



2020 Government to Government Report

OREGON SECRETARY OF STATE

Final | December 2020

Online version available at <https://sos.oregon.gov/pages/tribal-relations.aspx>

Oregon Secretary of State is honored to share this annual report to the Legislative Commission on Indian Services, detailing government-to-government activities between tribal governments and Secretary of State during the 2020 calendar year.

Secretary of State is both a constitutional office established at statehood and the agency that the Secretary directs.

The agency has four public-facing divisions, including Archives, Audits, Corporation and Elections. In addition, the agency has three internal administrative services divisions, including Business Services, Human Resources and Information Systems. The Secretary has an executive office staff that provides direct support for her administration.

While this report does look back on the year, it is important to note that 2021 will mark the end of service for Secretary Bev Clarno and the beginning of a new Secretarial administration.

MISSION, VISION AND VALUES

MISSION

As Servant Leaders, we will apply experience, knowledge, and abilities to improve transparency, accountability, and integrity in Oregon government.

VISION

The Secretary of State is committed to:

- Serving our community by building relationships and focusing on equity for all Oregonians.
- Upholding the Constitution and the laws of the state of Oregon. Encouraging voter participation and maximizing access while ensuring election integrity. Ensuring taxpayers receive maximum value for their tax dollars and protection of their privacy and personal information.
- Building Oregon's economy by making it easier to start and do business in Oregon, removing barriers, providing small business assistance, and creating an environment where new businesses can grow, prosper, and create family-wage jobs.
- Preserving and promoting accessibility to Oregon's public records for the benefit of all peoples.
- Empowering Oregonians by providing timely and accurate information about their government, connecting through outreach activities, and protecting whistle blowers.

VALUES

- We value the people of Oregon: our staff, our customers, our partners, and our stakeholders.
- We value the character of Oregon: liberty, equality, equity, loyalty, honesty, security, diversity, and sustainability.

TRIBAL RELATIONS

In accordance with [ORS 182.164](#), Secretary of State has developed and implemented an agency policy on relationships and cooperation with tribes.

The agency's approach is rooted in our core values. We work to develop and nurture strong working relationships with federally recognized tribes in Oregon, to ensure that all agency impacts to the tribes and their members are positive, and to swiftly and transparently deal with negative impacts.

Strategy

Within the agency, the tribal liaison is tasked with identifying programs that may impact tribes and/or their members and ensuring that such impacts are positive in nature. The tribal liaison reports to and advises the Secretary on such programs, recommends action when appropriate, and works to promote positive communications and relations between the agency and the tribes.

Programs with impacts on tribes identified thus far include:

Audits – performance and financial audits, Waste, Fraud & Abuse hotline

Archives – permanent collection, records retention responsibilities and expertise, connections to other organizations that retain objects or documents of interest

Corporations – business registry for tribally owned or chartered entities, Office of Small Business Assistance (advocacy)

Elections – ability of tribal members to register to vote and participate in non-tribal elections

To further ongoing communication, the agency's tribal liaison participates in two Legislative Commission on Indian Services cluster groups: Economic Development & Community Services and Cultural Resources.

The agency continues to identify clusters and key tribal contacts that can provide opportunities for communication regarding elections and audits.

GOVERNMENT TO GOVERNMENT

Tribal Liaison

The agency's tribal liaison, Ruth Miles, also serves as the agency's tribal cultural items liaison for the purposes of Secretary of State's *voluntary* compliance with [Executive Order 17-12](#). Contact information is provided at the end of this report.

Activities

Attached as Appendix A is a detailed spreadsheet that lists all activities of the Secretary, her liaison, or other agency staff regarding tribes and tribal members.

Audits Division

Secretary of State's Audits Division this year began requesting information and input from tribes on their work. They have sought to spotlight the innovative work of tribes around foster care and family support. They have solicited the opinions of tribes using the services of DPSST. They will continue to seek tribal input on audits of interest in the coming year. To that end, a copy of the Secretary's Audit Plan will be sent to tribal leaders when it is complete.

Corporation Division

This year brought unprecedented challenges to tribes and state government agencies alike. With challenge comes opportunity. Clusters shifted to virtual meetings using video conferencing technology. Secretary of State was able to provide hosting for the Economic Development & Community Services Cluster meetings using agency tools already in place prior to the pandemic. We have committed to continue hosting these meetings into the new year.

In addition, the Corporation Division continues to work closely with tribes and tribal entrepreneurs on entity registrations. The specific focus during 2020 has been on filings for entities with an original charter with either the federal government (Section 17 corporations) or with a federally recognized tribe in Oregon. This work is a direct result of the passage of [HB 2325](#) (2019).

Elections Division

In accordance with [ORS 250.125](#), Secretary Clarno reached out to tribal leaders in Oregon to provide the text of ballot measures and inquire as to their financial impact (positive or negative) on the tribe. The tribal liaison subsequently reached out with additional information as the landscape of potential ballot measures changed. Secretary of State will continue to reach out to tribal leadership to ask for input on the financial impact of ballot measures.

In addition, 2020 saw important elections and voter participation rates well above normal levels. The Elections Division continually works to make sure that there are no barriers to voter registration or voting in non-tribal elections for tribal members within Oregon.

Archives Division & Tribal Cultural Items

The agency received feedback from the Tribal Cultural Items Task Force on our report submitted in October 2019. This feedback provided three issues of concern for agency

follow-up. The agency addressed these issues of concern in a [report](#) submitted to the tribes and the Task Force in July 2020.

In the July report, the agency notified the Task Force of the agency's intention to require the signature of a tribal liaison *with* the signature of an agency records officer in order to authorize destruction of records. State Archivist Stephanie Clark is hopeful that a tribal liaison or tribal cultural items liaison will scrutinize the destruction list with an eye to tribal values and/or engage with tribes to gain clarity around interest in particular record sets. This, in part, addresses concerns that both special and administrative records may be of interest to tribes (see [updated definition of tribal cultural items](#)).

Because of the important findings of the Task Force, the State Archivist has added "Tribal Cultural Value" to the list of considerations when appraising new records series created by agencies. She has also approved the modification of existing agency special records retention schedules based on direct feedback from agency records officers, as a result of the recommendations they have received from the Tribal Cultural Items Taskforce. The State Archivist believes that this process of submitting records inventories has been instrumental in holding agencies accountable for the records they create and is thankful for the work of the Task Force to bring many issues to light.

The Task Force has noted that Secretary of State has boxes of unindexed photographs within our Archives collections. The State Archivist has set aside funding for an internship to address this issue. When it is ready, the Archivist and agency Tribal Liaison will provide the recruitment notice to tribes in the hope that interested tribal candidates with an interest in this work can be identified.

Feedback sent to the agency noted that retention periods are short and that records with culturally significant information may have already been destroyed. The State Archivist stands ready to meet with the Task Force on this matter. The agency has offered the Task Force the opportunity to inspect destruction records up to two months before they are sent out to agencies.

During retention, agency records are kept in a wide variety of ways. Some agencies box up their records and send them to the State Records Center. Some agencies maintain their own storage for paper records during the retention period. Digital records are handled differently by different agencies; but some agencies are clients of the innovative [Oregon Records Management Solution](#) system. Others choose to handle digital records on their own and with a variety of different tools.

The State Records Center has a total capacity of 100,000 boxes and a functional capacity of 86,000 boxes; allowing staff to keep like collections with like. It is currently over functional capacity with 94,760 boxes. This is partially a result of the Archivist's order ceasing destruction of special records for one year. That order expired in July 2020, and agencies are now receiving destruction reports. Records are only destroyed with the

authorization of the agency's records officer. As noted above, this authorization now also requires the signature of the agency's tribal liaison or tribal cultural items liaison.

The agency's tribal liaison has begun to provide a quarterly report of the State Records Center capacity to the Cultural Resources Cluster and would happily provide that same report to the Task Force and/or the Legislative Commission on Indian Services.

In addition to these resources, records retention schedules (both administrative and special) are [listed online](#).

CONTACT INFORMATION

Key contacts for Secretary of State include:

Ruth Miles, Tribal Liaison, Tribal Cultural Items Liaison, Corporation Division Director
Ruth.Miles@oregon.gov | 503-986-2205

Stephanie Clark, State Archivist
Stephanie.Clark@oregon.gov | 503-378-8161

Tribal Relations Activities

Appendix A

Date	Staff	Event
1/29/2020	Scott Learn, Bentley Walker	Request interview from Grand Ronde staff and Tribal Chair regarding reduction of children/youth in foster care. Purpose: to glean best practices that can be applied elsewhere in the state.
2/18/2020	Ruth Miles	Participate in Tribal Cultural Items Brown Bag Lunch
3/3-4/2020	Ruth Miles	Participate in Cultural Resources Cluster meeting
4/13/2020	Secretary Clarno	Letters to Tribes regarding ballot measure financial impact
4/17/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
5/10/2020	Ruth Miles, Corporation Division	SOS completes HB 2325 digital tribal filings portion of Oregon Business Registry online application
5/15/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
5/28/2020	Ruth Miles	Participate in Cultural Resources Cluster meeting
6/19/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
6/22/2020	Secretary Clarno, Ruth Miles	Email update to Tribes regarding ballot measure financial impact
7/6/2020	Teed Secretary Clarno, Ruth Miles, Stephanie Clark, Andrea Chiapella	Clarify Native American voter participation in all-mail elections for Common Cause New Mexico
7/15/2020		Complete and submit addendum to Tribal Cultural Items Report
7/24/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
8/21/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
8/26/2020	Ruth Miles	Participate in Cultural Resources Cluster meeting
9/25/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
10/6/2020	Ruth Miles, Mary Beth Herkert	Present information on Kid Governor program to LCIS Education Cluster via video conference call
10/9/2020	Ruth Miles	Share MS-ISAC cyber security bulletin, free membership information to Siletz, CTCLUSI, and Burns-Pauite
10/23/2020	Ruth Miles	SOS hosts LCIS Economic Development & Community Services cluster via conference call
10/27/2020	Ruth Miles	Participate in LCIS statewide government-to-government education meeting
11/21/2020	Ruth Miles, Trevor Leahy Ruth Miles Stephanie Clark, Andrea	SOS hosts LCIS Economic Development & Community Services cluster via conference call
12/1-2/2020	Chiapella	Participate in LCIS Annual Summit -virtual