

# TRIBAL CULTURAL ITEMS TASK FORCE

## MEETING MINUTES

**Date:** May 29, 2018

**Time:** 9:00-12:00

**Location:** Lewis Lounge - Knight School of Law  
University of Oregon  
1515 Agate Street  
Eugene, OR 97402

### Task Force Members Attendees:

Brenda Meade	Coquille, Co-Chair
Danny Santos	Co-Chair
Aaron Ashley (by phone)	CTUIR
Michael Langley	Grand Ronde
Karen Quigley	Legislative Commission on Indian Services
Dustin Buehler	Governor's Office
Chris Allori	Oregon State Police
Patrick Flanagan (by phone)	Oregon Department of Justice

### Additional Attendees:

Kassie Rippee	Coquille
Chief Ivy	Coquille
Chief Brainard	CTCLUSI
Jason Younker	U of O
Briece Edwards (by phone)	Grand Ronde
Stacy Scott (by phone)	CTCLUSI
Teara Farrow Ferman (by phone)	CTUIR

**Documents:**           **Agenda, 4/19/18 meeting minutes, Email from Chief Ivy re: cultural items definition**

**Agenda Item #1:**   **Welcome, Introductions, and Procedural Discussion**

Minutes from April 2018 meeting

After a motion and second to approve the minutes from the April 2018 Task Force meeting, discussion ensued. The consensus is that Task Force members would prefer minutes that summarize the discussion with enough detail that members can use those minutes to brief their Tribal Councils and agencies. A motion to table the minutes—pending revisions—was seconded and passed. The minutes will be slated for approval at the June 2018 meeting.

Alternates

To boost attendance and tribal representation at Task Force meetings, each tribe is encouraged to designate an alternate for Task Force members, who can attend and participate in the member's absence. Tribes are asked to announce their alternates by the June meeting.

For non-tribal Task Force members, the Governor's Office will work with those members to designate alternates, either from the member's agency or from another agency, when appropriate.

Subcommittees / format/structure for Task Force meeting discussions

Members of the subcommittee on the definition of "cultural items" gave feedback on how that process worked. Valuable feedback occurred, but it was difficult to get subcommittee members together for conference calls.

Generally, the consensus from the discussion was that subcommittees can add value to the Task Force's work by allowing for focused discussion in between meetings. That said, subcommittee work must be performed in a way in which Task Force members are comfortable coming in later and revising the subcommittee's work product.

As a matter of process, several Task Force members encouraged subcommittees and the Task Force itself to sequence drafts in a way that allow members—particularly tribal representatives—to share that work with Tribal Councils and other entities with an interest in the Task Force's work.

### Webpage

Members briefly discussed whether the Task Force should have a web presence (for example, a webpage that is part of the Governor's Office website). Shevaun will research the logistics, and the Task Force will revisit the desirability of having a website at the June meeting.

### Possible phased implementation of Task Force recommendations

During the Task Force's discussion on what other voices might need to be present at meetings, Karen Quigley noted that it might make sense to focus first on the five or six land-management state agencies.

This led to a discussion about the scope of the Task Force's work and recommendations. Members agreed that while it is important to implement Task Force recommendations to all state agencies and other institutions (higher education, K-12 schools, etc.), it might make sense to start with a smaller subset and refine the Task Force's approach.

Several members suggested that the Task Force may want to pioneer a "phase 1" approach of working with the land-management agencies to come up with a way to survey those agencies for cultural items, implement within those agencies, then scale-up the project in "phase 2" to other agencies at a later date. One possibility would be to invite the land-management agencies to Task Force meetings (and to collaborate between Task Force meetings), then release recommendations for those agencies by the summit this fall, then implement those recommendations in December. Based on what the Task Force learns from that implementation of "phase 1," it could then refine its approach for "phase 2" implementation to all state agencies by April 2019 (the one-year anniversary of the Task Force's first meeting).

In collaboration with Chief Don Ivy, Karen Quigley, and other Task Force members, Dustin Buehler offered to prepare a one- or two-page document, outlining possible phased approaches, for discussion at the June meeting.

### **Agenda Item #2: Definition of "Cultural Items"**

Kassie Rippee (the chair of the subcommittee on the definition of "cultural items") reported back regarding the subcommittee's work. The

subcommittee recognized that tribes have different definitions of “cultural items,” but that a basic definition was needed to communicate with state agencies, schools, and other entities.

The consensus from the subcommittee was that the definition proposed by Chief Ivy—distributed with the agenda for this May meeting—captures essential categories of cultural items, without being overly inclusive. Further education and training would refine agencies’ understanding of cultural items, to supplement whatever definition the Task Force adopts.

Chief Ivy’s definition was embedded in an e-mail, the text of which follows:

*I’ve dug enough holes in the ground and sorted through enough stuff from all those holes to know that even the dirt is sacred... So, and not to get hung up on what/how others choose to define “cultural items”- and just to try to stay on point with what Task Force can realistically accomplish within its mission:*

- *Funerary- any object/item generally associated with death or a ritual thereof- whether directly recovered from a burial, associated to a burial location(s), or an object/item that by its condition indicates a relationship to death and/or burial*
- *Archeological- anything scientifically removed from a documented site (prior or subsequently), objects/items removed from a site(s) prior to its archeological designation, or any collection(s) of artifacts/objects that can be attributed as being from/near such a site*
- *Historic- collection(s) of artifacts/objects (including written materials [i.e. diaries, journals, newspapers, etc.]) that can be directly associated to person/places significant to tribe’s historic experience and/or contemporary identity*

*The question always persists: how to instill “tribal interests” into the lexicon of state (and even federal) agency purpose so as to recognize that Oregon’s history begins-and cannot be separated from- the history and heritage of its Native Peoples, and all that happened to those Native People prior, during, after, and as result of Oregon’s Statehood...*

Members present agreed to defer final discussion of the definition of “cultural items” until the June meeting, when more tribes are present. There was also a recognition that decisions regarding the scope of the

Task Force’s work (for example, whether implementation will be in phases, and will focus on certain agencies first) will be important to how the meaning of “cultural items” is communicated.

**Agenda Item #3: Brainstorming Session: Survey Scope, Method, and Training**

The Task Force briefly brainstormed the possible approaches associated with phased implementation. There was also a discussion regarding how implementation would be scheduled vis-à-vis the summit (which likely will occur in late November or early December).

In terms of survey methods and scope, members appeared to agree that those issues are tied to the Task Force’s approach. For example, if the Task Force chooses to focus on land-management state agencies and engages in a dialog with representatives from those agencies at future meetings, then the scope and survey methods may be influenced by those conversations.

**Agenda Item #4: Upcoming Meeting Schedule and Closing Thoughts**

Shevaun Gutridge will be sending out a list of upcoming meeting dates and locations for the rest of the calendar year.

Later that afternoon, Shevaun sent out the upcoming meeting dates. Those dates are:

- **June 29, 2018** (9:00 a.m. – 12:00 noon), at Grand Ronde
- **July 18, 2018** (1:30 – 4:30 p.m.), at Bend
- **August 23, 2018** (1:30 – 4:30 p.m.), at Lincoln City (hosted by Siletz)
- **September 20, 2018** (1:30 – 4:30 p.m.), at Warm Springs (backup location in Portland)
- **October 16, 2018** (1:30 – 4:30 p.m.), at Coquille
- **November 15, 2018** (1:30 – 4:30 p.m.), at Salem

# AGENDA

## Meeting – Task Force on Oregon Tribal Cultural Items

**Date:** May 29, 2018

**Time:** 9:00 a.m. – 12:00 noon

**Location:** Lewis Lounge – Knight School of Law – University of Oregon  
1515 Agate Street – Eugene ([Directions](#))

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**9:00 a.m. – 9:50 a.m.**

### **Welcome, Introductions, and Procedural Discussion**

- Approval of Minutes from last meeting
- Format/structure for Task Force meeting discussions
- Best way to tackle issues—subcommittees, or other processes?
- Alternates for Task Force members?
- Other voices needed (as Task Force members, guests, or for purposes of technical assistance)?
- Are there agencies that we should reach out to now?
- Webpage for Task Force?

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**9:50 a.m. – 10:40 a.m.**

### **Definition of “Cultural Items”**

- Report from Subcommittee
- Discussion
- Next steps (action item for June meeting?)

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**10:40 a.m. – 10:50 a.m.**

### **BREAK**

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**10:50 a.m. – 11:50 a.m.**

### **Brainstorming Session: Survey Scope, Method, and Training**

- Scope: In terms of “surveying” agencies for cultural items, what type of survey should we use, and how broad or narrow should that survey be?
- Method: What method should we use for surveying targeted agencies/institutions?
- Training: Should the survey be accompanied by an educational component? If so, what should that component look like?

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**11:50 a.m. – 12:00 p.m.**

### **Upcoming Meeting Schedule and Closing Thoughts**

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# TRIBAL CULTURAL ITEMS TASK FORCE

## MEETING MINUTES

**Date:** April 19, 2018

**Time:** 9:00 a.m. – 12:00 p.m.

**Location:** Oregon Department of Fish and Wildlife  
4034 Fairview Industrial Drive, Classroom Conference Room  
Salem, OR 97301

### Task Force Members Present:

Brenda Meade	Coquille, Co-Chair
Danny Santos	Co-Chair
Aaron Ashley (by phone)	CTUIR
Perry Chocktoot	Klamath
Robert Kentta	Siletz
Michael Langley	Grand Ronde
Brigitte McConville (by phone)	Warm Springs
Jessie Pluard (by phone)	Cow Creek
Diane Teeman	Burns Paiute
Karen Quigley	Legislative Commission on Indian Services
Dustin Buehler	Governor's Office
Chris Allori	Oregon State Police
Jon Erlandson	U of O / Museum of Natural and Cultural History
Patrick Flanagan	Oregon Department of Justice
Dennis Griffin	State Historic Preservation Office

### Additional Attendees:

Kassie Rippee	Coquille
Chief Don Ivy	Coquille
Teara Farrow Ferman (by phone)	CTUIR
Jason Younker	U of O
Briece Edwards	Grand Ronde
Jesse Beers	CTCLUSI
Chief Warren Brainard	CTCLUSI
Stacy Scott	CTCLUSI
Julie Penry (by phone)	OSU
Dawn Marie Alapisco (by phone)	OSU

**Documents:**           **Agenda, List of task force members, Executive Order #17-12**

**Agenda Item #1:**   **Welcome, Introductions & Opening Remarks**  
Facilitators - Brenda Meade and Danny Santos

Task Force co-chairs Brenda Meade and Danny Santos gave brief opening remarks regarding the Task Force's charge and the importance of its work. Task Force members and guests briefly introduced themselves.

**Agenda Item #2:**   **Overview of Executive Order 17-12's Intended Scope**  
Facilitators - Karen Quigley and Dustin Buehler

Karen Quigley and Dustin Buehler gave a brief overview of Executive Order 17-12, which was followed by discussion among Task Force members regarding the Executive Order's scope.

Among other things, Task Force members discussed the following:

- Currently we do not know what is out there in terms of cultural items housed by state agencies and other institutions. Additionally, agencies may not know what "cultural items" are.
- The Task Force must ensure that every tribe is heard, and must keep Governor Brown updated on its progress in the months ahead.
- An educational piece is essential to ensuring compliance by state agencies, universities, community colleges, and other entities.
- In terms of the Task Force's report to Governor Brown regarding implementation and next steps, the Task Force recognizes that the Governor's authority is greatest in the context of state executive-branch agencies, which may represent the best opportunity to make headway on these issues, at least initially.
- Several voices not currently around the table may be important to the conversation in the months ahead, including K-12 schools, community colleges, individuals at the county level (perhaps representatives from the Association of Oregon Counties), the Oregon Historical Society, county historical museums, and Oregon State Archives and/or the Oregon State Library.



Additionally, several Task Force members emphasized their view that messaging around the Task Force's work must focus on stewardship, rather than repatriation (at least initially), so agencies and other entities view this as a collaborative endeavor.

**Agenda Item #3: Proposal: Use Government-to-Government Model to Facilitate Engagement between Tribes and State Agencies regarding Cultural Items**

Facilitator - Karen Quigley

The Task Force then discussed a concept presented by Karen Quigley, in which the Task Force could use the government-to-government framework to facilitate coordination and communication between the state and tribes regarding tribal cultural items.

Under that framework, each agency could be required to have a policy regarding the treatment of cultural items, as well as the obligation to appoint a key contact. Each agency's policy would specify how the agency plans to communicate with tribes regarding cultural items within its possession, and how it plans to educate agency employees regarding that policy. Additionally, annual agency training (at the summit or otherwise) would add an educational and accountability piece.

Discussion ensued, and included the following points:

- The need for some kind of survey to find out what's out there (what's in the possession of state agencies and other state entities).
- The endgame for all of this should be access; if tribes have knowledge of and access to cultural items in the possession of state entities, then the state and tribes can discuss the best next steps.
- Several Task Force members emphasized the importance of the educational piece, noting that for state agencies that component is one of the most valuable parts of the existing government-to-government framework.
- The agencies who may benefit most immediately from using a government-to-government framework in this context may be the land management agencies. But the scope of this work should be broader, offering an educational component to all state entities.
- Other models can serve as templates, such as Warm Springs' "Harmony Workshop" (used to educate federal agencies).

- Several Task Force members emphasized the need to carefully define the meaning of “cultural items,” as well as the survey approach/methodology.

**Agenda Item #4: Brainstorming Session: Other Issues to Research and Flag for Discussion at Upcoming Meetings**

Facilitators - Brenda Meade and Danny Santos

Task Force members continued their discussion regarding the voices needed around the table (K-12, community colleges, counties, libraries, etc.), as well as the discussion regarding the meaning and scope of “cultural items.” Several persons noted the tension between a broad definition that encompasses all items that tribes would consider to be a part of their culture, and a narrower definition that might be more workable and/or understandable for implementation purposes.

For the purposes of discussing and refining a definition of “cultural items,” the Task Force created a subcommittee and tasked that subcommittee with reporting back at the next meeting. Subcommittee members include: Kassie Rippee (chair), Jesse Beers, Perry Chocktoot, Briece Edwards, Jon Erlandson, Teara Farrow Ferman, Patrick Flanagan, Dennis Griffin, Robert Kentta, Brigitte McConville, Jessie Plueard, and Diane Teeman.

Task Force members also brainstormed the type of presentations and information at future Task Force meetings that might be useful (ideas included presentations from and/or regarding higher education institutions, and from the League of Oregon Cities and the Association of Oregon Counties). Several persons expressed interest in obtaining a list of state executive-branch agencies that are currently part of the government-to-government framework, as well as a list of community colleges so Task Force members can reach out to individuals at those schools.

**Agenda Item #5: Next Meeting and Closing Thoughts**

The Task Force agreed to hold three-hour meetings every month, from now until the summit (and possibly beyond the summit, depending upon whether the Task Force has completed its business).

The Governor's Office agreed to send out a Doodle Poll to get members' availability for future Task Force meetings. Those interested in hosting meetings will email the Governor's office.

Task Force members expressed their preference that meetings be held around the state.

Karen Quigley announced that LCIS will hold a spring discussion on tribal cultural items on May 15 at Willamette University.

**From:** Don Ivy  
**Sent:** Wednesday, May 2, 2018 9:20 PM  
**To:** Brenda Meade <[brendameade@coquilletribe.org](mailto:brendameade@coquilletribe.org)>  
**Cc:** Quigley Karen M <[Karen.M.Quigley@oregonlegislature.gov](mailto:Karen.M.Quigley@oregonlegislature.gov)>  
**Subject:** RE: Proposed "cultural items" definitions - COMMENTS REQUESTED

Madam Chair, here's my first blush:

I've dug enough holes in the ground and sorted through enough stuff from all those holes to know that even the dirt is sacred... So, and not to get hung up on what/how others choose to define "cultural items"- and just to try to stay on point with what Task Force can realistically accomplish within its mission:

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Don