

**UNITED STATES DEPARTMENT OF LABOR
NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL MEETING**

THURSDAY, DECEMBER 7, 2023

The Council met in Conference Room C-5515 at the U.S. Department of Labor, located at 200 Constitution Avenue NW, Washington, D.C., at 1:30 p.m. EST, Joseph Quintana, Chair, presiding.

Present

Joseph Quintana, Region 6, Chair
Lora Ann Chaisson, Region 4
Robin Counce, Region 4
Lorraine Edmo, Region 4
Patricia Hibbeler, Other Disciplines
Robert Houle, Region 5
Candace Lowry, Region 3
Holly Morales, Region 6
Erwin Pahmahmie, Jr., Region 4
Angel Peer, Region 5
Gary Rickard, Region 6
Kay Seven, Other Disciplines
Darrell Waldron, Regions 1 & 2
Winona Whitman, Region 6
Jacob Wojnas, Other Disciplines

Also Present

Nathaniel Coley, Designated Federal Officer
Duane Hall, DINAP
Lenita Jacobs-Simmons, ETA Deputy Assistant Secretary
Jack Jackson, DOL Tribal Liaison
Cheryl Martin, Office of Workforce Investment
Kimberly Vitelli, Administrator, ETA Office of Workforce Investment
Julie Wakeford, National Indian Education Association

Blessing/Call to Order/Roll Call

Joseph Quintana, Council Chair, opened the meeting at 1:47 p.m. and Member Gary Rickard performed the blessing. Council Secretary Robert Houle conducted a roll call and determined the presence of a quorum.

**Approval of Agenda/Approval of Summary of Minutes and Follow-Up of Motions and Resolutions -
May 3-4, 2023 Council Meeting**

Chair Quintana asked for a motion to approve the meeting agenda, which was duly made by Vice Chair Kay Seven and seconded by Member Patricia Hibbeler. The motion was unanimously approved. Member Lorraine Edmo made a motion to postpone the approval of the May 3-4, 2023 meeting minutes until the next day because she had not had the opportunity to review them. The motion was seconded by Member Darrell Waldron and approved unanimously.

Chair Quintana summarized the motions and resolutions that were shared in the May meeting regarding a Council meeting in June/July 2023 and motions to remove language on the competitive status for 166 and 477 grants and to get back into alignment with the 1% in partnerships with the Department. Member Waldron added that the Council sent letters out to the community to update them on DOL's activities.

Updates from the Employment and Training Administration

Ms. Kim Vitelli, Administrator, ETA Office of Workforce Investment (OWI) briefed the Council on recent DOL events. At the Good Jobs in Tribal Communities meeting on December 5th, Acting Secretary Julie Su recently held a closed door meeting with tribal leaders and Chair Quintana, Vice Chair Seven, and Member Waldron to discuss barriers to and opportunities for increasing job quality. Some themes that emerged during the meeting were the need for adequate funding for employment and training programs, the difficulty of navigating the Registered Apprenticeship Program, and the long history of apprenticeships being dominated by white men. The meeting was followed by a public panel highlighting successful job models developed by tribes, tribal organizations, and tribal businesses, with a special focus on apprenticeship. Acting Secretary Su also spoke at the White House Tribal Nations Summit on December 6 and 7 along with President Biden, Vice President Harris, and other Cabinet officials. At the summit she held a breakout session at the summit with tribal leaders to discuss workforce development and similar themes of the importance of funding and establishing connections across systems. Participants asked the Department to connect with other agencies and disseminate information about existing workforce resources to a broader audience.

As of this meeting Congress has appropriated continuing resolutions (CRs) but they have not passed appropriation bills for fiscal year (FY) 2024. Ms. Vitelli indicated that there seemed to be differing price points between the House and Senate markups, and the final appropriation amount remains unclear. If there is a lapse in appropriation on February 2, 2024, the NAETC will continue to be funded with program year dollars. Since the last Council meeting DOL awarded \$94 million through the Building Pathways to Infrastructure Jobs Grant Program. In order to expand access to federal funds, the program has two tracks: a development track for smaller grant programs and a scaling grant for organizations with more experience. They also extended the open period and provided online technical assistance. Member Rickard asked if any funds were set aside specifically for Native American applicants, and Ms. Vitelli said that there were not any for these grants. She noted that while they did receive more applicants than in past years, they did not end up with any tribal grantees, and she invited the Council to offer them advice on how to make these grant opportunities more accessible to tribes.

Vice Chair Seven suggested tying into existing agreements that DOL has with other federal agencies that address the nation's workforce. She noted that the Department of Energy's 21st Century Workforce Advisory Board (EWAB) is currently gathering data about monies from the Bipartisan Infrastructure Law, Inflation Reduction Act, and the CHIPS and Science Act, looking at where those funds are going across the country and where there are gaps, including around tribal communities. Chair Quintana shared his appreciation for Acting Secretary Su's participation in the Good Jobs in Tribal Communities meeting. He noted that the Council could recommend to the Acting Secretary that they expand this meeting to ensure continued investment in serving tribal communities, including sharing the right data with tribal leaders to prepare them for conversations with Cabinet members. Member Waldron asked if there was any feedback from the grantee community that could indicate why there were so few applicants. Mr. Coley said that they did not receive any feedback, though they did include information in a DINAP Digest and Federal Project Officers (FPOs) held one-on-ones with grantees to make them aware of the opportunity. He added that the lack of applicants was likely due to staffing issues and not having the resources to apply for more resources.

Member Lora Ann Chaisson asked if Ms. Vitelli could provide them with the names of the congressional appropriations committee members so that tribal leaders could start advocating for the budget. Ms. Vitelli said that since that was public information, she would be happy to share it with the Council. She also outlined an initiative in the Chief Evaluation Office (CEO) known as Evidence-to-Action, which is meant to bridge the gap between what researchers/data analysts know and what practitioners know and do. OWI is in the early stages of co-designing a project with CEO within this initiative, and Ms. Vitelli explained that they would like to involve the Council and any relevant partners to design an Evidence-to-Action study specifically for Native American communities and tribes. Member Rickard said that in the past, California Indian Manpower Consortium, Inc. gathered input from their grantees about successful practices and compiled that information into a best practices document, which could be useful for this project. Vice Chair Seven added that it would be helpful for DOL to help develop tribal nation subject matter experts so that tribal nations have a common understanding of which industry sectors across the nation are important to tribes, which occupations within those sectors are in the most demand, and what existing institutions are available to situate national training centers for those industries and occupations. Chair Quintana suggested that they think about whether the Department could act as a repository for information so that data can be made accessible.

Member Rickard noted that they could only glean so much from data; at a certain point they needed to look at what makes certain programs successful and how that success can be utilized by other programs. Consistency is a key factor, both in training and procedures such as developing a procedure manual. Member Hibbeler said that she was glad the Department was beginning to look beyond evidence-based effectiveness, which is based in longitudinal research that is not often done with tribes. She added that DOL should begin to train tribes to collect and monitor data themselves so that they can use it in a continual program improvement process.

Ms. Lenita Jacobs-Simmons, ETA Deputy Assistant Secretary, relayed a message from Acting Secretary Su about her commitment to equity and inclusion. Ms. Jacobs-Simmons noted that the federal agencies are adopting a whole of government approach to the Investing in America agenda, bringing partners together to address workforce development needs in specific communities. She added that the regional offices may be able to assist with several points raised in the previous discussion, and asked the Council for their input in this area. Vice Chair Seven reiterated her point about the existing authority that allows 12 federal agencies to work together; if all 12 agencies are hearing that tribal nations need better training for frontline staff, each department can take on a piece of that work. Ms. Jacobs-Simmons said that her office has been talking about facilitating grant-writing workshops to help people understand what the Department is looking for in applications, and she promised that the tribal communities will be included. Chair Quintana added that a degree of fluidity was important to ensure that workers are not negatively impacted by factors such as pandemics, recessions, or changes in leadership.

Member Waldron noted that they needed an education process at the state and municipality level and an enforcement process. Some of the language is already there, but governors are not enforcing it, and programs and structures need to actually address the issues the urban and tribal populations are facing. Member Rickard said that case management training for Native American programs needed to be run by people who had the job experience. Member Candace Lowry said that she had developed a comprehensive guide for case management staff, drawing on her experience at all levels of the WIA system. She also stressed the importance of grant writing and apprenticeship workshops at regional and national meetings. Ms. Jacobs-Simmons said that she would follow up with Mr. Coley and Ms. Vitelli about other opportunities that could be beneficial to tribal communities.

Mr. Jack Jackson, the Department's Tribal Liaison, expanded on earlier comments about the Good Jobs in Tribal Communities meeting and the White House Tribal Nations Summit. The former featured participation by Navajo Nation Council Speaker Crystalne Curley, Shella Bowlin from the Cherokee Nation, and Candace Schmidt from the Ponca Tribe of Nebraska. The panel discussion included information from the Nez Perce Tribal Employment Rights Office and the success they have had with their Pre-Apprenticeship Program, particularly with construction dollars. Cecilia Bull Chief shared her experience in an apprenticeship program and as a journeywoman, and Anthony Davis from the Native Tribal Utility Authority spoke about his organization's use of federal funds. Mr. Jackson echoed Chair Quintana's hope that this was an inaugural event, and Vice Chair Seven recommended that the Council support the Department's effort to continue this meeting on an annual basis. She suggested that in 2024 the Good Jobs in Tribal Communities meeting could concentrate on one or two industry sectors.

Member Edmo noted that she was only made aware of the Good Jobs in Tribal Communities meeting a couple of days before it happened and said that in the future, Council members should be informed well in advance. Member Robin Counce agreed. Member Houle said that healthcare is an area where the workforce needs strengthening; the nursing field in particular is very understaffed, and tribal communities need to develop their own providers. Mr. Coley said that they have been using the DINAP Digest to disseminate information and that he would make sure that every Council member was on the distribution list. They have also been leveraging the Digest to showcase different grantees.

Member Hibbeler made a motion that the Council recommend the Good Jobs to Tribal Communities meeting continue into 2024. The motion was seconded by Member Waldron and Chair Quintana opened the floor for discussion. Member Hibbeler said that the original strategic plan called for a Council subcommittee to work together to create the first Good Jobs initiative by March 2023, and she felt that for this first meeting they did not have the input that they needed to maximize success for grantees. Member Waldron suggested that a subcommittee for this effort should include a grantee participant. Member Lowry added that it should include Section 166 and 477 grantees as well as multiple tribal areas. Member Erwin Pahmahmie asked if the meeting would always be held at the end of December or if it could be timed to coincide with national or regional conferences. Chair Quintana said that that would be something for the Council to discuss.

Vice Chair Seven suggested that the meeting be held annually and that it should happen prior to the White House Summit so that tribal leaders can plan their travel accordingly. Ms. Vitelli noted that timing the meeting with the White House Summit this year contributed to the time crunch and the lack of consultation and communication before the event. Member Rickard said that it would be good to time the meeting with regional conferences. Vice Chair Seven suggested that they could coordinate with former Secretary of Labor Tom Perez, who serves on an intergovernmental affairs committee in the White House, to try to pair the meeting with the White House Summit. Chair Quintana suggested that they push this issue back to the subcommittee to work out the details and recommend that the Department hold the meeting in 2024. Member Hibbeler agreed and added that there is a fair amount of infrastructure that can be developed before the date is finalized. The Council voted unanimously to recommend that the Department hold the Good Jobs to Tribal Communities meeting in 2024.

Ms. Julia Wakeford from the National Indian Education Association (NIEA) updated the Council on NIEA's work and where they see opportunities for growth. A collaborative project with the College of Menominee Nation, funded by the Walton Foundation, allows for in-school technical training and education for post-high school graduate careers. The project develops different curriculum solutions in classrooms and dual enrollment between the Tribal College and local rural high schools. Ms. Wakeford highlighted the lumber program, which incorporates the tribe's experience working with wood for hundreds of generations. Other programs combine economic development and training with Native language revitalization work, requiring a certain percentage of training to be done in a Native language or conducting Native language classes during part of a paid factory shift. Ms. Wakeford stressed NIEA's availability as a tool and resource for Native language development for all ages, not just K-12 youth; they take a whole-family, whole-community approach when discussing Native language policies.

For Native language speakers who want to become teachers, some Bureau of Indian Education (BIE) schools and tribally controlled schools have apprenticeship programs that place apprentice speakers in school classrooms as teaching assistants. The TAs are allowed flexibility for certification or given financial support from the tribe to obtain their bachelor's degree in teaching in exchange for a number of years' work at the school. Outside of NIEA there are more programs emerging for computer science

education and programming work, but Ms. Wakeford noted that many tribes are more focused on vocational courses and do not yet recognize computer science/programming as technical spaces.

Member Waldron asked about the language immersion factory program, and Ms. Wakeford clarified that this was a new idea for a factory in the Cherokee Nation, which already has a language apprenticeship program where members are paid to learn their Native language. The factory would combine language immersion with technical skills development. Member Rickard noted that they had had success in the past with coupling life skills and soft skills and Ms. Wakeford added that this could be expanded out to many different training programs. Member Edmo asked if NIEA still advocated for education funding on the Hill, and Ms. Wakeford confirmed that they did, including a fly-in program for Hill Week in February.

Vice Chair Seven asked if NIEA attendees would be interested in joining DOL and other attendees in responding to a survey about which industry sectors are important for the future of workforce development, with the goal of building cohesion across national groups working towards the same goals. Ms. Wakeford suggested also meeting kids where they're at and asking them which industries they are interested in, as these may differ from the fields that mid-career workers are looking at. She asked whether the American Indian Labor Force Report addressed some of these questions, and Vice Chair Seven said that that report looks at population, unemployment, and poverty rates. Member Chaisson said that recently her area started a vocation rehabilitation program where counselors work closely with Indian Education teachers and the youth, and that has made a major difference in the kids' lives. Ms. Wakeford said that NIEA uses the same approach with their Whole Child Initiative, re-examining the definition of educational systems and returning to the idea of community involvement.

Ms. Cheryl Martin shared further information from OWI. From 2011 to 2018 DOL funded a set of grants to community colleges, including some tribal colleges, which required grantees to develop curricula and training materials and share them as open educational resources (OER) on a Skills Commons website (skillscommons.org). The website is still available, and Ms. Martin demonstrated the site navigation and presented examples of the resources that it contains. Mr. Coley said that this is a tool that all of their grantees can use, with off-the-shelf curricula that has been vetted. Member Hibbeler asked how long the site has been available. Ms. Martin said that it was created in 2015; the grants ended in 2018, at which point those grantees stopped contributing materials, but other information has been added and it has recorded 5.5 million downloads. Member Hibbeler asked if newer information has been vetted by the Department and Ms. Martin said that it has not. Member Rickard suggested that their conferences should have a training session on various free resources that could benefit their programs and grantees.

Report from Workgroups and Discussion:

Census Workgroup

Member Jacob Wojnas thanked the workgroup members and noted that Member Waldron's work in concert with the DINAP on SPRA teams has been critical in pushing their work forward. The Census

Workgroup recognizes the gap between the needs of program participants and the current funding allocation as a result of the time that has elapsed since the year 2000 census. The number of individuals who identified as American Indian or Alaska Native grew by more than 50% from the 2000 census to the 2020 census. This growth and corresponding need has shifted over the past 20 years and is not evenly distributed across Native nations and urban communities. Recognizing the potential for that disparity to continue to expand, the workgroup recommended that the Council constructively review the allocation proposal, raise any concerns, and support the transition from the calendar year 2000 data to calendar year 2014 to 2018 data, which more accurately reflects current needs of programs and their participants.

The workgroup also recognized that this divergence was likely to recur in the future unless a more frequent update cycle was implemented, and they noted that the Department has openly recognized the value of a defined and regular update cycle. To that end, they recommended that the Council request the Department commence work on the latest available ACS data, implementing a five-year cycle that minimizes the risk of ongoing program disruption that's experienced as a result of larger and less frequent updates.

They also acknowledged that the grantee community is in the best position to determine the needs of the people they serve, and recognized that the Department's proposed allocation should be open to review and scrutiny by grantees. They recommended that the Council request the Department makes available to grantees the proposal for a feedback period that will end before a final decision to proceed, as made by the Department.

Member Wojnas noted that the workgroup understands the Council's role in advocating for the financial needs of WIOA programs and the fact that the outcome of any allocation proposal will shift funding proportions between regions and grantees. The workgroup highlighted this reality and recommended that the next appropriations increase that is requested or recommended by the Council, is sufficient to ensure that the significant majority of all programs do not lose funding at the end of any new allocation phase-in.

The workgroup also noted that some of the aggregate impacts of the proposed allocation are difficult to decipher based on individual line items. They recommended that the Council request from the Department summary statistics that describe the median and range of impacts to per program funding and summary statistics on the underlying ACS data source.

Member Wojnas briefly described two tabled motions that were tabled by the workgroup: a motion pertaining to the implementation of a hold harmless factor, and a motion around the use of a loan versus in-combination demographic data for future allocation changes. Both topics are significant and can be discussed more fully at future workgroup and Council meetings. Mr. Duane Hall from DINAP highlighted changes in grantee service areas between the 2000 census data and the 2014-2018 American Community Survey (ACS) data. The workgroup encouraged grantees to look at this data on the website and ensure that it is correct, as it will change funding amounts. They are proposing to

implement this in 2024 with the hold harmless factor while also working to obtain the new ACS data for 2019 to 2023.

Member Lowry asked if the data was American Indian only, or whether it included multi-racial individuals. Mr. Hall said that it was American Indian only; in 2000 it was decided that they would use American Indian/Alaska Native only data so that the resources would reach those who had the greatest need. Mr. Wojnas added that this was an issue where the workgroup was not able to reach a consensus. Member Lowry asked how a state would obtain a letter from DOL specifying that a specific grant was for American Indians/Alaska Natives alone. Mr. Coley said that when DOL provides funds to grantees, those grantees' policies determine who they fund. Mr. Hall added that while they are using American Indian/Alaska Native alone data, the program serves people who are not only American Indian/Alaska Native. Member Pahmahmie noted that participants in the census and the ACS are self-identifying their race.

Member Waldron said that in addition to a discussion, the Council voted on the issue of using only American Indian/Alaska Native data years ago. He asked if they were going to roll over the same decision or hold another vote. Chair Quintana suggested that the recommendations from the workgroup should be emailed to each Council member so that they have adequate time to review all of the information before discussing and voting on it the next day. Mr. Coley clarified that for this data set, they would use the American Indian/Alaska Native only data, and the vote would determine the future course of action.

Member Rickard noted that he would not be able to attend the second day of the meeting and thanked the staff for their hard work. The Council recessed for the day at 5:09 p.m.

NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL MEETING

FRIDAY, DECEMBER 8, 2023

The Council met in Conference Room C-5515 at the U.S. Department of Labor, located at 200 Constitution Avenue NW, Washington, D.C., at 9:00 a.m. EST, Joseph Quintana, Chair, presiding.

Present

Joseph Quintana, Region 6, Chair
Lora Ann Chaisson, Region 4
Robin Counce, Region 4
Lorraine Edmo, Region 4
Patricia Hibbeler, Other Disciplines
Robert Houle, Region 5
Candace Lowry, Region 3
Holly Morales, Region 6
Erwin Pahmahmie, Jr., Region 4
Angel Peer, Region 5
Kay Seven, Other Disciplines
Darrell Waldron, Regions 1 & 2
Winona Whitman, Region 6
Jacob Wojnas, Other Disciplines

Also Present

Nathaniel Coley, Incoming Designated Federal Officer
Duane Hall, DINAP
Kimberly Vitelli, Administrator, ETA Office of Workforce Investment

Call to Order/Roll Call

Joseph Quintana, Council Chair, opened the meeting at 9:04 a.m. and thanked the Council members for their continued work, noting that they have been tremendously productive over the past year and a half. Council Secretary Robert Houle conducted a roll call and determined the presence of a quorum.

Report from Workgroups and Discussion:

Census Workgroup

Member Wojnas noted that the workgroup's recommendations were circulated to the Council the previous evening. He opened the floor to discuss each motion and call for a vote. A motion was made by Member Edmo and seconded by Member Waldron to approve the following recommendation:

The workgroup recommends that the Council constructively review the allocation proposal, raise any concerns, and support the transition from the calendar year 2000 data to calendar year 2014 to 2018 data, which more accurately reflects current needs of programs and their participants.

The motion was approved unanimously. Mr. Coley noted that WIOA requires all programs to use the most recent data source, and this recommendation would comply with that mandate.

A motion was made by Vice Chair Seven and seconded by Member Edmo to approve the following recommendation:

The workgroup recommends that the Council request the Department commence work on the latest available ACS data, implementing a five-year cycle that minimizes the risk of ongoing program disruption that's experienced as a result of larger and less frequent updates.

Member Wojnas clarified that this recommendation would not affect the update for the upcoming program year. Instead it addresses the frequency with which this process will happen in the future so that the gap between the reality on the ground and the data the Council is working with can be minimized. Member Hibbeler asked which program year the current data set will carry them through and for what time frame the new data set will advise funding. Member Wojnas said that the workgroup did not comment with that level of specificity and the motion pertains more to the type of cadence they would like to see in the future. Mr. Hall said that they will probably be able to implement the next iteration more quickly, but it will likely be three years from the time the data is available from the Census Bureau. Vice Chair Seven noted that there is a national partnership of tribes and organizations that are discussing the census, and she suggested that they follow along with that group to understand how tribal nations are proposing to address ACS rates.

The motion on this recommendation was approved unanimously.

A motion was made by Member Waldron and seconded by Member Edmo to approve the following recommendation:

The workgroup recommends that the Council request the Department makes available to grantees the proposal for a feedback period that will end before a final decision to proceed, as made by the Department.

Member Waldron asked how the opinions of grantees would be handled in the Department. Member Wojnas said that the workgroup recognizes that public input is non-binding on the Department, and that the intent is to increase transparency and give people the chance to provide feedback. Member Holly Morales agreed that it was important to get grantee feedback on the accuracy of the data and the process.

The motion was approved unanimously.

Member Wojnas presented the fourth recommendation for the purposes of discussion rather than an actionable motion. Because changes in allocation lead to shifts in funding, the workgroup recommended that the next appropriations increase requested by the Council should be sufficient to ensure that the majority of programs do not lose funding at the end of any new allocation phase-in. Member Waldron commented that DINAP does a lot of work with a small staff. He added that they want monitoring at the grantee level so that staff can help organizations if they need to make corrections. This is a good effort for DOL to support because it is monitoring the programs that they fund.

A motion was made by Vice Chair Seven and seconded by Member Hibbeler to approve the following recommendation:

The workgroup recommends that the Council request from the Department summary statistics that describe the median and range of impacts to per program funding and summary statistics on the underlying ACS data source.

Vice Chair Seven asked about the information that will be sent out to grantees. Mr. Coley said that he would check on the process for WIOA program public comment periods. Ms. Vitelli outlined several possible ways to make information available to grantees, including email, Training and Employment Notices (TENs), Training and Employment Guidance Letters (TEGLs), and Federal Register notices. Member Morales said that they needed to provide as many details as possible to grantees because that is how they will get feedback about communities that are miscounted or excluded. Member Chaisson asked if they had ever compared data for American Indians/Alaska Native alone and data for American Indians/Alaska Natives in combination with other races. Mr. Hall said that when they converted from the 1990 to the 2000 census they did compare the two, and they found that using data from American Indians/Alaska Natives would cause less of a disruption in the funding of grantees. They did not ask for in-combination data for the 2014-2018 ACS, but they could ask for in-combination data for the next iteration of five-year ACS data. Member Morales said that they needed to request that data in order to look at the full picture, and Member Waldron agreed.

The motion was approved unanimously. A motion was made by Member Morales and seconded by Member Waldron to approve the following recommendation:

The workgroup recommends that the Council request in-combination ACS data for the next iteration of funding decisions.

The motion was approved unanimously.

Approval of Summary of Minutes – May 3-4, 2023 Council Meeting

Having previously tabled their discussion of the minutes from the May 2023 Council meeting, a motion was made by Member Houle and seconded by Member Edmo to accept the minutes. Member Edmo

added a clarification to the TA section from the second day of the meeting: “88 contractors to bid” should read “8(a) contractors to bid.” The motion to accept the minutes with the above-stated edit was approved unanimously.

Effective Management Workgroup

Workgroup Chair Hibbeler noted that the Council has completed ten of the key strategic initiatives outlined in the strategic plan. Three others are partially completed, and ten are not completed. The first initiative was conducting monthly meetings, and on this subject Member Hibbeler recommended that the Council hold its final meeting in February or early March 2024. Member Edmo asked if the meeting would take place in Washington, D.C. or out in the field, and if it would be held in conjunction with another meeting. Member Lowry said that the National Congress of American Indians (NCAI) was having their winter session in Washington in February and suggested that that would be a good time to hold the Council meeting. Member Edmo added that several other groups were holding meetings in February including the American Indian Higher Education Consortium (AIHEC), NIEA, and United South and Eastern Tribes (USET). Member Hibbeler said that it could be beneficial for the Council to meet the day before or after one of these other groups. Vice Chair Seven noted that the two-year terms end March 10th. She recommended that the Council meet in D.C. in late January or early February and take the opportunity to talk with some of the Department staffers who attended the Good Jobs to Tribal Communities meeting. Chair Quintana agreed and added that they also need to continue to establish relationships with groups like NCAI who may not understand the legitimacy of this Council.

Mr. Coley noted that they are facing a possible lapse in funding or appropriation decision around February 2024, and this might be a driving force behind planning the next meeting and defining their objectives. Between the Federal Register notice requirement and the internal approval process, they will need to know the meeting date about 45 days in advance. Member Edmo asked when the current technical assistance (TA) contract ends and how that overlaps with the current continuing resolution. Mr. Coley said that the current TA contract ends in June 2024, by which time he hopes to have a new contract in place. He added that they would be consulting the Council about what they would like to see a new contractor or contractors do. The current contract is fully funded through June and would not be affected by a lapse in funding. They are currently under a CR which limits the activities that they can conduct, but they can prepare a statement of work so that they can move forward when they receive more funds.

Member Waldron said that they could still meet face-to-face in mid-February to have discussions without making any resolutions. Member Hibbeler agreed that they could do a lot to put solid processes in place for the next Council without making policy recommendations for the Secretary. Mr. Coley said that a meeting to lay out standard operating procedures could fall more under workgroup activity. Vice Chair Seven suggested that they hold a virtual Effective Management meeting prior to February 2nd. Member Hibbeler said that she would coordinate with Mr. Coley on the next steps and send out a poll to Council members with various dates.

Another key strategic initiative was the Council's recommendation to the Secretary that NAETC membership should be continual, and that the current Council appointments should be extended if the subsequent nomination process does not coincide with the end of the current Council term. This strategic initiative has been completed, and the Council received a response from Brent Parton indicating that their recommendation was on the record. Member Hibbeler opened the floor for a discussion on the possibility of staggered terms, which would provide some assurance of continuity from one Council to the next. Member Waldron asked where they were in the nomination process and whether they could implement a staggered term process before March. Mr. Coley said that the process closed in October; they are currently in the vetting process and on track to seat a new Council before March. Ms. Vitelli said that they would not be able to implement staggered terms before March 2024 because they sought nominations for two-year seats and the charter specifies two-year terms. Mr. Coley said that the Council can make recommendations to the Secretary to change the charter at any time. Member Hibbeler said that the Effective Management Workgroup would take this topic up for discussion and generate recommendations to be made in the full Council meeting. She noted that they had already recommended allowance for extension of Council terms if an appointment process did not occur in a timely manner, and the response they received was confirmation that the current process is proceeding in a timely manner. There is still no safeguard in the charter should the process not happen in a timely manner in the future.

Member Edmo made a motion that the Council recommend that staggered terms should be considered and appointments should be made in a timely manner. The motion was seconded by Member Waldron. Member Hibbeler suggested adding language that extends current Council terms if the appointment process is not timely, and Member Edmo agreed. Vice Chair Seven clarified that the next Council would be moving this forward for the 2026 term, as the 2024 appointment process has already been completed. Member Hibbeler added that this would probably be the case regardless, as it will take time to amend the charter.

The Council recommends to the DOL DINAP Office that the charter be amended to include staggered terms and a provision for extended terms should there be delays in placing new Council members.

The motion was approved unanimously

Member Hibbeler outlined the next key strategic initiative: to document process to elect Council officers and appoint workgroups when a Council is appointed every two years. This item was not complete, but Member Hibbeler presented her draft recommendations for a process guide which would contain the following steps to occur at the first meeting of a new Council: provide full descriptions of the executive committee descriptions; call for Council members to submit their names for each executive position and monitor a closed voting process to determine the executive positions; for committee chairpersons, provide a full description of each work group and expectations of the chairperson; call for Council members to submit their names to serve as chairpersons of each committee; should more than one person provide their name as chairperson of one committee, proceed with closed voting process; if no Council members submit their names to serve as chairperson of any committee, the newly elected

chairperson can place a Council member in a chairperson position. Member Waldron noted that they must also complete FACA training at that first meeting.

Member Hibbeler said that she would like to see the Council recommend that DINAP designate a person from DOL to provide administrative professional services to the Council, including maintaining all official documents in a secure electronic location that Council members can access. She also raised the issue of some Council members who rarely if ever attend meetings and asked Ms. Vitelli if there are FACA guidelines that advise what to do in these situations. Ms. Vitelli said that there is not necessarily a FACA rule, but they could amend the charter to include removal actions for members who are no longer able to serve. Member Hibbeler said that they would add this issue to their charter review.

Strategic objectives B1, B2 and B3 are all related to training: B1 was a training survey for grantees, B2 was developing a training plan based on survey results, and B3 was assuring that training on the data collection system, GPMS, continues for youth and adult grantees. Member Hibbeler asked the Council members to discuss what their emphasis should be around training to address these three objectives. Mr. Coley said that they collected survey data from attendees at the Western Conference, and after they process that data they will include it in the DINAP Digest to collect more feedback. They have held monthly GPMS sessions online and at every conference and have received positive feedback, and they have coordinated with regional offices to provide grants management training at the Western and Eastern Conferences. He suggested that they should consider training coordination when developing their next TA contract. Member Waldron said that they received positive feedback about smaller trainings where the environment was more comfortable and intimate, and Member Angel Peer said that she had heard similar comments. Member Morales pointed out that organizing multiple trainings takes more money, and the Council should keep that in mind when they make recommendations.

Member Hibbeler asked if the results of the survey data could be provided to the Council at its next meeting, and Mr. Coley replied in the affirmative. Member Hibbeler reminded the Council that they had asked for input on the upcoming TA contract at a previous meeting. Mr. Coley said that in order to establish a new TA contract they have to develop a statement of work describing deliverables, and this provides an opportunity to identify the Council's objectives and the best resources to obtain them. Member Hibbeler asked about the timeline for incorporating Council responses into the new contract. Mr. Coley said that he was scheduled to meet with the contracting officer the next week to lay out a time line of expectations, and he will have more feedback for the Council after that meeting.

Member Hibbeler summarized the remaining points of discussion from the Effective Management Workgroup. There is a key strategic initiative about creating a system to provide information from the Council to grantees, possibly using the DINAP platforms. A second initiative is to provide support for the Tribal Liaison Office of Congressional and Governmental Affairs. Another initiative involves creating a mail campaign for the Council to disseminate the strategic plan. At the last meeting the Council decided that it did not make sense to share the strategic plan, and they also discussed creating structured letters to possible partners within other federal agencies, CBOs, and nonprofits. Chair Quintana pointed out that they did share NAETC's strategic plan with over 55 tribes and other partner agencies. Copies were

also available at the Good Jobs to Tribal Communities meeting and the NCAI meetings. The final two strategic initiatives are: to access specific expertise as needed for workgroups, which Member Hibbeler recommended should be added to workgroup descriptions as part of the SOP; and to advise developing a workforce to move people to self-sufficiency and wealth building through supporting clients in their pathways.

Performance Workgroup

Member Jennifer Whitmore gave a brief performance update. WIOA was signed into law in 2014 and included a set of performance indicators. The Grantee Performance Management System (GPMS) was launched for Section 166 grantees in 2020; all grantees were able to utilize the GPMS, which has seamless integration with the DOL Workforce Integrated Performance System (WIPS). In 2023 they launched a youth GPMS for grantees that receive supplemental youth services funding. Member Whitmore reviewed the GPMS numbers from 2020-2023, noting that services are resuming after the pandemic and client numbers have increased. They will continue to gather baseline data for approximately two years, during which time they will look at setting standards and targets for performance levels. This will include building a regression model with the Office of Policy Development Research (OPDR) and their performance contractor, Social Policy Research Associates, to look at economic conditions and demographics of their clients. They also worked with the Youth Workgroup to design a youth-specific WIOA form which includes both WIOA indicators and additional indicators approved by the Council in 2019.

Chair Quintana said that these numbers tell the Council that the people who need their services are coming back to their doors. They have to tell a compelling story in order to justify the work that they do, and part of that is through data performance and reporting. Member Waldron asked how they could capture the work that 477 participants are doing. Mr. Coley said that 477 participants are not required to report to BIA and DOL does not have access to that data. Vice Chair Seven said that it would be helpful for Congress and the White House to understand the benefits of multiple pots of funding and the wraparound services format. Mr. Coley agreed that demonstrating those benefits would be a powerful communication tool. Chair Quintana asked whether they should make a request for the acting Secretary to pursue that or if it was something that can be followed up on internally. Mr. Coley said that they had a good relationship with BIA and could work through those channels to figure out a process. Member Morales said that the 477 reporting forms are expiring in 2024. She pointed out that 477 grantees do not have one system; every tribe or tribal organization is responsible for purchasing and setting up their own system, and any major shift in data collection is a cost to the tribe. Mr. Coley said that there might be an opportunity to explore how 477 recipients can leverage the GPMS system.

Youth Workgroup

At their meeting on December 6, 2022 the Youth Workgroup created a mission statement to create broad and diverse opportunities for Alaska Native, American Indian and Native Hawaiian youth across the nation that will enrich their lives and increase their success in their future career pathways. They

also reviewed the WIOA allowable activities for youth that are specifically defined in the new youth GPMS. Member Winona Whitman summarized the plans that were discussed at that meeting: establish co-chairs to represent Section 166 and Public Law 102-477; invite more members, specifically young people and youth; identify potential peer-to-peer providers; identify ways to improve outreach; and expand discussion on career pathways, apprenticeships, and pre-apprenticeships and with jobs.

In February 2023 workgroup members prioritized working with the youth GPMS development workgroup as pilot grantees to assist the meeting timeframe of implementing youth GPMS by June 2023, which was achieved. Initial pilot grantees included the American Indian Council, California Indian Manpower Consortium, Navajo Nation, Santo Domingo Tribe, and Ysleta del Sur Pueblo. As of October 19, the program team reviewed, validated, and certified 530 plus participant records for the youth GPMS performance report period that ended September 20th, 2023. There is now a new DINAP youth quarterly performance report, the eligibility requirements are expanded, and post-secondary enrollment has a new field in the GPMS. In order to enhance training and technical assistance to grantees, the workgroup will create regular Native youth virtual training and technical assistance virtual meetings to address eligibility questions, share culturally relevant wraparound service ideas, promote the use of technology to build up the program, and spotlight best practices. They will also identify a youth peer-to-peer provider network to help programs needing more assistance and encourage youth-led discussions to improve outreach, enrollment, and service delivery from a youth-driven perspective. The workgroup plans to meet next in January or February 2024.

Department of Labor Updates:

DINAP Updates

Mr. Hall discussed the effectiveness of the GPMS system and the timely reporting on program reports compared to financial reports. One of the reasons for GPMS' success is the technical support available to grantees. This includes a 1-800 number where grantees can receive support from contractor Ted Clark, as well as office hours where grantees can come in and ask questions. They recently switched to a new process where quarterly financial reports are submitted through the payment management system (PMS), which now requires grantees to report every quarter through the end of the period of performance. This has led to a significant increase in reporting for grantees and 102 quarterly financial reports outstanding. Mr. Hall said that there seems to be a miscommunication between program offices and accounting staff, and he suggested that bringing the accounting staff to conferences could help to resolve that issue. Following up on a discussion from the previous meeting, he noted that the aggregate number of grantees had declined by 12 from 2015 to 2023. Member Whitman shared the PMS process that her organization went through from a grantee perspective. Member Whitmore said that PMS is an external system from DOL, but they did say that they were working to try to improve the system and resolve pain points.

Training and Technical Assistant Contract/PY 2023 Funding

Mr. Coley reiterated his earlier comments that with their current TA contract ending, they have an opportunity to describe what the new contract should look like. He invited Council members to submit their feedback about what they would want to see in the new contract. Member Lowry asked if they are limited to 8(a) contractors. She added that they should look for a contractor that has a WIOA Section 166 or 477 background so that they can help with technical assistance. Mr. Coley said that he was not sure if it was a specific regulatory requirement, but in his experience once a group uses an 8(a) contractor they are typically required to continue doing so unless they can justify the need for a non-8(a) contractor.

Vice Chair Seven asked what the dollar amount was for the 1% INA set-aside that goes to technical assistance and training. Mr. Coley said that it was \$599,320. He presented a breakdown of the contract and where they have spent those funds: 38% has gone to supporting the Council; 25% goes to the contractor's work (though this does not include the amount that is transferred to support regional conferences); 2.6% goes towards support for the GPMS system; and 4% has gone towards work on training modules. The contract funds are approximately \$450,000-\$460,000 and outside of that they transfer about \$60,000 per year to support regional conferences. Vice Chair Seven added that as of December 1 they had about \$43,356 to plan for the national conference. Since the Nez Perce Tribe began administering the funds in 2019 they have received \$300,000 in funds and had a total expenditure of \$283,656. She broke these costs down in more detail by regional conference and noted that audio/visual (AV) costs have increased significantly.

Member Waldron said that the next Council should look at the methodology behind the 1% set-aside when it comes to conferences and support. He also asked if they would have an opportunity to walk through the methodology behind the data on unemployment and poverty relative to grants. Mr. Coley said that the summary of statistical data from the census and the ACS describes where demographic trends are and where the money is needed. Member Wojnas added that the summary shows how the money will shift if funding does not increase from 2023 to 2024. It is up to the Council to advocate for an increase in appropriations in future years to ensure that the vast majority of programs do not end up being harmed as a result of the demographic trends they are seeing.

Public Comment

The Council received the following written question: "How can the Council advocate for 166 grantees to obtain supplemental grants and guidance for apprenticeship programs?"

Member Lowry noted that she was recently elected President of the Governors' Interstate Indian Council (GIIC). She invited anyone who was interested in joining GIIC to contact her by email.

Adjourn

Member Peer made a motion to adjourn the meeting. The motion was seconded by Member Counce and passed unanimously. There being no further business, the meeting was adjourned at 4:01 p.m.

