

**U.S. DEPARTMENT OF LABOR  
NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL**

**DAY ONE - Tuesday, August 29, 2017**

**Call Meeting to Order & Introductions:** Gary Rickard, Council Chairman, called the meeting to order of the Native American Employment and Training Council (Council). Chairman Rickard conducted roll call; a quorum was present.

**COUNCIL MEMBERS - ROLL CALL**

Gary Rickard, Region 6, Chairman  
Honorable Dave Archambault, Other Discipline, Member  
Jacob Bernal, Region 6, Member  
Christine Campbell, Region 5, Member  
Kim Carroll, Region 4, Member  
Daryl Legg, Region 4, Member  
Dr. Cynthia Lindquist, Other Discipline, Member  
Curtis Osceola, Region 3, Member  
Erwin Pahmahmie, Region 4, Member \*\*  
Jason Smith, Other Discipline, Member \*\*  
Michael Tucker, Region 6, Member  
Darrell Waldron, Region 1, Member  
Winona Whitman, Hawaii, Member

\*\*present by teleconference

Athena Brown, Designated Federal Officer and Chief, Division of Indian and Native American Programs (DINAP)  
Craig Lewis, Alternate Designated Federal Officer  
Duane Hall, Subject Matter Expert and DINAP Lead Federal Project Officer

**Approval of Agenda and Minutes  
Follow-up Items from May 23-24, 2017 Council Meeting**

Council Member Waldron made two motions: 1) to approve the agenda and 2) to accept the minutes from the May 23-24, 2017 Council meeting. The motions were seconded, and passed unanimously. Members had no follow-up of motions and/or resolutions.

**Follow-up on Transition Report and Recommendations of the Effective Management Workgroup**

Chairman Rickard thanked Lorenda Sanchez, member of the Effective Management Workgroup and Council members, Cynthia Lindquist, Kim Carroll, and Winona Whitman for their work on

the transition paper. Athena Brown, DFO, explained the structure of the transition paper and suggested that the Council prioritize the National Congress of American Indians' (NCAI) major recommendations, per request by Ian Record, NCAI. Members were provided a copy of the Council's most recent recommendations, along with a report from NCAI which has six major recommendations and 22 additional recommendations. Chairman Rickard reiterated that the Council should only prioritize the recommendations that are within the control of the Secretary and raised the question of how much information be included in the transition paper. He suggested that the Council reduce the length and consolidate the information. He also discussed Councilwoman Whitman's input and the discussion of return on investment and cost per participant. Councilwoman Lindquist suggested including as examples of best practices as well as charts showing a comparison of states versus tribal programs.

Councilwoman Campbell suggested that the Council reach out to their grantees in their regions regarding the resolution supporting a technical amendment to the language of Section 166 of the Workforce Innovation and Opportunity Act (WIOA). The Secretary does not have the authority to make this amendment, so now the focus is on creating a proposed technical amendment bill to present to Congress. Councilman Archambault agreed that Indian and Native American communities come together in support of an amendment. The Council can make a recommendation regarding this technical amendment in its transition paper and suggested that they make this recommendation a priority. Although there is a waiver process available to grantees for Section 166's core and additional performance measures, this is a temporary fix; therefore, a technical amendment would be the most effective solution for this issue.

Councilman Waldron discussed how the Council's original idea for Section 166 of WIOA was to create a menu of measures that INA grantees could select in place of WIOA's core performance measures, if so desired. He indicated his belief that Congress mistakenly added the word "additional," and his frustration is that, although, the Council makes recommendations that benefit the INA community, it doesn't appear that the DOL senior leadership is listening to these recommendations. He also commented that a very high percentage of the INA population is between the ages of 17 and 27 and that he is concerned with the large unskilled labor force along with the high prevalence of suicide within INA communities.

Councilwoman Lindquist commented that the current Administration is no longer a new administration, and so the Council should change the language and references in the transition paper. She stated that the Council was established to advise the Secretary of Labor; however, the Council has not yet had the opportunity to meet with Secretary Acosta. After further discussion, the Council members decided to create a list of no more than 3-4 priorities to present to Ondray Harris, Senior Advisor to the Secretary who will be in attendance on the second day. Councilwoman Carroll commented that the Council already decided on their four most important recommendations to the Secretary, which are in the transition paper. However, they could prioritize and reword these recommendations. Councilman Archambault stressed the importance of appropriate funding for DINAP and the section 166 programs because the programs provide INA people with a sense of self-worth, which in turn could help reduce the number of suicides in Indian country. The Council should continue to try to meet with the Secretary and obtain his support based on the Council's recommendations and the Department's decisions related to the section 166 program.

Councilman Tucker (Alaska) commented that the Council should highlight two things to the Administration: 1) the importance of strengthening the voice of the Council and DINAP; and, 2) the impact of the section 166 programs and their ability to maintain the same level of service with significantly reduced funding and resources. Councilwoman Lindquist commented that the Council should present all of their priorities and recommendations to the Administration to be acted upon in the next three years. The Council needs an advocate at a higher senior level in the Department; one that understands the section 166 program—hopefully, Mr. Harris will in turn, take the recommendations to the leadership.

Council members debated whether or not to remind DOL senior leadership of their treaty obligation to the INA population; however, Councilman Archambault raised the point that not all tribes are treaty tribes, and so the Council should be careful not to inadvertently exclude anyone. Councilman Archambault suggested that the Council confer with NCAI to help address changes to the law.

### **Evon Pollack, Branch Chief/Contracting Officer, Overview of Training and Technical Assistance Contract**

Evon Pollack, Branch Chief and Contracting Officer at the ETA, participated via teleconference. Mr. Pollack explained that the TAT contract is a time and materials contract, which allows for a lot of flexibility in the type of contracting provided. ETA is in the second option year of a three option year contract. The second option year expires on November 14<sup>th</sup> and ETA will publish notification of whatever it decides to do after this expiration date. Councilwoman Carroll asked if the contract's scope of work has changed. Mr. Pollack responded that if anyone wants changes to be made, they should work with the program office to incorporate these changes before exercising the next option year. Councilwoman Carroll asked what percentage of the contract is used for administrative costs. Mr. Pollack responded that he could ask and give an answer to Ms. Brown to provide to the Council. Councilwoman Carroll asked what options the Council has regarding an evaluation of the contractor's work. Mr. Pollack responded that the Council will receive a contract business analysis repository (CBAR) for every contract year. CBAR is a normal contract rating system for the government. Ratings are sent to the contracting officer's representative (COR). Due to audio technical difficulties, the Council could not fully understand Mr. Pollack and so decided to reschedule his presentation for another day.

### **Performance Measures Workgroup Report, Duane Hall, Subject Matter Expert**

Duane Hall stated that the Council's Reporting Workgroup met the previous week to discuss the primary and additional performance indicators required for Section 166 grantees under WIOA and to propose possible additional indicators for the Council's consideration. The workgroup is concerned with meeting both the primary and additional performance indicators because of the administrative burden this would place on grantees. Although WIOA also requires the Council to develop additional indicators, the workgroup hopes that these additional indicators can be used in lieu of some, if not all, of the primary indicators for the youth and adult programs so that the burden on grantees does not increase. If the primary indicators cannot be waived, the workgroup recommends that additional indicators be kept to a minimum. While developing additional indicators, the workgroup also considered the funding amounts and diversity of INA grantees, the pertinence of each of the primary indicators to the INA program, the data collection and reporting burdens imposed on grantees by additional indicators, and how the data elements for

additional indicators will be submitted to the DOL if the data elements are not in the Participant Individual Record Layout (PIRL) file.

Mr. Hall explained the indicators that the workgroup developed and the recommendations for three options for the youth program and two options for the adult program. The options for the youth program are: 1) keep the existing menu of measures, 2) use the three most frequently selected measures from the menu of measures, and 3) use the indicator “employed or in education or training at exit”. Grantees would be able to use the existing BearTracks system for the first option. The first option for the adult program is, assuming waivers are unlikely, add one additional indicator: employability enhancement. This would be the easiest and most familiar indicator for grantees to implement. The second option, assuming waivers are permitted, is to keep three of the six primary indicators: employed in the 2<sup>nd</sup> quarter after exit, median earnings in the 2<sup>nd</sup> quarter after exit, and credential attainment. Grantees would ask to waive the other primary indicators and replace them with percent in training, which would encourage grantees to place more participants in training, and employability enhancement. The workgroup believes that there are data elements in the PIRL to collect these last two indicators.

Councilman Bernal asked if the workgroup considered using positive termination rate as an indicator in the event that a waiver is not permitted for the adult program. Mr. Hall responded that this idea was discussed and that it could be used in place of employability enhancement. Chairman Rickard asked if the workgroup consulted with the Secretary or his staff while developing these indicators. The workgroup did not; this consultation would occur only after the Council accepted the recommendations. Councilman Archambault supported option 1 for the youth program because of the flexibility of the menu of indicators; he added that these recommendations are good because now the INA community is prepared to offer alternative indicators when they ask Congress for the technical amendment to WIOA.

Councilman Archambault expressed his concern that if the Council presents the workgroup’s recommendations to the Secretary as is, the Secretary will choose the options with additional indicators and will not discuss waivers. He would like the Council to make recommendations to the Secretary on the possibility of issuing waivers before presenting him with all of the recommendations. Mr. Hall stated that the Secretary does have waiver authority for performance indicators. However, this is not a blanket waiver, so grantees would have to request the waiver individually. The DOL has stated that the performance indicators are likely burdensome to the youth program, because it is so small, and so is working to simplify the waiver process for these grantees. The DOL stated that it would look at waivers for grantees in the adult program on a case-by-case basis. Chairman Rickard asked if the Council could ask for a blanket waiver for youth and adult programs in its transition paper. Chairman Rickard asked if it were realistic to recommend to DOL that all adult program grantees would want to replace the current indicators with the workgroup’s adult option 2; however, Councilman Tucker commented that adult option 2’s indicators don’t work well in his region because there are areas of high unemployment in Alaska. Chairman Rickard asked if grantees would have to report on all five indicators in adult option 2. Mr. Hall responded that they would but does not know how these indicators would be weighted.

Councilman Waldron made a motion for the Council to accept the Workgroup’s recommendations. Member Carroll seconded the motion. Councilman Archambault supported the motion and added that the Council should be sure to tell the DOL which options of indicators

it is agreeable to and to request a blanket waiver. The motion passed unanimously. Councilman Archambault made a motion for the Council to request a blanket waiver for the adult programs. Chairman Rickard asked that the Council also provide suggestions for replacement indicators along with this request; Councilman Waldron seconded the motion. Councilwoman Carroll agrees that the right to waive is needed but expressed her concern that a blanket waiver would not be able to address every grantee's reason for waiving the primary indicators. After further discussion, Councilman Archambault withdrew the motion.

**Pamela DeAmicis, Federal Project Manager, Sundar Raghavan, Department of Labor, Param Soni, Deputy Director, ETA -- DINAP Case Management System Modernization**

Pamela DeAmicis, Federal Project Manager, explained DOL's efforts to revamp the DINAP case management system. The current BearTracks system has a lot of limitations because it is an outdated legacy system. The modernized system will be web-based, have real-time data, improve data quality and integrity, and should reduce the amount of time it takes to collect information from the field. ETA is modernizing the BearTracks system for the INA Adult Program and has not yet begun working on the Youth program's. ETA already completed the proof of concept, which was done to ensure that the modernized management system could be used for DINAP as well as other programs within ETA. The goal is to create one platform that different programs can then customize to meet their needs. ETA is currently developing the DINAP Adult and YouthBuild systems, which they plan to launch in late 2017. Once the platforms are completed, ETA will build on top of them for other programs.

Ms. DeAmicis gave an overview of how the modernized system will work. Data will be uploaded to a government-approved and secure cloud and so will be accessible anywhere with an internet connection. Quarterly performance reports (QPR) will be integrated with the Workforce Integrated Performance System (WIPS). DINAP will give grantees access to the new system and they, in turn can give their staff access. The system does not require a Social Security Number to identify participants unless the program requires it. The system's required data elements will follow the PIRL. Ms. DeAmicis and her team will keep the Council and grantees updated on progress and might ask some grantees to help with user testing, possibly in early November. A demonstration of the system using the proof of concept was provided. Chairman Rickard asked about the effect of entering new services on existing clients within this system. Ms. DeAmicis responded that if there are any requirements or concerns about service dates, DINAP staff should be alerted so that the system can be changed to reflect these requirements. Councilwoman Campbell stated that entering a new service or activity should not override the initial start date.

Councilwoman Campbell asked if grantees will be able to put out documentation that reflects QPR numbers. This capability is necessary for audits. Ms. DeAmicis responded that that capability can be built, if needed. Councilwoman Carroll asked if there is a way for grantees to customize their QPRs in the system. Ms. DeAmicis responded that she has been working on integrating Tableau into the system, which would allow grantees to create their own QPRs. Chairman Rickard asked what assurances ETA can give grantees that client data will be protected in this new system. Mr. Raghavan responded that the system will go through federal compliance and will be as secure as the DOL's data center. Data will be encrypted during transfer and firewalls will be in place. Mr. Raghavan gave a brief overview of WIPS. WIPS will be used for certifying grantees' QPRs and is currently tied to PIRL data. The QPR is created from data entered in the case management system. Only the grantee that uploads the data can

view and certify the resulting QPR. Once the QPR is certified, it is sent to a federal program officer (FPO) within ETA. A dashboard is being created to give FPOs the ability to slice and dice the information being submitted in the QPR. The new system is currently being funded by the ETA's program funds. Councilwoman Campbell expressed her hope that INA grantees are not charged for developing this system. Councilwoman Carroll asked if Ms. DeAmicis and her team could demo the new system at upcoming Council meeting. Councilman Osceola asked if DINAP Adult will have a licensing fee. Ms. DeAmicis responded that it will but that the details still need to be determined. She hopes that grantees will not have to pay a fee but cannot yet confirm.

**Performance Update – Amanda Ahlstrand, Administrator, Office of Workforce Investment (OWI), Andrew Ridgeway, Supervisory Workforce Analyst, Kellen Grode, Workforce Analyst, Division of Adult Services and Workforce System**

Amanda Ahlstrand, Andrew Ridgeway, and Kellen Grode provided a broad overview of the implementation of performance measures Training and Employment Guidance Letter (TEGL) for WIOA. DOL has been working closely with the Department of Education (ED) to develop joint performance guidance for WIOA. DOL is also working to align WIOA performance guidance and definitions across all of its programs, including DINAP. This is to simplify things for grantees and participants, especially those involved in multiple DOL programs, and to give the DOL a more accurate understanding of how programs work in comparison to one another. Additionally, reducing silos between programs will allow programs to help more people. To complete this alignment, the DOL has convened a workgroup with representatives from across all OWI programs as well as some other ETA programs. Mr. Grode anticipates that the workgroup will be able to submit the joint performance guidance for clearance sometime in the next few months. This guidance follows the same basic outline as the joint DOL/ED guidance. Programmatic differences will be included in program-specific attachments in order to simplify document navigation for programs. Mr. Ridgeway envisions that technical assistance (TA) will be available to grantees after the joint guidance's release. He also expressed DOL's excitement for the new reporting system. The new system will allow DOL to better understand how programs are performing and to address issues and successes more proactively. More consistent performance indicators and data will allow for more investment into and evaluation of different programs. Ms. Ahlstrand noted that DOL needs to continue to improve on providing accessible and consistent TA across all programs under WIOA. Accountability is still important to DOL leadership.

Councilman Tucker asked the speakers how they would like to receive the Council's input and advice as the guidance rolls out. Ms. Ahlstrand recommended that the Council keep in touch through its Performance Workgroup; and through DINAP. Councilman Bernal thanked the speakers for their work around performance management. He asked their opinions on what makes the Section 166 program unique from other programs, and how they would demonstrate this difference in the common performance indicators. Ms. Ahlstrand responded that the size of the funds, the impact they can have, and who they are targeted towards are all considered. DOL needs the Council's input to determine what the additional indicators should be. DOL is working to incorporate a waiver for youth measures for Section 166 grantees into the first WIOA full competition. Ms. Ahlstrand noted the conflict of how to get from a place of recognizing that the resources are small and adjustments are needed to another place where the resources still are not big. Councilwoman Carroll commented that an issue facing tribes that operate other DOL grants

is that programs that offer these other grants often aren't familiar with tribal structure, and the reporting they require is often geared towards states. She asked if there has been any discussion on how to deal with this type of issue. Mr. Grode responded that this is one of the issues DOL has been working through in the joint guidance. Councilman Waldron commented that grantees are interested in accountability and helping their communities grow, but the current Section 166 performance indicators are overly burdensome.

**Daniel Villao, Deputy Administrator, Office of Apprenticeship; Amanda Ahlstrand, Administrator, OWI – Executive Order on Apprenticeships**

In June, the President issued an executive order to expand apprenticeships across the United States. ETA sees this Executive Order as an opportunity to better connect its programs and leverage the full agency to promote and expand apprenticeships. One section provides that multiple Departments, including DOL, create a task force to look broadly at the effectiveness of workforce development programs and apprenticeships to determine priorities and next steps. The Office of Management and Budget (OMB) will coordinate across the federal partners to do this, and so DOL is currently in a holding pattern. ETA is preparing for this conversation by gathering its data and evaluations and sees education as an important part of the conversation. The order also charges the creation of industry-recognized apprenticeships, which are different than the typical registered apprenticeships. The implication is that industry will be more of a driver in establishing and defining an apprenticeship. DOL is prioritizing how to support this as a stage-setting piece of the order so that other tasks can continue.

Chairman Rickard asked what Mr. Villao sees as the INA employment and training programs' role with apprenticeship programs. Mr. Villao responded that the Council has his commitment that there will be full engagement between DINAP programs and the Office of Apprenticeship (OA), both in terms of registered apprenticeships and the Executive Order. Mr. Villao is hopeful that industry-recognized apprenticeships will allow partners to plug into the industry environment more rapidly than the existing system has allowed for in the past. Teams are working across the DOL to define what the industry-recognized apprenticeship space will look like. Mr. Villao's staff is unfolding proposed policy language for internal review that addresses these new apprenticeships. Mr. Villao is receiving feedback from the Secretary and others about what is available and possible to deliver on the President's executive order regarding industry-recognized apprenticeships. The Secretary's office is identifying potential partners for the aforementioned task force. Representatives for tribal entities did apply for this task force. Mr. Villao asked for the Council's input and questions on apprenticeships.

Chairman Rickard asked what funding a business that offers apprenticeships gets from DOL. Mr. Villao responded that DOL does not provide funding in these cases but does provide resources to help employers deploy apprenticeships and these resources can help offset costs. Some communities couple resources together in order to provide support services to participants. States are provided with grants to help stand up and incentivize apprenticeships. The OA has used some of its allocation from Congress to invest in intermediaries, which have incentive funds to attract employers and seed apprenticeship programming. There was a competitive process to award money to these intermediaries and this process was open to the INA community. DOL also issued six equity and 14 intermediary sector-focused contracts. The intermediary contracts focused on extending OA's capacity into new sectors, and the equity contracts focused on ensuring that new and existing apprenticeships are able to reach into all communities. Although

Congress has made an allocation of \$95 million for the purpose of continuing an expansion of apprenticeships, the OA knows that its focus is to continue the expansion of apprenticeships, but has not been instructed on where the investments will be directed. Mr. Villao advised the Council to stay updated on the Secretary's decisions regarding apprenticeships so that members' organizations can participate in funding processes when and if they become available.

Ms. Brown received a list of current apprenticeships made specifically for the INA community, and asked if they were all actually still current. She asked if any new apprenticeships have been established for the INA community. Mr. Villao responded that he would need to check the list to make sure it was fully current. The OA is investing in its technology to clean up records and ensure that they are accurate. His personal belief is that many businesses are interested in partnering with Indian country to create new apprenticeships. He also encourages tribal communities with 8(a) businesses to create their own apprenticeships. Section 166 grantees or their clients that are interested in registered apprenticeships should go through their respective states to find out what types of registered apprenticeships are available. Their office is also working on a mapping system of all available registered apprenticeship providers. The executive Order also gives an opportunity to stand up new intermediaries that can act as public-facing data sources about registered apprenticeships. Councilman Waldron commented on the issue of apprentices failing drug tests because they smoke legal marijuana socially. The hair follicle drug test is often used, and marijuana can be detected in hair follicles for several months after usage. Mr. Villao responded that drug testing is a safety and liability issue for industries like construction and transportation. He would encourage communities to move participants who like smoking marijuana socially into apprenticeships in industries where safety testing doesn't include drug testing, like IT or hospitality. Councilman Waldron commented on the problem of expensive technical schools taking funding and teaching in wealthier neighborhoods, which creates a gap in education accessibility for lower-income participants and suggested creating a pilot program for a project building company on reservations.

## **Recap and Recess**

Chairman Rickard asked members if they are still interested in requesting a waiver of the WIOA primary performance indicators. Councilwoman Carroll stated that she does not want to do this unless the Council provides a menu of indicators that grantees can choose from as an alternative. Councilman Legg asked if grantees could create their own alternative performance indicators. However, it would be challenging to find a way to collect all of that data. Councilman Bernal suggested asking for a waiver that would let grantees choose three of the six primary indicators. Chairman Rickard commented that doing this could undermine the central argument of the waiver, which is that the primary indicators don't necessarily meet the criteria for Indian country. Councilman Bernal responded that by his understanding, the waiver request was more about preventing each grantee from having to submit an individual waiver. The waiver request could ask that grantees be allowed to choose three of the six indicators to use as well as some from a menu of indicators.

Chairman Rickard asked for a further explanation of the rationale behind adult option 2 of the Performance Measures Workgroup's recommendations. Mr. Hall explained that the three primary indicators that option 2 uses are very similar to the indicators that INA grantees already have. He thinks DOL would like grantees to align to at least some of the primary indicators. He recognized the concerns some grantees have about indicators regarding the 2nd quarter after exit

and stated that programs do pretty well for these indicators if they use wage record matches. Councilman Tucker asked if tribes and non-profits have access to wage records. Mr. Hall responded that they do not. All states send their wage record information to the Wage Record Interchange System (WRIS), this how DOL maintains access.

Councilman Archambault expressed his support for adult option 2 and youth option 1 of the Workgroup's recommendations. He added that even if the Secretary is able to issue a blanket waiver to Section 166 grantees for the performance indicators, the INA community should still push Congress for the technical amendment in WIOA. Lorenda Sanchez of the California Indian Manpower Consortium (CIMC) agreed with Councilman Archambault and suggested that the Council work with Mr. Hall to develop the language for the options they decide to recommend. Councilman Archambault made a motion for the Council to choose adult option 2 and youth option 1. Councilman Waldron seconded the motion. This motion does not include any request for a blanket waiver. The motion passed with one opposed. Adult option 1 could be used by grantees whose waivers were denied. He reiterated that the Secretary cannot grant a blanket waiver. The workgroup developed these options to make it easier for grantees to request waivers.

A motion to adjourn was made, seconded, and passed unanimously. Chairman Rickard adjourned the meeting at 4:29 pm.

### **Key Highlights from the Meeting**

1. The Council approved the agenda for the meeting and approved the minutes of the meeting of May 23-24, 2017.
2. The Council discussed and reviewed a Transition Report to be presented to the DOL Secretary. The Council decided that the top priorities to present to the DOL Secretary are: 1) elevate the voice of the Council and support additional resources for DINAP, 2) increase funding to the section 166 program; and, 3) support technical amendments to WIOA.
3. The Council received a presentation by teleconference from Evon Pollack, of the DOL Contracting Office on the Training and Technical Assistance Contract. Due to audio problems, the Council could not fully understand the information presented and requested that the presentation be rescheduled for another day.
4. The Council accepted the recommendations of the Performance Measures workgroup. The Workgroup does not believe that Section 166 grantees should have to meet both the primary and additional performance indicators because of the administrative burden this would place on grantees. If the primary indicators cannot be waived, the workgroup recommends that additional indicators be kept to a minimum. The workgroup recommended three options for the youth program and two options for the adult program. The options for the youth program are 1) keep the existing menu of measures, 2) use the three most frequently selected measures from the menu of measures, and 3) use the indicator employed or in education or training at exit. The first option for the adult program is, assuming waivers are unlikely, add one additional indicator: employability enhancement. This would be the easiest and most familiar indicator for grantees to implement. The second option, assuming waivers are permitted, is to keep three of the six primary indicators: employed in the 2<sup>nd</sup> quarter after exit, median earnings in the 2<sup>nd</sup> quarter after

exit, and credential attainment. Grantees would ask to waive the other primary indicators and replace them with percent in training, which would encourage grantees to place more participants in training, and employability enhancement.

5. After the presentation from Pamela DeAmicis, Sundar Raghavan, and Param Soni, of DOL on the ongoing work to modernize the DINAP Case Management System; the Council asked for a more detailed demonstration of the new system at the Council's November meeting. The new system will replace the old legacy BearTracks system. In the modernized system, data will be uploaded to a government- approved and secure cloud and will be accessible from anywhere with an internet connection. A demonstration of the system using the proof of concept was provided.
6. DOL has been working closely with the Department of Education (ED) to develop joint performance guidance for WIOA. Efforts are to simplify things for grantees and participants, give DOL a more accurate understanding of how programs work in comparison, and reduce silos between programs. Council members discussed some of the issues with performance measures required by DOL and noted that the current Section 166 performance indicators are overly burdensome, especially for small grantees.
8. The Council received a presentation from Daniel Villao and Amanda Ahlstrand, of DOL, on efforts of DOL to implement the executive order to expand apprenticeships, better connect its programs, and leverage the full agency to promote and expand apprenticeships. ETA is working on this effort by gathering data and evaluations. The Executive Order provides for the creation of industry-recognized apprenticeships, which are different than the typical registered apprenticeships. The discussion focused on how the Council, DINAP, and the section 166 grantees and the OA could collaborate to provide training in Indian communities in industry-recognized apprenticeships. The group discussed funding available to help expand apprenticeships. The group discussed a list of current apprenticeships made specifically for the INA community. Mr. Villao recommended that the section 166 grantees work with their respective states on apprenticeship programs and with 8(a) businesses to create their own apprenticeships.
9. During a recap of the meeting, the Council reviewed information and recommendations of the Performance Workgroup on performance indicators for programs. The Council approved a motion to choose Option 1 for Youth Programs and Option 2 for Adult Programs of DINAP.

Summary of Minutes Prepared by **Neal R. Gross, Court Recorder**

**U.S. DEPARTMENT OF LABOR  
NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL**

**DAY Two - Wednesday, August 23, 2017**

**Call Meeting to Order & Introductions:** Gary Rickard, Council Chairman, called the meeting to order of the Native American Employment and Training Council (Council). Chairman Rickard conducted roll call; a quorum was present.

**PRESENT- ROLL CALL**

Gary Rickard, Region 6, Chairman  
Hon. Dave Archambault, Other Discipline, Member  
Jacob Bernal, Region 6, Member  
Christine Campbell, Region 5, Member  
Kim Carroll, Region 4, Member  
Daryl Legg, Region 4, Oklahoma, Member  
Curtis Osceola, Region 3, Member  
Erwin Pahmahmie, Region 4, Member\*\*  
Michael Tucker, Region 6, Alaska, Member  
Darrell Waldron, Region 1, Member  
Winona Whitman, Region VI, Hawaii, Member

\*\*present by teleconference

Athena Brown, Designated Federal Officer  
Craig Lewis, Alternate Designated Federal Officer  
Duane Hall, Lead Federal Project Officer, Subject Matter Expert

**Ondray T. Harris, Senior Advisor, Employment and Training Administration; Amanda Ahlstrand, Administrator, Office of Workforce Investment (OWI)**

Ondray Harris, Senior Advisor to the Secretary of Labor, met with the Council, representing the Secretary of Labor at this meeting. One priority for Mr. Harris and the Secretary is the President's Executive Order expanding apprenticeships. The purpose of the EO is to close the skills gap across the United States, and it is important to meet with the Council to better understand how to address the needs in Indian and Native American (INA) communities. Apprenticeships allow participants to earn while they learn, meaning that they can avoid a lot of debt. Starting salary and employment are at a higher rate for apprenticeship participants than they are for traditional college graduates. The Department is encouraging community and four-year colleges to incorporate apprenticeships into degree programs in order to offer students traditional learning and skills-based training. The Secretary would also like to engage with the workforce system to develop work readiness skills. To this end, he and Mr. Harris are exploring innovations in building a youth pipeline, including disconnected workers. Disconnected workers include displaced homemakers, dislocated workers, and recently separated service members.

Councilwoman Campbell asked if the youth pipeline will include formula funding for off-reservation youth. Mr. Harris responded that they are looking at how they can help youth develop the basic soft skills needed for a workplace. One way this can be done is by getting youth jobs early on. Councilwoman Campbell agreed with the need for soft skills development and stated that many grantees without youth funds use their adult funds. She hopes that the Secretary and Mr. Harris will be mindful of the fact that, for many, there is a lack of funding for youth in off-reservation areas. Many areas need additional funding for soft skills training for youth. Councilman Legg asked that the Secretary consider adding more reentry grants specifically geared towards employment and training. Mr. Harris responded that he and the Secretary are sensitive to this need and that one of the best ways to reduce recidivism is to ensure that people leaving incarceration have jobs and a place to stay. They are looking at programs that will allow incarcerated people to access training towards the end of their sentences that will make the transition out of prison easier.

Councilman Archambault asked that the Secretary meet with the Council and emphasized the mission of advising the Secretary on INA issues. He relayed that he felt the Council's recommendations never seem to make it to the top decision-makers. He asked that the Secretary continue to invest in Indian country. This is especially important because there are many areas where government is the only industry. He also informed Mr. Harris that the Council will be seeking a technical amendment to WIOA regarding performance indicators for the Section 166 program. Mr. Harris responded that the Council and the communities it represents are important to the Secretary and he felt that he was well versed in the issues faced by the INA community and takes these issues very seriously, and he has the Secretary's ear. He is sympathetic to the fact that many areas in the U.S. don't have industry or jobs, and encouraged members to think expansively about workforce development. Although manufacturing and construction provide good jobs, communities should also consider exploring training and apprenticeships in sectors like cyber security. Apprenticeships and training need to be industry-driven and should be considered an ongoing process, so that participants can retrain for other industries as needed. Councilman Archambault commented that even getting training can increase a person's sense of self-worth. Mr. Harris stated that although training is good, getting people jobs is the end goal.

Councilwoman Carroll stated that it's important for the Secretary to remember that tribal governments and organizations are not the same as states and other organizations and so should not be treated the same. If tribal governments and organizations are able to compete with states on grants, they are expected to be able to operate, report, and provide information through resources that they cannot access like states can. This makes it impossible for tribes and tribal organizations to be truly competitive in funding opportunities. It would be helpful for DINAP staff or others to be able to review and provide input on these types of situations.

Chairman Rickard stated that funding for INA programs has decreased while the INA population has increased. However, the money that the federal government has invested in INA programs has had a great return on investment. He asked for Mr. Harris to support increased funding for INA programs in order to obtain parity and equity. He asked Mr. Harris to review the National Congress of American Indians' (NCAI) policy recommendations on workforce development and consider how DOL can best work with INA programs to better serve the INA community. He asked Mr. Harris for his opinion on why, in WIOA, Section 166 grantees have to report on the

six primary performance indicators as well as additional indicators. Mr. Harris responded that he cannot speak on behalf of Congress, but he can take these concerns to the Secretary and the White House Council on Native American Affairs. Many of these concerns have already been raised in this White House Council. Mr. Harris stated that the funding parameters are already in place, and so the question becomes what programs can do within these parameters to help the INA community. Other questions are how to bring industries to areas with little available jobs and how to enable people in remote or rural areas to work remotely. Councilman Waldron asked what the Council can do to build a better bridge of communication with the Secretary.

**Update on Veterans Services, Gordon J. Burke, Jr., Senior Policy Advisor, Veterans' Employment and Training Service (DOLVETS)**

**Stephanie E. Birdwell, M.S.W., Director, Office of Tribal Government Relations, VA Office of Governmental Relations**

**Juanita J. Mullen (Ret. USAF), Liaison, American Indian/Alaska Native Veterans, Center for Minority Veterans, Department of Veterans Affairs**

**Terry Warren, VA Office of Economic Opportunity**

Gordon Burke, DOLVETS conducted a study on INA veterans on tribal lands, which culminated in ten recommendations. One of these recommendations created the Homeless Veterans Reintegration Program, with the purpose to reintegrate veterans into the workforce. The next grant award period will be in the Spring 2018. Grant applications will be due in February and March of 2018. Grantees that begin their applications early typically do well. Grantees can look at past and current grant solicitations on [grants.gov](http://grants.gov) or can call Mr. Burke directly at 202-693-4707 for more information. Tribes and tribal organizations are allowed to apply for these grants. Another recommendation provides an opportunity for tribes to request special initiative money, which is typically used for staff to provide employment services. DOLVETS has not received many applications for these grants; therefore, it's hard to say how wide DOL's discretion will be in what it allows to be done with the grant funds. Tribal consortiums can apply for these grants. Grants go to the states, and then tribes can apply through the state. One hiccup is that states don't always reach out to tribes regarding these grants, and so Mr. Burke would like to see his staff involved in this process. Grantees can apply for these funds at any time because the money is not tied to a specific grant cycle. Councilman Archambault asked why some of these funds can't automatically go to tribes. Mr. Burke responded that the law states that these funds must go to states. DOLVETS has requested a pilot program to give some of these funds directly to tribes, but this program was not approved.

Stephanie Birdwell, Department of Veterans Affairs' (VA) Office of Tribal Government Relations stated that their office was established in 2011 to help the VA implement its tribal consultation policy and works with VA's three administrations. In addition to tribal consultation, the Office is responsible for engaging in activities to increase access to care and benefits for veterans living in Indian country and for promoting economic sustainability for veterans. Although there have been strong advocates for creating a bridge between VA and Indian country, the advent of the Office established an enterprise-wide effort to establish these relationships. In 2016, VA asked tribal leaders to identify their top three to five priorities for veterans living in Indian country. The importance of understanding protocol and cultural norms when working with Indian country was a common theme in these priorities. The Office hopes to use these priorities to help establish a policy agenda for tribes and for serving veterans.

VA does not provide programmatic funding to support infrastructure for tribal departments of veterans affairs. Over the past five years, more tribes have been using their own resources to create their own departments of veteran's affairs. VA annually publishes geographic distribution index data, which shows how much VA resources go into different counties. VA has started purchasing care from the Indian Health Service (IHS) to treat veterans locally. To date, there has been \$55 million in reimbursements to all IHS direct service sites. Ms. Birdwell thinks it would be beneficial for IHS and Department of Health and Human Services (HHS) to establish an enterprise-wide effort to maximize this partnership with the VA. The Office of Tribal Government Relations has geographic specialists whom tribes can contact for more information. These specialists also hold veterans training summits across Indian country to connect veterans with resources and VA staff. The Office has a website and newsletter, and Ms. Birdwell would be happy to add interested members to the listserv.

Juanita Mullen, Center for Minority Veterans serves as the principal advisory to the Secretary of VA on adoption and implementation of policies and programs impacting minority veterans. The Center educates veterans, their families, and survivors through targeted outreach and effective advocacy. The Center promotes the use of VA programs, benefits, and services for minority veterans, disseminates information, and provides culturally relevant programs that enhance veteran-centric services to minority veterans and women. The Center collaborates internally and with other closely aligned non-government minority organizations. The Center has an Advisory Committee on Minority Veterans, and Ms. Mullen encouraged the Council members to reach out to qualified veterans to apply to be on it. Minority Veterans Program Coordinators (MVPCs) are available at VA medical facilities and at the regional offices for the Veterans Benefits Administration (VBA) and the National Cemetery Administration (NCA). MVPCs must conduct outreach to all minority groups. The Center collaborates on research projects and tries to hold virtual town hall meetings. Ms. Mullen also works to hold in-person town hall meetings with INA tribes. Member Osceola commented on communication gaps that can cause INA veterans living off of reservations to not receive services. Terry Warren, VA Office of Economic Opportunity, explained that the Office of Economic Opportunity's intent is to work on economic initiatives to ensure that all veterans have the tools, resources, and education to help themselves, with the main goal of establishing and maintaining generational wealth.

Councilman Archambault commented that many veterans in his community prefer VA hospitals to IHS, even if the VA hospital is a significant distance away. Ms. Mullen asked if mobile VA health care services were still available in North and South Dakota. Councilman Archambault commented on the difficulty that many veterans in his community have with transportation. Lorenda Sanchez from the California Indian Manpower Consortium (CIMC) encouraged any of the speakers' groups to attend the fourth National Gathering of American Indian Veterans. She thinks DOL should have a presence at the gathering.

### **Duane Hall, DINAP Team Lead, Discussion of Strategic Planning Requirements, Alignment of Competitive Processes and Planning**

Councilwoman Whitman read the following motion: "The Council shares the vision of DOL to have meaningful performance accountability measures for the INA program. The Council also understands that these performance accountability measures are required in WIOA and cannot be changed by the DOL. While the Council understands DOL's desire to have uniform performance indicators for all ETA programs and that there is also a benefit to the INA program in such

uniformity, there are also significant and unique differences between ETA core programs and the INA program that DOL should consider. In fact, Congress directs DOL to give special consideration to the INA program in WIOA Section 166 (h)(1)(B). Accordingly, the Council urges DOL to provide waivers to the performance accountability indicators for both the adult and youth programs to INA grantees that request such waivers. Furthermore, the Council requests that DOL consider alternative performance indicators recommended by the Council that can be selected by INA grantees when requesting a waiver, and that the alternative indicators be considered as the additional indicators required at WIOA Section 166 (h)(1)(A). The alternative indicators are attached to the motion as discussed in yesterday's meeting."

Councilman Waldron commented that the Council does not understand the need for uniform performance indicators. Members decided to amend the motion to say that the Council is mindful of the DOL's desire, et cetera. Members also decided to amend the motion to say that, though there may be a benefit to DOL in such uniformity, there are significant and unique differences, et cetera. Councilwoman Whitman made the motion as amended. Councilman Waldron seconded, and the motion passed with one opposed. This letter will be sent to the Secretary for his consideration, with a copy to Ondray Harris and Amanda Ahlstrand. Chairman Rickard thanked Duane Hall, Lorenda Sanchez, Councilwoman Winona Whitman, and others who developed the language for this motion.

Councilman Waldron asked about Council's charter, which is set to expire September 11<sup>th</sup>. Craig Lewis, alternate designated federal officer (DFO) responded that the charter is currently going through the clearance process. Mr. Hall further clarified that legally, the charter and the Council do not expire. Councilman Waldron asked about the sunset date of 2020 for funding under WIOA. Mr. Hall responded that he would look up the specific language and provide a response.

Councilman Whitman made a motion regarding assistance to unique populations in Alaska and Hawaii using WIOA Section 166(a) adult program funds. Councilwoman Whitman previously made a motion in 2016 that was approved by the Council for DOL to table the competitive process until such time as the main priority of INA funds had been returned to its previous appropriation level of at least \$55 million. In January 2017, DOL responded that it must comply with WIOA's requirements and so would proceed with competition at Section 166(k); however, the ETA would take these concerns into consideration when developing future DOL budget proposals. WIOA Section 172(a) states that INA programs are authorized to be appropriated to carry out Section 166, not including subsection K of such section. The competitive process for Section 166(k) continued, and Alu Like Native Hawaiian Career and Technical Education Program applied for the grant, despite Councilwoman Whitman's protests. DOL has set aside a total of \$994,000 from INA adult program funding for Section 166(k) grantees in program years (PY) '16 and '17. Only \$497,000 was awarded for this year's grants, leaving a remainder of \$497,000. Based on these reasons, Councilwoman Whitman made a motion for DOL to cease setting aside any INA adult program funds for Section 166(k). Councilman Waldron seconded the motion.

Councilman Tucker of the Cook Inlet Tribal Council asked that the motion be amended to ask that funds not be taken out of Section 166 adult funds, but rather out of other funds as directed by Section 172. Councilwoman Whitman responded that there are already appropriations set aside in Section 166, so it's up to Congress to provide those appropriations. She would be concerned about making a blanket request for discretionary funds without knowing what they are.

Councilwoman Carroll stated that the Council had already addressed this idea in one of their resolutions. Ms. Brown stated that during the appropriations process, the Council had asked DOL to consider additional funding to cover Section 166(k) grantees. DOL responded that they understand the concerns but wouldn't seek other funding sources. Congress asked that DOL fund Section 166(k) by using Section 166 funds and so DOL feels they should do it this way. Members asked what happened to the remaining \$497,000 that was not awarded. Mr. Hall responded that it was taken out and is currently with DOL. The funds must be awarded before the end of this fiscal year or they will expire. Ms. Brown stated that ETA said that they would take the Council's concerns into consideration when developing future budgets and DOL is currently developing the budget for the next fiscal year, the Council's recommendation requesting additional funds would be accurate. Members decided not to amend the motion; the motion passed unanimously.

Councilman Tucker made a motion to ask that the Secretary request in the fiscal year (FY) '19 budget for funds in addition to or outside of the funds requested for the Section 166 program, for all special initiatives, including Section 166(k), technical assistance, and IT needs.

Councilwoman Carroll seconded the motion; motion passed unanimously. Councilman Tucker will write up this motion to give to Chairman Rickard.

The Council discussed the need to approve the transition paper, with corrections, changes, and additions. Councilman Waldron made a motion to accept the transition paper subject to the changes as discussed yesterday; Councilman Osceola seconded the motion, and the motion passed unanimously.

Councilman Osceola made a motion to add a recommendation to the transition paper for elevating the number of staff within DINAP. Councilman Campbell seconded the motion; and the motion passed unanimously.

**Stan Koutstaal, Ph.D, Director, Division of Tribal Temporary Assistance for Needy Families (TANF) Management and Regional Operations; Denise Litz, M.A., Branch Chief, Division of Tribal TANF Management – Overview of Tribal TANF**

Stan Koutstaal and Denise Litz provided a presentation on the tribal TANF, and explained how TANF and DOL programs can work to better serve communities. Tribal TANF is authorized by a section of the Social Security Act and is a part of the larger TANF. The four purposes of TANF are 1) to provide assistance to needy families so that children can be cared for in their own homes, 2) reduce the dependency of needy parents by promoting job preparation, work, and marriage, 3) reduce and prevent out-of-wedlock pregnancies, and 4) encourage the formation and maintenance of two-parent families. Funding can only be used for low-income and needy families for the first two purposes; however, for the second two purposes, funding can be used for the broader community. Federally recognized tribes and tribal consortia are eligible to apply for TANF funding. TANF currently has 73 tribal TANF programs, 19 of which participate in the 102-477 program. TANF funding supports things like basic assistance payments, supportive services, and workforce training. Tribal TANF funds can be carried over from year to year until they are expended, as long as they are used for a tribal TANF purpose. Individuals cannot receive TANF assistance for more than 60 months. Tribes must collect aggregate data to demonstrate that collectively they are meeting a work participation rate. Tribes that don't meet

this rate can be penalized. This rate is negotiated between the Administration of Children and Families (ACF) and individual tribes. The rate includes activities such as employment, job searching, unpaid work experience, and education directly related to employment. Tribes that would like to have a tribal TANF program should contact their regional program manager.

DOL programs partnering with TANF should keep the work participation rate and time limit in mind, because they are held accountable for these restrictions. Chairman Rickard asked if travel to work sites is included in the participation rate. Ms. Litz responded that this depends on the tribal TANF plan. Tribes applying to administer a TANF program include the service area and the population that they're going to serve in their original letter of intent. Tribes interested in expanding their service area can submit another letter of intent. Chairman Rickard asked if ACF has the ability to disapprove of a 102-477 tribe's TANF plan. Ms. Litz responded that the ACF has not yet disapproved a plan, but does have the ability to provide conditional approval until certain content is included. This process involves a negotiation through the Bureau of Indian Affairs (BIA) with the tribe with a discussion about the expectation of tribal TANF or Native Employment Works (NEW).

Councilman Tucker asked about the speakers' experience with coordinating tribal TANF and WIOA. Dr. Koutstaal responded that he would like to see the ways employment and training programs can partner more strongly with TANF programs. Councilwoman Campbell asked if a state could subcontract with a tribal organization, and the response was "yes". She wanted to know how much funding is allocated to states for INA communities and whether it is accessible to the community. Ms. Litz responded that they could forward this question to state TANF. Councilwoman Carroll commented that if a tribe chooses not to administer a tribal TANF program, then members of the tribe would be assisted through the state. Dr. Koutstaal ended the discussion by stating that across administrations, there is the common theme of building a greater safety net by coordinating programs. He thinks tribes are in a good position to explore ways to build strong collaboration and will be on the leading edge of this research.

### **Public Comment**

Lorenda Sanchez, Executive Director, California Indian Manpower Consortium (CIMC), thanked the Council for their work and expressed appreciation for Mr. Hall and the IT and Performance Measures Workgroup for their work and Councilman Archambault for his work on creating language for the recommended technical amendment to WIOA. She thanked the Council for its positive vote on the recommended performance indicator options, and thinks that this will provide grantees an opportunity to get a head start on planning for four-year programs. Waivers will play an integral part in this process. She shared that a resolution was presented at the 3<sup>rd</sup> National Native American Veterans Gathering by a representative from the Illinois House of Representatives to recognize the Eagle Staff as the first flag of the sovereign Native American tribal nations and First Nations. A similar resolution will be presented at CIMC's membership meeting, with a request for the chairman of the CIMC Board of Directors to take that resolution to the California governor. She asked if it were possible to place the Eagle Staff back on the Council's logo.

She was encouraged by the discussion around youth programs in Mr. Harris' presentation, and shared some of the work CIMC is doing around Career Pathways for Youth. CIMC placed the

required curriculum for youth on YouTube to encourage accessibility, and has found that since then, participants have been completing the curriculum in a more timely manner. CIMC effectively completed a foundation application to develop a mobile app that would make connecting with participants easier. CIMC plans to share its programs with other grantees as best practices. She raised the concern of DINAP's staffing level and felt that the program is understaffed for the amount of work required. She asked that the Council communicate this concern to the Secretary on behalf of the grantee community. Raising the staffing level would benefit both DOL and the grantee community. She also thinks it's important for DOL to elevate DINAP's position within DOL's organizational structure to ensure that the INA community gets a seat at the table.

There were no other public comments

Mr. Hall continued his earlier presentation on strategic planning. He informed the Council that the Section 166 grantees will need to submit four year strategic plans in order to receive WIOA funding; that will begin in PY18. Plans should detail plans and strategies for meeting the needs of their community. WIOA changes strategic plans from the Workforce Investment Act (WIA) in two major ways: they are now four-year plans and are combined with the competitive process. The plan must include the population to be served, the education and employment needs of this population and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment leading to self-sufficiency, a description of the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities, and a description of the performance indicators and expected levels of performance. The plan must also include any additional information requested in the funding opportunity announcement (FOA). DOL can add priorities on top of these requirements. Grantees applying for supplemental youth funding must also include how they will serve INA youth. Grantees will likely be asked to provide additional information on top of the requirements. This additional information will be identified in the FOA. Strategic plans should be tailored to the community being served and should be meaningful to grantees and DOL. The plan should describe all of the employment and training services that a grantee's program provides and the economy of the area to be served. DOL will provide an optional form that grantees can use to help display their budget data and amount of people served.

Chairman Rickard asked Councilwoman Carroll if she has to do any of this in her 102-477 plan and the response was "no". She then explained the process for 102-477 tribes. Councilwoman Campbell asked if Section 166 grantees should submit letters of support if they feel that competitors are likely. Mr. Hall responded that although these might not be part of the plan, they might be required by the FOA. The Department is hopeful that the FOA will be released around February 2018. Councilman Osceola asked how grantees with a wider and less defined geographic area would define things like labor market information (LMI). Mr. Hall understood the concern and responded that these grantees might have to provide more LMI. Councilwoman Campbell suggested that grantees which operate across multiple states provide LMI highlights from each state they operate, especially highlights that best fit the community they serve. Councilman Osceola commented that the statistics don't always break down enough to properly reflect a grantee's service, especially for INA communities. Mr. Hall stated that DOL wants

grantees to use LMI in order to ideally match their services and training to the labor market demands in their area.

Grantees can request waivers to requirements in the law or regulations. The Secretary cannot waive requirements relating to wage and labor standards, worker rights, participation and protection of workers and participants, grievance procedures, judicial review, and non-discrimination. Grantees can request a waiver for performance indicators. The waiver request must include information on how the waiver will improve the grantee's WIOA program activities. INA grantees may submit a waiver request as part of their four-year strategic plan. WIOA regulations streamline the grant award process by incorporating the four-year plan into the competitive process in order to ease the administrative burden on applicants and DOL. Grantees no longer submit a notice of intent and so there is no advance notice of competition. Whatever grantees submit will be their proposal, and this is what will be rated in the event that there is competition. Grantees can modify their plans after submission. Chairman Rickard asked what happens in the event that a consortium submits a plan for an area but is unaware that another tribe in their area has also submitted a plan. Mr. Hall responded that the consortium could modify their plan if this is a significant part of their grant and substantially changes the plan.

DOL has not yet drafted planning guidance and will do so in consultation with the Council. Ms. Brown stated that the Office of Grants Management (OGM) will create a timeline for this planning guidance. Chairman Rickard commented that he doesn't want the timeline pushed back so far that it becomes a burden for the programs to respond to it in a timely manner. Ms. Brown stated that DINAP has been trying to prepare grantees with presentations such as this one so that they are ready when the FOA is released. Grantees should start looking at their budget narrative and other documentation to ensure that everything is in order and should understand who in their organization will be responsible for submitting the plan. Mr. Hall would like to conduct training for this process at upcoming regional conferences and through webinars, and would have to do it in a way that didn't jeopardize the competitive nature of the grant process. Councilwoman Carroll suggested that this information be included in the basic grant writing workshops that are usually held at the regional conferences.

Chairman Rickard asked when the consultation with the Council will happen. Ms. Brown responded that a big part of the consultation was about performance indicators, the discussion of which took place at this meeting. Chairman Rickard stated that DOL should use the word consultation carefully. Mr. Hall stated that consultation might have been his own verbiage rather than something stated in the law. Councilwoman Campbell brought up the issue of illegitimate organizations applying for Section 166 grant funds. Mr. Hall stated that grantees can appeal the grant process if they suspect that this is occurring. DINAP and grant officers also look into suspicious applicants even without this appeal. Ms. Brown stated that this would be a good issue to bring up with grant officer Jimmie Curtis.

Mr. Hall showed members an example Common Information Reporting System (CRIS) report to show what performance looks like with and without unemployment insurance (UI) wage records. Grantees are not required to do a one year follow up for participants in the adult program, but are required to do so for the youth program.

## **Adjourn and Closing**

Chairman Rickard thanked members for their work. The next Council meeting date has not yet been determined. Councilwoman Carroll asked members to let her know if they would like to have a workgroup meeting at the upcoming multi-regional meeting. Councilman Legg made a motion to adjourn the meeting. Councilwoman Campbell seconded the motion and it passed unanimously. Chairman Rickard adjourned the meeting at 4:02 pm.

## **Key Highlights from the Meeting**

1. The Council received a presentation from Ondray Harris and Amanda Ahlstrand, senior staff of DOL on major developments and issues of concern to the Council. Mr. Harris presented information on DOL efforts to expand apprenticeships. The Council discussed with DOL officials funding needs in INA communities and needs for training of youths. Council members noted that their recommendations do not seem to get proper action from DOL officials. The Council members discussed their concerns that the DOL rules on performance indicators for DINAP grantees were not fair to the grantees.
2. The Council received a presentation on services to Indian veterans from a delegation from Veterans Affairs that included Gordon Burke, Stephanie Birdwell, Juanita Mullen, and Terry Warren. The VA representatives provided information on funds available to assist Indian veterans, services and benefits to veterans living in Indian country, and coordination of services between VA and Indian Health Services. Information was provided on outreach to Indian veterans.
3. The Council followed up on recommendations from the Performance Measures Workgroup that were presented August 29. The Council approved a motion to urge DOL to provide waivers to the performance indicators for DINAP grantees for both adult and youth programs. The waivers requested would follow the options presented by the Workgroup.
4. The Council approved a motion to request that DOL and Congress provide additional funds to provide assistance to unique populations in Alaska and Hawaii. The funds requested are in addition to WIOA Section 166(a) adult program funds.
5. The Council approved a motion to encourage DOL and the Secretary to advocate in the FY 2019 budget for funds outside of Section 166 for all special initiatives, including Section 166(k), technical assistance and IT needs.
6. The Council followed up on Council work on the Transition Report to the DOL Secretary that was discussed by the Council August 29. The Council approved a motion to accept the Transition report with the changes made by the Council.
7. The Council approved a motion to add to the Transition Report a recommendation that DOL elevate the number of staff within DINAP.
8. The Council heard a presentation from Stan Koutstall and Denise Litz, of the tribal TANF program. Mr. Koutstall gave an overview of the purposes of TANF and how this program can help low-income families to obtain supportive services and workforce training. Tribes can apply for TANF funds to help their TANF clients to complete activities such as employment, job

searching, unpaid work experience and education related to employment. The Council discussed with tribal TANF leaders the potential for increasing the collaboration between DINAP grantees and TANF programs.

9. The Public Comment session included a presentation by Lorenda Sanchez, Executive Director of CIMC.
10. Duane Hall made a presentation to the Council on WIOA Strategic Planning Requirements for PY18. Beginning in PY2018, grantees will need to submit four year strategic plans in order to receive WIOA funding. The plans should detail grantees' plans and strategies for meeting the needs of their community. He explained that WIOA rules require additional information that DINAP grantees will have to submit, which was not required under WIA rules. More details on the additional information required will be provided in the funding opportunity announcement which is expected to be released by February 2018. DINAP is working to try to educate and inform DINAP grantees to prepare them to meet WIOA 2018 application requirements.

Summary of Minutes Prepared by **Neal R. Gross, Court Recorder**