 151.9 – 12, would establish clear criteria by requiring that great weight be given to establishing a Tribal land base or protecting Tribal homelands, protecting sacred sites or cultural resources and practices, establishing or maintaining conservation or environmental mitigation areas, consolidating land ownership, acquiring land lost through allotment, protecting treaty or subsistence rights, or facilitating Tribal self-determination, economic development, and Indian housing.

One significant change, set forth at Proposed Part 151.4, would set criteria for the Department to determine whether a Tribe was "under federal jurisdiction" in 1934. The lack of a regulatory definition for the term "under federal jurisdiction" ("UFJ") has plagued the land-into-trust process since the Supreme Court's 2009 *Carcieri v. Salazar* decision. Codifying this definition in regulation would make this critical determination more durable than the existing M-Opinion that Interior currently employs to determine whether an Indian tribe was "under federal jurisdiction" for purposes of the Indian Reorganization Act.

Text of the federal register notice of the proposed rule and Interior's Executive summary can be found at this link: <https://www.govinfo.gov/content/pkg/FR-2022-12-05/pdf/2022-25735.pdf>. The agency accepted comments and feedback through March 1, 2023. The agency is currently reviewing the feedback, and there should be a final rule published in late 2023.

Indian Gaming and Mobile Sports Betting

Sports and mobile wagering have rapidly expanded in the U.S. since the Supreme Court's May 2018 decision in *Murphy v. NCAA*, which struck down the federal Professional and Amateur Sports Prohibition Act as unconstitutional. In the five years since *Murphy*, at least 35 states and the District of Columbia

have legalized sports betting, with at least 20 offering some form of online sports wagering. Dozens of Tribes have added brick-and-mortar sports betting to their operations pursuant to IGRA.

The issue of whether Tribes can operate *online* sports betting is a topic of ongoing legal debate. Some Tribes have worked through the compacting process to implement geo-fenced mobile gaming that requires both the bettor and the server to be on Indian lands. Other Tribes have worked with states to participate under state-run mobile licensing and regulatory models outside of IGRA.

Tribes are working with Congress, with the Biden Administration, and in federal court to ensure that Indian gaming maintains equal footing as state governments increasingly authorize mobile sports wagers with a goal of securing authority for Tribes to accept wagers from bettors off Indian lands where the server is located on Indian lands to better ensure that Tribal Governments benefit from mobile gaming revenue.

No bill has been introduced to date in the 118th Congress, but there are efforts to reintroduce some version of the “Removing Federal Barriers to Offering Mobile Wagers on Indian Lands Act” that Rep. Lou Correa (D-CA) with co-sponsor and now former Rep. John Katko (R-NY) introduced in the 117th Congress. The bill sought to clarify that Tribal Governments can operate online sports wagering under IGRA, where the server – that accepts and processes the bet – is located on Indian lands. The bill also qualified that wagers will be considered to occur on Indian lands if the person placing the wager and server are located in the same state and only if the Tribe and the State have entered into a compact pursuant to IGRA. The bill sought to align current law with the original congressional intent of IGRA to enable Tribal Governments to utilize emerging technology and access emerging gaming markets.

The Biden Administration is also working to clarify that IGRA provides enough flexibility for Tribes to add mobile sports wagering to their existing operations. In August of 2021, the Interior Department “deemed approved” a compact between the Seminole Tribe of Florida. That compact included a provision referred to as a “hub and spoke” model, where the Tribe’s servers are the hub, and the spokes are the mobile devices and contracted facilities where the wagers originate. The State legislature authorized mobile sports betting exclusively for the Tribe through legislation enacted at the same time it ratified the compact. In its “deemed approved” letter, the Biden Interior Department rightly acknowledged that “other jurisdictions are deeming wagers to occur at a specified location. Multiple states have enacted laws that deem a bet to have occurred at the location of the servers, regardless of where the player is physically located in the state. The compact reflects this modern understanding of how to regulate online gaming.”

This legal argument was questioned in the *West Flagler Associates v. Haaland* case. The U.S. District Court for the District of Columbia narrowly read IGRA to limit this activity and ruled in favor of the Plaintiffs, holding that the Compact “authorizes gaming both on and off Indian lands [and thus] violates IGRA’s ‘Indian lands’ requirement, which means that the Secretary had a legal duty to reject it.” The Secretary appealed this decision. The Court of Appeals for the District of Columbia vacated the lower court decision and directed the District Court to enter judgment for the Secretary. *Additional details about this case are posted in the federal court update below.*

Finally, the Interior Department is also seeking to clarify the ability of Tribes to conduct mobile wagering through the IGRA compact process. As noted above, Interior’s proposed rule to change regulations at Part 293 would acknowledge that Tribes can operate mobile wagering originating outside Indian lands where state law and/or the compact or amendment deem the gaming to take place on the Tribe’s Indian lands where the server accepting the wagers is located.

The Debt Ceiling Debate and the Fiscal Responsibility Act

After months of deadlocked negotiations over raising the debt ceiling, House Republican leadership and the Biden Administration came to an agreement with the Fiscal Responsibility Act of 2023 (FRA) (H.R. 3746). President Biden and Speaker McCarthy had to navigate difficult politics on both sides to secure enough votes to pass the FRA. House Republicans had a long list of policy demands,

including drastic cuts to social welfare programs and an overhaul of domestic energy extraction. Democrats were pushing for a “clean” debt ceiling bill, much like the previous three passed during the Trump Administration.

The legislation suspended the debt ceiling through January 1, 2025, effectively increasing the amount of money the federal government can borrow to fund federal programs. The deal caps non-defense discretionary spending for FY24 at roughly \$704 billion, followed by a 1 percent increase in discretionary spending in FY 2025.

The FRA rescinded approximately \$28 billion in unobligated COVID-19 funding, including funds made available through the American Rescue Plan Act (ARPA), Coronavirus Aid, Relief and Economic Security (CARES) Act, and other pandemic-related spending bills. While certain funds at the Indian Health Service (IHS) and Bureau of Indian Education (BIE) were protected, other programs were not spared from the rescissions. The biggest rescission for Indian country was at the Department of Housing and Urban Development (HUD). Funds for the Office of Native American Programs for the operation of tribal housing and housing block grants were clawed back. Funds for Native American language preservation, Rural Development distance learning, telemedicine grants for broadband, and pandemic assistance funding for short-term benefits were also clawed back by the FRA.

The FRA also included several policy provisions unrelated to raising the debt ceiling that Democrats conceded to secure Republican votes.

- **Work Requirements:** The deal tightened restrictions for the SNAP food assistance program and emergency cash aid known as Temporary Assistance for Needy Families. New time limits will be phased in for people without children up to age 54 to receive food assistance through SNAP if they do not complete specific work requirements. Under current law, those time limits only apply to people up to 49 years old. Those expanded limits will sunset in 2030. Democrats have long opposed restrictions on assistance programs and fought to secure some exemptions for homeless people and veterans.
- **Permitting Reform:** The FRA included changes to the current NEPA permitting process, the decades-old law governing federal environmental reviews of projects.
- **IRS Funding:** A portion of the \$80 billion in funding Democrats pushed through for the IRS last year was rescinded.

Tax-Related Gaming Legislation

The SLOT Act (H.R. 3125) would modernize the Tax Code by increasing the tax reporting threshold for slot jackpots to \$5,000 and provide a mechanism for future increases based on inflation. This change will ease operational and paperwork burdens on casinos and their patrons and enable the IRS to focus its limited resources and staff on filers most likely to have net slot winnings and owe taxes at the end of the year.

The current threshold for reporting slot winnings was set at \$1,200 in 1977 and has not been updated in 45 years. Accordingly, when a casino patron wins a slot machine jackpot of \$1,200 or more, the machine immediately shuts down, and a casino employee must issue that patron the tax reporting form known as a W-2G. This threshold has not been updated in the 45 years since, and if indexed for inflation, the threshold would be around \$5,000. Due to inflation and this stagnant requirement, the number of jackpots hitting that threshold, triggering a shutdown of the machine and necessitating excessive paperwork for patrons, has increased dramatically. This has also led to a deluge of W-2G forms inundating an under-budgeted and understaffed IRS every year.

The bill was endorsed by the Indian Gaming Association (IGA), California Nations Indian Gaming Association (CNIGA), Santa Ynez Band of Chumash Indians, Choctaw Nation, Chickasaw Nation, Kalispel Indian Tribe, and the American Gaming Association (AGA). The bill has been referred to the House Committee on Ways and Means. There has been no hearing on the bill in the 118th Congress.

The Discriminatory Gaming Tax Repeal Act (H.R. 1661) would repeal the outdated gambling excise tax. Congress enacted the wagering excise tax in 1951 to target organized crime and discourage gambling. Over the past 70 years, provisions concerning the wagering excise tax have been amended to exempt parimutuel wagering, effectively exempting bets on horse and dog racing activity and state-sponsored lotteries.

The wagering excise tax assesses 0.25 percent of the amount of money wagered on a sporting event and an additional \$50 annual tax for every employee engaged in receiving wagers on behalf of any legal sports betting operator. The law has also been found to apply to pull tabs and certain lotteries. In the late 1990s and early 2000s, Tribal Governments fought the application of the wagering excise tax to wagers on pull-tab games conducted by tribal gaming enterprises.

Tribal Governments have argued that since state lotteries are expressly exempt from the wagering excise tax and IGRA requires that the wagering excise tax must be applied to Tribal Governments "in the same manner as such provisions apply to States," Class II pull-tab games should also be exempt from the tax. Nevertheless, in *Chickasaw Nation v. United States*, the U.S. Supreme Court held that tribal governments are subject to the wagering excise tax.

The wagering excise tax imposes the burden of increased operating costs on legal sports betting operations regulated by Tribal and state governments. The bill would eliminate the increased burden of the wagering excise tax on Indian gaming operations that now employ sports betting and effectively overturn the Supreme Court's misguided 2001 decision in *Chickasaw Nation v. United States*. The bill has been referred to the House Committee on Ways and Means. There has been no hearing on the bill in the 118th Congress.

NIGC Regulatory Updates

Since the completion of the NIGC's Series A, B, and C Tribal consultations held between July 12, 2021, and February 11, 2022, several final rules have been published in the *Federal Register* that amend regulations governing various aspects of tribal gaming. Further, two proposed rules have been published in the *Federal Register* that, if formally promulgated, would amend additional regulations governing various aspects of tribal gaming.

Facility License Notification Submission Requirements

On July 25, 2022, the NIGC published a final rule amending 25 C.F.R. § 559.2(b) to eliminate the requirement to include certain information about a gaming facility when submitting a Facility License Notification to the NIGC Chair. Specifically, the final rule changes the requirement so that the name and address of the proposed gaming facility be included only if known when the facility license notification is submitted to the NIGC Chair. This final rule was initially proposed on December 1, 2021, with an initial comment period that ended on January 3, 2022, which was subsequently re-opened until June 23, 2022. This final rule became effective on August 24, 2022.

Background Investigations and Gaming Licenses for Primary Management Officials and Key Employees

On August 10, 2022, the NIGC published a proposed rule that would amend the NIGC's regulations governing background investigations and the issuance of gaming licenses to Primary Management Officials ("PMOs") and Key Employees ("KEs") in 25 C.F.R. Parts 502, 556, and 558. Comments to this proposed rule were due September 9, 2022.

Specifically, this proposed rule, if promulgated, would amend the NIGC's regulations by:

- 1) amending the definition of a KE in § 502.14 to include any person authorized by the gaming operation for unescorted access to restricted areas as so designated by the Tribal Gaming Regulatory Authority;
- 2) updating the definition of a KE so that it no longer automatically includes individuals whose total cash compensation is over \$50,000 per year and allow Tribal governments to designate other employees of a *gaming enterprise* as a KE so long as that designation is included in the Tribe's gaming ordinance;
- 3) specifying that the definition of a PMO in § 502.19 applies to those with management authority over some facet of a gaming operation or enterprise, including the gaming operation's general manager and its chief financial officer;
- 4) adding definitions for the terms "Gaming Enterprise" and "Tribal Gaming Regulatory Authority";
- 5) clarifying in Part 556 that all KEs and PMOs of the *gaming enterprise* must be subject to a background investigation; and
- 6) amending Part 558 to require Tribal governments to notify the NIGC if it revokes a gaming license of a KE or PMO, as well as to forward copies of the license revocation decision and a summary of the evidence it used to the NIGC.

This proposed rule also clarifies that ordinances already in effect would not need to be amended to be consistent with the changes proposed to Part 556 or Part 558 but that all future ordinance submissions would have to comply.

Appeals to the Commission

On August 10, 2022, the NIGC published a proposed rule that would amend its regulations governing appeals made to the NIGC. Comments to this proposed rule were due September 9, 2022. This proposed rule would amend the NIGC's regulations at 25 C.F.R. Part 585 by:

- 1) amending § 585.5(a) to only allow motions for extension of time, motions to supplement the record, motions to intervene, and motions for reconsideration in the context of appeals to the NIGC;
- 2) removing the NIGC's discretion under § 585.5(a) to consider any other types of motions offered by an appealing party; and

3) creating a new section at § 585.8 establishing a process for pursuing a settlement in an appeal on written submissions to the NIGC.

The settlement process would allow parties to jointly move to stay an appellate proceeding for a reasonable time to enable the negotiation of a settlement or another agreement that would dispose of the whole or any part of the proceeding. The process would require that a settlement include mandatory provisions waiving further proceedings before the NIGC regarding the specific matter that was settled under the agreement and that the settlement would constitute a dismissal of the appeal and a final agency action.

NIGC Fee Calculations

On September 6, 2022, the NIGC published a final rule amending its regulations in 25 C.F.R. § 515.4 governing the calculation of annual fees owed by a gaming operation to the NIGC. The final rule excludes amounts wagered as promotional credits from the “total amount of money wagered” when calculating the annual fees owed to the NIGC. This rule was initially proposed on December 2, 2021. The NIGC received some comments opposing the initial proposal, which it took into consideration when amending the proposal into the final rule. This final rule went into effect on October 6, 2022.

Gaming Ordinance and Amendment Submission Requirements

On September 21, 2022, the NIGC published a final rule amending the NIGC’s regulations controlling the submission and approval requirements for Tribal gaming ordinances and resolutions and amendments thereof. This rule was initially proposed on December 9, 2021, with the comment period initially ending on January 10, 2022, and subsequently being re-opened until June 23, 2022.

Specifically, this proposed rule amends the NIGC’s regulations at 25 C.F.R. Part 522 in several ways. These amendments include:

- 1) authorizing the submission of documents in electronic or physical form;
- 2) clarifying that the submission requirements apply to amendments of ordinances or resolutions;
- 3) eliminating the requirement that a Tribal government provide copies of all gaming regulations with the submission of a gaming ordinance or resolution and amendments thereof unless the copies are requested;
- 4) clarifying that the 90-day deadline for the NIGC Chair’s ruling begins upon receipt of a *complete* submission; and
- 5) eliminating the regulatory requirement that the Chair publish a Tribe’s entire gaming ordinance or amendment in the *Federal Register* upon the Chair’s approval and instead establishing that a notice of the approval is sufficient. This final rule went into effect on October 21, 2022.

Audit Standards

On September 21, 2022, the NIGC published a final rule amending the NIGC’s regulations concerning its audit standards at 25 C.F.R. Part 571. This rule was originally proposed on June 1, 2022, with the comment period initially open until July 1, 2022, before it was extended to August 1, 2022. Specifically, this final rule amends NIGC regulations at 25 C.F.R. Part 571 by:

- 1) eliminating the Commission’s waiver requirement and allowing all gaming operations grossing less than \$2 million the prior fiscal year to submit financial statements for review in lieu of an audit, so long as the gaming operation’s regulatory agency permits such a disclosure;
- 2) creating a new financial reporting tier for charitable gaming operations with annual gross revenues of \$50,000 or less and establishing financial reporting regulations for such operations where, if permitted by a Tribal government, a charitable gaming operation can submit financial information monthly to the Tribal government or TGRA, and the TGRA will provide an annual certification to the NIGC regarding the operation’s compliance with financial reporting requirements; and

3) adding a provision clarifying that submitting an adverse opinion does not satisfy the regulation's reporting requirements. This final rule became effective on October 21, 2022.

Self-Regulation of Class II Gaming

On October 18, 2022, the NIGC published a final rule amending the NIGC's regulations concerning Tribal governments' self-regulation of Class II gaming. This rule was initially proposed on April 7, 2022. The comment period was extended to June 23, 2022. The final rule amends the NIGC's regulations at 25 C.F.R. Part 518 by:

- 1) clarifying the NIGC may make a final decision on issuing a certification of self-regulation *within* thirty (30) days rather than *after* thirty (30) days;
- 2) removing the requirement that the director of the Office of Self-Regulation ("OSR") must be an NIGC Commissioner;
- 3) specifying that the OSR is the correct party to receive notifications of material changes from self-regulated Tribal governments;
- 4) extending the deadline for Tribal governments to report material changes to the OSR from three (3) business days to ten (10) business days;
- 5) designating OSR as the proponent of any case to revoke a certificate of self-regulation before the NIGC; and
- 6) specifying that the OSR bears the burden to show just cause for a revocation based on the preponderance of the evidence in any certificate revocation hearing before the NIGC. This final rule will go into effect on November 18, 2022.

Background Investigations for Persons and Entities with a Financial Interest in or having a Management Responsibility for a Management Contract.

On November 14, 2022, the NIGC published a final rule revising its procedures for processing a request for the approval of a management contract under 25 C.F.R. § 537.1. This rule was initially proposed on December 2, 2021, and had an additional comment period ending January 3, 2022, which was then re-opened until June 23, 2022.

The final rule requires background investigations of all persons who have 10 percent or more direct or indirect financial interest in a management contract, all entities with 10 percent or more financial interest in a management contract, and all persons or entities with a direct or indirect financial interest in a management contract otherwise designated by the NIGC. This final rule also authorizes the NIGC Chair, upon request or in his or her discretion, to reduce the scope of information to be furnished and background investigation to be conducted for certain entities with a direct or indirect financial interest in a management contract, including Tribal governments, wholly owned Tribal entities, national banks, and certain institutional investors. This rule provides the NIGC Chair with the discretion to reduce the background investigation requirements set forth in § 537.1(a)(3)-(4) for the specified entities. This final rule becomes effective on December 14, 2022.

Federal Court Updates

Haaland v. Brackeen (June 15, 2023)—The case dates back to 2017, when Texas joined the Brackeen family (petitioners) in suing the United States, claiming that ICWA: (1) exceeded Congress' power to enact laws relating to Indian affairs; (2) violated the Tenth Amendment's anti-commandeering doctrine; and (3) violated the Constitution's equal protection clause.

In 2018, the U.S. District Court in Texas sided with the petitioners, holding that ICWA unlawfully discriminated against non-Natives. The U.S. Court of Appeals for the Fifth Circuit Court reviewed the District Court's decision, reversing in part and upholding in part, causing both sides to seek Supreme Court review. The Supreme Court granted review and heard oral arguments in November 2022.

Justice Amy Coney Barrett wrote the majority opinion and was joined by Chief Justice Roberts, and Justices Gorsuch, Sotomayor, Kagen, Kavanaugh, and Jackson in the 7-2 majority decision. Justice Gorsuch wrote a separate concurring opinion that was joined by Justices Sotomayor and Jackson. Justices Thomas and Alito filed separate dissenting opinions.

The petitioners first claimed that ICWA exceeds Congress's Article I power to enact laws relating to Tribes and tribal citizens. Petitioners first claimed that while the Indian Commerce Clause may afford Congress the ability to enact laws relating to Tribal Governments, it had no power to enact laws like ICWA - which they claim relates only to individual Indians. The majority rejected this claim, stating that "we held more than a century ago that 'commerce with the Indian tribes, means commerce with the individuals composing those tribes.' So that argument is a dead end."

Petitioners also claimed that ICWA goes beyond Congress' power to regulate commerce with Indian Tribes, claiming that "children are not commodities". The majority acknowledged that "[r]hetorically, it is a powerful point—of course children are not commercial products. Legally, though, it is beside the point. As we already explained, our precedent states that Congress's power under the Indian Commerce Clause encompasses not only trade but also 'Indian affairs.'" The majority went on to analyze a long list of cases relating to Congress' plenary authority over Indian affairs. In holding that ICWA is clearly within Congress' constitutional authority, the Court reasoned that "*Congress's power to legislate with respect to Indians is well established and broad.*"

In the final argument relating to Congress' Indian affairs authority petitioners argue that federal power stops where state power over the family begins. Justice Barrett held that "Petitioners are trying to turn a general observation (that Congress's powers rarely touch state family law) into a constitutional carveout. That argument is a non-starter. As James Madison said to Members of the First Congress, when the Constitution conferred a power on Congress, 'they might exercise it, although it should interfere with the laws, or even the Constitution of the States.' Family law is no exception."

Petitioners also claimed that several provisions of ICWA violate the Tenth Amendment's anti-commandeering doctrine, which bars Congress from "commanding the States' officers, or those of their political subdivisions, to administer or enforce a federal regulatory program." The majority rejected all three categories of petitioners' Tenth Amendment arguments, holding that "When a federal statute applies on its face to both private and state actors, a commandeering argument is a heavy lift—and petitioners have not pulled it off. Both state and private actors initiate involuntary proceedings. And, if there is a core of involuntary proceedings committed exclusively to the sovereign, Texas neither identifies its contours nor explains what §1912(d) [of ICWA] requires of a State in that context. Petitioners have therefore failed to show that [this provision of ICWA] commands the States to deploy their executive or legislative power to implement federal Indian policy."

Regarding ICWA's placement preference for Indian children, the Court noted that ICWA places "the burden on the tribe or other objecting party to produce a higher-ranked placement. So, as it stands, petitioners assert an anti-commandeering challenge to a provision that does not command state agencies to do anything."

The Court conceded that "[s]tate courts are a different matter. ICWA indisputably requires them to apply the placement preferences in making custody determinations." Despite this concession, the Court ruled that ICWA is valid under Congress' Article I power. "[W]hen Congress enacts a valid statute pursuant to its Article I powers, 'state law is naturally preempted to the extent of any conflict with a federal statute.' End of story."

The Court finally looked at petitioner's claims that ICWA's placement preferences violated equal protection and the non-delegation doctrine. The Court did not reach the merits of these claims because they found the petitioners failed to show standing. As a threshold question, Plaintiffs must show that they have suffered an injury that is "fairly traceable to the defendant's alleged unlawful conduct and likely to be redressed by the requested relief." The Court held that neither the individual petitioners nor the State of Texas could pass that test.

The decision is a truly remarkable victory for Indian Country and the protection of Native families. As Justice Gorsuch noted in his concurring opinion, "In affirming the constitutionality of ICWA, the Court safeguards the ability of tribal members to raise their children free from interference by state authorities and other outside parties. In the process, the Court also goes a long way toward restoring the original balance between federal, state, and tribal powers the Constitution envisioned."

Lac du Flambeau Band of Lake Superior Chippewa Indians v. Coughlin, 22–227

On June 15, 2023, the Supreme Court held, eight to one, that Native American tribes, like states and the federal government, must comply with the bankruptcy process. The Bankruptcy Code includes a provision that expressly abrogates the sovereign immunity of "governmental units" for specific purposes. The question before the court was whether this abrogation of government immunity also extends to federally recognized Indian tribes. The court found that Congress had conveyed its intent to abrogate tribal sovereign immunity in unequivocal terms, meeting the high bar to abrogate tribal sovereign immunity. The Supreme Court's ruling establishes that Native American tribes, akin to states and the federal government, must adhere to the bankruptcy process. By determining that the Bankruptcy Code's abrogation of sovereign immunity extends to federally recognized Indian tribes, the Court sought to maintain consistency and fairness in the treatment of creditors, while upholding statutory construction principles and the overall purpose of the bankruptcy system.

Maverick Gaming LLC v. United States of America, et al. (WA D.Ct. Feb. 21, 2023)—Maverick Gaming LLC, a Washington-based company that owns and operates 19 card rooms within the State of Washington, filed suit against the United States, the Department of Interior, Sec. Haaland, and Asst. Sec. Bryan Newland, and a number of Washington state officials, for allowing tribes to engage in Class III gaming, including sports betting while prohibiting commercial, non-Indian entities from participating in such gaming. To date, the State of Washington has approved gaming compacts with 29 Indian Tribes, with 16 of those compacts being amended and approved to permit sports betting. Commercial entities like Maverick are barred under Washington criminal law from offering sports betting. Declaring the Tribes to have a "monopoly over most forms of casino-style gaming," Maverick alleges that such monopoly is inconsistent with IGRA and federal criminal statutes, as well as in violation of the Constitution's guarantee of equal protection by "irrationally and impermissibly discrimination on the basis of race and ancestry." Maverick is requesting the court to declare the compact amendments and the Secretary's approval of such compacts to be in violation of federal law and to declare them not in effect and to set aside and vacate the Secretary's approval of the compact amendments permitting sports betting.

The case paused briefly to address a motion to transfer the matter to the Western District Court of Washington. On April 28, 2022, U.S. District Court for the District of Columbia Judge Florence Pan issued an oral order to grant the motion, stating that the case should have been filed in the appropriate Washington district court. Judge Pan also denied the plaintiff's request to amend its complaint to remove allegations against state officials, citing a D.C. circuit opinion that prevents her from considering the motion to amend once a court determines there is no personal jurisdiction. The case was transferred to the U.S. District Court for the Western District of Washington. On October 3, 2022, the Shoalwater Bay Indian Tribe filed a motion to dismiss for failure to join a required party.

The case was transferred to the Western District Court of Washington, where the Shoalwater Bay Indian Reservation ("Shoalwater") intervened to file a motion to dismiss. On February 21, 2023, the United States District Court Western District of Washington at Tacoma granted the motion to dismiss based on Maverick's failure to join Shoalwater pursuant to Federal Rules of Civil Procedure 12 (b)(7) and 19, which, as relevant, ensure that all parties with an interest in an action are joined in the litigation. The district court found that 1) Shoalwater was a required party with genuine interests in the outcome of the litigation that would not be adequately represented by the United States alone; and 2) Shoalwater did not waive its sovereign immunity by intervening, and therefore, could not be joined to the suit. The court then performed

a Rule 23(b) analysis to determine whether “in equity and good conscience, the action should proceed among the existing parties or should be dismissed.” Based on this, the court found that the action should have been dismissed. Finally, the district court also found that no public rights exception to the joinder rules applied.

Maverick disagreed with the district court's findings that Shoalwater's absence prevented the suit from going forward equitably. Accordingly, it appealed to the Court of Appeals for the 9th Circuit, filing its opening brief on July 3, 2023. In its appeal, Maverick argued that the district's court's interpretation 1) contradicted precedent that the United States could adequately represent a tribal government absent a conflict of interest; and 2) would lead to what they viewed as absurd results—namely that a sovereign government preserving its immunity could “insulate...final agency actions [involving the sovereign] from any judicial review.” Maverick further notes that, since required-party status must be assessed on a claim-by-claim basis and at least one of its claims did not implicate Shoalwater, it was inappropriate for the district court to dismiss the matter as a whole. Overall, Maverick argues that dismissal because a sovereign cannot be joined by reason of their immunity, even when its interests are represented in the litigation by another party, unfairly deprives would be plaintiffs of the chance to seek remedies to which they might otherwise be entitled and is not a result intended by law, which generally favors “judicial review of administrative action.” Following a request for an amended briefing schedule by the appellees, response briefs from Shoalwater *et al.* are due on September 1, 2023.

West Flagler Associates, Ltd., et al. v. Haaland, et al. (D.C. Circuit June 30, 2023)—In 2021, two suits were filed, one by *West Flagler* plaintiffs and one by *Monterra* plaintiffs. Both suits claim that the Seminole Tribe of Florida's gaming compact, which had been amended to allow sports betting and was approved by the Secretary (by no-action), violates IGRA. *West Flagler* plaintiffs were suing as they felt the compact would limit their business by allowing the Tribe to monopolize sports betting; *Monterra* plaintiffs argued that any gaming expansion must be left to the Florida voters rather than the expansion through the compact.

The U.S. District Court for the District of Columbia found that the compact violated IGRA and granted the *West Flagler* plaintiffs' motion for summary judgment while denying the *Monterra* plaintiffs' similar motion as moot and denying the Tribe and Secretary's motions. The District Court found that because the language of the Seminole “Compact authorizes gaming both on and off Indian lands. The Compact accordingly violates IGRA's ‘Indian lands’ requirement, which means that the Secretary had an affirmative duty to reject it.”

The United States appealed to the D.C. Circuit Court of Appeals and oral arguments were held on December 14, 2022. During arguments, West Flagler challenged the Secretary's approval by inaction on four grounds: (1) the Compact's authorization of gaming off Indian lands was unlawful under IGRA, (2) the compact violated the Wire Act, (3) the Compact violated UIGEA, and (4) the Compact violated the Fifth Amendment's guarantee of Equal Protection.

In a decision issued on June 30, 2023, the Circuit Court vacated the District Court's opinion and entered judgment in favor of the Secretary. The Court rejected Plaintiff's first claim that the Compact unlawfully violates IGRA by authorizing Class III gaming outside of Indian lands. The Secretary agreed that IGRA does not provide an independent source of legal authority for gaming outside of Indian lands.” However, the Secretary argued that “gaming outside of Indian lands ... can be *addressed* in a compact.” The Court examined the language in the Compact discussing wagers on sports betting “made by players physically located within the State using a mobile or other electronic device,” which are “deemed to take place exclusively where received.” The Court reasoned that “the Compact does not say that these wagers are ‘authorized’ by the Compact.” Instead, this language “simply indicates that the parties to the Compact have agreed that they both consider such activity to occur on tribal lands. Because the compact requires all gaming disputes be resolved in accordance with tribal law, this ‘deeming’ provision simply allocates jurisdiction between Florida and the Tribe, as permitted by [IGRA].”

The Circuit Court then reviewed the merits of the other three arguments brought by West Flagler, which the District Court did not reach in its analysis. In looking at the arguments regarding the Wire Act and the UIGEA, the Court found the Secretary was not required to disapprove the Compact on either basis as both arguments present questions requiring hypothetical outcomes following the implementation of the Compact.

Finally, the Court found that the Secretary did not “authorize” or “grant the Tribe a statewide monopoly over online sports betting” and therefore did not violate the Fifth Amendment’s Equal Protection guarantee. However, the Court makes it clear that even if the Secretary did authorize such sports betting, her approval would survive rational basis review under *Mancari*, stating that the exclusivity provisions are “rationally related to the legitimate legislative purposes laid out in IGRA by ‘ensuring that the Indian tribe is the primary beneficiary of the gaming operation.’”

Sault Ste. Marie Tribe of Chippewa Indians v. Haaland (Case No. 20-5123; consolidated with 20-5125, 20-5127, and 20-5128) – This matter came before the United States Court of Appeals for the District of Columbia Circuit to settle a dispute as to whether land acquired by the Sault Ste. Marie Tribe of Chippewa Indians must be taken into trust by the Department of the Interior. The Tribe purchased the parcel in question with interest from its self-sufficiency fund and sought to have it taken into federal trust to later establish gaming operations on the lands. As part of the trust acquisition process, the Tribe stated the land was acquired for the enhancement of tribal lands, which would permit its purchase of the land with its self-sufficiency funds under the Michigan Indian Land Claims Settlement Act. The Department of Interior disagreed and stated that the mere acquisition of new lands was not an “enhancement” under Michigan law and declined to take the parcel into trust.

The Tribe brought suit, and the Court ultimately found that the Department does have the authority to verify that the Tribe properly acquired the parcel with the self-sufficiency fund interests. Furthermore, upon that review, the Court agreed that the Department correctly asserted that “an acquisition that merely increases the Tribe’s landholdings” qualifies as an enhancement of tribal lands. The matter was reversed in favor of the Department of Interior and sent back to the district court for proceedings consistent with the Court of Appeals’ ruling. The Tribe has since filed a petition for *en banc* review with the Court of Appeals.

Unite Here Local 30 v. Sycuan Band of Kumeyaay Indians (Case No. 21-55017) – Coming before the Ninth Circuit on appeal from the United States District Court for the Southern District of California, the Court was asked to review the District Court’s finding in favor of a labor union, Unite Here Local 30, and the dismissal of the Sycuan Band of Kumeyaay Indians’ counterclaim. The matter arose from a suit brought by the labor union to compel arbitration of its allegations that the Band violated the labor provision of the parties’ contract with respect to the operation of the Band’s casino. The Band filed a counterclaim, seeking a declaratory judgment to affirm that federal law preempted labor organizing provision of its gaming compact with the State of California. The provision at issue required the Band to maintain a Tribal Labor Relations Ordinance, which would set forth the parties’ agreement about specific labor rights for casino employees. Unite Here alleged that the Band violated the Ordinance by refusing its demands regarding its intent to organize the casino employees.

The District Court concluded that an arbitrator should decide issues of contract validity, and the counterclaim rested on an issue of contract validity. The Circuit Court, on review, found that Unite Here and the Band formed an agreement to arbitrate because the Band promised the State of California in its compact that if any union made certain promises to the tribe, the Band would automatically enter into a bilateral contract with that union adopting the Ordinance’s terms. Finding that a bilateral contract was formed and that no notice was provided to the State of California of the counterclaim, the Circuit Court affirmed the District Court’s ruling.

Approve the travel report - Councilman Kirby Metoxen - 2023 Wisconsin State Fair - West Allis, WI -...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilman Kirby Metoxen – 2023 WI State Fair-Travel Wisconsin- West Allis, WI – August 4-6, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: OBC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Kirby Metoxen, Councilman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Kirby Metoxen
Travel Event: 2023 WI State Fair-Travel Wisconsin
Travel Location: West Allis, WI
Departure Date: 08/04/2023 **Return Date:** 8/06/2023
Projected Cost: 500 **Actual Cost:** 322.50
Date Travel was Approved by OBC: 07/28/2023

Narrative/Background:

NATOW:

Councilman Metoxen is NATOW's President and Oneida Nation's representative and would tend to the NATOW's informational booth on Saturday, Aug. 5th. NATOW's mission is to promote tribal tourism and economic development, while highlighting the beauty, diversity and cultural dynamism of the 11 federally recognized tribes of Wisconsin. Tourism is the leading industry in tribal economies and plays a critical role in generating employment and revenues for essential governmental services for tribes and their members, including healthcare, housing, education, elder services, pre-K and more. By expanding their tourism initiatives throughout the state, region and nation, Wisconsin's tribes are scaffolding their efforts to be self-sufficient and boost their economies. NATOW is comprised of representatives from each tribe who meet bi-monthly to discuss and implement its strategic initiatives. As one of the largest tribal tourism organizations in the country, NATOW has grown to be a recognized force in Wisconsin at gatherings, festivals, and events.

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Approve travel report - Councilman Kirby Metoxen - 2023 WI State Fair-Travel Wisconsin - West Allis, WI - August 4-6 2023.



**State Fair August 3-13, 2023
Information and Logistics
Wisconsin Products Pavilion – Travel Wisconsin Booth**

Andrew Nussbaum - Wisconsin Department of Tourism/Travel Wisconsin - State Fair
Coordinator Andrew.Nussbaum@TravelWisconsin.com or call 715-299-5422

Arrival

- Your admission tickets and parking passes will be mailed to the main contact for your organization. Each destination will receive a maximum of 6 Admission Passes, 3 Parking Passes, and 2 Vendor Badges. Please fill out the attached order form and return it via email **NO LATER THAN Monday, July 17th**.
- Booth Location: *Wisconsin Products Pavilion* at *Wisconsin State Fair Park, 640 S. 84th St., West Allis, WI 53214* (See attached fairground map). The booth is located in the center of the building directly behind the main stage.
- **YOU WILL NOT BE ALLOWED TO DRIVE INTO THE FAIRGROUNDS to deliver guides prior to the open on the day you are scheduled to work as in the past.**

Options are available to make this transition more convenient:

- Tourism partners in the area may deliver items directly to the Wisconsin Products Pavilion on **Tuesday, July 25 or Thursday, July 27 from 10am-2pm** (Please contact Andrew Nussbaum to arrange time). Items will be stored in a secure area inside the building.
- Tourism partners may arrange for pick-up of materials at your office location the week of **July 17-21 by** contacting Andrew Nussbaum. All items will be stored in a secure area at the Wisconsin Products Pavilion.
- Items may be wheeled/carried into the fairgrounds from the parking area on your respective day at the fair between **9am and 10am** if you have received your Vendor Pass from Andrew.

Staffing the Booth

- Travel Wisconsin will not provide printed guides at this year's State Fair. This means that your local and regional guides and materials will be the only printed literature available to visitors this year. Please plan to distribute 400 of your guides each day. We suggest you keep an extra (200) in your vehicle should you run low on literature. **You are encouraged to bring bags to hand out so guests can carry your materials with them.**
- The hours of the pavilion are from 10am to 10pm every day (Sunday, Aug 13, 9pm). It's imperative that we staff the booth from open to close every day. Please plan to arrive with proper time needed to set up table/display (9am advised). Department of Tourism staff will have your materials behind the table for you upon arrival.

- We will once again have a booth design that encourages visitors to take pictures and enter to win a prize. We encourage you to bring props and cutouts that support your brand and destination for use in these photos during your day at the fair.



- Every person staffing the booth MUST review the Code of Conduct and Booth Guidelines document. Each person staffing the booth will be required to sign a form (located in the booth) stating that they reviewed and understand the guidelines. Please let us know if you have any questions about conduct in the booth.
- A Wisconsin Department of Tourism staff member will be available at the booth each day, typically from OPEN to CLOSE. The staff person will have the booth organized for the day and will provide all volunteers with guidelines for working the booth.
- There will be two industry partners staffing the booth each day. Each partner will have a designated space for their materials.
- **The ideal number of staff in the booth is 2 people per destination at any one time.** Please rotate staff in and out of the booth to maintain that number. We do not want to have the booth overstaffed or understaffed – so try to maintain the ideal number of four people in the booth at one time.
- Your destination / attraction logo branded apparel is preferred dress for the fair. Have your volunteers dress neatly, comfortably, and remind them that their behavior, appearance, and customer service skills are noted by customers.
- The building is well air conditioned. It is common that a fleece or sweater is required, especially at later hours.
- Food, beverages, and tables are available in the Products Pavilion. ***Please do not eat in the booth but rather find a table or use the storage room for eating your meals.***
- We have chairs in the booth for your comfort.
- We have a storeroom for excess materials and personal items. Feel free to use the storeroom as a quiet space during the fair.
- A hand cart is available to transport boxes if needed, please return it when finished.
- **Sales of merchandise and promotional materials is not allowed in the booth. Free (no cost to patron) items are allowed to be distributed. Stickers are not allowed to be distributed.**
- **Sign-up/registrations are allowed for future giveaways as long as no fee is associated with the registration. Official rules must be clearly posted for patrons and a copy of the official rules must be on file with the Department of Tourism prior to your specific scheduled day.**
- Please place all broken down boxes and cardboard in the storeroom. Tourism staff will remove the cardboard daily.

Stage Time

- Travel Wisconsin has arranged for our tourism partners to have the opportunity to promote their destinations on the stage daily. Presentations can be up to 30 minutes in length and may include giveaways. Please see Andrew for specific details.
- Stage time begins at 5pm (exceptions: Thursday, Aug 3, stage time is 12 noon; Saturday, Aug 12, no stage time)

General Pricing Information

- An invoice for \$250 for your daily participation fee will be emailed to the organization after the fair concludes. Please contact Andrew Nussbaum if you have any questions.

2023 Partner Daily Schedule

THUR	3	Waukesha County Tourism
THUR	3	Wisconsin Hotel & Lodging Association
FRI	4	Langlade County EDC
FRI	4	Visit Washington County
SAT	5	Great River Road
SAT	5	NATOW
SUN	6	OPEN
SUN	6	Bike Sparta
MON	7	Grant County Tourism Council
MON	7	West Bend EDC
TUES	8	Wisconsin Agricultural Tourism Assoc
TUES	8	Visit Wausau
WED	9	Wisconsin Rapids Area CVB
WED	9	Jefferson County Area Tourism
THUR	10	West Allis BID
THUR	10	Greater Green Bay Convention & Visitors Bureau
FRI	11	OPEN
FRI	11	Visit Milwaukee
SAT	12	Explore La Crosse
SAT	12	Tomahawk / Merrill Chambers
SUN	13	Mount Horeb Chamber of Commerce
SUN	13	Juneau County EDC Tourism

Approve the travel report - Councilman Kirby Metoxen - State Tribal Consultation Department of...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report - Councilman Kirby Metoxen -State Tribal Counsultation
Department of Agriculture, Trade and Consumer Protection (DATCP) & Tourism-
Madison, WI, Aug. 14-16, 2023

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

MIS

Gaming/Retail

Boards, Committees, or Commissions

Other: OBC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Kirby Metoxen, Councilman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Kirby Metoxen

Travel Event: State Tribal Consultation Dept. of Agriculture, Trade & Consumer Protection (DATCP) & Tourism

Travel Location: Madison, WI

Departure Date: 08/14/2023 **Return Date:** 08/16/2023

Projected Cost: 647.58 **Actual Cost:** 571.22

Date Travel was Approved by OBC: 08/02/2023

Narrative/Background:

Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) mission is to partner with all the citizens of Wisconsin to grow the economy by promoting quality food, healthy plants and animals, sound use of land and water resources, and a fair marketplace. Department of Workforce Development (DWD) efficiently delivers effective and inclusive services to meet Wisconsin's diverse workforce needs, and advocates for the protection and economic advancement of all Wisconsin workers, employers, and job seekers.

Item(s) Requiring Attention:

[Click here to enter text.](#)

Requested Action:

Approve travel report - Councilman Kirby Metoxen -State Tribal Consultation Department of Agriculture, Trade and Consumer Protection (DATCP) & Tourism- Madison, WI, Aug. 14-16, 2023



State of Wisconsin
Governor Tony Evers

Department of Agriculture, Trade and Consumer Protection
Secretary Randy Romanski

AGENDA

Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP) State-Tribal Consultation

Date: Tuesday, August 15, 2023

Time: 10:00 a.m. – 12:00 p.m.

Location: Wisconsin Housing and Economic Development Authority (WHEDA), 908 East Main Street,
Madison, WI 53703

Welcome and Introductions – Secretary Randy Romanski

DATCP Agency Overview – Secretary Randy Romanski

Round Table Discussion – Tribal Leaders and DATCP Leaders

Potential Topics from the Action Plan:

- Partner in Food Sovereignty Work in the Tribal Nations
- Prevent, Diagnose, and Control Animal Disease
- Share Economic Development Opportunities
- Ensure Tribal Nation Representation in Decision Making
- Collaborate with the Tribal Nations to Protect Consumers
- Initiate Additional Meetings with the Tribal Nations
- Collaborate to Protect Land and Water Resources

Summary and Next Steps – Ashley Andre, Policy Initiatives Advisor

Adjourn

Lunch



**2023 State-Tribal Consultation Meeting
Tuesday, August 15
1:00pm**

**WHEDA, Superior Room, First floor
908 E. Main Street, Suite 501
Madison, WI**

- Welcome
- Greetings and Introductions All
- Tribal Leader Updates Tribal Leaders
 - State of Tourism shared by each tribe
- Department of Tourism Updates Secretary Sayers
 - Leadership
 - Marketing
 - Public Relations
 - Industry Relations
 - Outdoor Recreation
- Discussion: How Tourism Can Support Tribes Tribal Leaders
- Summary and Next Steps
- Meeting Adjourn

Wisconsin Governor Tony Evers

Wisconsin Department of Tourism Secretary Anne Sayers

3219 West Beltline Hwy P.O. Box 8690 Madison, WI 53708-8690 Telephone: 608.266.2161 FAX: 608.266.3403

Department of Workforce Development
Secretary's Office
201 E. Washington Avenue
P.O. Box 7946
Madison, WI 53707
Telephone: (608) 266-3131
Fax: (608) 266-1784
Email: sec@dwd.wisconsin.gov



Tony Evers, Governor
Amy Pechacek, Secretary-designee

Agenda

Department of Workforce Development (DWD) Tribal Consultation Meeting
WHEDA Headquarters
908 E. Main St. Madison, WI 53703
Aug. 16, 2023

- 8:00 a.m. Breakfast (optional)
- 8:30 a.m. Welcome & Introductions -- Secretary-designee Amy Pechacek
- 8:45 a.m. DWD Agency Overview -- Secretary-designee Amy Pechacek
- 9:00 a.m. Round Table Discussion -- Tribal Leaders and DWD Leaders
Potential Topics:
 - Division of Employment and Training
 - Addressing workforce shortages
 - Apprenticeship programs
 - Business Services
 - Workforce data
 - Connections with regional Workforce Development Boards and Job Centers
 - Division of Vocational Rehabilitation
 - Services and engagement with Tribal organizations
 - Outreach, Communication, and Accessibility
 - Potential improvements to DWD's outreach to Tribal leadership, members, and employers
 - Preferred communication methods and cadence
 - Accessibility to other DWD programming
- 10:45 a.m. Summary and Next Steps --
Arielle Exner, Legislative and Tribal Liaison
- 11:00 a.m. Adjourn



**Department of Safety and Professional Services,
&
Department of Financial Institutions
State-Tribal Consultation Meeting**

Wednesday, August 16, 2023

11:00AM

Lunch will be served on site beginning at 12:00 noon

Welcome and Opening Remarks

Secretary-designee Dan Hereth & Secretary-designee
Cheryl Olson-Collins

Introductions

Topics from Tribes

-
-
-

Topics from Agencies

- DFI – Financial Literacy
- DSPS – MMA Regulation, Licensing

Review of follow-up items from this meeting

Adjourn

WHEDA Headquarters
908 E. Main Street, Madison, WI

Approve the travel report - Councilwoman Jennifer Webster - Administration for Children & Families Triba

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilwoman Jennifer Webster– Administration for Children & Families Tribal Advisory Committee (ACF-TAC) – June 12-16 2023.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: BC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input checked="" type="checkbox"/> Other: reimbursed | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster
Travel Event: Administration for Children & Families Tribal Advisory Committee (ACF-TAC)
Travel Location: Chiloquin, OR
Departure Date: 06/12/2023 **Return Date:** 06/16/2023
Projected Cost: 2155.50 **Actual Cost:** \$733.21 (Reimburse)
Date Travel was Approved by OBC: 12/28/2022

Narrative/Background:

The ACF-TAC primary purpose is to seek consensus, exchange views, share information, provide advice and/or recommendations and facilitate other interaction related to intergovernmental responsibilities and administration of ACF programs.

Of note we received updates from:

Office of Child Care, Office of Head Start, Office of Early Childhood Development, Office of Child Support services. Also and update from Administration for Native Americans (ANA), and included an session on MMIP: Increasing collaborations between Federal Agencies and Tribes to Address MMIP in Tribal Communities with a review of the ACF TAC MMIP Framework.

There was also a listening session for: Environmental Justice and Climate Change. Oneida also was able to share updates on the Tribal Advisory Committee's Strategic Plan. I have included the roster and agenda. Should you have any questions please contact me for more information.

All travel cost are reimbursed

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve travel report



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting
Klamath Tribes, Oregon**

Tuesday, June 13, 2023 | 8:30 am – 6:30 pm PST
Wednesday, June 14, 2023 | 8:30 am – 5:45 pm PST

All times are listed in Pacific Standard Time (PST)

The meeting will take place at goos oLgi gowa Center - 35601 Choke Cherry Way, Chiloquin, Oregon 97624

DAY 1 | TUESDAY, JUNE 13, 2023

- 8:30 AM Administration for Children and Families (ACF) Tribal Advisory Committee (TAC) Caucus – Closed session for Tribal Representatives** (45 minutes)
- 9:30 AM Opening Prayer/Blessing** (5 minutes)
Klamath Tribes Representative
- 9:35 AM Tribal Opening and Welcome** (40 minutes)
This session will acknowledge the Tribal lands, culture, and lifeways of the Klamath People; welcome TAC members and visitors joining to listen to the meeting; address the responsibilities of the ACF TAC; address ACF's commitment to working in partnership with sovereign Tribal nations; and welcome Tribal and Federal officials to the State of Oregon.
Klamath Drum Group
Clayton Dumont Jr., Chair, Klamath Tribes
Gail Hatcher, Vice Chair, Klamath Tribes and ACF TAC National Member
At Large
Leilonnie Wilson, Youth Council Chair
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
- 10:15 AM Roll Call of TAC Delegates** (5 minutes)
Helen Chacon
- 10:20 AM Opening Remarks** (10 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
January Contreras, Assistant Secretary, ACF
- 10:30 AM ACF TAC Business** (30 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
• Child Support Non-Federal Match Comment Deadline (5 minutes)
Amanda Barlow, Director, Office of Legislative Affairs and Budget, ACF
• ACF Budget – Updates Since April TAC Meeting (15 minutes)



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
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Klamath Tribes, Oregon**

Tuesday, June 13, 2023 | 8:30 am – 6:30 pm PST
Wednesday, June 14, 2023 | 8:30 am – 5:45 pm PST

- ✓ *Rebecca Jones-Gaston, Commissioner, Administration for Children, Youth and Families (ACYF), ACF*
• AFCARS – Updated Timeline of Completion (10 minutes)

TWS

- 11:00 AM Successful Collaboration: Klamath Tribes & Oregon State** (60 minutes)
This session will highlight the collaborative effort between the Klamath Tribes and the Oregon Department of Health Services to reduce child welfare caseloads involving Klamath Tribal families. (30 minutes)
George Lopez, General Manager, Klamath Tribes
Rebecca Jones-Gaston, Commissioner, ACYF, ACF
Peter Sprengelmeyer, Oregon Department of Human Services
Former State Director
- Discussion – Facilitated by ACF TAC Chair** (30 minutes)
- 12:00 PM LUNCH** (60 minutes)
- 1:00 PM Supporting Tribal Early Childhood Development** (80 minutes)
Katie Hamm, Deputy Assistant Secretary for Early Childhood Development, Office of Early Childhood Development (10 minutes)
Ruth Friedman, Director, Office of Child Care (10 minutes)
Khari Garvin, Director, Office of Head Start (10 minutes)
- Discussion – Facilitated by ACF TAC Chair** (50 minutes)
- 2:20 PM Travel time to Klamath Tribes Early Childhood Development Center** (5-minute drive) - 318 S Chiloquin Blvd, Chiloquin, OR 97624
- 2:30 PM Tribal Experience - Klamath Tribes Early Childhood Development Center** (45 minutes)
Jennifer Jackson, Director, Klamath Tribes Early Childhood Development Center
4:30 PM
John
- 3:15 PM Visit to Crater Lake** (1 hour drive time)
- 4:45 PM Importance of Crater Lake - Meet in lobby of Crater Lake Lodge**
Crater Lake National Park, 570 Rim Village Dr, Oregon 97604 (15 minutes)
- 5:00 PM Dinner – Crater Lake Lodge**



U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting
Klamath Tribes, Oregon

Tuesday, June 13, 2023 | 8:30 am – 6:30 pm PST
 Wednesday, June 14, 2023 | 8:30 am – 5:45 pm PST

DAY 2 | WEDNESDAY, JUNE 14, 2023

8:30 AM Opening and Review of the Day (15 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
January Contreras, Assistant Secretary, ACF
Gail Hatcher, Vice Chair, Klamath Tribes and ACF TAC NALM

8:45 AM ✓ Office of Child Support Services (30 minutes)
Tangler Gray, Commissioner, Office of Child Support Services

- Updates on OCSS Priorities (10 minutes), including:
 - Publication of the Notice of Proposed Rulemaking on Elimination of the Tribal Non-Federal Share Requirement
 - Human Centered Design Projects
 - Supporting Fathers and Furthering Employment
 - Proposed Regulation on Parentage Establishment
 - Name Change for the Office of Child Support Enforcement

Discussion – Facilitated by ACF TAC Chair (20 minutes)

9:15 AM Supporting Tribal Child Welfare (85 minutes)

- ✓ *Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair (5 minutes)*
- ✓ *January Contreras, Assistant Secretary, ACF (10 minutes)*
- ✓ *Rebecca Jones-Gaston, Commissioner, ACYF, ACF (10 minutes)*
- ✓ *Aysha Schomburg, Associate Commissioner, Children's Bureau (10 minutes)*
- ✓ *Patrice Kunesh, Commissioner, Administration for Native Americans (ANA) (10 minutes)*
- ✓ *David Simmons, Director of Government Affairs and Advocacy, NICWA (10 minutes)*

- This discussion will include a brief overview of the SCOTUS decision on *Brackeen v. Haaland* and an open dialogue on how Tribal governments and ACF will respond to decision.

Discussion – Facilitated by ACF TAC Chair (30 minutes)

10:40 AM Break (20 minutes)



U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting
Klamath Tribes, Oregon

Tuesday, June 13, 2023 | 8:30 am – 6:30 pm PST
 Wednesday, June 14, 2023 | 8:30 am – 5:45 pm PST

11:00 AM ✓ Update: Administration for Native Americans (30 minutes)
Patrice Kunesh, Commissioner, ANA (10 minutes)
Discussion – Facilitated by ACF TAC Chair (20 minutes)

Weed

11:30 AM ✓ LUNCH (60 minutes)

12:30 PM ✓ Intersectionality of Federal Agencies and Tribes in Responding to Missing and Murdered Indigenous Persons Crisis (5 minutes)
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
January Contreras, Assistant Secretary, ACF
Gail Hatcher, Vice Chair, Klamath Tribes and ACF TAC NALM

12:35 PM ✓ MMIP Session 1: The Memorial Wall (10 minutes)
 This session will include a presentation by Klamath Tribes to remember our loved ones who were victims. Participants are encouraged to bring an item (e.g. picture, special words or keepsake) to place at the Memorial Wall.
Kelli Campagna, Program Manager, Klamath Tribes Healing Winds

12:45 PM ✓ Opportunity to place items at the wall and time of reflection.

12:55 PM MMIP Session 2: Increasing Collaborations between Federal Agencies and Tribes to Address MMIP in Tribal Communities (75 minutes)
 Setting the Context: Klamath Tribes on the observed lack of collaboration and its effects on Tribal communities.

1. What is ACF's role in prevention, response/intervention, coordination with law enforcement, advocacy, recovery, healing, etc.?
2. How is ACF approaching MMIP work (i.e., funding opportunities, Tribal advisory groups, listening sessions)?

- ✓ *Christy David, Executive Director, Klamath Advocacy Center (10 minutes)*
- ✓ *Sandra Mosstler, Tribal Elder (10 minutes)*
- ✓ *Michelle Sauve, Executive Director/ICNAA and Intergovernmental Affairs Specialist, ANA (10 minutes)*
- Katherine Chon, Director, Office on Trafficking in Persons (10 minutes)*
- Miranda Carman, Tribal Program Manager, Office of Family Violence Prevention and Services (10 minutes)*

Discussion – Facilitated by ACF TAC Chair Discussion (20 minutes)



**U.S. Department of Health and Human Services (HHS)
Administration for Children and Families (ACF)
Triannual ACF Tribal Advisory Committee Meeting
Klamath Tribes, Oregon**
Tuesday, June 13, 2023 | 8:30 am – 6:30 pm PST
Wednesday, June 14, 2023 | 8:30 am – 5:45 pm PST

- Closing Prayer (5 minutes)**
Garrin Riddle Sr., Klamath Tribes
- 2:10 PM Break (20 minutes)**
- 2:30 PM MMIP Session 3: Review of ACF TAC MMIP Framework (15 minutes)**
This session will include a brief presentation on the current draft of the ACF MMIP Framework. ACF TAC Tribal Delegates will schedule work sessions in the next month to provide feedback to ACF.
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
January Contreras, Assistant Secretary, ACF
- 2:45 PM ACF Updates (30 minutes)**
- ✓ *Jeff Hild, Principal Deputy Assistant Secretary, ACF*
 - Update on Notice of Funding Opportunity Simplification
 - ✓ *Larry Handerhan, Chief of Staff, ACF*
 - Update on 477
 - ✓ *Ann Flagg, Director, Office of Family Assistance (OFA)*
 - ~~*Stef Koutstaal, Division Director, Tribal TANF Management and Regional Operations, OFA*~~
- 3:15 PM Listening Session – Environmental Justice and Climate Change (90 minutes)**
Natalie Grant, Office of Human Services Emergency Preparedness and Response
- 4:45 PM ACF TAC Strategic Plan, TAC Priorities, and Review of Recommendations (45 minutes)**
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
 - Summary of Work Session Tasks
 - Summary of Recommendations for Strategic Plan and Priorities
- 5:30 PM Closing Remarks (15 minutes)**
Loni Greninger, Vice Chair, Jamestown S'Klallam Tribe and ACF TAC Chair
January Contreras, Assistant Secretary, ACF
- 5:45 PM Meeting Adjourned**

Need

will do some zoom mtgs.

ACF TRIBAL ADVISORY COMMITTEE

ALASKA PRIMARY (12/2023)
Vivian Kourilua
Chief Executive Officer
Association of Village Council Presidents
Board Member, Alaska Federation of Natives

ALASKA ALTERNATE (12/2023)
Mary David
Executive Vice President, Kaweraq, Inc.

ALBUQUERQUE PRIMARY (12/2023)
VACANT

ALBUQUERQUE ALTERNATE (12/2023)
VACANT

DEQUOI PRIMARY (12/2023)
Jennifer Webster
Councilwoman Onida Nation of Wisconsin

DEQUOI ALTERNATE (12/2023)
Michael McKenzie
Tribal Board of Directors
Member Smith's Lake Tribe

NASHVILLE PRIMARY (12/2023)
VACANT
Deanna Smith

NASHVILLE ALTERNATE (12/2023)
James Craig III
Council Member, Tunica-Bilal Tribe

NAVAJO PRIMARY (12/2023)
Rita Nygren
President, Navajo Nation

NAVAJO ALTERNATE (12/2023)
Thomas Cody
Executive Director, Navajo Nation
Division of Social Services

OKLAHOMA PRIMARY (12/2023)
Senya K. Diggs
Senior Policy Analyst
Cherokee Nation, Office of Self-Governance

OKLAHOMA ALTERNATE (12/2023)
Katie Nichols
Director, Office of Self-Governance
Citizen Potawatomi Tribal Nation

ACF TRIBAL ADVISORY COMMITTEE

ACF TRIBAL ADVISORY COMMITTEE

BILLINGS PRIMARY (12/2023)
Lee Spennhauer
Councilman, Northern Arapaho
Business Council

BILLINGS ALTERNATE (12/2023)
VACANT

CALIFORNIA PRIMARY (12/2023)
Dorothy L. Wall
Councilwoman, Toiyabe Nat'l. Mon.

CALIFORNIA ALTERNATE (12/2023)
Alice Longtin-Sloan
HHSA Director, Cahito Tribe

GREAT PLAINS PRIMARY (12/2023)
Janet Akhre
Chairwoman, Standing Rock Sioux
Tribe

GREAT PLAINS ALTERNATE (12/2023)
Caleb Spotted Tail
Program Director
Child Care Services Program
Rosebud Sioux Tribe

PHOENIX PRIMARY (12/2023)
VACANT

PHOENIX ALTERNATE (12/2023)
VACANT

PORTLAND PRIMARY (12/2023)
Jeremy Sullivan
Chairman Port Gamble S'Klallam Tribe

PORTLAND ALTERNATE (12/2023)
Loni Greninger, ACF TAC CHAIR
Vice Chair Jamestown S'Klallam Tribal Council

NATIONAL AT LARGE PRIMARY (12/2023)
Lorraine Gouff
Vice Chair Lac Courte Oreille Tribal
Governing Board

NATIONAL AT LARGE ALTERNATE (12/2023)
Whitney Jones
Executive Director
South Puget Intertribal Planning Agency

ACF TRIBAL ADVISORY COMMITTEE

Approve the travel report - Councilwoman Jennifer Webster - 2023 Tribal Self-Governance Conference -..

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilwoman Jennifer Webster– Tribal Self Governance Conference 2023- Tulsa, OK – June 26-30 2023.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: BC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster

Travel Event: Tribal Self Governance Conference 2023

Travel Location: Tulsa, OK

Departure Date: 06/26/2023 Return Date: 06/30/2023

Projected Cost: 3133.90 Actual Cost: \$2,380.01

Date Travel was Approved by OBC: 02/23/2023

Narrative/Background:

The 2023 Self Governance Conference was held in Tulsa, OK and was an opportunity for tribes to utilize mechanisms for tribal governments to use, to take over the administration of Federal programs and how tribal governments can implement or enhance Self Governance. We also receive updates on leading practices for program administration and the success that Tribal Nations experience thru Self Governance agreements and expanded Self Government opportunities.

The Oneida team also had the opportunity to meet in person with our negotiator Matt Kallappa and Tammi Poitra from BIA who are working on our BIA/DOI Compact & Funding Agreement Negotiations to foster that relationship.

Oneida also presented on the panel: "Incorporating Indigenous Food into Food Distribution Programs". Presenters were myself, Gary Besaw and Vanessa Miller explaining our partnership and success with our Food Distribution Program.

I've included the agenda, should you have any questions please contact me.

All travel cost are funded by Self Governance.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve travel report



Conference Agenda

SUNDAY, JUNE 25

- 2 - 7p **Registration Open**
Sales Foyer
- 5 - 6p **Speaker/Host/Moderator Orientation**
Meeting Room 2

MONDAY, JUNE 26

- 7a **Registration Opens**
Sales Foyer
- 8a **Tribal Leaders & Self-Governance Professionals Networking Breakfast**
Ballroom 4
- An opportunity for Tribal leaders and officials to learn about the IHS Tribal Self-Governance Advisory Committee (TSGAC), the DOI Self-Governance Advisory Committee (SGAC), and the Self-Governance Communication & Education Tribal Consortium (SGCETC); build networks and a community of support; and discuss experiences and identify shared challenges.
- Candice Skenandore, Self-Governance/Grants Director, Mohegan Tribe of Connecticut
Jennifer McLaughlin, Self-Governance Legislative Associate, Jamestown S'Klallam Tribe
Jay Spaan, Executive Director, Self-Governance Communication & Education Tribal Consortium
- 9:30a **Meet Federal Partners in Self-Governance and Self-Determination**
Ballroom 3

The U.S. National Science Foundation (NSF) is an independent federal agency that supports science and engineering. NSF is committed to improving accessibility to NSF's tribal programs and expanding NSF's reach to Tribal Nations. This discussion will focus on funding opportunities for Tribal Nations and learning more about the NSF.

Sandra Richardson, Ph. D., Section Head, National Science Foundation

10:45a **Listening Session and Discussion: Veteran Affairs' Native Reimbursement Agreement Program – Lower 48 States THPs**
Ballroom 2

The VA/Indian Health Service/Tribal Health Programs (THP)/Urban Indian Organization (UIO) Reimbursement Agreements Program provides VA reimbursement to IHS, THP and UIO health facilities for services provided to eligible American Indian and Alaska Native Veterans. Eligible Veterans do not need VA preauthorization to receive health care services at IHS, THP and UIO health facilities. This discussion will focus on a new enhanced Agreement template for THPs in the lower 48 states. VA is working separately with Alaska THPs and IHS and this discussion will only focus on the lower 48 states THP template.

Hilary Peabody, Deputy Assistant Undersecretary of Health for Integrated Veterans Care
Kara Hawthorne, Manager, VA-Native Reimbursement Agreement Program, Department of Veterans Affairs

P. Benjamin Smith, Deputy Director, Indian Health Service
Capt. John Rael, Director, Office of Resource Access and Partnerships, Indian Health Service

Moderator:

Melanie Fourkiller, Director of Self-Governance, Choctaw Nation of Oklahoma
Nickolaus Lewis, Councilmember, Lummi Nation

10:45a **IHS Agency Lead Negotiator Meeting**
Ballroom 3

11a – 5p **DOD/USDA Partners Meeting**
Meeting Room 1

12p **Lunch Break (on your own)**

Plenary Session
The Cove

1p **Posting of the Colors**
Este Cate Hoktvke Suletaw, Muscogee Nation Women Warriors Honor Guard

Opening Prayer
Del Beaver, Second Chief, Muscogee (Creek) Nation

Native Praise Performance

- 2:30p **For Our People: Stories of Tribal Self-Governance & Sovereignty**
For Our People, Stories of Tribal Self-Governance & Sovereignty, is a docuseries dedicated to sharing stories that demonstrate Tribal Nations' success and innovation improving the health and wellbeing of their citizens, culture, and communities.
- Segment: Ak-Chin Indian Community – Securing Access to Water*
- 2:40p **Protecting Sovereignty: Discussions on Recent Court Rulings and Implementation of Decisions, Panel I**
 Judicial decisions have a significant influence on the sovereignty of Tribal Nations. The McGirt decision was a landmark ruling by the United States Supreme Court in July 2020 that affirmed the legal jurisdiction of the Muscogee (Creek) Nation in eastern Oklahoma. The ruling stated that Congress never explicitly disestablished the Muscogee (Creek) Nation reservation in Oklahoma and thus the state of Oklahoma did not have jurisdiction to prosecute certain crimes committed by Native Americans within its borders. The decision reaffirmed the sovereignty of Tribal Nations. The McGirt decision also opened the door for other Tribal Nations to challenge state jurisdiction over their lands.
- Sarah Hill, Attorney General, Cherokee Nation
 Geri Wisner, Attorney General, Muscogee (Creek) Nation
 Robert Miller, Professor of Law, Sandra Day O'Connor School of Law, ASU
- Host:
 Jennifer Loren, Executive Producer/Host of OsiyoTV and Sr. Director of Cherokee Film
 Jason Salsman, Press Secretary, Muscogee (Creek) Nation
- 3:15p **Protecting Sovereignty: Discussions on Recent Court Rulings and Implementation of Decisions, Panel II**
 The Mille Lacs Band of Ojibwe Indians filed a federal lawsuit against Mille Lacs county, asking the court to declare that Tribal officers can investigate violations of Federal, State and Tribal law on the Mille Lacs reservation and prohibit the county from interfering. In 2023, the U.S. District Court found the county "improperly limited the Tribe's inherent law enforcement authority" to the land held in trust, when its territory includes all land within the reservation.
- The Supreme Court is currently considering whether the Indian Child Welfare Act's provisions that give Tribal Nations a role in child custody proceedings and prioritize the placement of Native American children with Native American families are constitutional. The decision is expected to have significant implications for the sovereignty of Tribal Nations and the protection of Native American children in child welfare proceedings.
- Caleb Dogeagle, Solicitor General, Mille Lacs Band of Ojibwe Indians
 David Simmons, Director of Government Affairs & Advocacy, National Indian Child Welfare Association
- Hosts:
 Jennifer Loren, Executive Producer/Host of OsiyoTV and Sr. Director of Cherokee Film
 Jason Salsman, Press Secretary, Muscogee (Creek) Nation

TUESDAY, JUNE 27

- 9a – 5p **Food Distribution Program for Indian Reservations Meeting & Commodity Supplemental Food Program Consultation**
 Main Training Rooms 1&2
- Plenary Session**
The Cove
- 9a **Opening Prayer**
 TBA
- 9:05a **Discussion with Indian Health Service, Indian Affairs, and Department of Transportation Leadership**
 The Director of the Indian Health Services, the Assistant Secretary of Indian Affairs at the Department of the Interior, and the Assistant Secretary for Tribal Affairs at the Department of Transportation will provide updates on federal initiatives and activities, and implementation of federal programs that serve Tribal Nations and their citizens.
- Roselyn Tso, Director, Indian Health Service
 Bryan Newland, Assistant Secretary - Indian Affairs, Department of the Interior
 Arlando Teller, Assistant Secretary for Tribal Affairs, Department of Transportation
- Hosts:
 W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe
 Chris Anoatubby, Lieutenant Governor, Chickasaw Nation
- 10a **For Our People: Stories of Tribal Self-Governance & Sovereignty**
For Our People, Stories of Tribal Self-Governance & Sovereignty, is a docuseries dedicated to sharing stories that demonstrate Tribal Nations' success and innovation improving the health and wellbeing of their citizens, culture, and communities.
- Segment: A Dance of Healing – Scott Siquah, 2023 World Hoop Dance Champion*
- 10:05a **Discussion with Federal Partners in Self-Governance**
 At the request of a Tribal Nation, the Department of the Interior, Indian Health Service and the Department of Transportation have authority to negotiate Self-Governance compacts that enable the agencies to transfer federal resources and administration of select federal programs to Tribal governments. Learn more about recent initiatives and activities from the offices that administer Self-Governance authority within each of these agencies.
- Jennifer Cooper, Director, OTSG, Indian Health Service
 Sharee Freeman, Director, OSG, Department of the Interior
 Eldridge Onco, Sr. Tribal Affairs Advisor, Department of Transportation

Melanie Fourkiller, Director of Self-Governance, Choctaw Nation of Oklahoma

12p

Tribal Co-Management of Federal Lands

In 2021, USDA and DOI signed Joint Secretarial Order 3403, committing to Tribal co-stewardship, including through written co-stewardship agreements with Tribal Nations. The Order recognizes that federal lands were previously owned and managed by Indian Tribes and that these lands and waters contain cultural and natural resources of significance and value to Indian Tribes and their citizens. The Order directs agencies to increase opportunities for Tribal Nations to participate in their traditional stewardship of present-day federal lands and waters and the integration of thousands of years of Indigenous knowledge and sustainability practices into federal management and operations, subject to the interest of each Tribal Nation.

Panelist:

Samuel Kohn, Senior Counselor to the Assistant Secretary – Indian Affairs, DOI

Hosts:

W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe
Nickolaus Lewis, Councilmember, Lummi Nation

12:30p

Lunch Break (on your own)

1:30– 2:45p

Breakout Sessions

Self-Determination and Self-Governance in the 2023 Farm Bill

Ballroom 1

Indian Country received more funding through U.S. Department of Agriculture (USDA) programs than any federal agency in fiscal year 2022. While USDA is currently limited in its Self-Determination and Self-Governance authority, Tribal governments can elect to assume greater control over agriculture and forestry operations. Join this session to learn how the 2023 Farm Bill can expand and enhance Self-Determination and Self-Governance authority.

Carly Griffith Hotvedt, Associate Director Indigenous Food and Agriculture Initiative, University of Arkansas School of Law, Native Farm Bill Coalition
Abi Fain, Director of Policy and Government Relations, Intertribal Agriculture Council, Native Farm Bill Coalition
Phillip Baker-Shenk, Holland & Knight LLP

Moderator:

Jennifer McLaughlin, Self-Governance Legislative Associate, Jamestown S'Klallam Tribe

Calculating Tribal Shares and Identifying Inherently Federal Functions

Ballroom 2

The Indian Self-Determination and Education Assistance Act provides that Tribal governments who decide to administer federal programs using Self-Governance authority are to receive the same funds (tribal shares) that would have been provided had the federal government operated the programs. Generally, the amount of funds available to Tribal governments equals the total amount of funds the federal agency used to operate a program minus residual

Ballroom 1

The IHS Tribal Self-Governance Advisory Committee receives funding to provide outreach, education, technical, research, and analytical support to Tribal Nations on the ACA/IHCA. Join this session for an overview of resources that are available for Tribal Nations, discuss ways to increase third party revenues (Medicare/ Medicaid/ Other Resources), and to learn more about Tribal Sponsorship opportunities.

Presenters:

Cyndi Ferguson, Self-Governance Specialist, SENSE Incorporated
Elliott Milhollin, Partner, Hobbs, Straus, Dean and Walker
Betsy Barron, TSGAC Project Intern

Tribal Consultation: Non-BIA PSFAs

Ballroom 3

Presenters:

Kelly Titensor, Bureau of Reclamation
Eldred Lesansee, Associate Deputy Director, Appraisal and Valuation Services Office
Byron Loosle, Bureau of Land Management
Dorothy Firecloud, National Park Service
Scott Aikin, Fish and Wildlife Service
Jason Bruno, Bureau of Trust Funds Administration
Elizabeth Shollenberger, Bureau of Trust Funds Administration

Moderator:

Vickie Hanvey, Program Policy Analyst, Office of Self-Governance, DOI

Office of Indian Energy and Economic Development's Electrification Program

Ballroom 4

The Inflation Reduction Act authorized the Department of Interior to create a Tribal Electrification Program intended to increase the number of Tribal homes with zero emission electricity. DOI was provided \$150 million to distribute to Tribal Nations through this program. Join this session to learn more about the Tribal Electrification Program.

Presenter:

Sean Henderson, Infrastructure and Economic Development Coordinator, Office of Indian Economic Development

Moderator:

Travis Jansen, Deputy Director, SGCETC

Tribal Trust Evaluations

Ballroom 2

The Bureau of Trust Funds Administration (BTFA) will present an overview of the trust evaluation process for tribes that compact trust programs. This session will cover recent changes, updates to the process, and how the trust evaluation feedback can help tribes improve trust operations.

Presenters:

Training on Pay Costs Data*Ballroom 2*

What is pay cost? What determines the amount of pay cost a Tribal government receives? What Tribal data is necessary? How does the absence of data impact Federal pay costs funding for Tribal governments? This session will answer these and many more questions about funding and pay cost data.

Melissa Fortney, Budget Analyst, Office of Budget and Performance Management, BIA
Jeannine Brooks, Office of Budget and Performance Management, BIA

Moderator:

Jennifer McLaughlin, Jamestown S'Klallam Tribe

Oklahoma Indian Child Welfare Association & Data Sovereignty*Ballroom 1*

This session will provide an update on OICWA, with a focus on how Tribal sovereignty can be protected and promoted in the face of ongoing challenges. The session will also touch on current Tribal partnerships grants, Tribal best practices and the increasing need to expand Indigenous data governance and sovereignty as it correlates to advocacy of Tribal self-determination.

Te'Ata Loper, Executive Director, Oklahoma Indian Child Welfare Association

Moderator:

Jessica Imotichey, Chickasaw Nation

Using a Section 105(l) Lease Agreement to Help Address Infrastructure Needs*Ballroom 3*

Section 105(l) of the Indian Self-Determination and Education Assistance Act allows Tribal Nations and Tribal organizations to be compensated for costs incurred while carrying out select federal programs, services, functions, and activities administered under Self-Governance agreements at Tribal facilities. Join this session to learn more about Section 105(l) authority.

Judith Wilson, Director, Office of Facilities, Property and Safety Management, BIA
Jillian Curtis, Chief Financial Officer, IHS

Moderator:

Ashawna Miles, Self-Governance Director, Cherokee Nation

Economic Development and Tribal Partnerships*Meeting Rooms 1&2*Presenters:

Zechariah Harjo, Secretary of the Nation and Commerce, Muscogee (Creek) Nation
Cory Box, Mayor, City of Jenks, Oklahoma

**Incorporating Indigenous Food into Food Distribution Programs***Ballroom 3*

Menominee Indian Tribe and Oneida Nation successfully incorporated Indigenous foods into their Food Distribution Program because of authority offered through the FDIR Self-Determination Project. Join this session to learn of their experiences with the project, positive impacts on their communities and food systems, lessons learned, and how attendees can support efforts to permanently expand this program nationwide.

Panelists:

Jennifer Webster, Councilmember, Oneida Nation
Gary Besaw, Director of Agriculture and Food Systems, Menominee Tribe of Indians
Vanessa Miller, Food and Agriculture Area Manager, Oneida Nation

Moderator:

Candice Skenandore, Self-Governance/Grants Director, Mohegan Tribe of Connecticut

Self-Governance for Finance Professionals: Understanding Reprogramming Authority, Accountability, and Reporting Requirements*Ballroom 4*Panel I:

Linda Austin, COO, Ysleta Del Sur Pueblo
Kasie Nichols, Director, Citizen Potawatomi Nation

Panel II:

Rufina Villicana, Office of Self-Governance, DOI

Moderator:

Terra Branson-Thomas, Senior Policy Advisor, Clause Law P.L.L.C.

11:45a **Lunch (on your own)**

Plenary Session*The Cove*

1p

Discussion with the U.S. Department of Treasury

The US Treasurer plays a crucial role in managing the US government's finances, promoting financial education and literacy, and advocating for policies that promote economic growth and stability, including policies that address the unique challenges experienced by Tribal governments. For instance, dual taxation on Tribal lands (i.e., taxes levied by both state and Tribal governments on the same persons, properties, or transactions) inhibits Tribal economic development and economic sustainability because it diverts tax revenue from Tribes to non-Tribal governments and deters private sector capital investment in Indian country. The Treasury Tribal Advisory Committee (TTAC) issued a report in 2021 that documented the effects of dual taxation and provided recommendations for federal partners. In 2022, President Biden appointed the first Native American, Chief Lynn Malerba,

3:00p **For Our People: Stories of Tribal Self-Governance & Sovereignty**
For Our People, Stories of Tribal Self-Governance & Sovereignty, is a docuseries dedicated to sharing stories that demonstrate Tribal Nations' success and innovation administering governmental programs and taking actions that improve the health and wellbeing of their citizens, culture, and communities.

Segment: Turtle Mountain Band of Chippewa Indians - Greyson's Initiative

3:10p **The Greyson Initiative: Increasing Organ and Tissue Donation in Tribal Communities**
 Greyson Parisien's time on earth was short but his impact on Indian Country will be monumental and long-lasting. Greyson's difficult journey to correct an irregular heart led to the Turtle Mountain Band of Chippewa Indians becoming the first Tribal Nation to include organ and tissue donation designation on its Tribal IDs.

Jamie Azure, Chairman, Turtle Mountain Band of Chippewa Indians
 Joan Azure, Turtle Mountain Band of Chippewa Indians

Host:
 Jennifer Loren, Executive Producer/Host of OsiyoTV and Sr. Director of Cherokee Film

3:30p **Discussion with the Office of Management & Budget (OMB)**
 The OMB plays a crucial role in the budget process and management of federal programs. It is responsible for developing the President's budget proposal to Congress. This involves working with federal agencies to develop budget requests and making decisions on how federal resources should be allocated. OMB is also responsible for tracking the implementation of the President's budget proposals and reviewing and approving regulations proposed by federal agencies.

Elizabeth Carr, Tribal Advisor to the Director, Office of Management and Budget

Hosts:
 W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe
 Cheryl Andrews-Maltais, Chairwoman, Wampanoag Tribe of Gay Head Aquinnah

4:00p **Tribal Self-Regulation of Gaming Operations**
 Tribal self-regulation is an innovative and logical approach when gaming is conducted pursuant to Secretarial procedures instead of a Tribal-State gaming compact. Self-regulation directly promotes Tribal sovereignty by vesting primary authority for the regulation of gaming with the Tribe. Self-regulation applies for both Class II and Class III gaming. The flexibilities found in NIGC regulations also exist in the Indian Gaming Regulatory Act which provides for a multijurisdictional regulatory framework (federal, state and Tribal) that recognizes the inherent sovereignty of Tribes.

Jeannie Hovland, Vice Chair/ Director of the Office of Self-Regulation, National Indian Gaming Commission
 Kathy Clenney, Executive Director, Barona Gaming Commission

Host:
 Robert Miguel, Chairman, Ak-Chin Indian Community
 W. Ron Allen, Tribal Chairman/CEO, Jamestown S'Klallam Tribe

On November 15, 2022, the Cherokee Nation opened its Durbin Feeling Language Center, named after Durbin Feeling who was known for being the single-largest contributor to the Cherokee language since Sequoyah. The 52,000 sq ft facility houses the entire Cherokee Nation Language Department that includes the Cherokee Immersion Charter School, the Cherokee Language Master Apprentice Program, and the Cherokee translation, language technology, curriculum development, and community language departments. Visit some of the facility's 17 classrooms, a library, archive room, gymnasium, playground, cafeteria, and office space and learn more about the Cherokee Nation's work to preserve the Cherokee language and reach their goal to expand Cherokee speakers.

Muscogee (Creek) Nation's Council Oak Health Care Facility

Shuttle Departs – 1p
Estimated Return - 3:30p

Council Oak first opened in August 2021. The 20-acre campus comprises 336,385 square feet of health care facilities including inpatient and outpatient accommodations. It includes a 30,386-square-foot medical office building and about 40 hotel rooms that are being remodeled to better accommodate family members and patients with added amenities for longer stays. The focus is on helping tribal citizens with urogynecology, pulmonology, an HIV and hepatitis clinic, a diabetes clinic, a surgery center and a neurology clinic focusing on general neurology, stroke prevention, and post-stroke treatment. There's also a hospice wing with a negative pressure room for those who want to be close to their loved one without sharing the same air. The hospital also has some of the best technology in the region for helping find a problem and then treat it-- with a 512-slice CT machine and a DaVinci Robot for the surgery suites.

Cherokee Nation Film Studio

Shuttle Departs – 1p
Estimated Return – 3p

Cherokee Nation Film Office launched in 2019 and became the first certified Native American film commission to open in the United States. The Cherokee Nation Film Studio creates and maintains unique, all-inclusive talent, crew and consulting online directories featuring Native American actors, extras, voice actors, crew, cultural experts, and other industry resources. In early 2022, Cherokee Nation and its businesses launched a powerful economic tool within the Tribe's reservation and expanded its effort to help grow the film and television industries in Oklahoma when Cherokee Nation Film Office became the first tribal film commission to offer an annual \$1 million film incentive for productions filmed within its Tribe's boundaries. The Cherokee Nation Film Office assists filmmakers worldwide who are looking to film within the Cherokee Nation and to accurately portray the lives of Native Americans in film and television. They are driven to expand the presence of Natives in the film and television industries both in front of and behind the camera.

Join us on a tour of the Cherokee Nation Film studio, a 27,000 sq ft facility, that houses the sound stage, edit suites, control room, pro-grade audio booth, crew and cast lounges, and hair and makeup rooms.

Chickasaw Nation Medical Center

Shuttle Departs - 8:30a
Estimated Return - 3p

In 1980, the Carl Albert Indian Health Facility was opened, bringing healthcare to Native people living in Ada and surrounding communities. The facility was built to serve about 20,000 patients annually; however, the facility saw over 10 times that estimation resulting in long wait times and overcrowding.

Moderator:

Candice Skenandore, Self-Governance/Grants Director, Mohegan Tribe of Connecticut

Unwinding Medicaid

Meeting Rooms 1&2

This break-out session will include a discussion with Tribal and Federal representations surrounding the current status and activities that Tribal Nations and States are engaging in to prepare for and operationalize the unwinding of the continuous coverage requirement to minimize coverage losses. States are on different timelines for initiating Medicaid eligibility redeterminations following the end of the continuous coverage requirement on March 31, 2023 and therefore in different stages of the process.

Yvonne Myers, ACA/Medicaid Consultant, Citizen Potawatomi Health Services
Elliott Milhollin, Partner, Hobbs, Straus, Dean and Walker

Moderator:

Cyndi Ferguson, Self-Governance Specialist, SENSE Incorporated

Contract Support Costs 101

Ballroom 4

Vickie Hanvey, Program Policy Analyst, Office of Self-Governance, DOI
Johnnita Tsabetsaye, IHS Director, Division of Contract Support Costs

Moderator:

Terra Branson-Thomas, Senior Policy Advisor, Clause Law P.L.L.C.

10:15a **Break**

10:30 – 11:45a **Breakout Sessions**

Administering Tribal Appraisal Programs Through a Self-Governance Agreement: Understanding AVSO's Workload-Based Formula

Meeting Rooms 1&2

Some Tribal Nations have taken over the responsibility of carrying out the Real Estate Appraisal Services program through their Title IV Self-Governance agreements and have negotiated Memorandums of Understanding with the Appraisal and Valuation Services Office (AVSO) to identify the coordination, implementation, duties, and responsibilities of the Tribe and AVSO in the operation of the Real Estate Appraisal Program. This session will provide a better understanding of AVSO's workload-based formula which was established in 2011 by a Tribal-Federal workgroup and approved by the Special Trustee for American Indians.

Eldred Lesansee, Associate Deputy Director, Appraisal and Valuation Services Office

Ballroom 1

Over the years, Tribal and federal representatives have often wrestled with whether or not FACA applies to meetings between federal officials and Tribal leaders and their appointees. This session will include experts who will discuss whether and how FACA applies to federal meetings with Tribal leaders, and it will offer alternative ways that Tribal Nations can think about approaching FACA applicability to meetings in the future. The goal of this session is to empower Tribal leaders with information on current law so that Federal agencies receive more meaningful input from Indian Country.

Presenters:

Elliott Milhollin, Partner, Hobbs, Straus, Dean and Walker

Moderator:

A.C. Locklear, Director, Federal Relations, NIHB

Approve the travel report - Councilwoman Jennifer Webster - National Tribal Opioid Summit - Seattle, WA

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilwoman Jennifer Webster– National Tribal Opioid Summit – Seattle, WA – August 22-24 2023.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: BC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster

Travel Event: National Tribal Opioid Summit

Travel Location: Seattle, WA

Departure Date: 08/22/2023 Return Date: 08/24/2023

Projected Cost: 2235.00 Actual Cost: 1717.870

Date Travel was Approved by OBC: 08/02/2023

Narrative/Background:

On July 17, 2023 I was invited by the Northwest Portland Area Indian Health Board to attend and present at the 2023 National Tribal Opioid Summit on August 22-24, 2023. Due to Oneida's inauguration scheduled for Friday August 25, I only attended Aug. 23 conference day and facilitated " Best Practices to Access, Own and Protect Tribal AI/AN MH and SUD Data" and returned on August 24. There was more than 1000 people in attendance and plans are underway to continue the conference yearly due to the overwhelming response. Tribal leaders led discussions with federal representatives in four different tracks:

- Culturally-Specific Prevention Initiatives
- Culturally-Specific Care, Treatment and Support Services
- Tribal Data
- Law & Justice

I've included the Agenda and specific tracks for your reference.

With this being the 1st National Tribal Opioid Summit with plans for a yearly summit I'd like to suggest Oneida send our TAP staff to participate in this conference.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report.

NP...
 Portland
 Health
 Board
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2023 NATIONAL TRIBAL OPIOID SUMMIT



NTOS

HEALING OUR NATIONS TOGETHER

AGENDA AT-A-GLANCE

As of August 13, 2023

PRE-CONFERENCE

Monday, August 21, 2023

5:30 PM - 7:30 PM	Focus Group: People with Lived Experiences
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DAY 1: OUR STORIES [ISSUES & CHALLENGES]

Tuesday, August 22, 2023

8:00 AM – 5:00 PM	REGISTRATION
8:00 AM – 5:00 PM	TALKING CIRCLES & CRISIS COUNSELORS (2nd Floor)
7:30 AM- 8:30 AM	TRIBAL CAUCUS
8:00AM- 8:45 AM	ELDERS & BHA STUDENTS PRE-MEETING CHECK IN In the Cabaret
9:00 AM – 12:00 PM	PLENARY SESSION Opening Prayer Welcome Remarks Overview of the 2023 National Tribal Opioid Summit Agenda Goals of Summit and Outcomes / Today's Focus on <i>Our Stories</i> Panel: We Must Work Together to Address this Crisis

1

WORKING DRAFT (Week of August 13, 2023)

12:00 PM- 1:00PM	LUNCH			
	TRACKS			
	DAY 1: ISSUES, CHALLENGES, PROBLEMS			
Tracks	PREVENTION	CARE & SUPPORT SERVICES	DATA	LAW & JUSTICE
Audience	FOR TRIBAL LEADERS, PROVIDERS, ELDERS/KNOWLEDGE KEEPERS, BHA STUDENTS, COMMUNITY MEMBERS & YOUTH	FOR TRIBAL LEADERS, PROVIDERS, ELDERS/KNOWLEDGE KEEPERS, BHA STUDENTS & YOUTH	FOR TRIBAL LEADERS, HEALTH DIRECTORS, PUBLIC HEALTH OFFICIALS, TRIBAL LEADERS	FOR TRIBAL LEADERS, TRIBAL POLICY MAKERS, LAW ENFORCEMENT, COMMUNITY MEMBERS
Focus	Includes education and awareness; harm reduction; cultural practices	Includes access to care, treatment, recovery support, housing; tribal and culturally based practices & interventions	Includes tribal data sovereignty as to federal and state databases; and access to data for community response	Includes tribal, state and federal opioid laws and policies and law enforcement issues
1:00 PM- 2:45 PM	Addressing Barriers to Opioid Overdose Prevention Efforts	Trauma and Addictions; Intersections of Trauma Covid 19 and Fentanyl	Tribal Data Sovereignty in Federal and State Data – Are You Able to Access Opioid and Mental Health Data?	Legal Framework Impacting Opioid Users and Tribal Response
2:45 PM- 3:00 PM	BREAK			
	PREVENTION	CARE & SUPPORT SERVICES	DATA	LAW & JUSTICE
3:00 PM- 4:45PM	Culture as Primary Prevention	Overview of Treatment Centers Across Indian Country & Services Provided	Barriers to Tribal and Community Data Collection	Tribal Opioid Litigation Settlement
4:45PM- 5:00PM	PLENARY – GROUP WELLNESS ACTIVITY			
5:30 PM 8:00 PM	Elders and Knowledge Keepers Story Weaving Re Strategic Agenda Session 1 by invite only			
6:00 PM 7:30 PM	IHS COIPP Annual Convening By Invite Only			
6:00 PM 7:30 PM	Tribal Opioid Response Meeting By Invite Only			

2

WORKING DRAFT (Week of August 13, 2023)
DAY 2: OUR SOLUTIONS [BEST PRACTICES]
 Wednesday, August 23, 2023

8:00 AM – 5:00 PM	REGISTRATION			
8:00 AM – 5:00 PM	TALKING CIRCLES & WELLNESS SUPPORT			
7:30 AM- 8:45 AM	ELDERS/BHA CHECK-IN			
7:30 AM – 8:30 AM	TRIBAL CAUCUS			
9:00 AM – 12:00 PM	PLENARY SESSION Opening Prayer Tulalip Tribes Welcome Remarks Panel: What Worked For Us in Our Recovery			
12:00 PM- 1:00 PM	LUNCH			
	TRACKS DAY 2: OUR SOLUTIONS			
	PREVENTION	CARE & SUPPORT SERVICES	DATA	LAW & JUSTICE
1:00 PM- 2:45 PM	Tribal Based Practices	Social Determinants of Health as a SUD Intervention	Best Practices to Access, Own and Protect Tribal and AI/AN MH and SUD Data	Pregnant People and Drugs: Welcoming in the Womb
2:45 PM- 3:00 PM	BREAK			
	PREVENTION	CARE & SUPPORT SERVICES	DATA	LAW & JUSTICE
3:00 PM- 4:30 PM	What is Evidence in Prevention?	Workforce Development and Certification	Using Data for Community Response	Alternatives to Enforcement
4:30 PM- 5:00 PM	BREAK			
5:00 PM- 9:00 PM	CULTURE NIGHT (HOSTED BY THE TULALIP TRIBES) Theme "Being a Good Relative"			

WORKING DRAFT (Week of August 13, 2023)
DAY 3: OUR PRIORITIES [& RECOMMENDATIONS]
 Thursday, August 24, 2023

8:00 AM – 5:00 PM	REGISTRATION			
8:00 AM – 5:00 PM	TALKING CIRCLES & WELLNESS SUPPORT			
8:00 AM- 8:45 AM	Elders/BHA Check-in			
9:00 AM – 10:30 AM	PLENARY SESSION Opening Prayer and Tribal Welcome Review of Day 2 Today's Focus: Our Priorities: Panel: Considerations for Setting Policy Priorities in 2024 and 2025			
10:30 AM- 10:45 AM	BREAK			
	TRACKS DAY 3: OUR PRIORITIES			
	PREVENTION	CARE & SUPPORT SERVICES	DATA	LAW & JUSTICE
10:45 AM - 12:15 PM	Working Session: Determine Federal Policy Priorities	Working Session: Determine Federal Policy Priorities	Working Session: Determine Federal Policy Priorities	Working Session: Determine Federal Policy Priorities
12:15 PM- 12:45 PM	LUNCH			
12:45 PM- 3:00 PM	CLOSING PLENARY: HIGH LEVEL REPORT OUT OF TRACKS & NEXT STEPS CLOSING PRAYER			

2023 NATIONAL TRIBAL OPIOID SUMMIT



HEALING OUR NATIONS TOGETHER

AGENDA

Tuesday, August 22, 2023

DAY 1: OUR STORIES – A FOCUS ON ISSUES

8:00 AM–5:00 PM	REGISTRATION	Orca Ballroom Foyer
8:00 AM–5:00 PM	CULTURAL & HEALING SUPPORT <ul style="list-style-type: none"> Talking Circles Healing Space for Elders/Knowledge Keepers Crisis Counseling Medication-Assisted Treatment (MAT) 	Second Floor Tulalip Clinic
8:00 AM–5:00 PM	INTERVIEWS – INVITE ONLY	Birch
7:30 AM–8:30 AM	TRIBAL CAUCUS – CLOSED MEETING	Orca Room
8:00 AM–8:45 AM	ELDERS & BEHAVIORAL HEALTH AIDE STUDENTS (BHA) CHECK-IN Facilitators: Chair Marilyn Scott, Upper Skagit, and Katie Hunsberger, Northwest Portland Area Indian Health Board (NPAIHB)	Cabaret
8:00 AM–9:00 AM	BREAKFAST	Orca Ballroom Foyer
9:00 AM–12:00 PM	PLENARY SESSION I Lead by: Nickolaus Lewis, Councilman, Lummi Nation, and Chair, NPAIHB Opening – Tulalip Color Guard & Invocation Chair Teri Gobin, Tulalip Tribes Welcome Remarks Chair Teri Gobin, Tulalip Tribes Chief Bill Smith, Valdez Native Tribe, and Chair, National Indian Health Board (NIHB) Nickolaus Lewis, Councilman, Lummi Nation, and Chair, NPAIHB Overview of the National Tribal Opioid Strategic Agenda Jessica Leston (Tsimshian), Director, National Clinical Programs, NPAIHB Overview of the 2023 Washington Tribal Opioid Summit and Report Sue Birch, Director, Washington State Health Care Authority Goals of Summit and Outcomes: Today's Focus on <i>Our Stories</i> Dr. Danica Brown (Choctaw), Director of Behavioral Health, NPAIHB	Orca

	Panel: "We Must Work Together to Address this Crisis" Moderators, Governor Stephen Lewis, Gila River Indian Community, and Chair Teri Gobin, Tulalip Tribes Dr. Rahul Gupta, Director, Office of National Drug Control Policy O'Nesha Cochran-Dumas, Peer Recovery Counselors Roselyn Tso, Director, Indian Health Service Dr. Miriam Delphin-Rittmon, Assistant Secretary, Substance Abuse Mental Health Services Administration Dr. Nora Volkow, Director, National Institute on Drug Abuse Representative Rick Larsen (WA-02), U.S. House of Representatives		
12:00 PM–1:00 PM	LUNCH BREAK		Orca Ballroom Foyer
DISCUSSIONS BY TRACK			
1:00 PM–2:45 PM	PREVENTION Discussion 1	Addressing Barriers to Opioid Overdose Prevention Efforts Facilitators: Lesley Sherman-Hunt (Hoopa), Chair, California Rural Indian Health Board; Monica Super, Kauffman and Associates, Inc. (KAI) Topic Experts: Dr. Maya Magarati and Dr. Myra Parker, Seven Directions, University of Washington; Gene Tyon (Lakota), Oaye Luta Policy Team: Nathan Billy, NIHB, and Sarah Sullivan, didgwálic Note Taker: Meena Richardson	Orca 1
1:00 PM–2:45 PM	CARE & SUPPORT Discussion 1	Trauma and Addictions: Intersections of Trauma Covid 19 and Fentanyl Facilitators: Rob Sanderson, Haida Tlingit; Josh Severns, KAI Topic Experts: Dr. Karina Walters, National Institutes of Health; Dr. Nora Volkow, Director, National Institute on Drug Abuse; Dr. Danica Brown, NPAIHB Policy Team: Candice Jimenez, NPAIHB; Hannah Brennan, NIHB Note Taker: Karin Dean, NPAIHB	Orca 2
1:00 PM–2:45 PM	DATA Discussion 1	Tribal Data Sovereignty in Federal and State Data – Are You Able to Access Opioid and Mental Health Data? Facilitators: Chief Beverly Cook, St. Regis Mohawk Tribe; Cynthia Begay, KAI Topic Experts: Dr. Rebecca St. Germaine, Great Lakes Inter-Tribal Council; Abigail Echo-Hawk, Urban Indian Health Institute Policy Team: Karol Dixon, NPAIHB, and Buck Ellingson, California Rural Indian Health Board (CRIHB) Note Taker: Aurora Martinez, NPAIHB	Orca 3

TWS

1:00 PM– 2:45 PM	LAW & JUSTICE	Legal Framework Impacting Opioid Users and Tribal Response		Chinook
		Facilitators	Chair Teri Gobin, Tulalip Tribes; Joni Buffalohead, KAI	
		Topic Experts	Michael Mizer, NW High-Intensity Drug Trafficking Area (HIDTA); Will Janisch, Rocky Mountain HIDTA; Chris Sutter, Chief of Police, Tulalip Tribal Police; Philomena Kebec, University of Minnesota; Michael Mervos, Brian Frederickson, Ron Deist Jr., DEA; Judge Leona Colegrove, Quinault Indian Nation; Jerin Falcon, Bureau of Indian Affairs	
		Policy Team	Taylor Barrett, NIHB, and Summer Hammons, Tulalip Tribes	
		Note Taker	Yvette Journey, KAI	
2:45 PM– 3:00 PM	BREAK			Orca Ballroom Foyer
DISCUSSIONS BY TRACK				
3:00 PM– 2:45 PM	PREVENTION	Culture as Primary Prevention		Orca 1
		Facilitators	Councilwoman, Dr. Alison Ball, Confederated Tribes of the Colville Reservation; Monica Super, KAI	
		Topic Experts	Vice Chair Loni Greninger, Jamestown S’Klallam Tribe Karin Dean, NPAIHB (Puyallup) Dr. Danica Brown, NPAIHB (Choctaw) Aren Sparck, WA Health Care Authority	
		Policy Team	Nathan Billy, NIHB, and Sarah Sullivan, didg’álic	
		Note Taker	Bridget Caniff, NPAIHB	
1:00 PM– 2:45 PM	CARE & SUPPORT	Overview of Treatment Centers Across Indian Country & Services Provided		Orca 2
		Facilitators	Michelle Baker, Vice President, Southcentral Foundation; Josh Severns, KAI	
		Topic Experts	Zackary Grimes, Cherokee Nation Dr. James Laidler & Kelle Rowe, Great Circle Recovery (Grand Ronde) Dr. Bryce Parent & Senator J.J. Wilbur, Swinomish Indian Tribal Community – didg’álic	
		Policy Team	Candice Jimenez, NPAIHB; Hannah Brennan, NIHB	
		Note Taker	Larissa Molina, NPAIHB	
1:00 PM– 2:45 PM	DATA	Barriers to Tribal and Community Data Collection		Orca 3
		Facilitators	Kevin English, Albuquerque Area Indian Health Board, and Cynthia Begay, KAI	
		Topic Experts	Travis Martin, Data Analyst/Quality Improvement, Shoshone-Bannock Tribes Alyssa Yang, Northwest Portland Area Indian Health Board	
		Policy Team	Karol Dixon, NPAIHB, and Buck Ellingson, CRIHB	
		Note Taker	Lisa DiBianco, NPAIHB	

1:00 PM– 2:45 PM	LAW & JUSTICE	Tribal Opioid Litigation Settlement		Chinook
		Facilitators	Jacqueline Platero, NIHB Board Member, Joni Buffalohead, KAI	
		Topic Experts	Geoffrey Strommer, Hobbs Straus Dean & Walker Andrea Medley, Johns Hopkins Center for Indigenous Health	
		Policy Team	Taylor Barrett, NIHB	
		Note Taker	Yvette Journey, KAI	
3:00 PM– 4:45 PM	ELDERS & KNOWLEDGE KEEPERS BHA DEBRIEF Facilitator: Katie Hunsberger, NPAIHB Tribal Leader: Marilyn Scott, Upper Skagit Topic Experts: Maxine Janis, Heritage University; Tanya Firemoon Note Taker: NPAIHB			Cabaret
4:45PM– 5:00PM	PLENARY – GROUP WELLNESS ACTIVITY (500 Orca) Chenoa Landry, Native Wellness Institute			Orca
5:30 PM– 8:00 PM	ELDERS & KNOWLEDGE KEEPERS – INVITE ONLY Session 1 of 2: Story Weaving Re: Strategic Agenda Focus Group			Doug Fir
6:00 PM– 7:30 PM	Indian Health Service COIPP ANNUAL CONVENING – INVITE ONLY Hosted by: Cassandra Allen, Indian Health Service			Chinook 1-2
6:00 PM– 7:30 PM	TOR GRANTEE MEETING – INVITE ONLY Hosted by: Colbie Caughlin & Michael Feroglia, NPAIHB			Chinook 3-4

Need Aug. 23
 Tuesday, August 22, 2023
 DAY 2: OUR STORIES – A FOCUS ON ISSUES



7:30 AM–8:30 AM	TRIBAL CAUCUS (Closed Meeting) • Meet & Greet with Sen. Cantwell	Chinook
8:00 AM–5:00 PM	REGISTRATION	Orca Ballroom Foyer
8:00 AM–8:45 AM	ELDERS & BHA STUDENTS CHECK-IN Facilitator: Katie Hunsberger, NPAIHB	Cabaret
8:00 AM–5:00 PM	CULTURAL & HEALING SUPPORT	Second Floor
9:00 AM–12:00 PM	PLENARY SESSION II Lead by: Nickolaus Lewis, Councilman, Lummi Nation and Chair, NPAIHB Tribal Opening Prayer & Remarks Tulalip Tribes Welcome Remarks Honorable Maria Cantwell (WA), U.S. Senate Panel: What Worked for Us and Our Family in Recovery Moderator, Chief Kirk Francis, Penobscot Indian Nation O’Nesha Cochran-Dumas (Oglala Lakota) Kali Joseph (Tulalip Tribes) Pamela Ready (Puyallup) and Demi Ready (Puyallup) Maria Hillaire (Lummi)	Orca
12:00 PM–1:00 PM	LUNCH BREAK	Orca Ballroom Foyer
DISCUSSIONS BY TRACK		
1:00 PM–2:45 PM	PREVENTION Discussion 3 Tribal Based Practices Facilitators: Chair-Anthony Hillaire, Lummi Nation; Monica Super, KAI Topic Experts: Chairman Huge Edwards Swinomish and Senator J.J. Wilbur, Swinomish Indian Tribal Community Caroline Cruz, Confederated Tribes of Warm Springs Clinton Alexander, White Earth Public Health Dept Jull R. Skinner (Ponca), Cherokee Nation Policy Team: Nathan Billy, NIHB, and Sarah Sullivan, didg’álic Note Taker: Meena Richardson, KAI	Orca 1
1:00 PM–2:45 PM	CARE & SUPPORT Discussion 3 Social Determinants of Health as a SUD Intervention Facilitators: Chair, Thomas D. Lozano, Enterprise Rancheria, and Josh Severns, KAI Topic Experts: Christina Oré, Seven Directions, University of Washington; Chelsea Fish, Executive Director National American Indian Housing Council; Jessica Leston, NPAIHB Policy Team: Candice Jimenez (Warm Springs), NPAIHB; Hannah Brennan, NIHB Note Taker: Karin Dean (Puyallup)	Orca 2

*Mobilize Crisis Response Act / 1st Response Health Emergency Hub
 100% Fintech Fundamentally Demand
 Tribal Health Emergency Response*

1:00 PM–2:45 PM	DATA Discussion 3 Best Practices to Access, Own and Protect Tribal and AI/AN Mental Health and Substance Use Disorder Data Facilitators: Councilwoman Jennifer Webster, Oneida Nation, and Cynthia Begay, KAI Topic Experts: Tim Collins, Alaska Native Tribal Health Consortium Anli Tang, Rocky Mountain Tribal Epi Center Virginia Hendricks, California Council of Urban Indian Health Policy Team: Buck Ellingson, CRIHB; Karol Dixon, NPAIHB Note Taker: Aurora Martinez, NPAIHB	Orca 3
1:00 PM–2:45 PM	LAW & JUSTICE Discussion 3 Pregnant People and Drugs: Welcoming in the Womb Facilitators: Vice Chair: Misty Napeahi, Tulalip Tribes Joni Buffalohead, KAI Topic Experts: Dawn Yazzie, Early Childhood Mental Health Consultant, Navajo Nation Tam Lutz, NPAIHB Dr. LaKota Scott, Naturopath Policy Team: Taylor Barrett, NIHB Note Taker: Yvette Journey, KAI	Chinook
2:45 PM–3:00 PM	BREAK	Orca Ballroom Foyer
DISCUSSIONS BY TRACK		
3:00 PM–4:30 PM	PREVENTION Discussion 4 What is Evidence in Prevention? Facilitators: Sammy Mabe, Council Member, Suquamish Tribe, and Monica Super, KAI Topic Experts: Abigail Echo-Hawk (Pawnee), Seattle Indian Health Board Urban Indian Health Institute Dr. Myra Parker, Seven Directions, University of Washington Dr. Karina Walters, National Institutes of Health Policy Team: Nathan Billy, NIHB, and Sarah Sullivan, didg’álic Note Taker: Bridget Caniff, NPAIHB	Orca 1
3:00 PM–4:30 PM	CARE & SUPPORT Discussion 4 Workforce Development and Certification Facilitators: Councilman Lee Spoonhunter, Northern Arapaho Tribe, NIHB Board Member; Josh Severns, KAI Topic Experts: Dolores Jimerson, NPAIHB Clark Conover, Region VII Supervisor, HRSA Bureau of Health Workforce Policy Team: Candice Jimenez, NPAIHB and Hannah Brennan, NIHB Note Taker: Larissa Molina, NPAIHB	Orca 2
3:00 PM–4:30 PM	DATA Discussion 4 Using Data for Community Response Facilitators: Tim Collins, Alaska Native Tribal Health Consortium Cynthia Begay, KAI Topic Expert: Dr. Gary Franklin, University of Washington Charlene Poola, Albuquerque Area Southwest Tribal Epidemiology Center Carolyn Morris & Lisa King, Canoncito Band of Navajos Health Center, Inc. Policy Team: Karol Dixon, NPAIHB and Buck Ellingson, CRIHB Note Taker: Lisa DiBianco, NPAIHB	Orca 3

3:00 PM– 4:30 PM	LAW & JUSTICE	Pre-Arrest Interventions for Opioid Users		Chinook
		Facilitators	Chief Bill Smith, Valdez Native Tribe, NIHB Board Member; and Joni Buffalohead	
		Topic Expert	Cortney Yarholar, Evergreen Training & Development Chantel Cloud, Southern Ute O’Nesha Cochran-Dumas, CPC Margo Hill, JD, MURP	
		Policy Team	Taylor Barrett, NIHB	
		Note Taker	Yvette Journey, KAI	
3:00 PM– 4:30 PM	ELDERS, KNOWLEDGE KEEPERS, & BHA STUDENTS – INVITE ONLY Being a Good Relative: How to Say Naughty Words in Your Language Elders Knowledge Keepers/BHA Debrief Facilitators: Chair Marilyn Scott, Upper Skagit, and Katie Hunsberger Topic Expert: Dallas Goldtooth Note Taker: Pam Ready			Cabaret
4:30 PM– 4:30 PM	BREAK			
5:00 PM– 8:00 PM	CULTURE NIGHT (HOSTED BY THE TULALIP TRIBES) Theme “Being a Good Relative” Introductions – Chair Teri Gobin, Tulalip Tribes; Councilman Nickolous Lewis, Lummi Blessing – Chair Teri Gobin, Tulalip Tribes, and Singers/Dancers Introduction of Dallas Goldtooth by Summer Hammons Keynote – Dallas Goldtooth Westshore Canoe Family – Antone George Blackhawks – Lawrence Solomon Swinomish Canoe Family – Aurelia Bailey Tulalip Canoe Family – Summer Hammons, Andrew Gobin, and Josh Fryberg Mini Jam			Tulalip Amphitheater (Adjacent to the Tulalip Resort)

Thursday, August 24, 2023
DAY 3: OUR PRIORITIES – A FOCUS ON POLICY

8:00 AM– 5:00 PM	REGISTRATION	Orca Ballroom Foyer	
8:00 AM– 8:45 AM	Elders and Behavioral Health Aide Students – Check-In Facilitators: Chair Marilyn Scott, Upper Skagit, and Katie Hunsberger, NPAIHB	Cabaret	
8:00 AM– 5:00 PM	TALKING CIRCLES & WELLNESS SUPPORT	Second Floor	
9:00 AM– 10:30 AM	PLENARY SESSION III Opening Prayer and Tribal Welcome Tulalip Tribes Review of Day 2 & Today’s Focus (Lesley Sherman-Hunt) Chair, CRIHB; NIHB Board Member Panel: Considerations for Setting Policy Priorities Moderator: Vice Chair (Loni Greninger) Jamestown S’Klallam Tribe Chief Bill Smith, Valdez Native Tribe, and Chair, NIHB President (Fawn Sharp) National Congress of American Indians Robert Duff, Senior Policy Advisor, Office of Governor Jay Inslee, Washington State	Orca	
10:30 AM– 10:45 AM	BREAK	Orca Ballroom Foyer	
10:45 AM– 12:15 PM	PREVENTION WORK SESSION	Determine Policy Priorities	
		Facilitators	Amber Torres (Walker River Paiute), NIHB Board Member, and Monica Super, KAI
		Policy Team	Nathan Billy, NIHB, and Sarah Sullivan, didg’állič
		Note Taker	Meena Richardson, KAI
10:45 AM– 12:15 PM	CARE & SUPPORT WORK SESSION	Determine Policy Priorities	
		Facilitators	Vice Chair, Loni Greninger, Jamestown S’Klallam Tribe, and Josh Severns, KAI
		Policy Team	Candice Jimenez (Warm Springs), NPAIHB, and Hannah Brennan, NIHB
		Note Taker	Karin Dean, NPAIHB
10:45 AM– 12:15 PM	DATA WORK SESSION	Determine Policy Priorities	
		Facilitators	Victoria Warren Mears, NPAIHB, and Cynthia Begay (Navajo/Hopi), KAI
		Policy Team	Karol Dixon (Athabaskan), NPAIHB, and Buck Ellingson, CRIHB
		Note Taker	Bridget Caniff, NPAIHB
10:45 AM– 12:15 PM	LAW & JUSTICE	Determine Policy Priorities	
		Facilitators	Chair Jarred-Michael Erickson, Confederated Tribes of the Colville Reservation, and Joni Buffalohead, KAI
		Policy Team	Taylor Barrett, NIHB, and Summer Hammons, Tulalip Tribes
		Note Taker	Yvette Journey, KAI
10:45 AM– 12:15 PM	ELDERS AND KNOWLEDGE KEEPERS – INVITE ONLY Session 2 of 2: Story Weaving Re Strategic Agenda Focus Group	Doug Fir	
12:15 PM– 12:45 PM	LUNCH BREAK	Orca Ballroom Foyer	

Approve the travel report - Councilwoman Jennifer Webster - Indian Health Service's Tribal...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilwoman Jennifer Webster– IHS Tribal Self-Governance Advisory CMTE (IHS TSGA)- Washington DC – August 29-September 01 2023.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: BC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|---|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input checked="" type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster
Travel Event: IHS Tribal Self-Governance Advisory Cmte (IHS -TSGAC)
Travel Location: Washington DC
Departure Date: 08/29/2023 **Return Date:** 09/01/2023
Projected Cost: 1766.04 **Actual Cost:** \$1755.18
Date Travel was Approved by OBC: 08/02/2023

Narrative/Background:

The Indian Health Service (IHS) Tribal Self-Governance Advisory Committee (TSGAC) provides a forum for Tribal and Federal officials to discuss issues related to Tribal administration of Federal programs and service, exchange ideas, and develop solutions intended to improve Self-Governance and enhance the Tribal-Federal partnership. Please see attached agenda where both Kasie Nichols/Citizen Potawatomi Nation and I presented on Prioritis of the ACF-TAC (Administration for Children & Families) in relation to Self Governance, with ACF being the home of dozens of programs that are critical to tribes including Tribal Head Start, Tribal Child Support, Child Welfare, Tribal TANF, CCDF, LIHEAP, ANA language grants and many more. The need for more flexibility (Self-Governance) in these areas is critical. We also presented on the stature of ACF's Strategic Plan.

Note: Travel is reimbursed by IHS-TSGAC

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report

IHS Tribal Self-Governance Advisory Committee (TSGAC)
August 30 – August 31, 2023

Location: Embassy Suites, 900 10th St NW, Washington, DC 20001

Agenda

ZOOM Information

<https://us02web.zoom.us/j/83198229977?pwd=cCtBbDArNm1BQnJqMVJ2NEFIZm9udz09>
Meeting ID: 831 9822 9977
Passcode: 331597
+1 301 715 8592

WEDNESDAY, AUGUST 30th

1:00 – 2:00: Tribal Caucus

2:00- 2:05: Opening Prayer

2:05 – 2:25: Opening Remarks

*Lt. Governor Chris Anoatubby, Chickasaw Nation and TSGAC Chair
P. Benjamin Smith, Deputy Director, Indian Health Service (IHS)*

2:25 – 2:40: TSGAC Committee Business ✓

- March 2023 minutes
- Alaska Area nominations
- Navajo Area nominations
- Area processes for nominations
- ISAC TSGAC nomination

2:40 – 3:00: Office of Tribal Self-Governance (OTSG) Update

- Consultation Policy
- OTSG Updates
- Developing ISDEAA training for HHS sister agencies
- Updating the PSFAs guidance
- Issues with corrupt files in the OTSG funds management system

Jennifer Cooper, Director, OTSG, IHS

3:00 – 5:00: Budget Related Discussions

Unobligated Funds and Balances

- PRC
- Other

Jillian Curtis, Director, Office of Finance and Accounting (OFA), IHS

Mandatory Funding Workgroup and NIHB Study Updates

*Jillian Curtis, Director, OFA, IHS
Caitrin Shuy, National Indian Health Board*

FY 24 Appropriations Legislative Proposal Analysis

*Jillian Curtis, Director, OFA, IHS
Tyler Scribner, National Indian Health Board*

Section 105(l) Policy

Jillian Curtis, Director, OFA, IHS

Discussion on Excluding ARPA SLRF Money from Indirect Cost Rate Negotiations

Elizabeth Carr, Tribal Advisor to the Director, Office of Management and Budget

THURSDAY, AUGUST 31

9:00- 9:30: Tribal Caucus

9:30-9:35: Opening Prayer

9:35 – 10:00: CHAP Discussion

- Update on National CHAP Implementation
- Update on Portland Area CHAP Implementation

*Donna Enfield, Public Health Advisor, National Community Health Aide Program (CHAP), IHS
Christina Peters, Northwest Portland Area Indian Health Board*

10:00 – 11:00: Updates from Advisory Committees

HHS STAC Update

- Small delegation meeting with HHS Secretary on Expansion of Self-Governance Authority in HHS
- Key Priorities/Issues

*W. Ron Allen, Chairman, Jamestown S’Klallam Tribe
Chris Anoatubby, Lt. Governor, Chickasaw Nation
Devin Delrow, U.S. Department of Health and Human Services
Caitrin Shuy, National Indian Health Board*

U.S. GAO TIAC Update

- Examples of ongoing GAO reviews
- GAO’s High-Risk list

Kasie Nichols, Director of Self-Governance, Citizen Potawatomi Nation



Jay Spaan, Executive Director, SGCETC

ACF TAC Update

- Priorities of the ACF TAC related to Self-Governance

Jennifer Webster, Councilmember, Oneida Nation

Kasie Nichols, Self-Governance Director, Citizen Potawatomi Nation



Tribal Leaders Diabetes Committee Update

Candice Skenandore, Self-Governance/Grants Director, Mohegan Tribe of Indians of Connecticut

11:00 – 11:30: SGCETC Update

- 2023 Tribal Self-Governance Conference Wrap-Up
- 2024 Tribal Self-Governance Conference Announcement
- For Our People Update
- IPA Training Resources
- Update on SGCETC Testimony on Self-Governance Priorities for the 2023 Farm Bill Reauthorization before Senate Committee on Indian Affairs

Jay Spaan, Executive Director, SGCETC

11:30 – 1:00: Lunch / Executive Lunch

1:00 – 1:30: Updates on CSC and Opioid Cases

Geoff Strommer, Hobbs, Straus, Dean and Walker, LLP

1:30 – 2:00: Small Ambulatory Program

TBD, Indian Health Service

2:00 – 2:15: ACA/IHCIA Project Update – *Funnel by OSG*

Cyndi Ferguson, ACA/IHCIA Project Lead, SENSE Incorporated

Elliott Millhollin, Partner, Hobbs, Straus, Dean and Walker, LLP

Betsy Barron, ACA/IHCIA Project Intern

2:15 – 4:30: Discussion with IHS Deputy Director

- Status of guidance and portal for reporting use of CRRSAA funds
- Joint Venture Discussion
- EMS/Ambulance Services
- Addressing long-term/elder care
- Recruitment/ Retention Issues
- Other topics identified during the meeting

P. Benjamin Smith, Deputy Director, IHS

4:30 – 5:00: TSGAC Technical Workgroup Meeting

Approve the travel report - Councilwoman Jennifer Webster - Dept. of Health & Human Services...

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

Approve travel report – Councilwoman Jennifer Webster– HHS STAC Health & Human Services Secretaries Tribal Advisory Committee- Rapid City, SD – September 11-15 2023.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: BC

5. Additional attendees needed for this request:

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- Bylaws
- Fiscal Impact Statement
- Presentation
- Contract Document(s)
- Law
- Report
- Correspondence
- Legal Review
- Resolution
- Draft GTC Notice
- Minutes
- Rule (adoption packet)
- Draft GTC Packet
- MOU/MOA
- Statement of Effect
- E-poll results/back-up
- Petition
- Travel Documents
- Other: *Describe*

7. Budget Information:

- Budgeted – Tribal Contribution
- Budgeted – Grant Funded
- Unbudgeted
- Not Applicable
- Other: *Describe*

8. Submission:

Authorized Sponsor: Jennifer Webster, Councilwoman

Primary Requestor: (Name, Title/Entity)

BUSINESS COMMITTEE TRAVEL REPORT



Travel Report for: Jennifer Webster
Travel Event: (HHS-STAC) Health & Human Services Secretaries Tribal Advisory Committee
Travel Location: Rapid City, SD
Departure Date: 09/11/2023 **Return Date:** 09/15/2023
Projected Cost: 1800.00 **Actual Cost:** 0
Date Travel was Approved by OBC: 08/02/2023

Narrative/Background:

HHS-STAC provides an opportunity for our federal partners to share overview of the HHS Budget, with tribal specific information + updates from IHS, SAMSHA and HRSA Secretaries and Assistant Secretaries.

Gov Airline tkt was purchased by HHS, no penalty to cxl due to tkt being a Gov tkt. Agenda included for reference.

Providing an update that I did not attend due to covid 19 related issues, no cost to tribe.

Item(s) Requiring Attention:

Click here to enter text.

Requested Action:

Approve Travel Report in order to close out report.

DEPARTMENT OF HEALTH AND HUMAN SERVICES
SECRETARY'S TRIBAL ADVISORY COMMITTEE

September 12-14, 2023

Location: Rushmore Ballroom – Best Western Ramkota Hotel

TUESDAY, SEPTEMBER 12

**All Times in Mountain Time*

- 8:00 – 9:00 AM **TRIBAL CAUCUS**
- 9:00 – 9:15 AM **TRIBAL OPENING**
Ryman LeBeau, Chairman, Cheyenne River Sioux Tribe
- 9:15 – 10:00 AM **MEETING WELCOME and LOGISTICS**
Victor Joseph, Chair, Secretary's Tribal Advisory Committee
Marvin Figueroa, Director, Office of Intergovernmental and External Affairs
1. Introductions
 2. Roll Call
 3. Approval of meeting minutes
 4. Logistical rundown of meeting and site visits
 5. Reminder of upcoming meeting dates
 - a. STAC: November 28-29, 2023
 6. 2024 meeting dates (*proposed*)
 - a. STAC meetings:
 - January XXX
 - March XXX
 - September XXX
 - November XXX
 - b. Annual Tribal Budget Consultation:
 - April XXX
 7. Tribal Consultation Policy Update
 8. Tribal Data Sharing Policy Update
- 10:00 – 10:45 AM **HHS BUDGET UPDATES**
Purpose: This session is designed for the Office of Budget, Office of the Assistant Secretary for Financial Resources, to give a brief overview of the HHS Budget, current updates on the budget process, and an overview of the current budget situation. It will include a broad overview, provide Tribal specific information, and have time for question and answers.
Speaker: Robert Gordon, Assistant Secretary
- POTENTIAL TOPICS:**
- FY24 Budget
 - PRC Issues
 - 105(l) & CSC
 - Expansion of Self-Gov
 - Grants & Direct Funding
 - A19s as a tool for CMS TTAG and CDC Priorities
- 10:45 – 11:30 AM **NATIONAL INSTITUTES of HEALTH**
Purpose: This session is designed to provide an opportunity for the STAC to engage

with the NIH Acting Director, who will provide an overall update on the work of the NIH as it relates to Indian Country.

Speaker: Lawrence Tabak, Performing the Duties of the Director

POTENTIAL TOPICS:

- TAC Access & Issues with FACA
- NIH HEAL Initiative
- Maternal Health Centers of Excellence
- Research & Strategic Plan

11:30 – 12:45 PM **LUNCH**

12:45 – 1:30 PM **CENTERS for MEDICARE and MEDICAID SERVICES**

Purpose: This session is designed to provide an opportunity for the STAC to engage with the CMS Administrator, who will provide an overall update on the work of CMS as it relates to Indian Country.

Speaker: Chiquita Brooks-LaSure, Administrator

POTENTIAL TOPICS:

- TTAG's Medicare & Medicaid Policy & Legislative Priorities
- Traditional Healing
- Four Wall
- Medicare Outpatient OMB Encounter Rate
- Medicaid Unwinding & Data
- Permanently Extend Audio-Only Telehealth
- Long Term Supports & Services
- A19s

1:30 – 2:15 PM **ASSISTANT SECRETARY for LEGISLATION**

Purpose: This session is designed to provide an opportunity for the STAC to engage with the ASL, who will provide an overall update on the work of her office.

Speaker: Melanie Anne Egorin, Assistant Secretary

POTENTIAL TOPICS:

- Self-Governance Expansion and Issues
- SDPI
- 105(l) CSC
- Data Bill

2:15 – 2:30 PM **BREAK**

2:30 – 3:30 PM **CENTERS for DISEASE CONTROL and PREVENTION**

Purpose: This session is designed to provide an opportunity for the STAC to engage with the CDC Director, who will provide an overall update on the work of CDC as it relates to Indian Country.

Speaker: Mandy Cohen, Director and ATSDR Administrator

POTENTIAL TOPICS:

- Attendance from Senior Leaders
- TEC/Tribes Access to Data
- Public Health Infrastructure & Funding
- COVID-19
- Health Equity
- Data Modernization Initiative

- Traditional Ecological Knowledge
- Elevating OTASA & Status of new Director
- Funding Tribes
- FY24 Budget
- Data Bill
- HIV, Hepatitis, Syphilis

3:30 – 4:30 PM SECRETARY REMARKS and DISCUSSION
Xavier Becerra, Secretary

POTENTIAL TOPICS:

- Elevating Top Priorities from each session
- Expanding & Strengthening Self-Gov.
- HHS Data Sharing
- Indigenous Social Determinants of Health and the International Adoption
- Participation in TAC meetings from Senior Leadership
- PRC?

4:30 PM ADJOURN

5:30 – 8:30 PM CULTURAL NIGHT RECEPTION: Event Details Forthcoming

WEDNESDAY, SEPTEMBER 13

7:00 AM – 9:00 PM TRIBAL SITE VISITS
Agenda Forthcoming

THURSDAY, SEPTEMBER 14

7:30 – 7:45 AM TRANSPORTATION to NEW MEETING SITE

8:00 – 9:00 AM TRIBAL CAUCUS

9:00 – 9:15 AM TRIBAL OPENING and REVIEW of FIRST DAY
Victor Joseph, Chair, Secretary's Tribal Advisory Committee

9:15 – 10:00 AM HEALTH RESOURCES and SERVICES ADMINISTRATION
Purpose: This session is designed to provide an opportunity for the STAC to engage with the HRSA Administrator, who will provide an overall update on the work of HRSA regarding issues in Indian Country.
Speaker: Jordan Grossman, Deputy Administrator

POTENTIAL TOPICS:

- HPSA Scoring
- No Tribal Consultation
- Workforce
- TAC TA Support
- Graduate Medical Education

10:00 – 10:45 AM OFFICE of the ASSISTANT SECRETARY for HEALTH

Purpose: This session is designed to provide an opportunity for the STAC to engage with the OASH Assistant Secretary, who will provide an overall update on the work of OASH as it relates to Indian Country.

Speakers: Rachel Levine, Assistant Secretary

POTENTIAL TOPICS:

- Climate Change Office: Tribal Set-Aside, Capacity Building, Traditional Ecological Knowledge, Tribal Consultation
- Update on Center for Indigenous Innovation and Health Equity
- Syphilis Outbreak and HIV/AIDS Funding
- Houselessness?

10:45 – 11:30 AM SUBSTANCE ABUSE and MENTAL HEALTH SERVICE ADMINISTRATION

Purpose: This session is designed to provide an opportunity for the STAC to engage with the SAMHSA Assistant Secretary, who will provide an overall update on the work of SAMHSA as it relates to Indian Country.

Speaker: Miriam Delphin-Rittmon, Assistant Secretary

POTENTIAL TOPICS:

- Grants & Funding
- Housing Needs for People in Recovery
- Findings from Opioid Summit
- Tribal Behavioral Health Agenda: Tribally led driven, facilitated by Tribal orgs
- Behavioral Health and Substance Abuse Disorder Resources for Native Americans
- Tribal Crisis Response (988)
- Expansion of Self-Gov

11:30 – 12:30 PM DEPUTY SECRETARY REMARKS and DISCUSSION

Andrea Palm, Deputy Secretary

POTENTIAL TOPICS:

- Data Modernization
- Update on Grants
- Office of the National Coordinator for Health Information Technology (ONC)+
- Cross Agency Collaboration and Agreements

12:30 – 2:00 PM LUNCH

2:00 – 2:45 PM ADMINISTRATION for COMMUNITY LIVING

Purpose: This session is designed to provide an opportunity for the STAC to engage with the ACL Administrator, who will provide an overall update on the work of ACL as it relates to Indian Country.

Speaker: Alison Barkoff, Senior official performing the duties of the Administrator and the Assistant Secretary for Aging

POTENTIAL TOPICS:

2:45 – 3:00 PM BREAK

3:00 – 3:15 PM OFFICE of the INSPECTOR GENERAL

2165

Purpose: This session is designed to provide information on how Tribes can protect Sanitary Facilities Construction funding, received from the Infrastructure Investment and Jobs Act, from fraud, waste, and abuse.

Speaker: **Justin Christman**, Special Agent
Morning Johnson, Special Agent

POTENTIAL TOPICS:

3:15 – 4:00 PM

ADMINISTRATION for CHILDREN and FAMILIES

Purpose: This session is designed to provide an opportunity for the STAC to engage with the ACF Assistant Secretary, who will provide an overall update on the work of ACF as it relates to Indian Country.

Speaker: **Jeff Hild**, Acting Assistant Secretary

POTENTIAL TOPICS:

- Child Welfare
- Low Income Home Energy Assistance Program
- Head Start

4:00 – 5:00 PM

INDIAN HEALTH SERVICE

Purpose: This session is designed to provide an opportunity for the STAC to engage with IHS leadership, who will provide an overall update on the work of IHS.

Speaker: **Roselyn Tso**, Director

POTENTIAL TOPICS:

- FY24 Budget: Advance Approps, 105(I), SDPI,
- Consultation Processes
- Workforce: Vacancy Rates & Pay Tables
- HIT Modernization: No money, Summit Issues
- Syphilis Outbreak & Data Sharing
- VA/IHS Reimbursement Template
- Addressing Chronic TAC Vacancies: Funding & Resources

5:00 PM

ADJOURN

6:00 PM

OYATE HEALTH CENTER VISIT

Location: 3200 Canyon Lake Dr., Rapid City, SD 57702

6. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input checked="" type="checkbox"/> Other: email | | |

7. Budget Information:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input type="checkbox"/> Not Applicable |
| <input checked="" type="checkbox"/> Other: <i>AIANTA Partial Reimbursement</i> | |

8. Submission:

Authorized Sponsor: Kirby Metoxen, Councilman

Primary Requestor: (Name, Title/Entity)

Oneida Business Committee Travel Request

1. OBC Meeting Date Requested: 09 / 27 / 21 e-poll requested

2. General Information:

Event Name: Tribal Nations Tourism Discovery Meeting

Event Location: Twin Cities, Minnesota Attendee(s): Kirby Metoxen

Departure Date: November 27, 2023 Attendee(s):

Return Date: November 29, 2023 Attendee(s):

3. Budget Information:

- Funds available in individual travel budget(s)
- Unbudgeted
- Grant Funded or Reimbursed

Cost Estimate: 1300.50
AIANTA Partial Reimbursement

4. Justification:

Describe the justification of this Travel Request:

Explore Minnesota is working with AIANTA on a Discovery Meeting in the Twin Cities metro for the Tribal Nations. They will have program managers from AIANTA on site to discuss the promotional opportunities their association has for Tribal Nations as well as some of the educational and funding resources they can provide and will discuss how the agency promotes the state to visitors and opportunities for Tribal Nations to promote their tourism products within our programs as well as deploying a grant opportunity specifically for tribes as well. Participation would occur as the Midwest Region AIANTA Representative.

5. Submission

Sponsor: Kirby Metoxen, Councilmember

- 1) Save a copy of this form for your records.
- 2) Print this form as a *.pdf OR print and scan this form in as *.pdf.
- 3) E-mail this form and all supporting materials in a **SINGLE** *.pdf file to: BC_Agenda_Requests@oneidanation.org

ONEIDA NATION
TRAVEL AUTHORIZATION REQUEST

General Travel Information

Name of Traveler	Kirby Metoxen		
Please list name as it appears on Travelers Driver's License or WI State ID			
	Employee #		Date of Birth
Destination	Twin Cities, Minnesota		
Departure date	11/27/2023	Return date	11/29/2023
Purpose of travel	Tribal Nations Tourism Discovery Meeting		
Charged GL Account			

GSA Rate Information for the destination

Per Diem rate per day	\$79	Lodging rate per day	\$210
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Cost Estimate Information

Description	Rate	Factor	Days/ Miles	Total
Per Diem initial travel date	\$79	0.75	1	\$ 59.25
Per Diem full day at destination	\$79	1.00	3	\$ 237.00
Per Diem return travel date	\$ 79.00	0.75	1	\$ 59.25
Subtract included meals				\$
Lodging including room rate plus taxes	\$210		2	\$ 420
Airfare	\$			\$ 0.00
Private Car Mileage	\$.625		520	\$ 325.00
Taxi or car rental	\$			\$ 0.00
Luggage Fees	\$			\$ 0.00
Registration – accept VISA? Yes / No	\$			\$ 0.00
Allowable price adjustment If travel arrangements exceed the Total Cost Estimate re-approval is required				\$ 200.00
Total Cost Estimate				\$ 1,300.50

I understand this advance will be deducted from my claim for reimbursement of actual travel expenses. I also understand that if this advance is not cleared within 10 calendar days after my travel return date, I shall be held responsible for the full amount advanced and that I may be reprimanded in accordance with the Personal Policies and Procedures for my failure to clear this matter within the time so allotted. Further, in the event that the advance payment is not cleared within 10 calendar days of my return, and I have not filed a formal written dispute as to the amount due, by signing below, I am hereby making a knowing and voluntary wage deduction for the entire amount outstanding.

Signatures / Approvals

	Signature	Date	Contact Phone #
Traveler			
Program Director			Not needed
General Manager			Not needed

From: [Sherry Rupert](#)
To: [Kirby W. Metoxen](#)
Subject: Re: Tribal Nations Tourism Discovery Meeting - Explore Minnesota and the American Indian Alaska Native Tourism Association
Date: Tuesday, September 12, 2023 4:49:10 PM
Attachments: [image001.png](#)
[image002.png](#)

Kirby,

Because we are directly involved in this meeting and it is in your region, we would like to invite you to participate as the Midwest Region Representative. And, we can pay for your travel.

Let me know.

Sherry

Sent from my iPhone

On Sep 12, 2023, at 4:42 PM, Kirby W. Metoxen <KMETOX@oneidanation.org> wrote:

Hello Sherry,
Are there travel funds available for the Reginal Rep. to attend the Discovery Meeting in the Twin Cities?

Kirby

From: Lalum, Nicole (TOUR) <nicole.lalum@state.mn.us>
Sent: Tuesday, September 12, 2023 12:40 PM
To: Kirby W. Metoxen <KMETOX@oneidanation.org>
Subject: Tribal Nations Tourism Discovery Meeting - Explore Minnesota and the American Indian Alaska Native Tourism Association

Good afternoon Kirby ~

I hope that you're doing well this early fall and that your work is fruitful. I am looking forward to attending AITC again this October – we met there last fall. Are you going to be attending again this year?

I'm reaching out because Explore Minnesota is working with AIANTA on a Discovery Meeting in the Twin Cities metro for the Tribal Nations of Minnesota on **Tuesday, November 28, 2023 from 9 a.m. – 3 p.m.**

We will have program managers from AIANTA on site to discuss the promotional

opportunities their association has for Tribal Nations as well as some of the educational and funding resources they can provide.

Also, Explore Minnesota will discuss what our agency does to promote the state to visitors and opportunities for Tribal Nations to promote their tourism products within our programs as well as deploying a grant opportunity specifically for tribes as well.

I wanted to let you know about the meeting as soon as I could in case you would be willing to attend as a board member of AIANTA.

I will forward a more formal invite once we've finished the state procurement process for meeting space, hopefully in the next week or two.

Thanks so much!

Nicole Lalum (she/her/hers) | Industry Relations

121 7th Place East, Suite 360, St. Paul, MN 55101

O: 218.316.3330 | M: 218.232.0883

nicole.lalum@state.mn.us | exploreminnesota.com/industry

<image001.png>

| <image002.png>

Approve the 2023-2026 Strategic Plan

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. Session:

Open Executive – must qualify under §107.4-1.

Justification: *Choose or type justification.*

3. Requested Motion:

Accept as information; OR

The OBC will provide their 2023-2026 strategic plan as a presentation to the Oneida Nation - including Direct Reports, Operations and Community Members.

4. Areas potentially impacted or affected by this request:

Finance

Programs/Services

Law Office

DTS

Gaming/Retail

Boards, Committees, or Commissions

Other: *Describe*

5. Additional attendees needed for this request:

OBC Direct Reports, Operations & Community as available

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

Name, Title/Entity OR Choose from List

6. Supporting Documents:

- | | | |
|--|--|--|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input checked="" type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

7. Budget Information:

- | | |
|---|--|
| <input type="checkbox"/> Budgeted – Tribal Contribution | <input type="checkbox"/> Budgeted – Grant Funded |
| <input type="checkbox"/> Unbudgeted | <input checked="" type="checkbox"/> Not Applicable |
| <input type="checkbox"/> Other: <i>Describe</i> | |

8. Submission:

Authorized Sponsor: Lisa Summers, BC Area Manager

Primary Requestor: (Name, Title/Entity)

Post one (1) vacancy - Oneida Election Board

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Post one (1) vacancy – Oneida Election Board

Background

There is a vacancy on the Oneida Election Board that needs to be posted. The vacancy was not filled in the 2023 General Election. The vacancy is for term ending July 31, 2026.

According to the OEB bylaws, section 1-5.c.2.

“Unexpired Terms. Vacancies in unexpired terms shall be filled by appointment by the Oneida Business Committee pursuant to the Boards, Committees and Commissions law for the remainder of the unexpired term.”

Action requested:

Post one (1) vacancy for the Oneida Election Board.

Post one (1) vacancy - Oneida Land Claims Commission

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Post one (1) vacancy – Oneida Land Claims Commission

Background

There is a vacancy on the Oneida Land Claims Commission that needs to be posted. The vacancy was not filled in the 2023 General Election. The vacancy is for term ending July 31, 2026.

According to the OLCC bylaws, section 1-5.c.2.

“Unexpired Terms. Vacancies in unexpired terms shall be filled by appointment by the Oneida Business Committee pursuant to the Boards, Committees and Commissions law for the remainder of the unexpired term.”

Action requested:

Post one (1) vacancy for the Oneida Land Claims Commission.

Post two (2) vacancies - Oneida Nation Arts Board

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.

Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Post two (2) vacancies – Oneida Nation Arts Board

Background

There are vacancies on the Oneida Nation Arts Board that need to be posted. The vacancies are due to the resignations of Kent Hutchison and Mary Lopez which went into effect on September 13, 2023. The vacancies are for terms ending March 31, 2025, and March 31, 2026.

According to the Oneida Nation Arts Board bylaws section 1-5.c.

“Vacancies for any reason on the Board shall be filled for the remainder of the term through appointment by the Oneida Business Committee in accordance with the Boards, Committees and Commissions law.”

Action requested:

Post two (2) vacancies for the Oneida Nation Arts Board.

Post one (1) vacancy - Oneida Nation School Board

Business Committee Agenda Request

1. Meeting Date Requested: 09/27/23

2. General Information:

Session: Open Executive – must qualify under §107.4-1.
 Justification: *Choose reason for Executive.*

3. Supporting Documents:

- | | | |
|--|--|---|
| <input type="checkbox"/> Bylaws | <input type="checkbox"/> Fiscal Impact Statement | <input type="checkbox"/> Presentation |
| <input type="checkbox"/> Contract Document(s) | <input type="checkbox"/> Law | <input type="checkbox"/> Report |
| <input checked="" type="checkbox"/> Correspondence | <input type="checkbox"/> Legal Review | <input type="checkbox"/> Resolution |
| <input type="checkbox"/> Draft GTC Notice | <input type="checkbox"/> Minutes | <input type="checkbox"/> Rule (adoption packet) |
| <input type="checkbox"/> Draft GTC Packet | <input type="checkbox"/> MOU/MOA | <input type="checkbox"/> Statement of Effect |
| <input type="checkbox"/> E-poll results/back-up | <input type="checkbox"/> Petition | <input type="checkbox"/> Travel Documents |
| <input type="checkbox"/> Other: <i>Describe</i> | | |

4. Budget Information:

- | | | |
|--|--|-------------------------------------|
| <input type="checkbox"/> Budgeted | <input type="checkbox"/> Budgeted – Grant Funded | <input type="checkbox"/> Unbudgeted |
| <input checked="" type="checkbox"/> Not Applicable | <input type="checkbox"/> Other: <i>Describe</i> | |

5. Submission:

Authorized Sponsor: Lisa Liggins, Secretary

Primary Requestor: Shannon Davis, Recording Clerk

Additional Requestor: (Name, Title/Entity)


Additional Requestor: (Name, Title/Entity)

Submitted By: SDAVIS



Memorandum

TO: Oneida Business Committee

FROM: Brooke Doxtator, BCC Supervisor 

DATE: September 19, 2023

RE: Post one (1) vacancy – Oneida Nation School Board

Background

There is a vacancy on the Oneida Nation School Board that needs to be posted. The vacancy was not filled in the 2023 General Election. The vacancy is for term ending July 31, 2026.

According to the ONSB bylaws, section 1-5.c.2.

“Unexpired Terms. Vacancies in unexpired terms shall be filled by appointment by the Oneida Business Committee pursuant to the Boards, Committees and Commissions law for the remainder of the unexpired term.”

Action requested:

Post one (1) vacancy for the Oneida Nation School Board.