

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

*WEDNESDAY, SEPTEMBER 22, 2021*

The Council met via teleconference, at 1:36 PM EDT, Darrell Waldron, Chair, presiding.

**Present**

Darrell Waldron, Region 1 & 2, Chair  
Jacob Bernal, Region 6, Vice Chair  
Kim Kaniatobe Carroll, Other Disciplines, Secretary  
Christine Campbell, Region 5  
Lora Ann Chaisson, Region 4  
Patricia Hibbeler, Region 6  
Matthew Lamont, Other Disciplines  
Candace Lowry, Region 3  
Erwin Pahmahmie, Jr., Region 4  
Joseph Quintana, Region 6  
Gary Rickard, Region 6  
Kay Seven, Other Disciplines  
Winona Whitman, Region 6-Hawaii

**Absent**

Joe Hobot, Region 5  
Chief Anne Richardson, Region 2  
Michael Tucker, Region 6-Alaska

**Also Present**

Athena Brown, Designated Federal Officer (DFO); Chief, Division of Indian and Native American Programs (DINAP)  
Suzie Casal, Tribal Tech, LLC  
BC EchoHawk, Tribal Tech, LLC  
Courtney McCusker, Tribal Tech, LLC  
Lorenda Sanchez, CA Indian Manpower Consortium

**Blessing/Call To Order/Roll Call**

Athena Brown, Designated Federal Official, gave the blessing at 1:36 PM. The Chair called the meeting to order. The Secretary conducted a roll call and determined that there was a quorum.

**Approve Minutes and Follow-up of motions and resolutions – June 15-16, 2021 Council Meeting / Review and Approval of Agenda**

Councilmember Campbell moved to approve the minutes. Councilmember Hibbeler seconded the motion. The motion passed unanimously.

## **Report Out on Meeting with Secretary Walsh**

The Chair indicated that there was a productive meeting with Secretary of Labor Martin J. Walsh. NAETC representatives discussed the concerns they are looking for support on. There was an acknowledgement of understanding of those concerns, and there appeared to be a positive attitude towards some of NAETC's requests. Secretary Walsh reiterated that he would make himself available to speak with NAETC going forward; doing so via Zoom makes it easy for his office to communicate.

There were also two follow-up discussions, one with Brent Parton, Senior Advisor at the U.S. Department of Labor (DOL), and another with Richard Cesar, Deputy Director of Intergovernmental Affairs at DOL. NAETC went over the statement of urgency in detail with Mr. Parton. NAETC also provided copies of previous statements that the Advisory Council has issued that it believes have not been properly responded to. They also discussed the need for a budget increase, in large part because of increased training costs due to COVID-19, as well as the rising cost per participant on apprenticeship, infrastructure, and other opportunities that are arising under the Biden Administration.

The Chair said that he does anticipate another meeting. It has been difficult to conduct business and get answers during the COVID-19 pandemic during which the Council has only met three times. The Council is about to change again because the term limits are expiring and new members have been put forward. DFO Brown confirmed that all of the terms expire on October 23rd. She is currently compiling all of the materials along with a decision memo that will move forward through the correspondence tracking system internally at DOL. All of the candidates who have submitted nominations will be vetted. There are some new nominations, and there are a few Councilmembers who did not submit an application for re-nomination.

The Chair said that he does not believe the Board is meeting often enough to conduct business and be an effective advisor to the Secretary. There has been some communication back and forth on the work groups which have convened in between the full Council meetings. The Chair hopes to put forth an aggressive working agenda that can be picked up imminently by the new group after the new Councilmembers are officially sworn in.

## **WIOA Reauthorization/NAETC Recommendations and Discussion**

The Chair asked the members to review a document called Considerations for Workforce Innovation and Opportunity Act (WIOA) Reauthorization. The Council discussed rules that require participants to remain under the same employer in order to count as positively employed. If the participants are not with the same employer, there are no supplemental benefits. DFO Brown clarified that DOL is coming out with a notice of proposed rulemaking because one of the performance indicators serving the effectiveness of employers has never been defined in WIOA law. All of the other performance indicators were explicitly defined.

On October 18, DINAP will host a town hall to go over preliminary information on what the Department is planning in terms of a formal tribal consultation. Perhaps recommendations can come from this body regarding that proposed rulemaking. One of the questions that arose from the last town hall was: is this measure going to be applicable to the supplemental youth

services program? A large percentage of the grantees operate summer-only programs. This would of course affect those grantees. Right now there is no data collection system in place for the youth measures; that data only exists for the adult program.

Councilmember Campbell pointed to language on page 1, Section 166 of the Considerations for WIOA Reauthorization document: “Every four years, the Secretary shall on a competitive basis...” Councilmember Campbell suggested that “competitive basis” should be changed to “discretionary basis.” DFO Brown said that the intent was to change the program from a competitive basis. The intent was to strike “shall on a competitive basis,” and read: “Every four years, the Secretary shall make grants to or enter into contracts or competitive agreements.”

Councilmember Carroll made a motion to revise the language as described, with a second by Councilmember Campbell. The motion passed unanimously.

Councilmember Hibbeler suggested going through each of the proposed changes one by one for the record. The Chair introduced the subject matter expert, Lorenda Sanchez, Executive Director of the California Indian Manpower Consortium, to assist in the wordsmithing process.

Councilmember Seven requested a better picture of what the WIOA reauthorization schedule looks like for rulemaking. She also asked if it is important for the Council to make a decision before the end of the week, because it is going to be too late before another Council gets reorganized. DFO Brown said the set dates have not yet been established by Congress on WIOA reauthorization. However, the subcommittees and committees are in the process of contacting interest groups to compile those recommendations and other feedback on WIOA. DFO Brown shared that DINAP is also looking at fixes to some of the language in WIOA after working with all of the different partners at the Office of Workforce Investment (OWI).

Vice Chair Bernal gave a quick historical perspective on the WIOA issue. The statement of urgency was developed in May 2021. The Advisory Council was informed that it could not present that document on behalf of the Council because it was not duly presented and approved. Therefore, the statement of urgency was presented under the heading of National Congress of American Indians, the 477 group, and the Native American Employment and Training Conference Committee. Subsequently, the entire Council had a meeting to present the paper, and it was approved and endorsed by the Council, which gave the green light to move forward at the request of the Secretary of Labor. On June 30, a small group discussed reauthorization with the Secretary of Labor. During that meeting, the Secretary encouraged the Council to submit recommendations on WIOA reauthorization. That is when the Consideration for WIOA Reauthorization document was born.

Councilmember Hibbeler made a motion to review the considerations for WIOA reauthorization overnight, thereby adjusting the following day’s agenda to accommodate additional discussion on the matter. The motion was seconded by Councilmember Carroll. The motion passed unanimously.

### **Training and Technical Assistance, Outlining Priorities**

DFO Brown said that under the current training and technical assistance contract DINAP still is responsible for support of the national and regional conferences. They also support the peer-

to-peer training. DINAP has acknowledged that it needs to provide more virtual training because of the ongoing COVID-19 pandemic. Many grantees continue to struggle with using the technology; therefore, providing additional training has been prioritized. DINAP would like feedback from the Council on how effectively the national and regional sessions are structured. There is also a dire need for financial expertise. DINAP now provides a financial consultant that works with Tribal Tech contract to assist grantees in that area, but down the line they are looking at making financial management a priority.

Councilmember Pahmahmie suggested that, with many things being conducted virtually, there are now even more opportunities for mentorship in the community. He shared that in his role as a 166 and 477 representative, there is not a lot of guidance on what he should be doing, such as conducting listening sessions or how best to connect with the people he represents. The Advisory Council should implement more uniform guidance geared toward ensuring that everyone is represented.

Councilmember Hibbeler said it would be helpful to think about a system where the Council can mentor new directors and grantees that come onboard. It is a very complicated system, and sometimes people forget that after they have been using it for many years. She also emphasized the importance of training younger people to take on key roles as current participants retire in the future.

Councilmember Quintana said that we are all learning the importance of utilizing new opportunities for communications as we work through the COVID-19 crisis. As a new grantee, he can understand the need for support in utilizing not only the federal representative, but also being able to build trust and a support network among the other agencies.

Councilmember Rickard remarked that after over 30 years of working in this program, he finds that one of the biggest problems is the failure to give the proper training to the case managers as they come on. After about a year, they get frustrated because they have not received the requisite training on how to properly manage a growing caseload. As a result, the turnover is tremendous, and over half of the individuals performing in that role every year are new hires. It is essential that the program be designed to teach case management.

Councilmember Hibbeler emphasized the importance of training for nonprofit organizations that are administering the program, particularly their fiduciary responsibility training for board members.

### **NAETC Subcommittees Review/NAETC Two-Year Strategic Plan Update**

DFO Brown shared the most recent strategic plan, which has not been updated with any additional tasks or subtasks. Councilmember Hibbeler confirmed that the committee met for a strategic planning session on June 17-18 where they discussed some outstanding issues and concerns. Throughout those two days, participants' notes were shared and Tribal Tech drafted a strategic plan. The Council has not yet revisited that document, and Councilmember Hibbeler recommended that it should be cleaned up and reviewed before October 23 so that the structure is in place for the incoming Council.

Councilmember Carroll suggested creating a roster that documents who is on each of the work groups. The work groups can continue to meet even though the individuals on them may be off the Council because they are separate. She also suggested taking a look at the prior work group lists to see who is interested in continuing work on their efforts.

DFO Brown confirmed that the work groups make recommendations to the Council, and they only become formal recommendations once they are accepted by the Council. Right now the Advisory Council has three work groups: (1) Census, (2) Effective Management, and (3) Performance and Reporting. The other work group that there were questions about is a youth work group. Under FACA, it is recommended that each work group has a name, a chairperson, and a defined mission.

Councilmember Seven questioned the need for a Census Work Group, suggesting that topic could fall under the Effective Management Work Group's purview. Councilmember Carroll said it would be a good idea if the Census Work Group also worked on the labor force survey. She suggested that the main focus of this broader work group should be data as a whole.

DFO Brown suggested that the Chair should identify a chairperson to lead each of the work groups that do not currently have one. Only the Effective Management Work Group had an existing chairperson, which is Councilmember Hibbeler. The objective of the Effective Management Work Group is to streamline multiple work groups of the Advisory Council and develop recommendations to the full NAETC on matters of a general nature affecting the operation and administration of the Section 166 program. These matters may overlap with a combination of other work group objectives and may cover issues of urgency. In terms of deliverables, the work group may be tasked with developing recommendations to the full Council for the complete implementation of WIOA over the next two years.

Councilmember Carroll volunteered to chair the Census Work Group. The objective of the Census Work Group is to help ensure that all grants are based on the latest available data and estimates satisfactory to the Secretary; that all data related to disadvantaged adults and youth shall be based on the most recent data from the Census Bureau; and that ETA applies the notice of proposed rulemaking stating that the data and definitions used to implement the funding and formulas is provided by the Census Bureau.

The Chair appointed Councilmember Quintana to lead the Performance and Reporting Work Group. The objective of the Performance and Reporting Work Group is to develop a set of performance standards in addition to the primary indicators for performance described in Section 116 of WIOA. WIOA requires core performance indicators for the adult and youth programs, which is a drastic change to the performance indicators under the Workforce Investment Act (WIA). The Council is required to develop additional performance indicators in addition to the core indicators.

#### **477 Update from Federal Partners Meeting**

Councilmember Seven delivered the update. Under the statute Public Law 115-93, the Indian Employment, Training and Related Services Consolidation Act of 2017, it is the responsibility of

the Department of the Interior to organize an annual meeting of the tribes and the federal partners. That meeting occurred on Thursday, September 16.

The primary concern of the 477 tribes is the non-response by the federal agencies to the tribes' request to relook at the memorandum of agreement (MOA). The MOA was constructed by federal agencies with little or no consultation from the tribes. The 477 tribes have been opposed to the MOA since its release in December 2018.

Bryan Newland, the newly appointed Assistant Secretary of Indian Affairs, is tasked with addressing these issues and is working toward a response to the tribes. The 477 tribes are looking forward to activity on that front. From the tribal perspective, this is legislation that is going to sustain the tribes over decades. The proposed legislation is intended to resolve issues that have been dealt with since 1992.

Councilmember Carroll shared that out of 12 federal partners who were invited to the meeting on Thursday, only six were in attendance.

### **Recap**

The Chair indicated that there are several outstanding issues moving forward with regard to the requests that were put forth to the Secretary of Labor. The Advisory Council will make time to discuss a resolution for the waiver on performance for the youth, particularly with regard to recent changes to employment law.

The Council recessed for the day at 4:41 PM.

*THURSDAY, SEPTEMBER 23, 2021*

The Council met via Teleconference, at 1:02 PM EDT, Jacob Bernal, Vice Chair, presiding.

### **Present**

Darrell Waldron, Region 1 & 2, Chair  
Jacob Bernal, Region 6, Vice Chair  
Kim Kaniatobe Carroll, Other Disciplines, Secretary  
Christine Campbell, Region 5  
Patricia Hibbeler, Region 6  
Matthew Lamont, Other Disciplines  
Candace Lowry, Region 3  
Erwin Pahmahmie, Jr., Region 4  
Joseph Quintana, Region 6  
Gary Rickard, Region 6  
Kay Seven, Other Disciplines  
Winona Whitman, Region 6-Hawaii

### **Absent**

Lora Ann Chaisson, Region 4  
Joe Hobot, Region 5

Chief Anne Richardson, Region 2  
Michael Tucker, Region 6-Alaska

**Also Present**

Athena Brown, Designated Federal Officer and Chief, Division of Indian and Native American Programs

Suzie Casal, Tribal Tech, LLC

BC EchoHawk, Tribal Tech, LLC

Duane Hall, Division of Indian and Native American Programs

Courtney McCusker, Tribal Tech, LLC

Kim Vitelli, Office of Workforce Investment

**Blessing/Call to Order/Roll Call**

The Vice Chair called the meeting to order at 1:02 PM. Athena Brown delivered the blessing.

**Update from the Office of Workforce Investment, Employment and Training Administration**

The Vice Chair introduced Kim Vitelli, Administrator of the Office of Workforce Investment at the Employment and Training Administration (ETA). Earlier this week the Advisory Council heard from Brent Parton, Senior Advisor, on ETA activities related to apprenticeship. Suzan LeVine, former Principal Deputy Assistant Secretary, retired from her post in August. The new Acting Assistant Secretary is Angela Hanks, who has been working as a senior counselor to Secretary Walsh. ETA's front office has two other Deputy Assistant Secretaries, Lenita Jacobs-Simmons and Nick Lalpius. The President has also officially nominated an Assistant Secretary for ETA, Jose Javier Rodriguez, who is awaiting Senate confirmation.

Ms. Vitelli shared what ETA has been learned with regard to WIOA reauthorization. The budget has kept Congress very busy. There has not been as much activity lately on WIOA reauthorization. However, the House did hold some hearings in June, where the Secretary shared some of his priorities, which included laying out some broad WIOA reauthorization principles. Among the foremost goals expressed was ensuring that women, people of color, people in recovery, people with disabilities and underrepresented communities can all obtain good paying, high quality jobs.

The Secretary has been focused on evidence-based activity and translating values into action. This is reflected in the emphasis on registered apprenticeship. DOL has been emphatic in its support for registered apprenticeship, and has proposed increasing funding to support it. While apprenticeship has its own authorizing statute under the National Apprenticeship Act, there are also opportunities to better connect the National Apprenticeship Act and WIOA that are authorized.

There has also been an emphasis on gathering and publishing data on the outcomes of training providers, both to help individual people make good decisions about training, and also for states and employers to know which training providers are most effective in producing positive employment outcomes. On the state formula side, that has come through in the DOL disseminating data that the states collect on the actual training institutions, and what the employment outcomes are for the people who move through those programs.

Using evidence to translate values into action has also manifested itself in leveraging WIOA reauthorization to expand opportunities for paid work experience in on-the-job training and work-based learning for workers and youth. There is ample evidence that early paid or unpaid work experience makes a dramatic impact on youth career trajectory. The Secretary's testimony to the Hill emphasized how important it is to make any necessary adjustments of the statute so that more people can take advantage of it.

Councilmember Seven asked about the "One Workforce" concept that was explored by the Trump Administration, and whether or not the Biden Administration will be doing anything similar. Ms. Vitelli confirmed that some of the root ingredients in One Workforce are still being worked on now. Secretary Walsh has been very interested in making sure that the DOL is working hand-in-hand with other agencies. The White House has established inter-agency working groups on a number of issues, including racial equity, re-entry for returning citizens coming out of incarceration, and transformation to different forms of energy.

Councilmember Carroll asked whether or not any tribal consultation has been arranged for WIOA reauthorization. Ms. Vitelli said she does not know how Congress intends to handle that. There has not been a tribal consultation yet on WIOA reauthorization.

Councilmember Quintana asked if there will be any type of allocation given to WIOA programming, and specifically American Indian workforce development, in the Build Back Better program. Ms. Vitelli said there have been a number of different proposals debated on the Hill. Right now the action is with Congress on a whole myriad of programs, some of which has been voted on the House. What the Senate is working on is less clear, as they have not voted on a bill yet. There are a lot of new programs named in the health bill, as well as increases in established programs. As such, DOL is in the process of considering how to quickly bring several new programs online simultaneously.

Councilmember Seven asked for an update on the Indian Labor Force Report. Ms. Vitelli said that Wayne Gordon's team is working on a paper looking at how best to capture a statistically valid, but also meaningful and granular set of data. In the 477 meeting, Mr. Gordon shared the initial data that they have pieced together. The initial report will lay out options and give a picture of the current numbers. In laying out those options, the next step is formal tribal consultation to discuss which of those options would be most valuable.

### **Proposed Changes and Approval of the Agenda**

Councilmember Hibbeler made a motion to change the agenda. She proposed that after the Census Update and Tabulations, the next item on the agenda, be replaced with continued discussion and voting on the WIOA reauthorization recommendations, with the existing time slots altered accordingly. Councilmember Campbell seconded the motion. The motion passed unanimously, and the updated agenda was approved.

### **Census Update and Tabulations**

Duane Hall, Lead Federal Project Officer at DINAP, delivered the update. The Department is trying to update the census data that is used in its funding formula. Currently the 2000 census data is still being used for the funding formula. The census data is used to determine how many



low income and unemployed American Indian, Alaska Native and Native Hawaiian individuals are located in a geographic service area. The law requires that this information gets updated.

Funding allocations for the Indian and Native American Employment and Training Program are based on funding formulas defined in the Workforce Innovation and Opportunity Act at 20 CFR 684.270 and 684.440.

Starting in 2018, DINAP reached out to the U.S. Census Bureau and entered into a memorandum of agreement for them to provide updated census data. The cost to get the updated census data was approximately \$100,000. It is more complicated than most formulas in the census data gathering process. Unlike state formula census data, this specialized data has to look at reservations, small Alaska Native villages, and Oklahoma tribal statistical areas. The INA program does not get more funding if American Indian and Alaska Native unemployment or poverty numbers increase, but it does affect the individual allotment amount. An increase in unemployment and poverty numbers in a service area does not necessarily mean that they will receive an increase in funding.

The source of data that the Census Bureau has used for the past 40 years to calculate the DOL Indian and Native American workforce program grants no longer exists. No data was collected on unemployment, poverty or other socio-economic characteristics in the 2010 decennial census. The Bureau now uses a different method to calculate the grants, the American Community Survey (ACS). While the questions are largely the same as those seen previously on the "long form" decennial census, the ACS is otherwise very different. The ACS sample size is smaller, which has a significant impact on the amount of sampling error in the data. Likewise, the collection methodology is different, in that the ACS is an ongoing survey that is mailed to a sample of households every month. There is very little outreach effort to familiarize people with the survey. The tabulation methodology is also different. In order to produce data that the Bureau deems adequately reliable for all areas, it must aggregate responses over a five-year period. The most recent tabulations are based on ACS estimate data from the period of 2014 to 2018.

Mr. Hall indicated that DINAP is close to getting numbers that they can share with the Advisory Council for its consideration. He said it is important to recognize that when the transition occurred from the 1990 data to the 2000 data, some grantees lost funding while others gained funding. Some of those gains and losses were quite significant. When the change is made from the 2000 census data to the five-year ACS, the same kinds of gains and losses are to be expected. It is not perfect, but it is the best available data.

Councilmember Seven suggested that the Census Work Group should determine how often the ACS tables should be updated to reevaluate the funding formula. Will it be every five years or every 10 years? She also asked if there will be any hold harmless provision for grantees that lose funding. Mr. Hall said there would likely be a hold harmless in place.

Councilmember Carroll asked if it would make sense to review the funding formula every four years. Mr. Hall said that would seem to make some sense. They would just need to look at the cost and how quickly the data can be turned around.

## **Continued Discussion and Voting on the WIOA Reauthorization Recommendations**

The Chair joined the meeting at 2:15 p.m., and he asked for additional comments on the WIOA reauthorization recommendations. Councilmember Pahmahmie said that the document emphasizes key points that have been brought up historically by previous Councils as well as the current Council. He indicated that he supports the initiative to the fullest extent.

Councilmember Campbell made a motion to strike “competitive basis” from the language in Section 3. Councilmember Pahmahmie seconded the motion. The motion passed unanimously.

Councilmember Carroll moved to accept all of the additional proposed changes that were indicated in red. Councilmember Campbell seconded the motion. Councilmember Quintana said he felt like Section 166(a)(ii) has already been previously described. He suggested replacing “first nation people” with the original term, American Indian, Native Hawaiian or Alaska Native, as it currently does not encompass the off-reservation organizations that are providing services as well. Councilmembers Carroll and Campbell accepted that amendment to the motion. The motion passed unanimously.

## **DINAP Report Out and Updates**

DFO Brown gave an overview of activities DINAP has been working on throughout the year and what is anticipated for the upcoming program year. The Technical Assistance and Training (TAT) contract was renewed, and the second year will continue until June 20, 2022, at which time additional monies will be added to the contract. DINAP used the allowable percentage, 1 percent of the TAT amount, for a total amount of \$385,087, and this contract supports the regional and national conferences, including peer-to-peer. It provides materials and administrative support for the Advisory Council meetings, as well as the Indian and Native American Community of Practice website.

DINAP encourages all of the Section 166 and 477 grantees to register with the INA WorkforceGPS website because there are key funding announcements that are posted there. There are also a lot of training and technical assistance materials, as well as presentations and visuals that everybody can use. DINAP also provides customer support to grantees on the legacy system, BearTracks, because they still process the supplemental youth services data using that platform.

The program year 2021 funding allotments were sent out through a Training and Employment Guidance Letter, TEGE-20-22. All of the FPOs received copies of the grant documents from the Office of Grants Management. It is maintained through an eGrants electronic system, which is periodically checked to make sure the grant documents and awards have been sent out.

The Grantee Performance Management System (GPMS) rollout is well underway. All of the grantees are currently using the new system for their comprehensive services program reports. It is a web-based platform, which is significantly easier to access than the legacy standalone system. DINAP has received positive feedback from the grantees thus far. They seem to appreciate the reduced reporting burden as a result of the rollout of the updated system.

In November, the GPMS system was fully implemented, facilitating the tracking of client services and outcomes in order to respond to the requirements under WIOA. Nine virtual

trainings were conducted to introduce how to add and manage client cases, recording employment and educational outcomes, and follow up. These trainings were all recorded and posted to the WorkforceGPS website. A help desk and ticket system has also been established to track, troubleshoot, and resolve issues.

As of the June 30, 2021, reporting quarter, 99 percent of the grantees successfully submitted their quarterly reports. 105 out of the 106 grant organizations ultimately reported, which marks a tremendous improvement in reporting. DFO Brown said that DINAP is very pleased with all of the support it has received from its contractor, Tribal Tech, in facilitating these successful outcomes.

DINAP is currently working on its funding opportunity announcement. This is the competition period for the next four years. The grantees are expected to pull together a four-year strategic plan. Duane Hall has holding workshops on how to prepare strategic planning documents. Drafting began several months ago, and review and approval is still required to proceed. The final funding opportunity will be posted on grants.gov, which is a mechanism through which everybody can apply for federal funding.

DINAP will continue to work with the Advisory Council. DFO Brown is currently working on the Advisory Council nominations. There are approximately seven new nominees, in addition to many of the existing Councilmembers. Some of the existing Councilmembers did not resubmit their applications, so there may be some changes across some of the regions. For the upcoming year, the Advisory Council may want to revisit looking at how it solicits applications across the regions. In Region 2, for instance, there was no nominee to the Council.

In light of some organizations not reapplying, along with other challenges and issues, there has been an overall decrease in grantees from 186 to 166 since Program Year 2000. Some of the grantees have decided to apply for 477. DINAP was able to work out a resolution for two organizations that serve federally recognized tribes that dissolved as a result of organizational issues. DINAP helped ensure that the tribes continued to receive services by transferring over to 477. DINAP is very fortunate to have a good working relationship with the 477 program. DFO Brown hopes to see the Department continue to support the work under the 477 program going forward.

### **Public Comment**

Naomi Bowyer, Treasurer of the Board of Directors for the Council of Three Rivers American Indian Center in Pittsburgh, Pennsylvania, emphasized the importance of virtual employment. There are thousands of jobs out there now that occur in a virtual setting daily. Ms. Bowyer's first experience with virtual employment occurred in her role as a tax preparer this past season. Because of the pandemic, nobody could get into the office, so she and her peers had to promptly learn how to serve clients virtually. It was a challenge, but one they were able to overcome.

Melissa Schindler highlighted a discussion that occurred earlier on in the week regarding performance indicators, specifically the effectiveness in serving employers (ESE). According to Ms. Schindler, the DOL representative specified that the pilot for the definitions of the ESE was

conducted via core programs, and there were no native programs. It has been well established that the reason why native programs have their own specific program is because of the unique needs and ways of the populations. She suggested that if there are going to be pilot programs, there should be at least one Native American program included in that, so that those specific results can be gathered and considered when it comes to shaping these lasting regulations.

Colleen Casali, Economic Self-Sufficiency Director at Native American Community Services, said she enjoyed how the fundamentals were broken down into four different modules at the conference. This year there were more DOL and DINAP presenters than ever before, which was great because the grantees were able to get firsthand information from them directly.

Councilmember Campbell, Executive Director of the American Indian Council, said she would like to request a waiver on the employment retention indicator. She does not see how it applies to Indian Country, especially the youth program, because youth will return to school, and it is unreasonable to think that they would meet that measure with an employer. She also requested an increase in funding for the Indian grantees. There has been an increase in Indian population; therefore, an increase in funding is needed.

Brooke Waldron, of the Rhode Island Indian Council, shared the resolution presented by the delegation of the 166 and 477 committees. The grantee community shall not be penalized for program participants not meeting the new performance indicators. Native American programs are required to be consistent with the economic and social development of Indian, Alaska Native and Native Hawaiian communities in accordance with the goals and values of such communities, and shall stay consistent with the principles of the Indian Self-Determination Education and Assistance Act of 1975. The resolution concludes that the performance measures do not meet the needs of the community, and shall not be applied to the WIOA adult and youth Native American programs.

Lorenda Sanchez, Executive Director of the California Indian Manpower Consortium, expressed her appreciation to DOL and DINAP for holding their Advisory Council meeting in conjunction with the National Indian and Native American Employment and Training Conference. She said it is important for Indian and Native American Programs to take full advantage of the opportunity in this small window that is open under Secretary Walsh. After many years of feeling shut out, now is time to make sure Native American voices are heard collectively advocating for changes that will improve the programs while acknowledging existing strengths.

Ella Blackowl, Director of the Department of Employment and Training at the North American Indian Center of Boston, said it is easier to get through complicated programmatic challenges if you can connect with others who are also going through or have gone through the same thing. There are between 38,000 and 40,000 Natives in the Massachusetts area, and it is very important to be able to provide them with services for employment and training.

Councilmember Quintana said that there is no cookie-cutter way to plan anything in order to provide services to the community in the midst of a pandemic. People are getting back to work now, and the Advisory Council is now part of the recovery process. There are considerable obstacles for members, and there are still major gaps in educational achievement, as well as

cycles of poverty. Addressing these issues is not going to happen overnight, but it is time to get people more actively involved.

Councilmember Hibbeler shared that Secretary Walsh and Senator Mark Kelly from Arizona recently came to visit the Phoenix Indian Center. They spent a number of hours learning about the program and the Center, interfacing one-on-one with several clients. They asked poignant questions and were able to walk away with a good sense of what the programs actually do and why they are each unique.

Councilmember Carroll announced that if there are individuals who are interested in assisting with the work of the Census Work Group, they should send her an email at [kim.carroll@cherokee.org](mailto:kim.carroll@cherokee.org).

### **New Business**

The Chair offered a heartfelt thanks to Councilmember Christine Campbell for all of her great work serving on the Advisory Council over the years. She has been a voice of the community who has consistently supported her fellow councilmembers.

### **Adjourn**

The meeting was adjourned at 4:19 PM.