

UNITED STATES DEPARTMENT OF LABOR

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NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL

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MEETING

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THURSDAY
MAY 16, 2024

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The Federal Advisory Council met in a hybrid meeting at the Rosen Plaza Hotel Orlando, Florida and virtually at 1:00 p.m. EDT, Joseph Quintana, Chair, presiding.

PRESENT

JOSEPH QUINTANA, Region VI, Chair
 KAY SEVEN, Vice Chair, Other Discipline
 KATHY ATKINS, Region III
 LORA ANN CHAISSON, Region IV
 ROBIN COUNCE, Region IV
 PATRICIA HIBBELER, Region VI
 ROBERT HOULE, Region V
 CANDACE LOWRY, Region III
 HOLLY MORALES, Region VI
 ERWIN PAHMAHMIE, JR., Region IV
 ANGEL PEER, Region V
 KAY SEVEN, Other Disciplines
 DARIUS LEE SMITH, Region IV
 OMER TAMIR, Other Disciplines
 DARRELL WALDRON, Region I & II
 ORLANDO WAUNKA, Region VI
 WINONA WHITMAN, Region VI

JACOB WOJNAS, Other Discipline

ALSO PRESENT

HEIDI CASTA, Deputy Administrator, Department
of Labor

NATHANIEL COLEY, Incoming Designated Federal
Officer

B.C. ECHOHAWK, Tribal Tech, LLC

DUANE HALL, Federal Project Officer

JACK JACKSON, Tribal Liaison, Department of
Labor

JOSEPH PLICK, Attorney, Department of Labor

ANNETTE SUMMERS

JOSE JAVIER RODRIGUEZ, Assistant Secretary of
Labor for Employment and Training

KIM VITELLI, Designated Federal Official,
Administrator, Office of Workforce
Investment, Employment and Training
Administration

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1 P-R-O-C-E-E-D-I-N-G-S

2 (1:10 p.m.)

3 MR. COLEY: This is the beginning of
4 our Native American Employment and Training
5 Council. I'm Nat Coley. I'm a designated federal
6 officer from council.

7 We're going to go ahead and get
8 started now. I'm going to turn the microphone over
9 to Robert to start with opening prayer.

10 MEMBER HOULE: I ask everyone to stand,
11 please. I want to welcome everyone to
12 this gathering and ask that our creator watch
13 over us, protect us, give us guidance, help us with
14 our words, help us with understanding one another
15 and the needs of our people, give us strength to
16 speak and to be heard, also to remember those that
17 are in need, those that
18 have suffering or illnesses and that we provide
19 whatever we can, assistance to those
20 individuals during our prayers, during our
21 remembrance, and during the actions that we
22 take today.

1 I ask that everyone please do their
2 part to be as humble and as courteous as
3 possible, to protect us as we journey, and ask
4 the creator to watch over us at all times.

5 There is a lot of things that we can
6 do, a lot of things that we can achieve, and
7 individually, we can do our best, but together
8 as a group, we have solidarity and strength in
9 which --

10 MR. COLEY: Thank you, Robert. So
11 now we'll do our roll call. Sorry. Kathy
12 Adkins? Kathy's taking care of -- oh, there
13 you are.

14 Oh, she might not. Just to make
15 sure we're in order that voices be heard,
16 especially by the court reporter, Nat Coley,
17 speaking, that we are using our push to talk
18 mics.

19 We need to use those in order to get
20 started. So I'll start with the roll call.
21 Kathy Atkins?

22 MEMBER ATKINS: Kathy Atkins,

1 representing Region 3.

2 MR. COLEY: Lora Ann Chaisson?

3 MEMBER CHAISSON: Lora Ann Chaisson,
4 representing Region 4.

5 MR. COLEY: Robin Counce?

6 MEMBER COUNCE: Robin Counce, Region
7 4, present.

8 MR. COLEY: And Robin's online.
9 Patricia Hibbeler?

10 MEMBER HIBBELER: Present, Patricia
11 Hibbeler, other disciplines.

12 MR. COLEY: Robert Houle?

13 MEMBER HOULE: Robert Houle, Region
14 5, present.

15 MR. COLEY: Candace Lowry?

16 MEMBER LOWRY: Candace Lowry, Region
17 3, present.

18 MR. COLEY: Holly Morales? Holly is
19 present. Erwin Pahmahmie?

20 MEMBER PAHMAHMIE: Erwin Pahmahmie,
21 Region 4, Oklahoma.

22 MR. COLEY: Angel Peer?

1 MEMBER PEER: Angel Peer, Region 5,
2 present.

3 MR. COLEY: Joseph Quintana?

4 CHAIR QUINTANA: Joseph Quintana,
5 Region 4.

6 MR. COLEY: Gary Rickard? Kay
7 Seven?

8 VICE CHAIR SEVEN: Kay Seven, Other
9 Disciplines, present.

10 MR. COLEY: Darius Lee Smith?

11 MEMBER SMITH: Darius Lee Smith,
12 present, representing Region 4.

13 MR. COLEY: Omer Tamir?

14 MEMBER TAMIR: Omer Tamir, present.

15 MR. COLEY: Darrell Waldron?

16 MEMBER WALDRON: Present, Regions 1
17 and 2, Darrell Waldron.

18 MR. COLEY: Orlando Wauneka?

19 MEMBER WAUNEKA: Orlando Wauneka,
20 present, Region 6.

21 MR. COLEY: Winona Whitman? Is
22 Winona online?

1 MEMBER WHITMAN: Oh, good morning,
2 Winona Whitman, Region 6, representing Hawaii.

3 MR. COLEY: Jacob Wojnas?

4 MEMBER WOJNAS: Present, Other
5 Disciplines.

6 MR. COLEY: Thank you all. We have
7 a quorum. Next on our agenda, to start, we
8 wanted to have a chance to review minutes from
9 our last meeting, our previous council.

10 And I think we've not printed those
11 minutes out because they're so large. So we've
12 given the council time to take a look at those
13 on our DINAP website.

14 So we'll continue that practice if
15 you want to take a look at that tonight, we'll
16 vote on that tomorrow to accept those minutes.

17 MEMBER ATKINS: It should be in the
18 packet.

19 MR. COLEY: Yes, so, oh, I'm sorry,
20 thank you for your -- yes, so, you can take a
21 chance to take a look at those minutes from the
22 last meeting tonight and we'll take a vote on

1 those tomorrow accepting those.

2 And part of that are the result of
3 those resolutions or the recommendations that
4 we made to the DOL secretary, acting secretary,
5 as well as a response.

6 So those are all in our packets that
7 we have, so we'll vote on those tomorrow.

8 So if everyone had a chance in your
9 packet this morning to take a look at the
10 agenda, it has some revisions, particularly
11 about voting process. So we'll talk about that
12 shortly.

13 But what I'd like to do is get us
14 started with having a discussion. And we'll
15 start that discussion off by introducing our
16 Assistant Secretary, Jose Javier Rodriguez.

17 Mr. Secretary, if you'd like to
18 address the committee, council.

19 SECRETARY RODRIGUEZ: Good
20 afternoon. Thank you very much. It's an honor
21 to be here with you. I'll be very brief. I
22 know the council has a lot of business.

1 I just wanted to share and reiterate
2 the strong commitment of the Biden-Harris
3 Administration, of Acting Secretary Julie Su,
4 as well as the Department of Labor to our share
5 of work, not just reducing unemployment among
6 native people, but strengthening and in some
7 cases creating those pathways to better jobs
8 and careers for native people, and especially
9 for Native American youth.

10 And I also want to underline the
11 commitment, not just to their shared objective
12 but also to how we do that.

13 And in doing so, I think the best
14 way to investigate a reference, I guess, is the
15 President's December 2023 Executive Order,
16 fostered Tribal Led Economic Development.

17 And in trying, a whole government
18 approach and in the Department of Labor, a
19 whole of labor approach to our good jobs
20 agenda, this council is absolutely critical to
21 us, particularly at the Employment and Training
22 Administration.

1 And when I highlight the work that
2 we have done in partnership, I want to thank
3 you for the time you've spent.

4 I know that it has been a lot of
5 time. I know that it hasn't necessarily been
6 easy. It comes at a cost.

7 But I appreciate what you all are
8 doing. I want to welcome the new members as
9 well. And just highlight that there are six
10 recommendations.

11 I mentioned earlier that my tenure
12 here at the Department of Labor could be
13 measured in weeks.

14 But one of the things that I did
15 have an honor to do was to review your
16 recommendations and reissue a response.

17 And I very much appreciate the
18 alignment, right, between the Department of
19 Labor and the work that you've been doing.

20 And I think it's a fair statement to
21 say that all of the recommendations have formed
22 part of our joint work together and will

1 continue to form part of our joint work
2 together, in terms of the difficult work and
3 the necessary work in engaging grantees in the
4 changes necessitated by the Census data.

5 That work, the council, obviously,
6 has been vital in that work and will continue
7 to be vital.

8 When it comes to ensuring that
9 grantees know about all the resources that the
10 Department is bringing to bear, making sure
11 that they are communicating opportunities and
12 making sure that, for example, in a lot of our
13 technical guidance, making it clear that tribal
14 organizations are encouraged to look at some of
15 our discretionary grant opportunities.

16 The technical assistance, right,
17 trying to enhance the technical assistance that
18 we provide through DINAP and enhance that
19 partnership and a number of other things that
20 we're working on together.

21 So I look forward to the discussion.
22 Again, welcome to the new member and thank you

1 for your continued service.

2 MR. COLEY: Thank you, Acting
3 Secretary. I'm sorry, assistant Secretary,
4 Jose Javier Rodriguez.

5 So we'll go to allow Kim Vitelli to
6 give us some remarks and then we'll take the
7 opportunity to have a dialogue before our
8 leaderships sign on. So, Kim, are you still
9 online?

10 MS. VITELLI: I am. Let me see if I
11 can also get my video to work. Hopefully, you
12 all can see me.

13 MR. COLEY: We can see you. We can.

14 MS. VITELLI: Great. I just
15 completely lost visibility of everything else
16 on my computer, so I'll give that a second to
17 come back and to play, and in the meantime just
18 say it's really wonderful to see all of you.

19 I'm sorry that I can't be there in
20 person. I'm really grateful, though, that you
21 were able to meet in person, our agency leader,
22 Assistant Secretary Rodriguez, and hear his

1 passion and commitment to our joint work.

2 And I have, of course, a lot of
3 faith and confidence in the whole DINAP team
4 and Chief Coley and Deputy Heidi Casta.

5 For those of you who I haven't met
6 yet, I should have introduced myself. My name
7 is Kim Vitelli.

8 I'm the Administrator of the Office
9 of Workforce Investment at the Employment and
10 Trading Administration. So, DINAP is part of
11 ETA and is part of my office and the Office of
12 Workforce Investment.

13 We oversee the Formula Grants, the
14 Workforce Innovation and Opportunity Grants,
15 Formula Grants to states, alongside many
16 competitive employment and training grant
17 opportunities, some of which tribes are also,
18 even some of the tribes here, are grant
19 recipients of.

20 So things like our reentry
21 employment opportunities grants like Pathway
22 Home and growth opportunities, some of our

1 youth investments like Youth Build, dislocated
2 worker grants, which tribes are eligible for,
3 those are all in our office.

4 I am not able to pull up the things
5 I was going to say to you. So I'm going to do
6 it from memory.

7 And I want to keep it short anyway
8 because you have a lot of work in front of you
9 and I know you also want to be able to ask
10 Assistant Secretary Rodriguez questions.

11 Some of the things that I wanted to
12 be able to share with you is that our
13 commitment to continuing to work alongside all
14 of the grantees, whether they are managed by
15 the Employment and Training Administration and
16 the Section 166 program or are working with BIA
17 in the one set by the 477 program, we've been
18 working really hard to make sure that we're
19 continuing to not just administer the grants in
20 a way that the tribal nations expect us to and
21 that the tax payers expect us to, but also to
22 really support grantee success.

1 We've heard your feedback in the
2 past about the desire for continued and strong
3 technical assistance, and we'll have a chance
4 to talk, I'm sure, the DINAP team is going to
5 be able to talk more specifically about the
6 technical assistance efforts, that we've put
7 more effort into making sure that we're present
8 where you are so that we can deliver technical
9 assistance and that we're aiming that TA in the
10 places that you need it most.

11 We've also remained strong partners
12 in the 477 work group, Tribal and Federal
13 Agency workgroup, so that we can make sure that
14 we're continuing to both influence and also be
15 supportive of the whole government effort in
16 order to facilitate the access to resources for
17 tribal nations, and also once tribal nations
18 get those resources, to be able to use them as
19 easily and without barriers as we possibly can
20 make happen.

21 I want to flag for you if you
22 haven't seen it previously some of our Yes WIOA

1 Can themed guidance letters, some of which have
2 been on, for instance, allowable uses of
3 outreach to make sure that, to be as clear as
4 possible.

5 The WIOA funds, the grantee funds
6 that you and your organizations have received,
7 can be used to reach people to let them know
8 about our services, to let them know about
9 grantee services, and that that's totally
10 allowable.

11 There have sometimes been some
12 questions about the extent to which grantees
13 could conduct that outreach, and we know how
14 important it is.

15 We also, not that long ago, in
16 February, released guidance on reducing
17 administrative barriers to programs overseen by
18 the Employment and Training Administration.

19 Actually, some of the DINAP grantees
20 have not been -- have not been putting that
21 many barriers in place, but for the grants that
22 had, or if anyone was unsure about what was

1 required and not required, that training and
2 employment guidance letter, that sub-regulatory
3 guidance from us, really lays out different
4 ways that grantees can take action in order to
5 deliver services more quickly, to start
6 services earlier, when someone walks into a
7 grantee's office, walks into an American job
8 center, so that folks aren't tied up in
9 paperwork.

10 There's a certain process by which
11 grantees determine eligibility, but there had
12 been many grantees across all of our grant
13 programs that were sort of getting caught up in
14 collecting such an extensive amount of
15 paperwork that it was really delaying services.

16 And so that guidance is to help
17 facilitate the quicker services and to clarify
18 where paperwork might not be necessary or where
19 it can be more easily met.

20 One other thing that I'll mention
21 before we start -- before we start question and
22 answer is just that the Department of Labor has

1 issued several different funding opportunity
2 announcements, including three just this week.

3 One is on workforce pathways for
4 youth, which is for organizations that deliver
5 out of school time services on a national
6 basis. That's a little over \$20 million by
7 September, and then make another \$20 million
8 available in the fall.

9 Just yesterday, we made available
10 the Building Pathways for Infrastructure Jobs
11 funding opportunity announcement.

12 We have posted this previously and
13 made awards previously, so this is the second
14 round of that same grant.

15 And when my own IT is working
16 better, I'll drop links into the chat of where
17 we have previously done like an overview of
18 that funding opportunity announcement,
19 including a walkthrough that we did
20 specifically for tribal grantees.

21 And we did that last year. It would
22 still be relevant now because it's the same

1 funding opportunity announcement.

2 And then lastly, we're publishing,
3 we just published today, Critical Sector Job
4 Quality. And that focuses on the hospitality
5 industry, direct care workforce, and disaster
6 resilience.

7 Two sets of those grants have both
8 sort of startup development track grants as
9 well as scaling grants for someone who is
10 really already doing something in this area and
11 is ready to take it to scale.

12 So some of those developmental
13 grants can be on the smaller side, and scaling
14 grants are on the larger side.

15 I'll be around. I'll be staying
16 both here for a lot of today's meeting. I need
17 to step out at some point. And I'll be
18 listening in tomorrow for any technical
19 questions.

20 But let me hand the floor back,
21 because I know you want to be able to talk to
22 Assistant Secretary Rodriguez in person.

1 MR. COLEY: This is Nat Coley.
2 Thank you. So, I'd like to acknowledge anyone
3 who would like to ensue, have any questions for
4 the Acting Secretary or Kim, please use your
5 push to talk mics. We have a court reporter for
6 each session. So I'll acknowledge Kay Seven.

7 VICE CHAIR SEVEN: Yes, Kay Seven,
8 other disciplines. Thank you for being here
9 this afternoon. I'm really blessed that I can
10 return to the council for another full two
11 years.

12 In our last council, I've not seen
13 yet in previous councils where a council
14 created a strategic plan to guide our work for
15 a two-year period.

16 In our discussions there, the issues
17 that I voice is working with the Department of
18 Labor, is for our Native American Employment
19 and Training Council to speak more like I
20 happen to speak, more like the past few years
21 is industry sectors and occupations in demand.

22 And what does that look like in

1 Indian Country with tribal nations? I don't
2 know if there's a subject matter expert out
3 there that can say, well, I've done a lot of
4 research on tribal nations and these are the
5 key industry sectors and the occupations in
6 demand and build a platform of activity that
7 can build a scale to allow individuals to enter
8 employment.

9 I happen to sit on the Federal
10 Advisory Committee with the U.S. Department of
11 Energy with the Energy Workforce Advisory
12 Board.

13 And so that's been real interesting
14 work the last six months. And I know that
15 labor is mentioned quite a bit in the documents
16 for doing or preparing a report for the
17 Secretary of Energy in June.

18 And in that report, it talks about
19 working with the tribal colleges and tribal
20 nations.

21 And I see the Department of Labor as
22 a key partner in how is it that we work with

1 the Secretary of Energy to create perhaps the
2 idea of a national training center or centers
3 to prepare youth or prepare workforce for the
4 energy sector industry, wherever it may be?

5 So, it's working with the national
6 labs, it's working with rural development
7 preparations.

8 I understand, I spoke to a lady here
9 who thinks she was appointed to, or hired by a
10 rural development council in New Mexico,
11 because she is native.

12 I understand there's an increasing
13 interest to, how is it that we recruit and
14 include the marginalized and underrepresented
15 populations.

16 So I think our work is to understand
17 what industry sectors are key to tribal
18 nations? Is it energy? Is it hospitality? Is
19 it natural resources? Is it manufacturing?

20 So that we can guide or issues to
21 the secretary on how is it that the building is
22 interacting with the White House, with the

1 Department of Interior, other federal agencies,
2 to say that the Secretary Su can reach out to
3 energy or to interiors, and say, you know, can
4 we slice off some of your budgets to bring over
5 here to the Department of Interior to build a
6 platform for those training centers that tribal
7 nations are talking about if that becomes an
8 interest of tribal leaders, the tribal
9 communities, places that all grantees, whether
10 we're a WIOA, a Section 166, or a public 102477
11 tribe, and prepare and send off a citizen from
12 our community to that training center rather
13 than all of us across the country trying to
14 build these little training centers in a
15 fragmented way.

16 I always go back to when the
17 Workforce Innovation and Opportunity Act came
18 in. And Secretary Perez at that time, I
19 listened to the announcement that he did.

20 And he said that the Workforce
21 Innovation and Opportunity Act is about, is
22 what Congress wants, is to address that

1 fragmentation of governmental services on the
2 hill here.

3 This legislation is about silo
4 implosion, addressing fragmentation. So on
5 behalf of tribal nations, how is it that there
6 are voices, Secretary can address how is it
7 that we build an unfragmented way of addressing
8 Indian Countries' needs for tribal nations,
9 whether we live in urban areas or whether we
10 live on tribal land.

11 So, that's my comment. I'm really
12 excited that we have an opportunity to work
13 together for the next two years and see what
14 impact we can have with our voice working with
15 multiple partners.

16 Another term that I heard out of the
17 Energy Workforce Advisory Board is
18 intermediaries. I understand Department of
19 Labor has intermediary proposals and how is it
20 as tribal nations working as a whole can become
21 an intermediary when we talk about workforce
22 development, is that the intermediary

1 specialist for energy, is it the specialist for
2 hospitality for tribal gaming, so forth.

3 So I wanted to express those
4 concerns to the table, to you, and how is it
5 that we're able to have access to the full
6 building and where those subject matter experts
7 are, key people to address our initiatives.
8 Thank you.

9 SECRETARY RODRIGUEZ: Well, I think
10 that -- thank you very much for your comments,
11 and I think the easiest way to address your
12 comments is to say that the questions you are
13 posing and the strategies that you are
14 exploring are a core part of our mission and
15 how we are delivering it.

16 And so one key word here is
17 partnership, right, that comes throughout. I
18 mentioned earlier how important this
19 partnership is to our work, but in the current
20 context where the Biden-Harris Administration
21 is putting into play unprecedented investments
22 across so many industries, in infrastructure,

1 in energy, a lot of critical sectors that we've
2 been talking about as pathways to jobs, but
3 there's also been unprecedented collaboration
4 between departments, right?

5 We have been working closely with
6 transportation, energy, treasury, commerce, and
7 that, as I said, that is also unprecedented,
8 and as you mentioned, offers a lot of
9 opportunities.

10 And another partnership -- and
11 another partnership that is key here is that
12 core to the Biden-Harris Administration's
13 emphasis on quality jobs is partnership with
14 industry, right?

15 And this goes to part of your
16 question, which is that that focus,
17 particularly in our workforce development, is
18 industry specific, it's pathway specific, it's
19 region specific, often.

20 A strategic plan -- a strategic plan
21 is absolutely helpful, but how such strategies
22 get implemented on the ground, obviously, a

1 strategic plan can't speak to, right?

2 And that comes from partnership.

3 And that's why it's been so essential for us to
4 make sure we're connecting everyone or
5 connecting folks to the workforce boards,
6 making sure that folks know about
7 apprenticeships, right?

8 Apprenticeship itself is a
9 partnership, right? It's a partnership between
10 the apprentices and the employer, but it's also
11 oftentimes when you do it, it's a partnership
12 with industry groups, with labor, and with some
13 of the other partners.

14 So, you mentioned intermediaries,
15 and in our partnership, that's been one of the
16 investments that the Biden-Harris
17 Administration has made to make it easier for -
18 - to make it easier to bring apprenticeships
19 online particularly in those industries where
20 they were not traditional.

21 And I say were not traditional
22 because at this point, apprenticeship is

1 absolutely a go-to model in a lot of industries
2 where it originally wasn't, right?

3 So we are in -- it's a new day in
4 terms of apprenticeship specifically. But when
5 you mentioned intermediaries, to be clear,
6 we're talking about, I'm talking about sort of
7 like middlemen.

8 We're talking about intermediaries
9 that at no cost are available to provide
10 support for organizations that are trying to
11 bring online new apprenticeship programs.

12 So this is one resource that I'll
13 mention, but there are a lot. But I think in
14 summary, the kind of issues that you're talking
15 about and the kind of challenges you're trying
16 to tackle specifically how do we make sure that
17 all of these opportunities that are coming
18 online flow through and benefit everyone?

19 That is core to what we are trying
20 to work through. And so this partnership here
21 will be essential as we move forward.

22 DINAP, if you want to add anything?

1 MR. COLEY: No, I agree with what
2 you said. Just the investments that we're
3 making and the priority that we're placing on
4 working and developing the needed workforce are
5 definitely evident in this administration,
6 particularly in DOL's efforts.

7 I'm going to acknowledge Candace and
8 then Darrell and then Robert. So, Candace
9 Lowry.

10 MEMBER LOWRY: Candace Lowry, Region
11 3. Good evening. Thank you for joining us,
12 Assistant Secretary Rodriguez.

13 I have three questions. The first
14 question is, in the past, the past secretaries
15 were very instrumental in supporting a Good
16 Days Job Summit that was held last year in
17 Washington, D.C.

18 Is there any efforts taking place to
19 do that again on a larger scale where more of
20 the grantee communities can be a part of that?

21 And the second question is, you
22 mentioned earlier other discretionary grants.

1 And I know, Kim, she mentioned, too.

2 Is there any way that we can get
3 copies of those? Or are those links sent
4 specifically to us?

5 And also, a copy of the resources
6 that you were just mentioning.

7 SECRETARY RODRIGUEZ: Great. Thank
8 you for those questions. The first question I
9 think related to an event, right?

10 And I suspect that the interest
11 level may be flowing from the Good Jobs and
12 Tribal Communities event last year.

13 And I do know that one of the
14 council's recommendations, which we agree with,
15 is how do we continue to do more of those,
16 right, for multiple reasons, to help enhance
17 workforce development?

18 So, I know that in our formal
19 response, we mentioned that we would want to
20 try to, well, at least consider similar event
21 like that and timing it with the White House
22 Tribal Nations Summits.

1 So, the answer to the first question
2 is yes, and I think we should continue the
3 discussion about that.

4 The second question was related to
5 the grants? The grantees?

6 MEMBER LOWRY: And with the first
7 one, open it up to a larger area of tribal
8 grantees and tribal areas involved.

9 Before, it was a smaller event. And
10 open it up where it's on a larger scale, where
11 more tribes can come up to Washington to
12 participate.

13 SECRETARY RODRIGUEZ: I don't know
14 if DINAP has anything to say, but that's
15 definitely feedback that I could --

16 MR. COLEY: Yes, thank you.

17 SECRETARY RODRIGUEZ: -- use as we
18 organize the next one.

19 MR. COLEY: Yes, thank you. This is
20 Nat Coley. Yes, we think that where it makes
21 sense for us to have that wider forum, we would
22 definitely like to highlight the efforts that

1 we're working toward here.

2 One point of order, I wanted to give
3 Heidi Casta who is also here, a chance to
4 introduce herself. I apologize, Heidi.

5 MS. CASTA: No, thank you, Nat.
6 Heidi Casta. You had mentioned me. I am a
7 Deputy in the Office of Workforce Investment in
8 ETA.

9 I am really delighted to be here in
10 this council meeting. Thank you.

11 MR. COLEY: And if you had any -- I
12 think Kim had a comment. Kim, I acknowledge
13 you if you want to respond to a couple of
14 questions.

15 MS. VITELLI: Do you mean me?

16 MR. COLEY: Yes, I'm sorry, Kim
17 Vitelli.

18 MS. VITELLI: Yes, I would just echo
19 what Assistant Secretary Rodriguez said,
20 particularly on the strength and potential that
21 is inside the apprenticeship intermediaries.

22 For those of you that are new to the

1 council, we have had members of our team from
2 the Office of Apprenticeship come and give
3 presentations to the council.

4 And I know that they are -- I don't
5 think they're on the agenda today because
6 you've got sort of core business with the
7 council today, but we can arrange for them in
8 the future as well to make sure that we're
9 sharing all that information.

10 I'm going to start dropping a bunch
11 of links in the chat, to our funding
12 opportunity announcements, and those will be in
13 your notes.

14 Know I'm not expecting you to in the
15 room copy those down. But just so that they
16 can be in your notes. And I can do the same to
17 make sure, Candace, to your point, about making
18 sure that everyone understands how to get in
19 touch with the apprenticeship intermediaries.
20 I can put those links in the chat as well.

21 SECRETARY RODRIGUEZ: And one thing
22 maybe, I can suggest that we follow up on is

1 also, Kim, to highlight where there are set
2 asides or priority consideration for Native
3 people or Native American youth, just to
4 highlight that, where we've done it. Sorry,
5 Kim.

6 MS. VITELLI: Sure.

7 SECRETARY RODRIGUEZ: Were you on
8 mute?

9 MS. VITELLI: Sure, thank you.
10 That's right, so we've in a couple different
11 grants in the past tried to make it clear that
12 tribes were eligible and try to think through
13 where tribes had given us information in the
14 past that the funding opportunity announcements
15 had not been easy to compete for, and then have
16 made a couple of changes to make them easier to
17 compete for, both for smaller organizations as
18 well as for tribes.

19 The Workforce Pathways for Youths
20 funding opportunity announcement, for instance,
21 is largely aimed at organizations that can
22 serve people that aren't normally served, so

1 that includes rural areas and it includes
2 organizations that can serve Native American
3 youth.

4 And our Youth Build Funding
5 opportunity announcement, that grant by statute
6 has a statutory match, but it was worded in
7 such a way we were able to make an adjustment
8 in the funding opportunity announcement to
9 waive that match for Youth Build.

10 Several of our -- the funding
11 opportunity announcements that I named have
12 both a, like a plating grant option to apply
13 for and a scaling option.

14 And that's particularly so that
15 organizations that aren't necessarily ready to
16 launch a large scale project, and of course,
17 some tribes are able to launch those large
18 scale projects.

19 But where a tribe or other smaller
20 organizations are ready to step into something
21 new but not ready to really sort of like
22 compete with like a very large organization,

1 creating that intermediate step in those
2 smaller grants allows us to get resources to
3 organizations that have a lot to give and to be
4 able to like prepare them to also be able to
5 chase larger grants later with some of those
6 development phases as the funding opportunity
7 announcements.

8 The executive order, 14122, asked us
9 to not just sit in our roles and not just keep
10 doing the things that we have been doing.

11 I mean, we have made some progress,
12 but really asks us to take it to the next
13 level. And so we are looking at all of the
14 funding opportunity announcements that we would
15 be doing in like the next cycle to see where we
16 can even further make changes to make them more
17 accessible to tribes.

18 And the executive order asks us to
19 specifically consider where we can establish
20 tribal set asides.

21 And so we are going to be doing that
22 to see where we can do that. It'll depend,

1 too, on like the sort of statutory framework
2 that we have for each of those many programs.

3 But that is something that we're
4 taking very seriously and taking a look at.
5 So, in addition to the links that I put in the
6 chat, we'll also try to remain in a posture
7 where we're giving you information on a regular
8 basis, not just those of you in the room but
9 also all of our tribal grantees to make sure
10 that folks know about the different funding
11 opportunities.

12 And when I was going off of memory
13 before I had access to my document, there was
14 one other grant program that I wanted to tell
15 you about.

16 And I put it in the chat. And
17 that's the Workforce Opportunity in Rural
18 Communities Grant, which is specifically
19 designed for small organizations that operate
20 in rural areas in Appalachia, Mississippi
21 Delta, and the Northern Border Region.

22 Those regions are named in our

1 appropriations language so like the geography
2 is sort of fixed, but they are also designed
3 specifically to be easy to apply for, for small
4 organizations that are trying to make this
5 part of something bigger and the resources are
6 a little bit easier to put together like puzzle
7 pieces with other initiatives, a little bit
8 easier than some of our other grant
9 opportunities. So I'll put that information in
10 the chat as well.

11 MR. COLEY: Thank you, Kim. And I
12 know we only have the Assistant Secretary
13 Rodriguez for a little bit longer. So we'll go
14 to Darrell and then Robert, and then if anyone
15 else has a quick question for the Assistant
16 Secretary.

17 MEMBER WALDRON: Thank you. I too
18 am delighted that you are here. It's good that
19 we aren't just here talking to ourselves.

20 MR. COLEY: Darrell Waldron.

21 MEMBER WALDRON: Oh, sorry, Darrell
22 Waldron, Region 1 and 2.

1 MR. COLEY: Use your mic.

2 MEMBER WALDRON: Is it working? My
3 push button -- there it is. Okay. So we're
4 delighted that -- I want to kind of bring you
5 back to some of the problems we're having at
6 home.

7 I represent urban areas, Southern
8 Vermont down to New York City. And there is 80
9 percent of the skilled labor force is between
10 ages 60 and 67 and are retiring in massive
11 numbers.

12 But their racism is alive and well,
13 right? So these very large union groups in my
14 area, they are all unionized, have a very
15 strong political authority with supporting.

16 But the labors union has over 20,000
17 people in it, right? And so they get involved
18 with the elections.

19 And what happens is our people are
20 the last to get in, right? So it has always
21 been an argument and has always been a fight.

22 The federal government has written

1 wonderful policies and regulations. They are
2 not usually enforced, or when enforced, they
3 take so long, the job's already hired.

4 But once you get on the jobs, you
5 are harassed so badly that you quit. We had 80
6 women at my organization meeting with Region 1
7 Department of Labor officials and a couple from
8 D.C. complaining that they were women in the
9 trades, carpenters, and they were so hassled on
10 the job that they had to eat their lunch in the
11 Porta Potties, and then a lot of times they
12 were tipped over, right?

13 And so it led to them quitting. And
14 the same thing with other ethnic groups.

15 And so there is tremendous
16 opportunity to thrust our people into the
17 middle class sector, but those enforcements
18 need to be happening on the job, because it is
19 real when you're on those jobs and you've got
20 30 or 40 seasoned labor workers there and
21 you're the new guy on the block and they're
22 giving you those hate eyes.

1 I am a strong believer in training
2 facilities that specialize in training certain
3 segments of the population.

4 I support with Kay these training
5 institutions, but I think that they should be
6 local. Shouldn't have to leave home to be
7 trained.

8 I've been up to the carpenter's
9 union. I've talked to those unions there,
10 labors union, electricians union, and there is
11 a desire, it appears.

12 I have not been able to get the
13 funding. I had a building line up. It was
14 \$2.7 million for purchase.

15 I was willing to put in over \$8
16 million in infrastructure in there for all of
17 the skills trades.

18 I could not get the building off of
19 our New England tack.

20 So it is very frustrating when you
21 see so much opportunity. And I get it, because
22 it is there.

1 I mean, it is tremendous there. But
2 there's no enforcement. And the reality of it
3 is that racism, that this is mine, you know,
4 and I'm going to protect it, is there.

5 I was talking to somebody that's at
6 this conference today who they were skilled
7 labor. They came into the Rhode Island area to
8 work.

9 I guess it was about maybe a dozen
10 of them. And they were just almost into
11 fistfights because the people there felt like
12 they were taking their jobs.

13 So I would love to see an
14 opportunity to build these training centers in
15 the areas where we are there, right, with
16 services.

17 Some in Regions 1 and 2, that
18 particular building was 35,000 square feet.
19 Secretary Marty Walsh came to my office, met
20 for two hours.

21 He did a tour of the building. Very
22 impressive building. So I just wanted to say,

1 I mean, you guys are doing your end there, but
2 on the local end there needs to be enforcement,
3 right?

4 So, when WIOA came on board, it
5 talked about access the WIB Boards, right? Or
6 the Governor's Workforce Boards, which ended up
7 being the WIB Boards because you had to had
8 somebody die on the Governor's Workforce Board
9 to get a position.

10 Took me ten years to get on the
11 Governor's Workforce Board. I'm on the
12 Governor's Workforce Board now. And I am blown
13 away by the opportunities and the amount of
14 dollars for training.

15 And so you are absolutely right,
16 partnershiping is the key, right? But you've
17 got to feel good about your partner when you
18 come and you sit at the table.

19 The last thing I'll mention is that
20 I feel, and I've been here a long time, working
21 for my community for a very long time, and I'm
22 chief of my nation on my mom's side and on my

1 dad's side, I'm Narragansett.

2 And the poverty is just
3 overwhelming. Sometimes, we just feed them.
4 We have food programs.

5 But the legislative language that's
6 going in this new bill, and one of the major
7 problems is in education process from the
8 Native community, from the non-Native
9 communities that have authority and have
10 control over these programs, an opportunity for
11 them to really understand what's going on in
12 Indian Country.

13 It takes an Indian individual a long
14 time to ask for help, right?

15 And so by the time we do get them to
16 ask for help and then we try to really enforce
17 the partnership, it's just a piece of paper
18 with scratching on it, we begin to lose them.

19 I was talking to a woman today, 21-
20 year-old alcoholic, came in from one of the
21 nations, hooked up with some guy online, was
22 beat the hell out of, and just bruised all over

1 her body, and just trying to make a living for
2 herself out of her area.

3 So there's some real stories there.
4 I think you have the language. It's been
5 great. It's wonderful. I see it. The point
6 spreads on those federal contracts.

7 But there's no real enforcement.
8 The language in the bills seemed to lack
9 understanding. This new one has some stuff in
10 it that we're concerned about, particularly the
11 minors percentage on administration, 10
12 percent.

13 Some of our grantees are \$50,000,
14 \$80,000. I think 70 percent of them are under
15 \$100,000. That is a real killer for their
16 program, almost like it's got a force
17 clustering or something, right?

18 And those don't always play well in
19 the sandbox sometimes with others. And so,
20 we're a little concerned about that, a little
21 afraid of it.

22 So I wish we had more time. I'm

1 impressed that you spent the amount of time
2 here that you have.

3 And so, I'm appreciative and I have
4 a little more hope. I had an opportunity to
5 meet Secretary Su and I had a very warm feeling
6 with her.

7 And it's just a matter of getting
8 the education out and getting it to you guys
9 and so that you can do something about it.

10 Marty Walsh did. I mean, he was
11 very active for us. And I fear we have the
12 same. But the re-educating, re-educating, re-
13 educating every time we have a new advisory
14 board and a new administration is frustrating.

15 So I just say that to you. You've
16 done the work previously. There's no
17 enforcement. It is real when you get there and
18 you've got 20,000 men supporting a governor
19 that's running for office and then wins, and
20 then you try to get access to that and you call
21 him on the phone and say, hey, we put you in
22 there, what are you doing about all these

1 people trying to take our jobs?

2 So, I'll just say that to you.
3 Thank you very much. Darrell Waldron, Regions
4 1 and 2.

5 SECRETARY RODRIGUEZ: So thank you
6 very much for your question, for your advocacy.
7 I think I will say at the outset that it is --
8 I think that you mentioned the Acting
9 Secretary, Julie Su.

10 If she were here, I think she would
11 also share a sense of, to put it the least,
12 frustration with what you described, you and
13 others have had to deal with in terms of
14 fighting for a seat at the table, making sure
15 that the doors are open to opportunity.

16 And what I will say is that at the
17 Employment and Training Administration, our
18 job, and our job here, specifically what we do
19 is, among other things, we oversee training
20 programs that are run by the federal
21 government, and dislocated worker programs.

22 We are not an enforcement agency of

1 the type that you mentioned, and I know that
2 can be frustrating to kind of put out an
3 alphabet soup of who does that enforcement.

4 But that is the system that we have.
5 Many of those enforcement, and in terms of some
6 of the issues that I think you hinted to, many
7 of those enforcement agencies are within the
8 Department of Labor.

9 Depending on the issue, it could be,
10 for example, Contract Compliance or LMMS for
11 labor-related issues.

12 And with respect to those, I know
13 that the Acting Secretary has talks about
14 renaissance and enforcement just to make sure
15 that it's a level playing field.

16 But many of those issues are labor,
17 but outside the Department of Labor, so the
18 National Labor Relations Board, the EEOC.

19 But to the extent that perhaps we
20 can provide that in some, where those
21 enforcement agencies are, et cetera, that might
22 be something that we could share with you.

1 But I think that with respect to our
2 work here, with the Employment and Training
3 Administration, absolutely when we are doing
4 our work about trying to create and expand
5 these opportunities, where there are these
6 enforcement needs, definitely we can lift them
7 up and kind of help orient folks as to where
8 those things should be.

9 And oftentimes, particularly in the
10 northeast, you're also talking about state
11 governments as well that have enforcement.

12 But I'm sorry to throw all that sort
13 of, sometimes it's alphabet soup and I know
14 that can be frustrating.

15 But to the extent that we can at
16 least help point in the right direction with a
17 particular issue, maybe that can be something
18 we can help with. And, please.

19 MS. CASTA: I'd like to just point
20 out, this is Heidi Casta from ETA, that we do
21 have a Know Your Rights part of our website on
22 DOL that really, it's like workers.gov, where

1 if individuals have questions about what's
2 going on in their worksite, whether it's a wage
3 issue, an enforcement issue, they can follow
4 the guidelines.

5 It's just like a quick one-pager.
6 Happy to share it with DINAP so we can make
7 sure that it's in the digest for the next
8 iteration.

9 But it is a nice tool that is just
10 really simple to follow so that people can know
11 where they actually need to file a complaint or
12 file a compliance request, to help trigger some
13 of that enforcement. Thanks.

14 MR. COLEY: Thank you, Darrell.
15 Looking for ways to guarantee that there's
16 equity on projects is an important
17 characterization of what the need is, so I
18 appreciate that, raising that. Robert Houle?

19 MEMBER HOULE: Thank you, Nat.
20 Robert Houle, Region 5. Assistant Secretary
21 Rodriguez, thank you for being here.

22 Thank you for taking your time off

1 of your important busy schedule, I'm sure.
2 Lots going on.

3 I want to go back to what Kay had
4 mentioned earlier. We need to look at industry
5 sectors in key areas that are in demand.

6 And I represent one that is near and
7 dear to my heart. For over 30 years, I've been
8 a healthcare professional, particularly in
9 tribal organizations, in that the healthcare
10 professional, the needs, the programs, the
11 funding is at a critical stage in my opinion.

12 We're funded partially by Indian
13 Health Services, we're funded partially through
14 grants, we're funded partially through third-
15 party billing.

16 Behavioral health, I think Darrell
17 already mentioned the number one death rate in
18 Indian Country or Indian people is suicide.

19 And that's preventable. And it
20 hurts me to know that that's preventable but
21 it's still occurring.

22 We have a lack of medical

1 professionals, behavioral health professionals,
2 semi-professional individuals in our nursing
3 areas, in our healthcare sector.

4 I represent for the most part a
5 rural setting. My tribe's in far northern
6 Wisconsin. I spent several years up in Alaska
7 where I remember some of the rates of
8 individuals that have homes without running
9 water or proper sewer, clean air.

10 That infrastructure adds to health
11 concerns. Notwithstanding the suicide rate,
12 but heart disease is another area that is
13 rampant within Indian Country.

14 Cancer rates. Cancer rates are
15 another one. The COVID-19, we were affected
16 proportionately larger than any other sector
17 within the United States.

18 And now we're facing not just
19 massive but fentanyl rates that are causing
20 early deaths, and things that have to be done
21 to help us in those areas.

22 The one area that Darrell just

1 mentioned as well is alcohol use. Expecting
2 mothers, so maternal healthcare for expecting
3 mothers is another area that is solely needed
4 for further enhancement, further professionals,
5 for us to reach out and do a better job at
6 providing that care to that mom and that new
7 baby.

8 Then we have safe and affordable
9 housing for our tribal nation. That all adds
10 up to a dire need in one of the categories that
11 I would propose we focus on.

12 I know there's been some efforts in
13 the past, and I want to say thank you to the
14 various agencies for the assistance and the
15 service, but we need to do more.

16 It's not enough. We are suffering.
17 Our people are dying, dying too young, and we
18 need help in all sectors, be it urban or rural.

19 So, I'll leave everyone with that.
20 And I just want to say again to Assistant
21 Secretary Rodriguez, I appreciate your
22 listening and I appreciate your efforts, and I

1 look forward to further dialogue. Thank you.

2 SECRETARY RODRIGUEZ: Thank you for
3 your comments and of course I'll open it up to
4 Kim or anybody from DINAP if they want to -- if
5 they want to amplify.

6 But I think like other council
7 members, to a large extent, I think you are
8 speaking our language at the Department of
9 Labor in terms of some of the -- some of the
10 priorities that we have been operating under
11 these last few years.

12 One of the things, particularly
13 under Acting Secretary Julie Su, is that the
14 healthcare workforce has been one of the
15 sectors that has been elevated as a critical
16 sector.

17 And not just elevated, but is the
18 critical sector in one of our core priorities
19 in terms of what are we trying to do.

20 And part of that is, so that work is
21 about the future healthcare workforce. And
22 there are two reasons and sort of two parts to

1 that strategy.

2 Number one is that we want to make
3 sure that we have better job quality for those
4 already in the healthcare sector.

5 And a key partnership for us in that
6 has been working with labor. But when I say
7 job quality, one of the things that we want
8 family sustaining wages, right, benefits, and a
9 career pathway, and not just jobs, right?

10 We don't want jobs where you're
11 fighting to keep up with the minimum wage,
12 right? And we talked earlier about how Native
13 people are underrepresented in management
14 occupations, and I think you alluded to COVID,
15 where Native people are overrepresented in
16 those occupations that are frontline and were
17 impacted by COVID and set back.

18 And so I think that, so that's part
19 of the strategy why healthcare, the healthcare
20 pathways into good healthcare jobs for the
21 future workforce, is critical.

22 The other reason is that for all

1 workers, right, access to healthcare is
2 critical, right?

3 So if we are standing up a better
4 healthcare workforce in the future, that is
5 helping all of us and all workers in the
6 future.

7 So, I'm kind of speaking in
8 generalities, but there are things that we
9 could go into detail on.

10 So for example, with a lot of the
11 authority that we've had with some of -- with
12 some of our funding, we have been able to act
13 on this strategy with nursing apprenticeship,
14 for example.

15 Also in some of our dislocated
16 worker grants, specifically responding to the
17 national health emergency related to opioids,
18 we have put a focus on opioid treatment related
19 health professions, right?

20 So there are multiple areas where we
21 have been using our authority to try to lean
22 into this strategy of prioritizing pathways to

1 quality jobs in healthcare.

2 But again, anything that Kim or
3 anybody at DINAP wants to add to that, be
4 helpful, if any.

5 MR. COLEY: Thank you, Assistant
6 Secretary. Kim, did you have anything you
7 wanted to add?

8 MS. CASTA: No, that was really
9 wonderful. No, just everything that Assistant
10 Secretary Rodriguez said.

11 MR. COLEY: Yes, and I would note,
12 Robert, we had an intern at DINAP who actually
13 responded to Kay's suggestion that we look at
14 some of our labor market data.

15 He did. He looked at our
16 participant data in our GPMS system and see and
17 match where we're directing our participants.

18 And he found a direct correlation
19 between some of the industry trends and where
20 we're sending our participants.

21 So the second top O*NET code, the
22 occupational code, wasn't in healthcare. So I

1 think we're focusing on the right sectors based
2 on our GPMS 166 reporting data.

3 So it's something encouraging to see
4 that in that data, that trend, and we'll be
5 making some of this information available.

6 Our other intern, Jobany Osorio, who
7 is currently in the room, Nat Coley from DOL
8 speaking, sorry, he'll be presenting to us
9 tomorrow just some of the things that he's
10 found in international practices with countries
11 and how they are supporting their indigenous
12 populations and I think some of the things he
13 found will be something for us to consider
14 implementing through some of our subcommittee
15 deliberations.

16 So thank you so much, Robert.
17 Assistant Secretary? Anyone else have a
18 question? Acknowledging Patricia Hibbeler.

19 MEMBER HIBBELER: Patricia Hibbeler,
20 Other Disciplines. I just want to echo what
21 all of my colleagues have said so far today.

22 Clearly, we see that from our tribe

1 in reservation and the issues that have been
2 discussed, the need for a training center, and
3 then really what Robert discussed regarding
4 healthcare.

5 We are at CSKT in Montana looking at
6 reassuming Public Law 280, which means a lot to
7 us for healthcare and how to build out our
8 tribal health services around healthcare.

9 We cannot attract staff. We can't
10 attract employees. So we've been in Montana,
11 guess what we talk about, has been discovered
12 as a vacation community.

13 Most of our homes have been
14 purchased. Or if they were rentals before,
15 they've been turned into VRBOs.

16 And now in one community on our
17 reservation, you cannot buy a home for under
18 \$750,000.

19 And that's on the reservation. So
20 we can't attract our doctors and our nurses and
21 our dentists and the individuals we need to
22 come and staff our healthcare to move to our

1 part of the country.

2 So that's a dilemma that we deal
3 with when we kind of look at workforce
4 holistically. It's not always the training but
5 it's being able to provide them a viable living
6 to come and work for the tribe.

7 I don't know what kind of reaching
8 across the aisles have happened between DOL and
9 HUD and housing and kind of looking at out of
10 the box thinking about how we solve some of
11 these different holistic problems.

12 Those are some of the things that
13 we're dealing with that I just wanted to make
14 sure were out there.

15 I think the other thing I want to
16 say is Confederated Sales in tribes in a recent
17 grantee with the Department of Energy for
18 thriving communities.

19 I'm not sure if you're aware about
20 that. It is a vehicle electrification project.
21 We're certainly a rural community.

22 For us, that seemed kind of a

1 strange thing to get into. They're really
2 wanting to start projects in rural areas.

3 We don't have the expertise to do
4 this. But the beauty with the project is as
5 it's developed by the Department of Energy,
6 it's not the money that flows, it's the
7 expertise that flows to help you solve these
8 difficult problems.

9 So there is a whole team of
10 contractors that's being assigned to CSKD to
11 work for us over the next year they have to
12 develop a strategic plan around vehicle
13 electrification.

14 So it's really kind of a different
15 way to think about the money that could flow
16 into tribes or our urban programs for DOL and
17 bring them the expertise to solve the difficult
18 problems and bring that out of box thinking
19 forward with that expertise that could be
20 provided.

21 So, I just wanted to make sure that
22 you were aware of how other federal departments

1 are beginning to think about their resources.

2 SECRETARY RODRIGUEZ: Absolutely.
3 Thank you for sharing what is happening in your
4 community, and for your question.

5 As a South Floridian, I can kind of
6 understand to some extent, it doesn't sound
7 like to quite the extent that you can, sort of
8 the impact of kind of being a hot market and a
9 lot of people wanting to move there, what the
10 impact is on those who live there and are
11 trying to continue to afford living there,
12 right?

13 So I just want to acknowledge that.
14 And I think that in addition to acknowledging
15 that, so I was at a meeting of all of our
16 Department of Labor agency heads yesterday, and
17 this was one of the questions that came up.

18 The cost of housing. And obviously,
19 we are Department of Labor. So we are not --
20 we are not directly dealing with the cost of
21 housing.

22 We are indirectly dealing with, by

1 having a good jobs agenda. What I will say is
2 that the crisis around the cost of housing in
3 so many parts of the country absolutely impacts
4 our work very directly.

5 I don't need to give a lot of
6 examples. I know that you can imagine. But
7 many of our programs, for example, assist
8 disadvantaged youth, right, to re-enter the
9 workforce, to get a second shot at a career.

10 And the high cost of housing
11 absolutely is a factor in trying to figure out
12 what is the next step, right?

13 And in a lot of communities that are
14 investing in youth, a lot of these youth are
15 trying to stay in those same communities but
16 are finding it challenging, right?

17 And I'm not going to give specific
18 examples, but I'm thinking of a couple here in
19 Florida, right, where some parts of Florida
20 that are much more affordable than others,
21 right?

22 And so if you're from a particular

1 community and your community is investing to
2 help make sure that you're well prepared for a
3 career, and you're looking around and it's hard
4 to stay there, that obviously impacts our work
5 at the Department of Labor, what we're trying
6 to do and trying to serve the communities that
7 we're trying to serve and the populations that
8 we're trying to serve.

9 So there are some small
10 interventions that we have. So for example,
11 the Youth Build Program is a great partnership.

12 It's a pre-apprenticeship program
13 where the work experience that young people get
14 is on affordable housing.

15 But that's obviously a very small
16 intervention. The larger intervention that we
17 do, and frankly, this is part of the
18 conversation, was just making sure that we have
19 better jobs, quality jobs, to make sure that
20 folks have those economic opportunities, but
21 acknowledging this challenge.

22 But I will acknowledge this

1 challenge is one that we are collectively and
2 have been talking about. How do we build it
3 into our work?

4 You mentioned Department of Energy,
5 if I'm not mistaken, and, yes, we have been, as
6 I said earlier, we have unprecedented level of
7 interdepartmental and interagency
8 collaboration.

9 We are racing as quickly as we can
10 to put together workforce strategies related to
11 these unprecedented investments in
12 infrastructure and in some many areas, but
13 including in clean energy.

14 And there are historic investments.
15 And we have absolutely had our work cut out for
16 us in standing up a lot of these pathways and
17 partnering with other departments and other
18 agencies.

19 And we hope to continue that work as
20 informed by how it impacts you all and how we
21 can work together.

22 I don't know if anybody has anything

1 to add.

2 MR. COLEY: Thank you to Secretary
3 Rodriguez. So we've been going for some time.
4 We'll let Jack Jackson who's online, we'll hear
5 from Jack Jackson and we'll take a quick break.

6 And when we come back, we'll hear
7 from Joseph Plick, just some guidelines and
8 rules that we want to make sure that we're all
9 as a new committee tuning into.

10 And then we'll discuss our election
11 of new officers before our census subcommittee,
12 with Jonas Jacob, which Jonas is on the line.

13 So we'll turn it over to Jack
14 Jackson.

15 MR. JACKSON: Yes, good afternoon.
16 Are you all able to hear me?

17 MR. COLEY: Yes, we can.

18 MR. JACKSON: Great. Wonderful.
19 Thank you, Nate, for this opportunity, and
20 thank you, council, for allowing me to provide
21 some updates to you all as you gather there
22 down in Orlando.

1 Unfortunately, I was not able to
2 join you all this time, but I am grateful that
3 I am able to join you virtually.

4 My name is Jack Jackson. I am the
5 tribal liaison at the Office of Congressional
6 and Intergovernmental Affairs, Department of
7 Labor.

8 I'm also a member of the Navajo
9 nation. I've been doing this, I've been in
10 this position now for going on my third year,
11 and really feel an honor to be able to -- be
12 able to represent tribal governments and tribal
13 organizations here at the Department of Labor,
14 working very closely with many of our agencies,
15 including ETA and others, to ensure that those
16 concerns from tribes, tribal organizations, are
17 brought up to the highest level.

18 So I know many of you there in the
19 audience, so it's great to see you all again.
20 I'm just going to, due to time, focus on two
21 updates on some major projects we've been
22 working on at Labor.

1 The first is the -- in 2021 at the
2 White House Tribal Nation Summit, President
3 Biden announced that the Department of the
4 Interior and 16 other federal agencies, which
5 includes Department of Labor, have formally
6 committed to protecting tribal treaty rights
7 and agency policymaking and regulatory
8 processes.

9 In response, the White House Council
10 of Native American Affairs and the Tribal
11 Treaty Rights MOU Work Group are in the process
12 of creating a training curriculum for federal
13 agencies on tribal consultation when
14 considering tribal treaty rights and reserve
15 rights.

16 Right now, the work group is
17 reviewing a five-part federal training series
18 on tribal treaty rights, tribal treaty and
19 reserve rights.

20 Just for some information on that,
21 course one is understanding tribal treaties and
22 reserve rights.

1 Episode One is looking at the unique
2 status of tribal nations. Episode Two is
3 looking at treaties, the supreme law of the
4 land.

5 Episode Three, beyond the paper, the
6 power of reserve rights. Episode Four, treaty
7 and actions today.

8 And the fifth episode in that series
9 is being developed now. I've been working with
10 the work group on just reviewing it, making
11 sure we're saying the right things.

12 And overall, the training will be
13 rolled out at some point later this year.

14 The second project, and Kim alluded
15 to earlier, is Executive Order 14112. At least
16 year's White House Tribal Nation Summit,
17 President Biden signed this historic executive
18 order on reform in federal funding and support
19 for tribal nations to better enhance our trust
20 responsibility and promote the next era of
21 tribal self-determination.

22 This executive order certainly

1 demonstrates the Biden-Harris Administration's
2 respect for tribal sovereignty and commitment
3 to making sure the next era of tribal
4 sovereignty by ensuring that tribal nations
5 have greater autonomy over how they invest
6 tribal funding.

7 The executive order also directs
8 agencies to make federal funding less
9 burdensome and more accessible for tribal
10 nations.

11 Of course, the aim is to boost
12 tribal economies and support future generations
13 of Native Americans by setting up policies to
14 create more financial autonomy as well as
15 additional room for self-governance with the
16 hope of allowing tribes to increase ownership
17 of their needs and services.

18 To fulfill this promise, the
19 executive order requires federal agencies to
20 take action to ensure federal funding for
21 tribes is accessible, flexible, and equitable.

22 It creates a one-stop shop for

1 federal funding available to tribes. It better
2 supports the federal trust responsibility by
3 assessing unmet federal obligations to support
4 tribal nations.

5 To coordinate implementation of this
6 executive order, a new White House Council on
7 Native American Affairs Committee on Executive
8 Implementation has been launched, and this is
9 co-chaired by the White House Office of
10 Management and Budget, OMB, and the White House
11 Domestic Policy Council.

12 Beginning last March, or this March,
13 the implementation committee has met a number
14 of times where we are provided regulatory -- we
15 are provided opportunities for the DPC and OMB
16 to share key information and also for agencies
17 to write updates and for everyone to share best
18 practices.

19 Department of Labor's primary
20 representatives on this committee who will
21 provide oversight for the agency's overall work
22 on the issues are myself and Carolyn Angus-

1 Hornbuckle.

2 She's Assistant Secretary for
3 Administration and Management in the Office of
4 the Assistant Secretary for Administration and
5 Management.

6 With this new executive order,
7 within this new executive order implementation
8 committee, two task forces have been
9 established that will meet bi-weekly and will
10 be the real drivers of the executive
11 implementation.

12 First, a tribal budget task force,
13 which is chaired by LMB, will lead the work
14 described in Section Four of the executive
15 order.

16 The DOL's primary representatives
17 for this tribal budget task force is Collin
18 Becht. He's a part of the ETA team in our
19 Departmental Budget Center, Office of the
20 Assistant Secretary for Administration and
21 Management.

22 The second task force is a tribal

1 reform, tribal fund and reform task force, and
2 they will lead the work described in Section
3 Five of the executive order.

4 Leading those efforts, representing
5 DOL, is Thomas Kodiak. He is the
6 Administrator, Office of Grants Management,
7 under ETA, and of course, Kim, part of that
8 task force.

9 The White House knows that each
10 federal agencies are different and no one size
11 fits all plan will work.

12 As such, all agencies are expected
13 to take ownership of the executive order
14 implementation work outside of regular
15 committee meetings.

16 So to kick us all off at DOL, we
17 have hosted two internal brainstorming
18 sessions. I want to thank Kim for bringing
19 together ETA colleagues to focus on specific
20 programs to reform administrator processes.

21 Collin has also started a
22 comprehensive list of ETA programs, grant

1 opportunities for which tribes are eligible,
2 regardless of whether they -- regardless of
3 whether they are any tribes that currently
4 receive funding or not.

5 Collin B. has also sent out a
6 fillable tracker for all agencies to use to
7 highlight their accomplishments, review pending
8 actions, identify potential areas of
9 exploration, when it comes to funding reform.

10 The first due date on that tracker
11 was yesterday, and we were able to get that in.
12 I want to thank Heidi Casta for her work and
13 putting together a pretty comprehensive
14 tracker.

15 So that is all there with OMB now
16 for their review.

17 For the tribal budget task force,
18 OMB will be sending questions around agencies
19 to consider when thinking about how to
20 identify, include programs to assess.

21 OMB will provide guidance in August,
22 at which time agencies will be tasked with

1 conducting agency-specific assessments.

2 These assessments are not due until
3 May of next year, May of '25.

4 The White House Council on Native
5 American Affairs is planning to host tribal
6 consultation on implementation this summer.

7 But they expect that the level of
8 specificity to be much greater at the agency
9 level, and are encouraging agencies to conduct
10 consultation on EO implementation at the agency
11 level as well.

12 So I have reached out to our work
13 group and asked ab out whether EEO should be
14 hosting our own tribal consultation and what
15 that would look like.

16 I did get some feedback that this
17 would be useful. We can keep the questions
18 somewhat broad and can use some of the
19 questions that were used in the ETA online
20 dialogue about access to grants.

21 I believe that we need to host this
22 tribal consultation so that we can hear from

1 tribal leaders directly on their expectations
2 of the EEO and its impact at the Department of
3 Labor and some of the barriers and possible
4 solutions under the executive order.

5 I think we should also hear from
6 grantees, their challenges to grant access.
7 The hope to use these meetings -- the hope is
8 to use these meetings as an opportunity for us
9 federal agencies to check in, track progress,
10 hold each other accountable, and share best
11 practices across agencies.

12 But ultimately, OMB and DPC will
13 develop a set of recommendations for the
14 federal government to take steps toward better
15 living up to its stressed responsibilities.

16 For all of us to have been in this
17 game as long as we have, we know that the
18 federal governments and their budget
19 formulation really needs to know more and hear
20 from tribal leaders.

21 So I think this is a great
22 opportunity for all of us, from the federal

1 level through our tribal communities, to come
2 together and to be able to work and fulfilling
3 the expectations of the executive order.

4 And lastly, there were some talks
5 about grants and grant opportunities. I have
6 created a tribal newsletter that I send out
7 every week.

8 And I like to include updates and
9 information about some of those grant
10 opportunities.

11 So that goes out to all of the 574
12 federally recognized tribes. And with that, I
13 will open it up for questions.

14 MR. COLEY: Kay Seven?

15 VICE CHAIR SEVEN: Kay Seven, Other
16 Disciplines. Good to see you, Jack.

17 MR. JACKSON: Hello, Kay.

18 VICE CHAIR SEVEN: So, Jack, I was
19 wondering, I'm very -- I enjoyed listening to
20 the information update on the Executive Order
21 112 and the information that the Department of
22 Labor is gathering, as well as the other

1 federal agencies.

2 And with OMB, I guess has a tracker
3 available. I don't know if anybody at the
4 table has asked the question, one thing we
5 should track is for tribal -- the information
6 that we're tracking about tribes is how many of
7 those tribes use the authority of Public Law
8 102477.

9 And how many agencies have
10 agreements with the Department of the Interior
11 as that tribe is address their tribal nation
12 building through workforce development?

13 MR. JACKSON: Yeah, we have talked
14 about including that in our tracker. Work
15 continues on this.

16 And I'm really thankful to have
17 folks with more brainpower than me in our work
18 group. And we'll definitely look at this and
19 include that where it is feasible.

20 VICE CHAIR SEVEN: Right. I think
21 at our conference this week, I heard that
22 currently the Department of the Interior has 78

1 477 plans that represent 298 tribes.

2 Nine plans are pending approval. So
3 that increases the number of tribes involved or
4 using that authority. Thank you.

5 MR. JACKSON: Thank you.

6 MR. COLEY: Any other questions for
7 Jack before we take a quick break and then turn
8 to Joe Plick? Darrell?

9 MEMBER WALDRON: There it goes.
10 I'll be quick, and my question is fairly
11 simple, although I totally understand and I
12 appreciate that urban Indian organizations ride
13 on the coattails of the authority of
14 sovereignty, and we are 100 percent behind
15 sovereignty so that the laws are beneficial to
16 our people.

17 But 75 percent of the population
18 resides off reservation. Are some of these
19 opportunities extended to them in the language?
20 Or should this be something we should be
21 fostering partnerships with our local tribes?

22 Some the tribes are rurally located

1 in the urban areas. There's just a tremendous
2 amount of opportunity for training. Thank you.

3 MR. JACKSON: Thank you.

4 MR. COLEY: Thank you, Jack. This
5 is Nat Coley. So we'll take a 10-minute break
6 if we can, and when we come back, we'll hear
7 from Joseph Plick, just a few thoughts about
8 keeping us in order with our FACA duties.

9 And then we'll discuss our election
10 of our new members. And then we'll turn to our
11 Jacob Wojnas and our census committee.

12 So 10 minutes. So that's 2:42.

13 (Whereupon, the above-entitled
14 matter went off the record at 2:32 p.m. and
15 resumed at 2:46 p.m.)

16 MR. COLEY: Okay, I think we have
17 our quorum back in the room. In the
18 consideration of time, and we had some pretty
19 hefty items on our agenda, is Joe Plick back on
20 the call, on the line?

21 MR. PLICK: Yes, I'm here. Can you
22 hear me, Nat?

1 MR. COLEY: Okay, thank you. This is
2 Nat Coley and I'm going to turn it over to Joe
3 Plick for just a brief overview for just some
4 of the things that we need to consider as a
5 FACA committee, and many of us know who has
6 been on the committee for decades, so you know
7 it a little more than I do.

8 And then we'll discuss our election
9 progress. I proposed something and I just want
10 to make sure that the council takes control of
11 that process and implements it in a way that's
12 preferable to the council.

13 So, I'll turn it over to you, Joe,
14 and then we'll ensue with our election process.

15 MR. PLICK: Oh, okay, thanks, Nat.
16 And I apologize to those of you who have been
17 on the committee for decades.

18 You've probably heard this one
19 before. So, I'm Joe Plick. I'm counsel for
20 FOIA, in the Information Law Department.

21 And among my responsibilities under
22 the Information Law Rubric is providing advice

1 on federal advisory committee acts.

2 So I'm going to give you a quick
3 overview of FACA, which basically sets the
4 rules and procedures for committees that are
5 created to advise the federal government.

6 Little bit of background, federal
7 governments have relied on committees almost
8 since its founding.

9 The first committee was established
10 in 1794 by George Washington, and today there
11 are over 1,000 committees.

12 So Congress eventually recognized
13 that as the number of committees grew that,
14 while they served a valuable purpose, there
15 just wasn't a lot of sunshine on their
16 activities.

17 So in 1972, the Federal Advisory
18 Committee Act was passed, allowing for some
19 accountability and insight into how they were
20 operating.

21 So the FACA governs the
22 establishment, operation, and termination of

1 committees that are established to advise
2 and/or give recommendations to the executive
3 branch.

4 They provide advice in accordance
5 with the committee's statutory authorization,
6 if there is one, as well as the charter.

7 And they give advice that has to be
8 relevant that agency's going to act on.
9 Committees need to be acting promptly.

10 And the access of accountability for
11 committees through cost controls and
12 recordkeeping requirements.

13 By assuring that the meetings are
14 generally public, it allows the Congress and
15 the public to be kept informed about their
16 activities by making the process transparent.

17 So the act allows committees to
18 either be established by statute, like this
19 committee is, like your committee is, the
20 President can create committees, or statutes
21 can also authorize agencies to have committees
22 when they need them in certain circumstances.

1 And then agency heads can also
2 establish committees if they see a particular
3 need and go through a number of steps.

4 Once the need for a committee has
5 been established by statute or whatever means,
6 the committee has to be chartered.

7 The committee charter is approved by
8 what's called the Committee Secretariat at the
9 General Services Administration, which has been
10 charged with overseeing the Federal Advisory
11 Committee Act process.

12 There has to be a consultation with
13 GSA when a committee is established. In the
14 case of a statutory committee, it's a less
15 stringent consultation process than when an
16 agency wants to set up a discretionary
17 committee, though.

18 And there's some ceiling on
19 discretionary committees to sort of control how
20 many there are around the government, but that
21 wouldn't apply to this committee, which again
22 is established by statute.

1 The statute requires that committees
2 be balanced in terms of points of view and
3 functions to be performed.

4 In addition, the particular enabling
5 legislation may impose additional requirements
6 on the structure of the committee, and that's
7 okay, too.

8 FACA requires that committee
9 meetings generally be public, requires detailed
10 minutes to be kept, it requires advanced public
11 notice of a committee meeting, so the public
12 has an opportunity to attend.

13 That's accomplished by publishing a
14 notice in the federal register at least 15 days
15 ahead of the committee meeting and of course
16 now, using the internet, websites and things,
17 to also notify the public.

18 Again, the public can attend. A
19 member of the public can be permitted to file a
20 written statement, either before the meeting or
21 within a reasonable time afterwards.

22 Since the purpose of making it

1 available to the public is so the public can
2 observe.

3 There's no requirement that the
4 public, members of the public be allowed to
5 speak. That's something that can be worked out
6 and should be in the notice if members of the
7 public are going to be permitted to speak, and
8 it should be done in cooperation between the
9 designated federal official and the
10 chairperson.

11 As I mentioned before, detailed
12 minutes have to be kept of each meeting. The
13 fact that the meeting is being recorded doesn't
14 in and of itself satisfy that requirement.
15 There also have to be written minutes.

16 At one point, GSA allowed the audio
17 or video recording to stand in for the minutes,
18 but members of the public kind of complained
19 because it was awfully hard to see what had
20 happened in a committee meeting if you had to
21 watch two days of the meeting or listen to two
22 days of audio, whereas the minutes sort of

1 serve as an index. So they went back to
2 saying, no, it's got to be minutes, written
3 minutes.

4 The minutes have to be certified by
5 the chair within 90 days of the meeting.
6 Committees' charters have to be renewed every
7 two years.

8 In the case of a statutory
9 committee, you just keep going. If you were
10 discretionary, the committee actually has to be
11 rechartered and reestablished every two years.

12 So agencies have a number of
13 responsibility for the committees that they're
14 running.

15 They have to ensure, first of all,
16 that the advice and recommendations of the
17 committee are not inappropriately influenced by
18 either the appointing authority or any special
19 interest.

20 It's supposed to reflect the
21 independent judgment of the committee. The
22 committee is a department wide committee

1 management office, which you probably won't
2 interact with, who sort of exercises overall
3 control and supervises the establishment
4 procedures and the reporting of accomplishments
5 of committees.

6 It maintains and ensures reports and
7 records are kept and ensures that if there are
8 FOIA requests for committee records that those
9 are responded to appropriately.

10 The more important person for you is
11 Nat, who is the designated federal officer for
12 the committee.

13 Under the statute, the designated
14 federal officers has a number of
15 responsibilities. The DFO approves or calls
16 the meetings, approves the agenda, of course
17 attends, has the ability to adjourn the meeting
18 if he makes a determination that it's in the
19 public interest.

20 I've never actually seen that
21 happen. It's there in case a committee is
22 doing something that is really just way outside

1 of what its mandate is. The DFO can just stop
2 the meeting.

3 And then has the ministerial tasks
4 of maintaining records on costs and membership
5 and making sure that the records are available
6 to the public, and just overall ensuring
7 efficient operations.

8 And there a number of reports that
9 GSA requires. If you're not aware, the General
10 Services Administration has a database of every
11 Federal Advisory Committee Act committee that
12 has a lot of information, the charters, the
13 balance plans, information about reports,
14 information about the members and the
15 membership.

16 It's actually an interesting, useful
17 tool. GSA requires annual reports of committee
18 activity.

19 There has to be a report if any
20 meetings of the committee are closed. And I'll
21 talk in a second about how and why a committee
22 meeting might be closed, just so you're aware

1 of it.

2 And certain committee materials
3 actually get filed with the Library of
4 Congress. I'll take a second and just mention
5 although we haven't seen it in a while, every
6 once in a while, the General Accountability
7 Office, an arm of Congress, will do an audit of
8 agencies, FACA committee management, and maybe
9 make recommendations to Congress.

10 So it could happen. There's nothing
11 that I know of that's active right now.

12 Talking quickly about closed
13 meetings, it is possible to close a meeting to
14 the public, but there's limited circumstances
15 under which you can do it, and I don't know if
16 this committee would ever encounter a situation
17 where it would want or need to close a meeting.

18 The reasons basically track
19 exemptions in the Federal Freedom of
20 Information Act. In order to do it, the agency
21 head has to approve it and it has to undergo a
22 review and basically an approval by, in the

1 case of the Department of Labor, the Solicitor
2 of Labor.

3 And it has to be done at least 30
4 days in advance of the meeting.

5 The reasons why you might close a
6 meeting would be if you were going to have
7 witnesses come in basically and talk about
8 things of individuals and they'd be sharing
9 personal information that you might want their
10 candor on but you wouldn't want to make public.

11 You could close a meeting for that.
12 For example, I don't know if it's ever
13 happened, but the Department has a committee
14 that deals with medical issues related to one
15 of its worker's compensation programs.

16 And so there might be a need to have
17 workers who are suffering the injuries that the
18 program compensates for come in and talk about
19 them.

20 You can also close a meeting if you
21 were going to have companies come in and talk
22 about proprietary information and share

1 information that they wouldn't otherwise want
2 to make public.

3 So things like that. Kinds of
4 things that would affect the Department of
5 Labor. Of course there are committees that
6 might be dealing with national security issues
7 who could close meetings as well.

8 And then I want to talk about
9 subcommittees really quickly. Committees can
10 establish subcommittees, again with the
11 approval of the designated federal official.

12 And some committees are not subject
13 to FACA requirements regarding open meetings
14 and balance and all those things.

15 But they have to report back to the
16 full committee. And the full committee has to
17 deliberate on their recommendations and then
18 before passing them on to the agency.

19 So if a subcommittee were to start
20 reporting directly to the agency, it would
21 become in effect a separate FACA committee and
22 have to be chartered and follow all those

1 rules.

2 And that's not to say that
3 subcommittee meetings can be public. The
4 agency has discretion to decide how it wants
5 the subcommittees to operate and would
6 coordinate with the chair and the committee on
7 how that would happen.

8 There has been in the past, I don't
9 know if there is one currently floating around,
10 a bill to amend FACA that would change that and
11 require subcommittee meetings to be public.

12 But it hasn't gone anywhere. So in
13 addition to the subcommittees, there are a
14 couple of other types of things that don't have
15 to take place in open meeting.

16 GSA's regulations talk about
17 territory work. So if you were to say assign a
18 couple of members to draft a regulation for the
19 next meeting, it wouldn't be a full
20 subcommittee, but you just tasked a couple of
21 people with getting together to do that, they
22 could do that and then bring that back and it

1 wouldn't have to be public, as well as
2 administrative matters.

3 I think you received an ethics
4 briefing earlier that didn't have to be public.
5 The briefing that I'm giving you now actually
6 doesn't have to be public, either, but we're
7 doing it in a public meeting today.

8 Other things, like if you were
9 coming to the Department of Labor to the
10 Frances Perkins Building and we needed the
11 logistics involved in getting you into the
12 building and things like that, and we had to
13 have a meeting about that, it wouldn't have to
14 be public.

15 On the other hand, shifting gears,
16 public availability. Public availability of
17 records, that's a key component of FACA.

18 The Act basically says that the
19 whole -- most of the records available to the
20 committee are publicly available.

21 There's an exception if an agency
22 provides material to the committee and that

1 material would be protected by FOIA exemptions,
2 then it doesn't -- the committee can see it,
3 but it doesn't have to be made public.

4 And again, I mentioned that there
5 might -- that Congress might be looking at
6 FACA. I don't know if they're doing it this
7 year.

8 I just want to make you generally
9 aware of it. This is kind of in closing. It
10 would require a little bit more information
11 about members to be made available and the
12 process for identifying and selecting them.

13 A little bit more information about
14 potential conflicts of interest and how they're
15 handled by the agency.

16 And as I said before, they would
17 subject subcommittees to the same open meeting
18 requirement as the parent.

19 So those are the basic things I
20 wanted to hit. If there's any time, I'm happy
21 to take any questions.

22 MR. COLEY: This is Nat Coley.

1 Darrell Waldron?

2 MEMBER WALDRON: So in the past
3 we've gone on and off record when we wanted to
4 discuss something amongst ourselves.

5 Is that still available to us as a
6 tool?

7 MR. PLICK: That's a difficult one.
8 Generally, everything is supposed to be public
9 unless you are operating under one of the
10 exemptions for allowing a closed meeting.

11 I'm not quite sure, when you talk
12 about going off the record, if it's a public
13 meeting, how you would accomplish that.

14 MR. COLEY: This is Nat Coley. I
15 think the question is toward something like if
16 we're seeking advice on operationalizing some
17 type of aspect of developing resolutions or
18 things like that and we ask the court reporter
19 to stop recording for a second while we figure
20 out what we're supposed to do next --

21 MR. PLICK: Okay, yes, that would be
22 okay, yes. Yes.

1 MR. COLEY: Kay Seven?

2 VICE CHAIR SEVEN: So I've got the
3 opportunity to participate on another federal
4 advisory committee.

5 I shared with Nat how the U.S.
6 Department of Energy's Energy Workforce
7 Advisory Board runs their meetings.

8 And it's real interesting because we
9 talk about sharing information with our public.
10 And so how do we do that using FACA?

11 And I think that could be part of
12 our strategy. How is it that we maybe look at
13 how another federal advisory committee runs
14 their meetings and maybe follow their format.

15 Because I think we have our
16 committees and we have our work. And on the
17 Department of Energy, we have committee work.

18 We do a lot of committee work
19 outside of our public meetings. But every
20 chair of those committees at a public meeting
21 will report back to the chair and to the public
22 and then have public comment period where the

1 public can comment on what the committee work
2 is as they report to the chair.

3 So I'd like to maybe look at how,
4 beginning with this council, we look at a
5 structure that becomes transparent and is
6 sharing with our public.

7 MR. COLEY: Thank you, Kay, and I
8 think Joseph talked about just the sunshine
9 factor. This is Nat Coley.

10 Sunshine factor of the law where
11 light should be shining on everything we do,
12 and in cases where it goes dark, there should
13 be some rationale and approval for that
14 process.

15 But good segue. Thank you, Joseph.
16 We appreciate your time.

17 MR. PLICK: Yes, thank you.

18 MR. COLEY: Kay just set us up for a
19 good segue into the decision on who will lead
20 us into those decisions of how we operate for
21 the next two years.

22 I had originally sent out sort of a

1 poll to nominate folks for the chair, vice
2 chair, and did not include the secretary, but
3 Duane advised me of the process.

4 And I was made aware that we have a
5 traditional processes. So I don't know if you
6 did respond to the survey and nominate folks
7 for chair and vice chair.

8 I'd like to just poll the committee
9 members on how we want to proceed at this point
10 as far as nominating, submitting interests, or
11 how would we like to proceed with selecting our
12 chair, vice chair, and secretary.

13 Any thoughts from folks? Darrell
14 and then Kay?

15 MS. SUMMERS: Unfortunately, we
16 cannot hear you at the moment. I'm sorry.

17 MEMBER WALDRON: I got the broken
18 one.

19 MS. SUMMERS: Perfect. Thank you.

20 MR. COLEY: These mics are pretty
21 expensive so we --

22 MEMBER WALDRON: Well, mine doesn't

1 light up, so I can't tell.

2 MR. COLEY: Paul's going to take
3 care of that.

4 MR. WALDRON: So that's how we've
5 done it in the past, we would nominate, like I
6 nominate Nat Coley and then et cetera, et
7 cetera.

8 And then there would be the
9 discussion. They can talk about it. And we
10 used to break for lunch when we did that, then
11 come back, and call the vote.

12 MR. COLEY: Kay, would you like to
13 comment? Kay Seven?

14 VICE CHAIR SEVEN: I believe that
15 the preference is to have voting for our
16 officers in person, because we have some new
17 members, we have old members, and as to learn
18 together and through our nomination process for
19 a reason why a person is being nominated for
20 the position so that it can inform all members
21 of our intent moving forward as a leadership of
22 this council.

1 I would also want to ask, if we did
2 an online vote last week, there was less than
3 one day's notice to participate in that
4 Thursday meeting.

5 I already had a commitment that I
6 had to be at.

7 MR. COLEY: Oh, yeah, that's no
8 problem.

9 VICE CHAIR SEVEN: And then also, if
10 such a thing occurred, do we get the results of
11 how that poll came out?

12 MR. COLEY: Yes. This is Nat Coley.
13 So, yeah, that was sent out back in, I think it
14 was March.

15 But I think moving forward, we'll
16 proceed with our traditional process. And do
17 we have any -- I think a lot of people did
18 respond to the poll.

19 So those folks that have already
20 thought about it, then move forward with making
21 nominations.

22 MEMBER MORALES: Isn't on that list,

1 you could just by that in person.

2 MR. COLEY: Yeah, I think that every
3 -- this is Nat Coley. Everyone who responded
4 to the poll is in the room, so they can just
5 restate their nominations while we're here in
6 the public.

7 So unless, I mean, we have the
8 results of that. We just have the top two.
9 But I think we can move forward and we can call
10 for nominations. Did you have a comment,
11 Darrell?

12 MEMBER WALDRON: I was just going to
13 say that poll was not open for the public. The
14 way that we do here is open to the public.

15 So, but I agree with Kay's comments.
16 The new people may not have known what it was
17 about or what perhaps they were agreeing to. I
18 think that's the issue.

19 MR. COLEY: -- my faux pas behind us
20 and we'll -- I appreciate grace in the room.
21 I'm still learning and I'm not the youngest
22 person in the room.

1 I think the tall guy over there is
2 the youngest person in the room. So we'll give
3 him more grace than me.

4 So do we have any show of
5 nominations for chair? So we start with
6 secretary? Do we start with secretary first?

7 Start with the chairs. Do we have
8 nominations for chair of the Native American
9 Employment and Training Council? Kay Seven?

10 VICE CHAIR SEVEN: Kay Seven
11 representing Other Disciplines. I submit the
12 nomination of Patricia Hibbeler who has served
13 as a member for the last two-year cycle.

14 I really respect the work that
15 Patricia has done over the last two-year
16 period, facilitating and guiding and leading
17 our way to a first ever strategic plan that
18 allows each council member to participate on a
19 committee, be involved, be engaged, with the
20 important work of the council.

21 So my nomination is for Patricia
22 Hibbeler.

1 MR. COLEY: Patricia Hibbeler, do
2 you accept the nomination?

3 MEMBER HIBBELER: Yes.

4 MR. COLEY: We have a yes. Lora
5 Ann?

6 MEMBER CHAISSON: Yes, I'd like to
7 nominate Darrell Waldron. I've known Darrell
8 for 30 plus years. I've seen his work, his
9 leadership, which all of these people has great
10 leadership.

11 I just work very closely with
12 Darrell. I know him. When I call for Darrell
13 to help me with certain issues in Indian
14 Country, he's always been there, not just for
15 our tribe, but just for Indian Country as a
16 whole.

17 And I think if you're going to be a
18 president of -- a chair of this board, that's
19 something that you must do is represent tribal
20 people across the country.

21 And so, not only reservation, but
22 urban as well, and he has that background. And

1 so I strongly feel that he would be an
2 excellent chair. And so that's where my
3 nomination is going to.

4 MEMBER WALDRON: Thank you. I
5 accept.

6 MR. COLEY: Darrell accepts. Do we
7 have a nomination for chair? And do we accept
8 self-nominations as well?

9 Yes, so would anyone like to
10 nominate someone or nominate themselves?
11 Anyone? The new guy? Angel? Angel? Candace,
12 would you like to nominate someone or yourself?

13 Joseph, would you like to nominate
14 someone or yourself? No? Okay. I'm sorry?
15 We just established that you can nominate
16 yourself if you like. Anyone else?

17 So according to protocol, we will
18 move on to vice chair and then secretary, and
19 then have speeches from our candidates. Is
20 that how we proceed?

21 Okay, so we'll move to vice
22 president. Vice chair, I'm sorry. Nominations

1 for vice chair?

2 MEMBER WALDRON: Can you hear me?

3 MR. COLEY: Yes.

4 MEMBER WALDRON: Darrell Waldron,
5 Region 1 and 2. I'm sorry, guys. I'm making a
6 motion for vice chair for Erwin Pahmahmie who
7 has been with us for a very long time.

8 I've seen him grow from a young man
9 into a leader. He was part of the 166 and now
10 he's part of the 477, and I find his integrity
11 honorable.

12 So I think he would make a great
13 vice president.

14 MR. COLEY: Okay.

15 MEMBER PAHMAHMIE: I accept.

16 MR. COLEY: Erwin accepts.

17 MEMBER PAHMAHMIE: Thank you.

18 MR. COLEY: Any other nominations
19 for vice chair? Any self-nominations for vice
20 chair? Patricia Hibbeler?

21 MEMBER HIBBELER: Patricia Hibbeler,
22 Other Disciplines. I'd like to nominate Kay

1 Seven.

2 I think she's taken some great
3 leadership of this committee and others
4 forward, has a great knowledge and great
5 connection not only with tribes 166 but also
6 other federal departments.

7 MR. COLEY: Kay, do you accept the
8 nomination for vice chair? Kay accepts. Any
9 other nominations for vice chair?

10 Nominations for secretary? I'm
11 sorry? Oh, Joseph. Nominations for Candace
12 Lowry as vice chair. Candace, do you accept
13 the nomination?

14 MEMBER LOWRY: Candace Lowry, I --

15 MR. COLEY: Did I miss any other
16 hands? Nominations for secretary? Darrell
17 Waldron?

18 MEMBER WALDRON: I nominate Kathy
19 Atkins. We've all worked together for many,
20 many years. She's very good at documentation,
21 follow through, and she's been with us for many
22 moons. I think she would do a great job for

1 us.

2 MR. COLEY: Kathy, do you accept the
3 nomination for secretary?

4 MEMBER ATKINS: I accept the
5 nomination, Kathy Atkins, Region 3.

6 MR. COLEY: Kathy accepts. So, now
7 do we move into discussions? I'm sorry,
8 Patricia?

9 MEMBER HIBBELER: I nominate Holly
10 Morales. Holly is certainly very organized,
11 very dedicated to WIOA and other programs and
12 has a long set of experience in bringing
13 forward Alaska programs.

14 I think she would be a great
15 candidate for secretary.

16 MR. COLEY: Holly, do you accept?

17 MMEBER MORALES: Yes.

18 MR. COLEY: Holly accepts. Okay,
19 now do we move into reasoning from candidates
20 on why they should hold those posts? Or do we
21 resign tonight and have those discussions
22 intimately? Or where should be proceed now,

1 from the council? Any suggestions?

2 MEMBER WALDRON: I think we get it
3 on.

4 VICE CHAIR SEVEN: I think it's good
5 -- Kay Seven. I think it's a good idea to move
6 on. We're here at a convening of our national
7 group.

8 It would be a good thing to let them
9 know first thing in the morning of our decision
10 to move forward.

11 MR. COLEY: So you're saying we
12 should proceed with the vote now? Okay. So
13 for our chairs, Patricia, would you like to
14 provide your reasoning for checking the box
15 next to your name?

16 MEMBER WALDRON: Excuse me, Darrell
17 Waldron. Did we include the people on the
18 phones?

19 MR. COLEY: I'm sorry. Did anyone
20 online have any nominations for chair, vice
21 chair, or secretary? And if we could open up
22 the chat, perhaps there's something there.

1 So online we have Jacob. We also
2 have Winona. Any comments or nominations from
3 Jacob, Winona?

4 MEMBER WHITMAN: No comments from
5 Winona.

6 MR. COLEY: Jacob Wojnas?

7 MR. JACKSON: I don't have any
8 additional comments.

9 MR. COLEY: Thank you.

10 MEMBER COUNCE: No comments from
11 Robin Counce.

12 MR. COLEY: Robin, thank you. Okay.
13 So we'll start with Patricia.

14 MEMBER HIBBELER: So, Patricia
15 Hibbeler, Other Disciplines. Want to say I'm
16 honored to be nominated for this opportunity.

17 I have a number of years of
18 experience in workforce development and working
19 with federal programs in other departments,
20 both statewide and federal, and bringing
21 forward the issues that I think we're concerned
22 with and making sure that we have a strategy

1 and how to deal with them.

2 I think that's really important. I
3 think it's important that we don't jump out as
4 one voice, but we are a continual group and
5 voice that brings together the issues and leads
6 them forward collectively through a strategy
7 moving us forward.

8 I think I have a lot of experience
9 in doing that. I think the strategic plan
10 started to bring us together in the last two-
11 year session that we had, and really keeping us
12 on track and keeping things moving forward.

13 There's still some kind of
14 administrative issues to work out through some
15 of that.

16 I think in working directly with Nat
17 and his team, we can work out those
18 administrative issues and be even stronger as
19 we move forward into these next two years.
20 Thank you.

21 MR. COLEY: This is Nat Coley.
22 Thank you, Patricia. Recognizing Darrell

1 Waldron.

2 MEMBER WALDRON: Thank you very
3 much. I also am honored to be nominated. I
4 have had this position before.

5 I can tell you I would be a strong
6 voice. I don't have a problem speaking up for
7 our communities.

8 I would love to get more involvement
9 from my grantee community and expanding
10 environment for change and opportunity and
11 requests from the Native American community who
12 serves our public.

13 I have created some rapports on a
14 federal level. I also serve on many committees
15 where I have gained a great deal of experience.

16 And I would love the opportunity to
17 really create change while we have an
18 opportunity with this administration.

19 The time is closing. I think that
20 we've had a great deal of success with this
21 advisory board.

22 The last leadership did a great job.

1 We had the secretary's assistant here today who
2 spent some time, and I want to continue that
3 opportunity.

4 I would love the opportunity to be a
5 chair again. I have been here before. We had
6 a great deal of success with Marty Walsh. So
7 I'd love to lead you again. Thank you.

8 MR. COLEY: Thank you, Darrell. Now
9 do we ensue a vote for our chair? So all those
10 who are submitting votes for Patricia Hibbeler,
11 please raise your hand, and in the online
12 world, is that how we raise hands?

13 Oh, by that? Okay. Actually, we
14 have a QR code that we can bring up on the
15 screen and you can scan it with your phone and
16 submit your vote if you like.

17 MS. SUMMERS: Yes, I can do that.
18 The QR code will have it for those two
19 individuals. Does that work for you?

20 MR. COLEY: Yes.

21 MS. SUMMERS: Okay.

22 MR. COLEY: The individuals. In the

1 room, we prefer to write them on paper and pass
2 them down to Cynthia, who will tally the votes.

3 MS. SUMMERS: To those who are using
4 the QR code to vote, just a heads up that it
5 has -- it's outdated information, so it does
6 not capture everything for the other position.

7 So for right now, just focus on
8 chair.

9 MR. JACKSON: Annette, we won't be
10 using the online because of that. We're going
11 to do paper here, and then perhaps if we could
12 have the two folks who are online perhaps email
13 you, Annette?

14 MS. SUMMERS: Okay. Perfect.

15 MEMBER HOULE: Right now we're just
16 voting for chair?

17 MR. COLEY: Your vote for Patricia
18 Hibbeler or Darrell Waldron for chair, and you
19 can pass your votes down or pass them down to
20 Cynthia, who will tally them.

21 MEMBER COUNCE: Robin Counce, Region
22 4. Can you give me some clarification on how

1 people online are supposed to vote?

2 MR. COLEY: I'm sorry? So those
3 online, if you'd like to vote, if you could
4 submit your vote to Annette Summers in the
5 chat.

6 MEMBER COUNCE: Okay.

7 MR. COLEY: So you'll be selecting
8 Annette Summers anonymously, and you would
9 submit -- are you able to select a specific
10 person to chat with in the chat? Cynthia?

11 CYNTHIA: Yes.

12 MR. COLEY: Okay.

13 CYNTHIA: If you do a private chat
14 message just to Annette Summers, and then she
15 will let me know what those two votes are, but
16 I won't know who made the vote, but who you
17 voted for.

18 MR. COLEY: Any other votes that
19 haven't been collected in the room? Three
20 folks online. So those should be submitted to
21 Annette Summers online through a private chat.

22 So that's Winona and that's Robin

1 Counce and Jacob. While we tally those votes,
2 should we move on to our vice chair?

3 So, Candace, would you like to
4 submit your reasoning for checking your box?

5 MEMBER LOWRY: I know most of you
6 heard me this morning in the --

7 Candace Lowry, Region 3. So I know
8 most of you heard my speech this morning in the
9 general assembly.

10 I do think it's important that we
11 have a good mix of representation from 477 and
12 Section 166 grantees, and that we also are
13 transparent and come to compromises of what
14 each entity can and cannot do and realize that
15 we will have Section 166 grantees that should
16 be involved at all times within this council.

17 Also, collaboration with our
18 partners in Washington is great. The
19 information that we heard earlier from the
20 secretary, I think we need to have more of
21 that.

22 And as a representative on this

1 council, we need to make sure that we are
2 bringing that information back.

3 And I know we've talked about it
4 before, about the resource guide. I know all
5 this information is out on the web everywhere,
6 but creating that one document, one guide, one
7 place where this council puts information so
8 that our regions can see those resources.

9 So if I'm elected as your vice
10 chair, I also want to be mentored by the chair,
11 by the leaders that we've had in this room for
12 decades and absorb that information.

13 So I've been on this council now,
14 this is my third term and I've learned a lot.
15 And this knowledge, it needs to be passed down.
16 It needs to be transferrable.

17 So I would love to work under
18 whoever the next chair is to get that knowledge
19 and get that knowledge to lead on the other
20 individuals out in our communities that will be
21 coming on to this council in the future,
22 because we do need to think about the future of

1 this council and that is maintained.

2 And there will be individuals around
3 that will make sure that we're doing what our
4 charter says, we are getting that information
5 out, we are supporting our leaders and doing
6 the different resolutions and letters to
7 Washington, the White House, the liaisons, so
8 that we can make a difference and make changes
9 within the WIOA program so that it stays around
10 for years to come. Thank you.

11 MR. COLEY: Thank you, Patricia.

12 MEMBER LOWRY: Candace.

13 MR. COLEY: Oh, I'm sorry. Candace.
14 So sorry. Candace. And Duane Hall is in the
15 back, Duane Hall. Duane Hall, thank you.

16 So just, Kay Seven, would you like
17 to explain why your box should be checked?

18 VICE CHAIR SEVEN: Kay Seven,
19 representing Other Disciplines. I thank you
20 for the nomination to be on the ballot for the
21 vice chair for this council.

22 I believe this is probably my eighth

1 two-year term. It was a life with U.S.
2 Department of Labor Indian and Native American
3 Programs.

4 This all began back in I think 1996
5 while at NINAETC in Souix Falls, South Dakota.
6 And two DINAP staff members, Duane Hall and
7 Athena Brown, pulled me aside and says, Kay, we
8 like how you stand up and you're very vocal.

9 You state ideas, opinions, about the
10 conversations going on. We really think you
11 should run for council, Kay.

12 Our council currently at that time
13 consisted primarily of urban locations and
14 there was no representation of reservations at
15 that time.

16 So that's how I came into my life
17 with the U.S. Department of Labor. Over the
18 years, I have been mentored by great people,
19 Tom Dowd, who once served as our DINAP chief,
20 Lorenda Sanchez and Dr. Gipp, who served on the
21 council.

22 So as members of the council, we

1 have an opportunity to sit amongst each other,
2 share our knowledge from our areas of interest
3 of where we're at in this country, and how we
4 bring that together to formulate policy
5 recommendations to the Secretary of Labor.

6 I would like to serve here looking
7 at -- my experience is working here the last
8 six months with another federal advisory
9 committee.

10 I really have a respect for how that
11 department provides oversight to an advisory
12 committee.

13 They provide the tools, resources,
14 that are needed to have good conversations year
15 round versus having to wait for these two
16 meetings per year and how we can get good work
17 done through committee work.

18 But to keep it together,
19 transparent, and as documented, and we have
20 good reports going back and decisions made on
21 how we work with a department to who decides
22 what's going to go to the secretary from this

1 table.

2 So that's my interest serving as the
3 vice chair for this council. Thank you.

4 MR. COLEY: Thank you, Kay. Erwin?

5 MEMBER PAHMAHMIE: Erwin Pahmahmie.
6 Region 4, Oklahoma. Yes, I'm very honored to
7 have been nominated.

8 I know I've heard echoes of younger
9 folks stepping up to lead and to carry the
10 baton or take the torch, whatever you want to
11 say on that thought.

12 But again, as diverse as this group
13 is, and I'm very proud to serve, this will be
14 my fourth time being here.

15 I had to think a minute, how many
16 times, how many other chairs have there been
17 before these ones?

18 And I can count at least three
19 before this. So knowing that, time goes by
20 quick. I've learned a lot participating here.

21 I feel like times, listening and I
22 hate to say this, but sometimes we have to

1 deftly stop, pause, listen, reflect, and then
2 speak.

3 At times, speaking from the heart
4 and speaking from the mind are two different
5 things. And I really feel a lot of integrity
6 amongst my peers here.

7 I'm very thankful, like Darrell had
8 said earlier, I have worked my way up. I feel
9 very humbled to think of where I've come from
10 to where I am now.

11 And I want to share that knowledge
12 and those experiences with people to ensure
13 that this council and the great work that we do
14 here carries on, because if we don't carry it
15 on and inspire others to, who will?

16 And with that being said, I'm very
17 humbled. Thank you for the nomination. I look
18 forward to your vote. Thank you.

19 MR. COLEY: Thank you, Irwin. Okay,
20 so now we will submit our votes via paper.
21 Jobany is going to collect those.

22 So our voting is for Candace Lowry,

1 Kay Seven, or Irwin Pahmahmie for vice chair.
2 We're voting for vice chair only from one of
3 those three candidates.

4 Those three folks online, Robin
5 Counce, Jacob, and Winona, please share your
6 votes via text to the number that was provided.

7 We're voting for vice chair, Candace
8 Lowry, Kay Seven, or Irwin Pahmahmie.

9 Thank you all for submitting your
10 votes. This is Nat Coley.

11 Our votes for secretary, so we have
12 two candidates for secretary. So one is
13 preoccupied so we'll start with Holly Morales,
14 if you'd like to explain why your box should be
15 checked. Holly Morales?

16 MEMBER MORALES: Holly Morales,
17 Region 6, representing Alaska. Thank you,
18 Patricia, for your nomination. Completely
19 unexpected.

20 I feel honored to have my name next
21 to Kathy's, because she's amazing. I will say,
22 just so you know who I am, I have been working

1 under 477 for 26 years at CITC, Cook Inlet
2 Tribal Council.

3 Like Irwin, I slowly worked my way
4 up, and I think through that time, too, it's
5 helped me to slowly find my voice.

6 And so I'm glad to be here. This
7 will be only like my second term on this
8 committee. So I appreciate my vote, but,
9 honestly, I think if I didn't get it, you have
10 a good one in Kathy, too. So I'm feeling
11 pretty good about that.

12 MR. COLEY: Thank you, Candace.
13 Kathy, I mean, I'm sorry, not Patty, not
14 Candace, Holly, not Darrell Hall, Holly, thank
15 you. Sorry. Kathy Atkins?

16 MEMBER ATKINS: Kathy Atkins, Region
17 3. I just wanted to thank you so much, Holly,
18 for those kind words.

19 I've actually done secretarial work
20 for the NINAETC conference for years. I've
21 been around since 1994. I'm giving around my
22 age here.

1 But it's a real honor to be voted
2 for this position or nominated for this
3 position. I did have the secretary -- I've had
4 every position except Lorenda's position on the
5 NINAETC and back and forth, back and forth.

6 But I remember one time when I was
7 secretary and I think it was like my second
8 year, and it was like, you have to take notes,
9 make sure the notes are good.

10 So I handed in my minute sand they
11 were like 20 pages long. I didn't realize you
12 didn't have to take everything you wrote down.

13 But I am really honored. I would
14 love to have this position, and I think I could
15 do the position very well for you. And thank
16 you for the nomination.

17 MR. COLEY: Thank you. Take your
18 time. Kathy Atkins. So, yes, thank you Duane
19 Waldron. So now we have -- once we've finished
20 tallying our last result, we'll announce those,
21 and then I will turn the microphone over to the
22 chair to guide us through.

1 So right now we're casting our vote
2 for secretary between Kathy Atkins and Holly
3 Morales. So if you could write your vote on the
4 sheet of paper, it's going to be collected.

5 Those online, Jacob, Robin, and
6 Winona, we're looking for your votes for
7 secretary, three votes from online.

8 If you need any help casting your
9 votes for those, please feel free to ask.
10 We're looking for three votes from online --
11 votes from online.

12 So once we finish tallying votes,
13 I'll turn our program over to our new chair who
14 will lead us.

15 We have a court reporter who is
16 recording everything. It will be entered in
17 the Library of Congress as part of our FACA
18 process, and we also have resources that are
19 catching all of our conversations and
20 procedures and our notes.

21 So I think we're -- you won't have
22 to take many notes.

1 MR. JACKSON: Stepping in for Nat.
2 Stepping in for Nat, I have the honor to
3 present the results. Is this on?

4 For Chair, Patricia Hibbeler. For
5 Vice Chair, Erwin Pahmahmie. And for
6 Secretary, Holly Morales.

7 MR. COLEY: So we'll turn the
8 meeting over. We're going to go to Duane, and
9 I think Jacob can take us through our census
10 subcommittee discussion. So I'll turn it over
11 to you, our new chair, Patricia Hibbeler.

12 MEMBER HIBBELER: Thank you. I will
13 say, I don't think we could have gone wrong
14 with anyone that was up for those three
15 positions.

16 But congratulations to the executive
17 committee. And thank you for your confidence.

18 So, I'm going to go ahead and move
19 on to the next piece of the agenda, and that is
20 the subcommittee report.

21 Duane and Jacob? Thank you.

22 MEMBER WOJNAS: Great. Thank you,

1 Patricia. And please let me know if I'm not
2 coming through clearly in the room at any
3 point.

4 And I'll keep my remarks here rather
5 brief. The census workgroup has reconvened
6 once since our December council meeting, at the
7 beginning of May.

8 And we took the opportunity to speak
9 with members of the DINAP team and review the
10 progress made by the Department since the
11 beginning of the year.

12 Special thanks to those who have
13 joined our discussions from the Census Bureau
14 and the continued participation of our BLS
15 experts.

16 For those who were not able to join
17 us, I just wanted to share a few notable points
18 of discussion.

19 The Department posted adult program
20 funding estimates to the DINAP website in
21 February, based on 2014-2018 ACS data.

22 As a reminder, the statutory funding

1 formula allocates the total appropriation
2 across programs according to poverty and
3 unemployment statistics for eligible program
4 participants.

5 Questions relating to employment
6 status have shifted from the decennial census
7 to the community survey in 2005, leaving the
8 Department the choice between an imperfect data
9 source in the ACS and data that are now 20
10 years out of date.

11 The Department's intention to use
12 the most up to date data has been accepted by
13 the council.

14 Nevertheless, questions about
15 implications and implementation remain as
16 critical as ever.

17 Concerns around the accuracy of ACS
18 estimates as the result of sampling methodology
19 and respondent familiarity with the survey are
20 not new.

21 The rate of undercount in any given
22 community can vary dramatically from the

1 national average.

2 Undercounting is often most
3 significant in small, rural census blocks and
4 reservation areas, communities that are most
5 affected by underemployment and hardship.

6 One grantee member of the workgroup
7 spoke of a reservation territory that has been
8 categorized as free of poverty and unemployment
9 by the ACS data in stark contrast to lived
10 reality.

11 While the alternative is not free of
12 such issues, our subject matter experts have
13 encouraged DINAP to directly engage with the
14 Census Bureau in preparation for this
15 transition, making sure that data are
16 comparable and that the Department's
17 methodology is beyond reproach will be
18 necessary to build trust in the new process.

19 Our one workgroup member highlighted
20 the difference between estimate sources for
21 American Indian and Alaskan Native communities
22 and those used for Native Hawaiian populations.

1 Material inconsistencies at any
2 point in the process risk undermining the goal
3 of a fair and equitable funding framework
4 across programs.

5 In December, the council asked the
6 Department to provide grantees with a feedback
7 period before making the final decision to
8 proceed.

9 At our May meeting, DINAP team
10 members shared informal grantee feedback with
11 the workgroup.

12 While there has not been much
13 inbound feedback from the Department, one
14 workgroup member stressed the importance of
15 proactively communicating with grantees and
16 seeking the best feedback.

17 With youth program allocation
18 estimates having been posted just last week,
19 grantees have had limited time to digest,
20 comment, and react to potential changes to this
21 source of funding.

22 Additionally, the council

1 recommended that the Department circulate
2 statistics that summarize the range of impact
3 to programs.

4 Although these have yet to be
5 furnished as of our May workgroup meeting, back
6 of the envelope math suggests that service
7 disruption risks under the proposed allocation
8 is meaningful.

9 Of the 169 adult programs listed,
10 one in five will experience a reduction in
11 funding greater than \$20,000, where the
12 reduction represents at least 1/8, 12.5
13 percent, of its grant.

14 If one considers this criteria
15 independently, one in three programs, or 53 in
16 total, will experience either funding reduction
17 of \$20,000, or 12.5 percent, of the grant
18 amount.

19 That statistic includes six of the
20 ten largest programs. If the Department
21 chooses to proceed, a thoughtful and extended
22 hold harmless construct will be an absolute

1 necessity.

2 The Department is required by
3 statute to consult with the council and grantee
4 community to design the hold harmless
5 implementation.

6 Properly and patiently phasing in
7 any change may represent the difference between
8 programs being able to serve their clients with
9 continuity and forced choices that compromise
10 the collective efficacy of these programs.

11 The need to align program funding
12 with community needs through up-to-date data is
13 felt by members of the census work group.

14 At the same time, the magnitude and
15 human impact of these changes deserves a
16 process of openness, patience, clarity, and
17 surefootedness.

18 That concludes my remarks on behalf
19 of the workgroup, but I would like to give the
20 DINAP team the opportunity to comment on their
21 process and the hold harmless considerations
22 that they have in their mind before the floors

1 open for the council for any further questions.

2 Thank you.

3 MR. JACKSON: Thank you, Jacob, for
4 all the work that you've done and your report
5 to the council today.

6 We're going to turn it over to Duane
7 for comments.

8 MR. HALL: Hi, everyone. Thank you,
9 Jacob, for taking the lead for the census
10 workgroup. You did a great job on that.

11 MR. COLEY: State your name.

12 MR. HALL: Oh, excuse me, Duane
13 Hall, U.S. Department of Labor.

14 The census workgroup was formed
15 approximately a year ago, and we've been
16 meeting about census data.

17 We provided to the workgroup the
18 2000 numbers, the new census numbers, and then
19 the difference between those two numbers.

20 But I think what's important is not
21 just saying the numbers, obviously, is plugging
22 those numbers into the funding formula and see

1 how that affects our grantees.

2 And as I said when we first started
3 this process, many council members and grantees
4 asked for census numbers, updated census
5 numbers, and I knew that that was going to be a
6 disruption any time we change census numbers.

7 You're going to have a big change in
8 funding for grantees. And some of that could
9 be pretty dramatic.

10 We have grantees receiving over 100
11 percent increase. We have grantees losing
12 around 40-50 percent of their funding.

13 And but, we have to go back to the
14 law, and the law says that the Department shall
15 use the most recent census data available.

16 And we have not been in compliance
17 with that. The data that we've been using is
18 the 2000 census data.

19 So we wanted to give full disclosure
20 to the council and the way we did that was to
21 form a census workgroup who we've been meeting
22 with throughout the year.

1 We have also tried to get these
2 estimated numbers of funding out to our
3 grantees. We put the funding amounts up on our
4 website.

5 We put it in our DINAP digest. And
6 so we tried to make everybody aware of the
7 impacts of these numbers.

8 And so the numbers have been out
9 there for a while. What we haven't posted
10 publicly was the hold harmless.

11 And we're prepared to talk about
12 that today if you like, but I will just say on
13 the hold harmless, we tried to minimize the
14 impact of grantees losing a significant amount
15 of money.

16 And the way we did that was, we
17 proposed what we call a 95 percent hold
18 harmless. And essentially what that means is
19 that you will receive 95 percent of the funding
20 that you received in PY 23, or this past year.

21 It will be a three-year hold
22 harmless. So the first year you will -- if

1 you're losing more than 5 percent of your
2 funding, we will cap that loss at no more than
3 5 percent.

4 Second year, you won't lose any more
5 than 10 percent of your funding. And then the
6 third year, you wouldn't lose any more than 20
7 percent.

8 So the idea is to try to slowly take
9 grantees down to what their new funding
10 allotments will be.

11 In order to do that, we also have to
12 realize that we are taking money from grantees
13 who had increases to supplement or support
14 those grantees who are losing more than 5
15 percent.

16 So grantees who are getting
17 increases, they'll still get increases, but it
18 won't be as much as what they should get based
19 on the formula.

20 So grantees that are losing a
21 significant amount of money, they'll be at
22 their level in three years.

1 They'll slowly be taken down.
2 Grantees' increase in funding will slowly go
3 up, and they'll be at their funding level after
4 three years.

5 I'll stop there and if anyone has
6 any questions, we'll be happy to entertain
7 those.

8 MR. COLEY: Before we take
9 questions, this is Nat Coley. I just want to
10 point out that Duane has been very vociferous
11 about making sure that grantees are aware of
12 the change in funding amounts.

13 I mean, he's been very
14 straightforward. He's been working diligently,
15 long hours, to prepare those charts and
16 understand and even causing a ruckus internally
17 to make sure we implemented a common sense
18 process that really takes into account the
19 considerations of how this change is impacting
20 our grantees.

21 And I just want to applaud Duane for
22 all the work that he's done, and he's really,

1 as he said, we put in our DINEP digest this
2 information.

3 We've had one on one conversations
4 between grantees and FPOs, specifically
5 discussing the changes.

6 I've sent personal emails out to
7 every grantee. We've had one on one
8 conversations with the entire 477 program with
9 DIA coordinating that, so our 477 grantees were
10 aware, a Q and A exchange.

11 We've also posted it on our website.
12 So I think we've, under Duane's leadership,
13 we've really went on a campaign to make sure
14 that this process is as least impactive as
15 possible.

16 And I think that process has been
17 administered from Duane's experience, having
18 gone through this before.

19 So as Duane said, we'll take some
20 questions. Joseph Quintana had first -- sorry
21 --

22 MEMBER HIBBELER: I just want to

1 state that I also appreciate hearing. Nobody
2 likes this, right? So this is going to be
3 really hard.

4 It's going to be a big change to our
5 grantees. And I appreciate hearing how
6 judicious you have been in trying to make it as
7 transparent as possible and inform the grantees
8 of what's happening, especially those that are
9 highly affected.

10 So I appreciate that, and that this
11 point, I'd like to open it up for questions,
12 comments, concerns. Joe?

13 MEMBER QUINTANA: Joseph Quintana,
14 Region 6. I want to echo what was previously
15 chaired by Deputy Chief Coley.

16 I think as we applaud the work of
17 Duane, of course, I think that same leadership
18 that we've been talking about all week and that
19 next generation of leaders who are going to
20 take the medal, I think that's what Jacob has
21 been able to express in his time working with
22 the census.

1 By no means is it an easy task. And
2 I think that you have done diligence. I think
3 for us to see every angle of this and for us to
4 be as cautious as possible, I know these
5 conversations with census group have not been
6 easy.

7 But I think we've had the right
8 people in the room. I think we've had access
9 to working professionals who have provided us
10 guidance and reasoning behind this.

11 We want to offer the communities
12 whom we serve our best perspective. We need to
13 give them our best, our best effort, in
14 understanding the data.

15 And I know it's been talked about
16 that data could be alarming for us, it could be
17 things that we're hesitant about, but we also
18 have to utilize it as a strength for us in
19 order to strategize on the deliverables that we
20 need to achieve long term.

21 And so, I just wanted to express
22 what has already been shared, and also share my

1 thanks to you, Jacob, and your leadership and
2 guidance.

3 And I hope it's continued as we move
4 forward. Thank you.

5 MR. HALL: Thank you. Thank you.

6 MEMBER HIBBELER: Kay Seven?

7 VICE CHAIR SEVEN: Kay Seven, Other
8 Disciplines. For the recommendation, can we
9 get maybe a printed copy of what you just said?

10 That was a lot of information to
11 digest, what you just said, so that we can
12 actually look at it.

13 And what is the step forward to
14 withhold harmless? With council's
15 recommendations, when does the Department of
16 Labor plan to implement the hold harmless? Is
17 that effective this program year?

18 And then this is for the 2014-2018
19 ACS, and I guess there would be other
20 recommendations coming down the road.

21 And when in the future will the
22 Department of Labor request to update the

1 formula with a more current ACS five year
2 report?

3 MR. HALL: Yes, so we'll implement
4 the hold harmless starting this year when we
5 implement the new census numbers.

6 As far as going forward, we get the
7 five year ACS, obviously every five years, and
8 as you stated, it's 2014-2018 data.

9 So it's already somewhat old right
10 now. What I proposed to the advisory council
11 is that the census workgroup has only been
12 created when the census was due.

13 And I wonder if it might be helpful
14 if we kept this census workgroup intact and
15 just continued moving forward with the new
16 census data.

17 I think there's some interest in
18 maybe considering American Indian alone in
19 combination with other races, which this census
20 does not.

21 So, another consideration is do we
22 want COVID data in the five-year census?

1 So there's some things that I think
2 the council needs to consider. But certainly,
3 the data is there.

4 So I think that's a good discussion
5 to have.

6 MEMBER WOJNAS: Just building on the
7 back of Duane's comments there, I don't know
8 that the census workgroup has any specific
9 recommendations for the council to deliberate
10 on at this point in time.

11 I think more so, the goal of my
12 remarks was to share some transparency and
13 context from our prior discussion.

14 And I think we're enthusiastic to
15 see the hard work of the Department continue
16 into the upcoming program year allocation
17 process, and obviously to continue the
18 conversation on our part as to any issue that
19 touches on census or allocation data.

20 MEMBER HIBBELER: Lora Ann then
21 Darrell?

22 MEMBER CHAISSON: Lora Ann Chaisson,

1 Region 4. So Duane, just help me remember.
2 So, in 2000 is when we started using the census
3 with Indian only, is that correct?

4 MR. HALL: I wasn't involved in the
5 1990 census, so I don't -- and I don't know if
6 they had those two categories alone or in
7 combination.

8 But, yes, I seem to think the 2000
9 was the first time they --

10 MEMBER CHAISSON: Right, because if
11 I'm not mistaken, prior to that, it was just
12 Indian and Others, correct if I'm -- I'm
13 looking at the lady here, the one that would
14 remember.

15 But I think it was both, and then I
16 know when they started that, and if my memory
17 serves me correct, was in 2000.

18 And that's when a lot of the
19 fundings were cut. A lot of tribes got a lot
20 of cuts because of that.

21 And I am looking at our community,
22 our tribes, our state in its cut, and it's

1 going to continue.

2 And so, I would like to see the
3 census group to continue because I would really
4 like to see, to be able to have that increase.

5 And we also need to collectively, to
6 advocate for more money.

7 MEMBER HIBBELER: Thank you, Lora
8 Ann. Darrell?

9 MS. SUMMERS: Hey, Darrell, can you
10 do the push to mic again?

11 MEMBER WALDRON: Is that better?
12 Yes.

13 MS. SUMMERS: Yes, perfect. Thank
14 you.

15 MEMBER WALDRON: Yesterday, there
16 was a gentleman in one of the meetings there
17 that said that his area had a 30 percent
18 increase in income for the native families.

19 And he said, so in my tribe, 35
20 percent of my community is not in poverty. And
21 so it's just terrible.

22 Again, it goes back to a lack of

1 understanding of what's going on in Indian
2 Country, out in North Reservation, and a need
3 to educate.

4 Then also, budget. Now, having a
5 bigger budget would not have prevented the
6 change.

7 I do remember, I was on the census
8 committee with Norm and had we did Indian and
9 something else, Indian and other or
10 Multiracial, it would have literally destroyed
11 the tribes because the numbers were that
12 different.

13 And so we did Indian alone to
14 somewhat level the playing field. But the real
15 issue here is it needs to be a better
16 understanding in our communities filling out
17 census data.

18 I was involved with the one during
19 COVID. We shut down early. Those numbers are
20 going to be devastating.

21 So I think it stinks and I doubt
22 those families had an increase in income. I

1 just think that maybe we work to leveraging
2 some of the opportunities that were leveraged
3 here by the Assistant Secretary to put some
4 money back in those budgets.

5 I know the small grantees are going
6 to feel it the worst. So thank you, Darrell
7 Waldron, Region 1.

8 MEMBER HIBBELER: Thank you,
9 Darrell. Any other comments or questions?
10 Erwin?

11 MEMBER PAHMAHMIE: Erwin Pahmahmie,
12 Region 4, Oklahoma. Yes, I'm very thankful for
13 all the hard work that Mr. Hall and Mr., is it
14 Wojnas, has done.

15 But the thing is again too, it's
16 like I remember being in the meeting yesterday
17 with the other grantees and kind of the open
18 discussion, and, yeah, I mean, I very much want
19 to be a part of like let's don't wait another
20 20 years before we do this.

21 And again, Nate, you told me that
22 it's this body that can help design and help

1 formulate that.

2 So we've got some work to do,
3 everybody. I mean, so, I guess we won't be
4 looking for it until sometime after 2026, or is
5 it 2027?

6 Because by then, the hold harmless
7 would have already gone through my those three
8 years, right?

9 MR. HALL: I think that's a
10 discussion to be had. How often do we want to
11 update this data?

12 MEMBER PAHMAHMIE: Yeah.

13 MR. HALL: If you update it every
14 five years, then you have a three-year hold
15 harmless, I think you would be in constant
16 state of flux.

17 People's numbers are changing all
18 the time. But it's something for the council
19 and the Department needs to take into
20 consideration.

21 But, I mean, we can start looking at
22 the five-year, whatever that would be, 2019-

1 2025, yeah, 2024 data.

2 But I think that's something that
3 should be considered. Five years ago and has
4 gone by pretty quickly.

5 And it wouldn't hurt to look at,
6 start looking at data.

7 MEMBER PAHMAHMIE: Yes, so in the
8 course of the impact of COVID-19 in 2020, I
9 mean, and also, too, as I did speak of one time
10 before, sometimes tribes, their enrollment or
11 their memberships have changed.

12 Like mine has changed. We used to
13 be $\frac{1}{4}$. Now we're $\frac{1}{8}$. So again, too, we're
14 having more influx of the need is there but the
15 money is not.

16 And if we're basing off of numbers,
17 then, yeah, those numbers aren't as current as
18 they could be.

19 I appreciate all the data and all
20 your hard work, gentlemen. Thank you.

21 MEMBER HIBBELER: Thank you, Erwin.
22 Nat, I think you had a comment, and then

1 Darius.

2 MR. COLEY: This is Nat Coley.
3 Duane kind of commented on that that we're
4 still looking for guidance on how often we
5 should be updating the data.

6 I know within the Department, the
7 data on the long form of the census collection
8 that was administered every 10 years is not
9 administered every year.

10 So we do have a fresh set of data
11 which includes an amalgamation of an increasing
12 diversity of areas that's being captured in
13 that data set and extrapolated to represent the
14 larger population.

15 So the data is available every year.
16 Of course implementing a new funding regime for
17 organizations on a year to year basis would be
18 completely disruptive.

19 But I think it's not -- going every
20 10 years is probably not palatable, right, at
21 this point either, because we do have
22 demographic shifts.

1 So somewhere within some type of
2 timeframe is what we're looking to identify
3 within the council.

4 MEMBER WOJNAS: I think just further
5 to the point that Nat was making, to the extent
6 that the ACS data is a collated set of samples
7 over a five-year period, doing a five-year
8 cadence in addition to potentially minimizing
9 the impact and sort of the differences between
10 the data sets would also allow us to use
11 consecutive, non-overlapping data for each of
12 the updates.

13 MEMBER HIBBELER: Thank you, Nat,
14 and thank you, Jacob. Darius?

15 MEMBER SMITH: Darius Smith, Region
16 4. Census numbers are interesting. I actually
17 have a really good friend, you all may know
18 her, her name is Shadana Sultan.

19 Shadana works with a new internal
20 program that advocates for accountability to
21 Indian country.

22 Shadana is based out of Denver.

1 It's a small team. But that's what they do is
2 they work with these numbers.

3 And I don't know if our committee or
4 your committee has been working with her, but
5 during COVID, I know my tribe, the Dine Nation,
6 our numbers went up.

7 The tribe, my particular tribe, they
8 did a really good job of really start capturing
9 all our members in the -- so our numbers just
10 blossomed.

11 So, I'm encouraged to hear that
12 that's considered, that using numbers from the
13 tribes, because I think some of the tribes did
14 a wonderful job of mobilizing and identifying
15 tribal members.

16 And I want to be considered to be on
17 the committee if this body continues to look at
18 census number data. I want to be part of that.
19 So I'm just volunteering in advance.

20 MEMBER HIBBELER: Thank you, Darius.
21 We like that. Candace?

22 MEMBER LOWRY: Candace Lowry, Region

1 3. Will this information for our federal
2 project officers, will it be -- will they meet
3 with each of their grantees so they can see
4 that decrease over time so that they can plan
5 for the activities for the participants of
6 their programs? Is that something that's in
7 the works?

8 MR. COLEY: This is Nat Coley. Our
9 FPOs, federal project officers, have been
10 meeting with grantees to have these
11 discussions.

12 And we posted, so it's a three-year
13 phase-in, so you'll be fully phased in in 2026
14 or 2027.

15 So you'll be able to look at that
16 full phase-in amount, which will gradually
17 occur over a period of years, and you can -- if
18 you take your amount that you're currently
19 getting -- and we'll publish this as well, but
20 just in an open forum, that if you were to
21 multiply your current value and if your amount
22 listed on the document is decreased, you will

1 be -- you will be -- if it's more than 5
2 percent, you'll be limited to 5 percent
3 reduction.

4 I'm sorry, the answer to your
5 question is yes. Duane has been working hard
6 on making sure that process and those numbers
7 are correct.

8 And we'll be prepared to make those
9 public as soon as they are reviewed internally.

10 MEMBER HIBBELER: So just to
11 reiterate from what Candace said, so the answer
12 is, yes, you already had conversations with
13 those tribes, 166 or 477 programs that are
14 going to realize the impact?

15 MR. HALL: So our FPOs are having,
16 they have quarterly meetings and monthly
17 meetings and I know that was what they had
18 advised or made the grantees aware of, is that
19 the state is published on our community of
20 practice website and then also in the DINAP
21 Digest.

22 What is new and what hasn't been

1 shared yet is the three-year hold harmless,
2 that phase-in approach.

3 That has not been shared. We just
4 kind of came to an -- there was a -- there was
5 some discussion about how we implement that
6 hold harmless, that on top of kind of getting
7 the budget late from Congress and a delay that
8 phase-in question about five-year phase-in.

9 How do you determine the money to
10 take from the gaining grantees, and that's --
11 we had to work that out with our budget office.

12 So we have those numbers now. We
13 haven't shared them. We can share them with
14 the advisory council.

15 But I think what we've tried to
16 communicate to our grantees that I shared with
17 the FPOs and said it was okay to share is that
18 I think we've agreed, oh, probably a couple
19 months ago that we would use a 95 percent hold
20 harmless and what that means.

21 And so I think the grantees who are
22 having large losses and saw those and they

1 called their FPO, and the FPO basically laid
2 their concerns about you're not losing that
3 much in year one, right?

4 So I'm not sure if that answers your
5 question but --

6 MEMBER HIBBELER: So it sounds to me
7 like there may have been some conversation
8 about year one but the implication about what
9 happens in year two and year three probably
10 hasn't happened yet.

11 MR. HALL: Yeah, I don't think we've
12 really -- grantees have been fully informed on
13 what the whole three years is going to look
14 like, just a basic conversation about you won't
15 lose more than 5 percent in year one.

16 And I don't know if they discussed
17 year two or year three.

18 MEMBER HIBBELER: Does that answer
19 your question, Candace?

20 MEMBER LOWRY: It wasn't discussed
21 at all with my grantees, but maybe our new rep
22 will let us know something.

1 MEMBER HIBBELER: Joseph?

2 MEMBER QUINTANA: Thank you for
3 that. Joseph Quintana, Region 6. I know a lot
4 of these conversations have continued to
5 happen.

6 They were I think all the way up
7 into the last two weeks. We've continued to
8 meet with not only as a group but as
9 representatives within the Census Bureau as
10 well, because we wanted to look at it from
11 every direction and thanks to Duane and Jacob,
12 too, for your guidance and leadership on this,
13 and making sure that we were as steady as
14 possible on this.

15 And I think that only recently in
16 that most recent conversation did we discuss
17 what that potential three-year term could look
18 like as far as dispensing that information.

19 So that is a comment. The question
20 that I have, too, is do we have an overall plan
21 as you all have done with the initial
22 conversations with awardees as far as being

1 able to disseminate that information now that
2 we have it? Or is that something that has to
3 be voted on by this council in order to move
4 forward from there?

5 MEMBER HIBBELER: And in
6 relationship to that, Joseph, I know you have
7 to have the hold harmless discussion with
8 council.

9 Do we need to pass some sort of
10 resolution? Do we need to act on it? Or is it
11 just a discussion and you gather feedback?

12 And then another question I have is
13 for you, Jacob, and your committee. So the
14 census has been pretty vocal in every decennial
15 census, putting out information about what they
16 think that undercount is for American Indians.

17 And we've always been the largest
18 undercounted group. Is there any opportunity
19 to filter that undercount percentage that comes
20 directly from the census into these figures?

21 MEMBER WOJNAS: So I think the tough
22 thing about the undercount percentage, and I

1 might not be thinking about all the avenues in
2 which we can use that data, to the extent that
3 those statistics are provided to us, Patti, on
4 sort of a national average, and we know what
5 the national undercount is for different
6 population groups, including the American
7 Indian, Alaskan Native, and Native Hawaiians, I
8 think to some extent, the difficulty with
9 undercount figures is there's an estimation of
10 what it looks like on a national basis, but in
11 any particular community, you can have very
12 small communities, for example, where
13 respondents receive the ACS inquiry and don't
14 end up throwing it out.

15 And because it's such a small
16 community, the fact that that data doesn't end
17 up making it in there, can result in
18 undercounts that really vary around the
19 country, even for a group as specific and small
20 as American Indian reservation communities.

21 So we could take that question back
22 to some of the subject matter experts that we

1 have on the census workgroup and our BLS
2 statistic experts as well.

3 But I don't know that there's an
4 easy way I guess to use that information in a
5 way that improves the fidelity of this data.

6 I think it makes us aware I think of
7 the limitations. I think there are limitations
8 at a local level that we probably can't
9 quantify, but I don't know that there's
10 anything that we can do statistically to your
11 point with just the facts that we know about
12 the undercount I guess to reverse the impact of
13 it.

14 MEMBER HIBBELER: And then, Kay,
15 you'll be next, but what does it look like if
16 we go back and we look at the effects of COVID?

17 So you'd mentioned COVID as part of
18 the data.

19 MEMBER WOJNAS: And the COVID
20 question, I think, really ends up being one
21 when we look forward at the next data set, sort
22 of 2019 through I guess 2024, which we haven't

1 touched on at this point in time.

2 I know there are a number of
3 advocacy groups and sort of get out the vote
4 type groups that have done quite a bit of
5 research on the COVID impact, both as it
6 relates to the decennial census but also as it
7 relates to the ACS.

8 And I think that's, as we look
9 forward to the next program year, basically
10 whatever the next iteration of this data ends
11 up being, I think to Duane's point, that's
12 something that's going to have to be top of
13 mind.

14 It shouldn't be affecting the
15 figures that we have currently, as those ended
16 in 2018. But I think it's something to be
17 mindful of and a key topic of consideration for
18 the census workers and this council.

19 MEMBER HIBBELER: Thank you, Jacob.
20 Kay?

21 VICE CHAIR SEVEN: So I think what
22 I'm going to say probably goes back to

1 continuation of the census committee continuing
2 its work, because there's questions.

3 What ACS in the future is going to
4 make a difference?

5 And in order to make the difference,
6 what is it that tribal nations or Indian
7 Country needs to advocate for?

8 Is it for the next ten years? What
9 is the response rate for ACS? It's probably a
10 really low number.

11 And are there problems with the ACS?
12 Because census will only mail to residential
13 addresses.

14 What percent of a tribal nation area
15 or geographical area receives mail using post
16 office boxes?

17 So what are those issues that are
18 affecting these numbers? And so that's the
19 continuation of work.

20 That's the continuation of
21 partnership with the national partnership
22 meeting talking about census data, meeting with

1 census.

2 They meet monthly and they have been
3 ongoing. So there's work. But is there any
4 near future solution that's going to make
5 anyone satisfied or be content?

6 But how long can we inform our
7 community, this is about how many years we're
8 going to wait, but in the meantime, this is
9 what we need to do?

10 So, that's my comment.

11 MEMBER HIBBELER: Thank you, Kay.

12 Nat?

13 MR. COLEY: Yes, I think one of the
14 questions was what are the next steps of the
15 council?

16 And I think the council has laid out
17 a framework on how to implement this data and
18 implement the process.

19 And I think that we've moved forward
20 with those recommendations and the framework
21 that we've put forward with minimal impacts.

22 I think that that's what the council

1 has voted on, the framework, and we're guiding
2 on that framework.

3 I think as Jacob mentioned earlier,
4 at this point, we didn't have any items to vote
5 on by the council.

6 I think the next set of
7 recommendations would be on the periodicity of
8 implementing the data set between some period
9 that makes sense.

10 And if there is some, as Kay said,
11 some creative ways that we can be advocates at
12 the Census Bureau, that would be an opportunity
13 for us to close maybe something proceed gaps
14 and statistical processes or extrapolating
15 data.

16 I did share in one of our DINAP
17 Digests an opportunity for representatives to
18 serve on the census.

19 They had a committee that they were
20 establishing.

21 So I'm not sure if anyone heeded
22 the call in the DINAP Digest, but I did make

1 some calls and send it directly to some folks
2 on the council.

3 So thank you so much.

4 MEMBER HIBBELER: Thank you, Nat. I
5 don't know if anybody here wanted to join that
6 particular committee as Nat had described or if
7 you have any experts back home that might be
8 interested.

9 I think that's very important.
10 Joseph?

11 MEMBER QUINTANA: Joseph Quintana,
12 Region 6. If there's a nomination involved, I
13 nominate Jacob Wojnas.

14 MEMBER HIBBELER: I'm going to
15 second that. We're putting you forward, Jacob.
16 Any other comments?

17 Yeah, this is a very kind of somber
18 ending of today's meeting, but something we
19 knew that was in the works.

20 And we definitely appreciate you
21 thinking it through and being very thoughtful
22 and bringing forward the hold harmless.

1 I think that's a really important
2 piece of the plan moving forward.

3 In regards to what it looks like for
4 when we go through this process again, how far
5 out is that?

6 I really look to you Jacob, and your
7 committee, to make some sort of recommendation,
8 provide some options to the council.

9 What are the implications of those
10 options that we can begin to respond to?

11 MEMBER WOJNAS: Yeah, that's noted,
12 and we can take that with us into our next
13 workgroup meeting following this council
14 meeting.

15 I think I've appreciated the
16 thoughts and perspectives that folks have had
17 about continuing some of this engagement and
18 work going forward.

19 And we're going to create a process
20 that doesn't feel like it's necessarily
21 stopping and starting around each update. I
22 appreciate that guidance, Patricia.

1 MEMBER HIBBELER: I would like to
2 see the census workgroup just continue as our
3 other workgroups and not one that just gears up
4 the year before we have the data analyzed.

5 MR. HALL: Duane Hall, Department of
6 Labor. I think as the workgroup, we would be
7 remiss if we didn't acknowledge all the work
8 that Norm DeWeaver did on this.

9 And he's no longer with us, but I
10 don't know if we could have done this without
11 all his pre-work before.

12 So he's not here to see the fruition
13 of the hard work of this committee, but I just
14 want to acknowledge that.

15 I recognize it. We couldn't do it
16 at the Department of Labor without his input
17 and guidance. Thank you.

18 MEMBER HIBBELER: Duane, that is
19 very much appreciated. And for you reminding
20 us of that.

21 We are indebted to his years of
22 service to this committee and Indian and Native

1 American programs.

2 And I like to think he's smiling at
3 us at some level today and really thinking
4 about where this committee has taken that
5 information and the recommendations that you're
6 leading forward with. So thank you. Darrell?

7 Darrell would like to make a motion
8 to adjourn for the day. Do we have a second?

9 MEMBER LOWRY: I second it, Candace
10 Lowry.

11 MEMBER HIBBELER: Seconded by
12 Candace. All in favor?

13 (Chorus of aye)

14 MEMBER HIBBELER: Meeting adjourned.

15 (Whereupon, the above-entitled
16 matter went off the record at 4:21 p.m.)

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This is to certify that the foregoing transcript


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and Training Council Meeting

Before: US DOL

Date: 05-16-24

Place: Orlando, Florida

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