

MINUTES OF THE DECEMBER 7, 2022  
MEETING OF THE BOARD OF TRUSTEES OF  
THE MORRIS K. UDALL AND STEWART L. UDALL FOUNDATION

The Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) met in-person in Washington, D.C., at The University of Arizona (UArizona) Washington, D.C. Center for Outreach and Collaboration (D.C. Center) as well as via videoconference and/or teleconference on December 7, 2022. The attendee list is included as Appendix 1 to these minutes. Denis Udall and Tess Udall provided proxies to Eric D. Eberhard in case of technical difficulties at the time of a vote during this meeting; no technical difficulties occurred. Trustees Mark T. Nethery and D. Michael Rappoport were unable to attend this meeting and also provided their proxies to Eberhard. Charles P. Rose, Board Chair, called the meeting to order at 9:02 a.m. (EST). Elizabeth Monroe, Communications Program Manager, recorded the minutes.

**Call to Order and Chair's Remarks**

(Using the videoconference platform, Monroe confirmed that nine voting Trustees were present at the start of the meeting—exceeding the current quorum of six voting Trustees needed to conduct business. Attendance was officially taken at the end of the Trustee Remarks agenda item.) The Chair welcomed everyone to the meeting. He began by acknowledging the passing of former Congressman Jim Kolbe of Arizona and said the congressman and his support, which was vital to the growth and stability of the Udall Foundation, would be missed. He thanked Trustee Dr. Robert C. Robbins, UArizona President, for hosting the Udall Foundation's Board of Trustees Meeting at the D.C. Center, where the Udall Foundation also has its DC office. He thanked several Udall Foundation and UArizona team members for their logistical work in support of the meeting. The Chair noted that the Board now has a full complement of Trustees.

The following new Trustees were in attendance: Denis Udall; Tess Udall; Bryan Newland, the U.S. Department of the Interior (DOI) Secretary's designee to the Board; and Amy Loyd, the U.S. Department of Education (ED) Secretary's designee to the Board. The Chair recognized the Udall family's continuing strong involvement in the Udall Foundation. He hopes that with Newland's and Loyd's presence on the Board the Udall Foundation can expand on its relationships with DOI and ED. He remarked that UArizona's Washington, D.C. Center provides a platform for expanded programming and enhanced delivery of the Udall Foundation's mission in the Capital Region, including for grants, gifts, and donations activities. An example of this was the Udall alumni reception held at the D.C. Center the night before this meeting. The Chair concluded his remarks by stating this meeting will focus on the Udall Foundation's finances including the President's Budget process.

#### **Trustee Remarks**

The Chair offered Trustees the opportunity to provide remarks. Robbins shared that from his perspective the UArizona and Udall Foundation partnership is as strong as ever. He is happy to see the Udall Foundation thriving in its office within the D.C. Center and summarized various UArizona and Udall Foundation partnership work held there over the past year. The Chair said the Udall Foundation appreciates Robbins' leadership and looks forward to continuing the strong relationship between UArizona and the Udall Foundation. Jomar Maldonado Vazquez, CEQ's Trustee representative, thanked the Udall Foundation Trustees and especially Udall Foundation Executive Director David Brown for all the Udall Foundation's work, which complements CEQ's work related to environmental policy, protection of natural resources, and uplifting Tribal Nations. Maldonado Vazquez summarized some of the work at CEQ related to the President's environmental agenda. He said CEQ hopes to collaborate with the Udall Foundation's John S.

McCain III National Center for Environmental Conflict Resolution (National Center) to help address any challenges that may arise from CEQ's work. Newland was a Udall Foundation Native American Congressional Intern in 2002. He said he owes much of his career to the opportunities provided by the Udall Foundation, and his presence at the meeting is a testament that the program served its purpose. He is excited to be able to serve the agency in his position as a Trustee. Loyd expressed her enthusiasm to represent the Federal family and ED in particular on the Udall Foundation Board. She is from New Mexico, so she admires and appreciates the Udall family's legacy of leadership. She is a longtime fan of the Udall Foundation and is aware of the great work of its Internship, Scholarship, and Fellowship Programs. She mentioned that 12 years ago she was part of the Native Nations building group at Harvard University that has connections to the Udall Center for Public Policy's (Udall Center) Native Nations Institute for Leadership, Management, and Policy (NNI). She is committed to the Udall Foundation's mission, and she hopes to build even stronger bridges between the Udall Foundation and ED. Eberhard welcomed Loyd and Newland and said they are filling some big shoes. The Udall Foundation has had representatives from both departments on its Board over the years who have played key roles in shaping the agency and helping keep doors open in the Federal family. Eberhard noted the Udall Foundation of today is not the Udall Foundation of 20 years ago; it has matured. The Udall Foundation is now 30 years old, and he thinks it has hit its stride over the last five or six years in a way that was not true when prior representatives from DOI and ED served on the Board. He said the Udall Foundation is doing a lot more today and doing everything better. Eberhard thinks Newland and Loyd can 1) help the agency stay in this stable orbit it has achieved and 2) take advantage of the opportunities the Udall Foundation can provide to other Federal agencies. The Chair thanked Eberhard for his important perspective and said reaching this point has taken a lot

of work. He thanked Eberhard for his leadership that brought the Udall Foundation to this place. Denis Udall introduced himself as Stewart Udall's son. He has heard about and admired the excellent work and impact of the Udall Foundation for decades. He is thrilled and honored to join the Board and looks forward to getting to know the Trustees and Udall Foundation team. Tess Udall introduced herself as Morris Udall's granddaughter and former Senator Mark Udall's daughter. She said it is a wonderful experience to be a part of the Board. She has heard about the Udall Foundation her whole life and is excited to meet everyone and be part of the Udall Foundation going forward.

### **Executive Director's Remarks**

The Chair called on Brown to provide his remarks. Brown welcomed Trustees, colleagues, and partners to the meeting as well as two new Udall Foundation team members, Gwendolyn Franks and Rachel Hammelman. He offered thanks to those who prepared materials for the meeting and worked on logistics. Brown began his remarks by reviewing progress on expanding the Udall Foundation's Washington D.C. presence; focusing the Board's attention, such as on the agency's financial authorities, mechanisms, and funds; establishing clear initial priority for grants, gifts, and donations (GG&D); and looking for opportunities to strengthen funding mechanisms. Brown called on Muter to report on the Udall alumni reception. Muter said approximately two dozen alumni representing classes as far back as 1998 attended the event, including Udall Fellowship alum Representative Melanie Stansbury. The reception was an opportunity to share information regarding the Udall Foundation's GG&D authority with alumni. Brown provided an update on the Udall Foundation's Tucson, Arizona, headquarters relocation and legislative updates including the current continuing resolution (CR) and H.R. 5715, which would reauthorize the Udall Foundation through 2029. Brown's remarks also touched on

additional areas of focus for 2023 such as establishing a sophisticated, high-tech approach to the alumni network; onboarding Trustees who can serve as ambassadors for the agency's work on Capitol Hill; and delivering the Udall Foundation's mission or work in a high-profile way via conferences and meetings when appropriate, including potentially restarting the National Center's environmental collaboration and conflict resolution (ECCR) conference. During Eberhard's comments related to H.R. 5715, he noted that the agency relies on the good will of several members in the U.S. House of Representatives and U.S. Senate. While memories in the House and Senate of Morris Udall and Stewart Udall are fading, Brown and others are able to talk to people on both sides of the aisle who recognize what the Udall Foundation has accomplished because it is a nonpartisan agency. Eberhard said Brown has done a wonderful job of putting the agency's nonpartisanship front and center and has spent a tremendous amount of time in the last two years developing a new generation of contacts and relationships on Capitol Hill that will prove helpful to the agency in the future.

#### **Consent Agenda Approval**

On a motion moved and seconded with no discussion requested, the Board approved the Consent Agenda items, including the Minutes of the April 27, 2022, Board of Trustees Meeting and the programmatic Board Reports, by a vote of 11 FOR, 0 Against, and 0 Abstain. Eberhard thanked staff for their work on the programmatic reports.

#### **The University of Arizona Fiscal Year 2023 Program Work Plan and Funding**

On a motion moved and seconded with no discussion requested, Resolution No. DEC-39-2022 Allocation of Funds to the Udall Center for Studies in Public Policy and The University of Arizona Libraries, Special Collections was adopted by a vote of 11 FOR, 0 Against, and 0 Abstain. (The resolution is attached to these minutes.) On a motion moved and seconded with no

discussion requested, Resolution No. DEC-40-2022 Funds Set Aside for the Native Nations Institute for Leadership, Management, and Policy, a program of the Udall Center for Studies in Public Policy was adopted by a vote of 11 FOR, 0 Against, and 0 Abstain. (The resolution is attached to these minutes.) The Chair said the Udall Foundation's ability to support aspects of the work of the Udall Center, NNI, and The University of Arizona, Special Collections through its congressional mandate is vital to the agency and is the core of the Udall Foundation's relationship with UArizona.

### **Udall Foundation Finances**

The Chair called on Brown and Christopher Gamache, the Udall Foundation's Program Examiner at the Office of Management and Budget (OMB), to provide their presentations related to the Udall Foundation's finances. The Chair asked Trustees to 1) pay attention to how they might be ambassadors for the Udall Foundation's work on Capitol Hill; 2) consider how relationships with DOI, ED, and CEQ can be utilized by the agency regarding appropriations; 3) how to best engage alumni and the UAA; and 4) what activities the Udall Foundation can take to raise the profile of its programs with Congress and OMB. Brown's presentation began with an overview and history of Udall Foundation authorizations that discussed authorizations versus appropriations; the history of the agency's authorizations and reauthorizations that have included amendments to its statute (referred to colloquially as the enabling legislation); the Udall Foundation's authorization committees and subcommittees in the House and Senate as well as a discussion of current committee and subcommittee leadership and changes to leadership in the upcoming session of Congress; the agency's current authorization through FY 2023; the status of the Udall Foundation's reauthorization legislation (H.R. 5715); and possible priorities for future reauthorizations. Brown went on to provide an overview and history of the Udall Foundation's

appropriations that discussed the process for requesting annual appropriations; the Udall Foundation's appropriations committees and subcommittees in the House and Senate as well as a discussion of current committee and subcommittee leadership and changes to leadership in the upcoming session of Congress; the history of the Udall Foundation's appropriations to its two Funds since the agency's founding; the agency's appropriations for FY 2022 and FY 2023; and the status of the appropriations process for FY 2024. Next, Brown presented on the Udall Foundation's current fund balances, investment portfolio, and management strategy. This included a discussion of the agency's general legal authority as well as its legal authorities related to the Morris K. Udall and Stewart L. Udall Trust Fund (Trust Fund), Environmental Dispute Resolution Fund (EDRF), and GG&D. The presentation also covered the current Trust Fund and EDRF investment strategies and the Trust Fund investment portfolio. Eberhard clarified that there can be an authorization from Congress to receive an appropriation and/or an authorization to exercise program authority. The Udall Foundation has had situations in the past when it has been authorized to conduct programs but has not been authorized for appropriations. Eberhard and Brown shared which Udall Foundation programs are impacted if the agency were not to receive appropriations or were to find itself operating under a long-term continuing resolution. Brown told the Trustees that each year the Trust Fund appropriation must include renewal of the authority to set aside funds for NNI; that authority is not stipulated in the Udall Foundation's enabling legislation. Brown shared the Udall Foundation team thinks the agency has the authority to receive GG&Ds into each of its Funds depending on the nature and purpose of the grant, gift, or donation. This is an ongoing, active discussion with OMB, and the agency is working with OMB and USDA Finance to figure out how to best mechanically administer GG&Ds between the agency's two funds. One Trustee expressed that Brown's presentation on

the Udall Foundation's finances was extremely useful to those with no experience in the public sector and should be given to all incoming Trustees.

Before turning over the presentation to Gamache, Brown told the Trustees that the process of requesting appropriations from Congress for the Udall Foundation's Trust Fund and EDRF actually starts at The White House. He said it is always better for the agency to be included in the President's Budget than to not be included, and he appreciates the partnership with Gamache and OMB to make sure the Udall Foundation is included. Gamache began by providing his background. He has worked at OMB for six years and in the Federal Government for a total of 13 years. He graduated from Arizona State University where he earned a degree in geology and a Master of Public Administration. He has been in the environmental industry for a little over 20 years. Previously, he worked with the Arizona Department of Environmental Quality and for the Marine Corp headquarters in Washington, D.C., where he eventually gained budgeting experience. He also serves as a program examiner to large portions of the Environmental Protection Agency as well as the Chemical Safety Board, a small independent agency like the Udall Foundation. Gamache's presentation shared OMB's mission and structure, the Federal budget process, appropriations tracking, and budget execution. OMB's mission is to oversee the implementation of the President's vision across the executive branch. Gamache is located in the Climate, Energy, Environment, and Science (CEES) Resource Management Office (formerly called Natural Resources) in OMB's Environment Branch. He reviewed the timeline for various aspects of the Federal budget formulation including the President's Budget process and the tracking of appropriations through the House and Senate as Congress works to create and approve a Federal budget. He told the Trustees that the budget formulation process for any particular fiscal year takes approximately two years from start to finish. The presentation



concluded with a review of budget execution, including apportionments and financial and performance reporting from agencies. There were questions related to the Administration's budget policy guidance to agencies including the top line numbers for funding, how those topline numbers are established, and how the Administration's budget policy guidance meshes with Congress's work to formulate a Federal budget. In response to a Trustee's question regarding who decides the target levels for the Federal budget—Congress or an Administration—Gamache said it is both. He said Congress pushes policy through legislation or through the authorization process, while an Administration pushes policy through the budgeting process. Congress sets their own appropriations funding targets or limits. Sometimes Congress does not agree with or accept an Administration's targets. An Administration does not force its target levels on Congress. An Administration's target levels are communicated to Congress via the President's Budget. If Congress passed a budget that has appropriations levels higher than an Administration's targets, OMB for the most part follows the enacted appropriations level by Congress; Gamache shared an example where last year Congress added direct spend language related to the Udall Foundation's Trust Fund that OMB said it could not follow. Eberhard has worked with OMB in various ways and with all levels of OMB staff since the 1980s. He said the Udall Foundation is fortunate to have Gamache as its program examiner. Another Trustee said Gamache's presentation was extremely helpful. Brown asked how the Udall Foundation Board of Trustees can communicate to OMB its desire to increase the amount of the agency's appropriations. Gamache said agencies do not usually have much control over the top line numbers provided by OMB, but the agency can communicate that desire in its Budget Request. After the Budget Request is submitted, the agency has a meeting with OMB where it can explain its submission and communicate priorities or requests outside of OMB's top line dollar amounts.

Discussion continued with mention that Congress can include an appropriation for an independent Federal agency in the Federal budget even if that agency is not included in the President's Budget. Since the Udall Foundation is an independent Federal agency, it can submit a direct request to Congress for an appropriation if a future Administration were not to include it in the President's Budget. Brown thanked Gamache for his presentation.

### **Other Business**

The Chair called on Brown to conduct other business. Prior to the December 2022 Board of Trustees Meeting, consistent with the Board's Operating Procedures, Brown recommended to the Trustees that they present Trustees Awards for Outstanding Accomplishment to Myles Sharp, Chief Financial Officer; Jerry Carter, Chief Data and Information Officer; Olivia Montes, Operations Coordinator; Elisa Baca, Contracting Officer's Representative; and Theresa Fernandez, Financial Technician, for their outstanding leadership and oversight of the relocation of the Udall Foundation's Tucson, Arizona, headquarters. The Board approved these honorary awards. The efforts of Sharp, Carter, Montes, Baca, and Fernandez resulted in cost-savings benefits to the agency. They invested significant time above and beyond their customary job duties to ensure the orderly relocation of the agency's headquarters while maintaining compliance with all relevant Federal rules and regulations.

The Chair called on Johnson-Billy to provide concluding remarks. She thanked the Udall Foundation team and Trustees for their work. She noted that the paperwork and policies that have to be dealt with can feel overwhelming, but, ultimately, the Udall Foundation's goal is changing communities and improving lives and that is what is most important to remember.

There being no further business, on a motion moved and seconded, the Board of Trustees adjourned the meeting via voice vote at 12:27 p.m. (EST).

## Appendix 1

### Udall Foundation Board of Trustees Meeting

December 7, 2022

#### Attendees List

[As of 3/9/2023]

#### In-Person Attendees at The University of Arizona Washington, D.C. Center for Outreach and Collaboration

##### **Udall Foundation Trustees Attending:**

Charles P. Rose, *Chair*

Lisa Johnson-Billy, *Vice Chair*

Eric D. Eberhard, *Trustee*

James L. Huffman, *Trustee*

Tadd M. Johnson, *Trustee*

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

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

##### **Udall Foundation Staff Attending:**

David Brown, *Executive Director*

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

Gwendolyn Franks, *General Counsel*

Dana Goodson, *Senior Program Manager, National Center*

Elyse Magen, *Program Associate, National Center*

Bret Muter, *Deputy Director of Education Programs and Grants, Gifts, and Donations Manager*

Myles Sharp, *Chief Financial Officer*

##### **Guests Attending:**

Hogan Dwyer, *Udall Alumni Association (UAA) President*

Christopher Gamache, *Program Examiner, Environment Branch, Office of Management and Budget (OMB)*

#### Remote Attendees (via videoconference/teleconference)

##### **Udall Foundation Trustees & Trustee Representative Attending:**

Jomar Maldonado Vazquez, *CEQ Trustee Representative*

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

Denis Udall, *Trustee*

Tess Udall, *Trustee*

##### **UArizona Leadership, Partner Program Leadership, and Partner Program Staff Attending:**

Molli Bryson, *Program Coordinator, Udall Center for Studies in Public Policy (Udall Center)*

Veronica Castro, *Senior Executive Associate to the President, UArizona*

Elliott Cheu, *Associate Vice President, University Research Institutes, RII*

Andrea K. Gerlak, *Director, Udall Center*

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

Verónica Reyes-Escudero, *Katheryne B. Willock Head of Special Collections*

Joan Timeche, *Executive Director, Native Nations Institute for Leadership, Management, and Policy (NNI)*

##### **Udall Foundation Staff Attending:**

Elisa Baca, *Contracting Officer's Representative*

Adam Baker, *Application Programmer*

Jerry Carter, *Chief Data and Information Officer*  
Mitch Chrismer, *Project Manager, National Center*  
Seth Cohen, *Senior Program Manager, National Center*  
Marci DuPraw, *Senior Program Manager, National Center*  
Theresa Fernandez, *Financial Technician*  
Rachel Hammelman, *Program Associate, National Center*  
Alicia Harris, *Director of Education Programs and Chief Diversity Officer*  
Terri Harrison, *Contracting Program Manager/Contracting Officer*  
Stephanie Kavanaugh, *Dep. Director, National Center*  
Mike Kruse, *Program Coordinator, Parks in Focus®*  
Stephanie Lucero, *Senior Program Manager and Native American and Alaska Native Service Area Coordinator, National Center*  
Brian Manwaring, *Director, National Center*  
Katherine McPherson, *Senior Financial Manager*  
Elizabeth Monroe, *Communications Program Manager*  
Olivia Montes, *Operations Coordinator/Training Program Analyst*  
Monique Mullenau, *Senior Program Associate & Training Program Coordinator, National Center*  
Lauren Nutter, *Project Manager, National Center*  
Ben Zukowski, *Senior Program Associate, National Center*

**Trustees Excused**

Mark T. Nethery, *Trustee*  
D. Michael Rappoport, *Trustee*

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

Resolution No. DEC-39-2022: Allocation of Funds to the Udall Center for Studies in Public Policy and The University of Arizona Libraries, Special Collections

I.

WHEREAS, the United States Congress enacted P.L. 102-259 (20 U.S.C. §§ 5601 et seq. as amended, most recently on December 20, 2019) on March 19, 1992, to establish the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) as an independent entity of the Executive Branch for several purposes, including to:

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

II.

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

III.

WHEREAS, the purposes of the Udall Foundation include establishing a program for environmental policy research at the Udall Center (20 U.S.C. § 5604(4)); and,

IV.

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

V.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2023 identifying programs that provide resources to properly train professionals in the environmental, natural resource, conflict resolution, and related fields (20 U.S.C. § 5604(5)) and provide educational outreach regarding environmental policy (20 U.S.C. § 5604(6)) and specifies how funding from the Udall Foundation would be used in furtherance of these programs; and,

VI.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2023 that identifies administrative and operational support funding for NNI that operates programs to properly train Native American and Alaska Native professionals in health care and public policy, by providing education to and conducting management and leadership training of Native Americans, Alaska Natives, and others involved in tribal leadership, providing assistance and resources for policy analysis, and carrying out other appropriate activities (20 U.S.C. § 5604(7)); and,

VII.

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

VIII.

WHEREAS, the Udall Center has submitted a proposed work plan for Fiscal Year 2023 that specifies funding for the Udall Archives at The University of Arizona Libraries, Special Collections, which serves as the repository for Morris K. Udall's and Stewart L. Udall's papers and related public papers and assures their availability to the public in accordance with 20 U.S.C. § 5605(a)(7);

IX.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees hereby approves the Udall Center Fiscal Year 2023 work plan; and,

X.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees hereby authorizes the Udall Foundation to allocate not less than 20 percent of the Fiscal Year 2023 interest from the Trust Fund, projected at \$399,538, to the Udall Center for the approved purposes above, contingent on availability of funding.

CERTIFICATION

WE HEREBY CERTIFY that on the 7 day of DECEMBER, 2022, at a  **regular**  **special** meeting of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation at which time a quorum was present, the foregoing resolution was adopted by a vote of 11 FOR, 0 AGAINST, 0 ABSTAIN.



Chair



Vice Chair

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

Resolution No. DEC-40-2022: Funds Set Aside for the Native Nations Institute for Leadership, Management, and Policy, a program of the Udall Center for Studies in Public Policy

I.

WHEREAS, the United States Congress enacted P.L. 102-259 (20 U.S.C. §§ 5601 et seq. as amended, most recently on December 20, 2019) on March 19, 1992, to establish the Morris K. Udall and Stewart L. Udall Foundation (Udall Foundation) as an independent entity of the Executive Branch for several purposes, including to:

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

II.

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

III.

WHEREAS, the Board of Trustees expects that there will be an appropriation of funds for Fiscal Year 2023 to the Morris K. Udall and Stewart L. Udall Trust Fund (Trust Fund), which supports Udall Foundation Education Programs, and that such appropriation includes authority to set aside a portion of that appropriation to NNI to properly train Native American and Alaska Native professionals in health care and public policy, by providing education to and conducting management and leadership training of Native Americans, Alaska Natives, and others involved in tribal leadership, providing assistance and resources for policy analysis, and carrying out other appropriate activities authorized by 20 U.S.C. § 5604(7); and



IV.

WHEREAS, the Udall Center has submitted a proposed Fiscal Year 2023 work plan identifying specific activities in furtherance of 20 U.S.C. § 5604(7);

V.

NOW THEREFORE BE IT RESOLVED, that the Board of Trustees approves the Udall Center Fiscal Year 2023 work plan and set aside of appropriations for the activities of NNI, and intends to provide sufficient funding to support this work plan and ensure its success; and

VI.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Board of Trustees, to ensure that funding is spent in a manner consistent with the Udall Center Fiscal Year 2023 work plan and consistent with good financial management practices and approved uses of appropriated funds, hereby authorizes the Udall Foundation to set aside up to \$1 million from Fiscal Year 2023 funds appropriated for the Trust Fund for use by NNI to properly train Native American and Alaska Native professionals in health care and public policy, by providing education to and conducting management and leadership training of Native Americans, Alaska Natives, and others involved in tribal leadership, providing assistance and resources for policy analysis, and carrying out other appropriate activities, including the summer 2023 Native American Congressional Internship Program and for its related expenses and costs authorized by 20 U.S.C. § 5604(7); and

VII.

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

VIII.

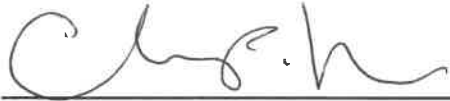
NOW THEREFORE BE IT FURTHER RESOLVED, that the set aside of funding from the appropriation for the Trust Fund is also conditioned upon NNI's agreement that the revenue NNI generates through the sale of publications, distance learning materials, or from the conduct of classes, workshops, education programs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

IX.

NOW THEREFORE BE IT FURTHER RESOLVED, that the funding set aside from the appropriation for the Trust Fund is also conditioned upon NNI's agreement that it shall report to the Board of Trustees at the close of Fiscal Year 2023 any revenue NNI generates through the sale of publications, distance learning materials, or from the conduct of classes, workshops, education programs and any other activities funded in whole or in part by the Trust Fund, and the manner in which the revenue was spent.

CERTIFICATION

WE HEREBY CERTIFY that on the 7 day of December, 2022, at a X regular special meeting of the Board of Trustees of the Morris K. Udall and Stewart L. Udall Foundation at which time a quorum was present, the foregoing resolution was adopted by a vote of 11 FOR, 0 AGAINST, 0 ABSTAIN.

  
\_\_\_\_\_  
Chair

  
\_\_\_\_\_  
Vice Chair