



California Indian Manpower Consortium, Inc.
The CIMC Movement: Creating Positive Change for Native Communities

June 21, 2013

Honorable Tom Harkin
United States Senate
210 Walnut Street, Room 733
Des Moines, Iowa 50309

Dear Senator Harkin:

The California Indian Manpower Consortium, Inc. is an organization established in 1978 to provide employment and training services to Indian and Native American individuals in our service area. In 1996, our service area expanded to include the three counties of Clinton, Scott and Muscatine in the State of Iowa.

As we have been serving Indian and Native American citizens of Iowa for nearly two decades, we respectfully request your consideration of the enclosed recommendations for reauthorization of the Workforce Investment Act put forth by the Native American Employment and Training Council (a national advisory council for the Secretary of Labor).

We appreciate the inclusion of a provision for Indian and Native American programs and your recognition of the unique circumstances of Native communities and the vital importance of upholding the special government to government relationship with tribal governments. As such, we are optimistic in our hope that you will take our concerns into consideration. Should you need additional information, please contact me at (916) 920-0285.

Sincerely,

Althea L. Boyd

for Lorenda T. Sanchez
Executive Director

Enclosure

1-L-596-PY13





NATIVE AMERICAN EMPLOYMENT AND TRAINING COUNCIL

CONSIDERATIONS FOR WIA REAUTHORIZATION

WHAT IS WORKING UNDER CURRENT WIA

1. **"Sec. 166. (a) (1) PURPOSE.--IN GENERAL.--The purpose of this section is to support employment and training activities for Indian, Alaska Native, and Native Hawaiian individuals in order—**
 - (A) **to develop more fully the academic, occupational, and literacy skills of such individuals;**
 - (B) **to make such individuals more competitive in the workforce; and**
 - (C) **to promote the economic and social development of Indian, Alaska Native, and Native Hawaiian communities in accordance with the goals and values of such communities.**

"Sec. 166. (a) (2) PURPOSE.--INDIAN POLICY.—All programs assisted under this section shall be administered in a manner consistent with the principles of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450 et seq.) and the government-to-government relationship between the Federal Government and Indian tribal governments."

Recognition in WIA has emphasized the distinct political legal relationship, on and off reservations, which the First Nation people have with the U.S. government.

2. **"Subtitle D—National Programs"**

National status in WIA as a Subtitle D National Program has been responsive to Indian and Native American employment and training needs and has further enhanced accountability of the program through application in the Indian and Native American WIA regulations and the utilization of career pathways framework, courses, and training in our programs.

3. **"Sec. 166. (c) (1) PROGRAM AUTHORIZED.--IN GENERAL.—The Secretary shall, on a competitive basis, make grants to, or enter into contracts or cooperative agreements with, Indian tribes, tribal organizations, Alaska Native entities, Indian-controlled organizations serving Indians or Native Hawaiian organizations to carry out the authorized activities described in subsection (d)."**

Identification has been inclusive in WIA of all Indian tribes, tribal organizations, Alaska Native entities, Native Hawaiian organizations, and Indian-controlled organizations on and off reservations serving Indians where "No Indians are left behind."

4. **"Sec. 166. (h) (4) ADMINISTRATIVE PROVISIONS.--ADVISORY COUNCIL."**

Native American Employment and Training Council (NAETC) in WIA has represented communities throughout the country and has provided a unified voice of grantees for effective collaboration/partnership between Section 166 grantees and Department of Labor and also through Work Groups of Effective Management/Partnership; Information Technology/Reporting-Performance Measures; Education/Youth Policy; Census; and Business Relations/Micro-enterprise.

- 5. "Sec. 166. (h) (1) ADMINISTRATIVE PROVISIONS.--ORGANIZATIONAL UNIT ESTABLISHED.—The Secretary shall designate a single organizational unit within the Department of Labor that shall have primary responsibility for the administration of the activities authorized under this section."**

Establishment of a single organizational unit under WIA, i.e. Division of Indian and Native American Programs (DINAP) brought out a stronger role for Indian and Native American programs.

- 6. "Sec. 166. (e) PROGRAM PLAN.—In order to receive a grant or enter into a contract or cooperative agreement under this section an entity described in subsection (c) shall submit to the Secretary a program plan that describes a 2-year strategy for meeting the needs of Indian, Alaska Native, or Native Hawaiian individuals, as appropriate, in the area served by such entity. Such plan shall—**
- (1) be consistent with the purpose of this section;**
 - (2) identify the population to be served;**
 - (3) identify the education and employment needs of the population to be served and the manner in which the activities to be provided will strengthen the ability of the individuals served to obtain or retain unsubsidized employment;**
 - (4) describe the activities to be provided and the manner in which such activities are to be integrated with other appropriate activities; and**
 - (5) describe, after the entity submitting the plan consults with the Secretary, the performance measures to be used to assess the performance of entities in carrying out the activities assisted under this section."**

There were many challenges during the current Act, i.e. Indian country having the highest unemployment and dropout rates in the nation, reduced program funding, reduced National Office, etc., in addition to the challenges serving the most in need population. The truly disadvantaged community with lower participant social/educational/economic levels prevented many applicants from being served in state-administered programs. The current Act's inclusion of Program Plan flexibility does allow the needs of the community to be met and also allows the programs to be community-driven "in accordance with the goals and values of such communities". Grantees' selection in menu of measures, which are based on socio-economic conditions of participants, has allowed grantees to identify and address needs specific to the Indian and Native American community. This has resulted in documented participant success stories throughout the country. Examples are 41 former participants who are now Tribal Chairpersons; Thomas Dowd, former Chief of Division of Indian and Native American Programs (DINAP); National Indian and Native American Employment and Training Conference (NINAETC) Annual Participant Awards, grantees' success stories, etc.

7. **“Sec. 174. (a) (2) (A) AUTHORIZATION OF APPROPRIATIONS.—RESERVATIONS.—Of the amount appropriated pursuant to the authorization of appropriations under paragraph (1) for a fiscal year, the Secretary shall—reserve not less than \$55,000,000 for carrying out section 166;”**

“Sec. 127. (b) Allotment Among States.”

Clear statement of funding levels in WIA for adult and for youth programs have allowed programs to continue providing employment and training services, though in different degrees because of particular funding levels.

8. **“Sec. 166. (f) CONSOLIDATION OF FUNDS.—Each entity receiving assistance under subsection (c) may consolidate such assistance with assistance received from related programs in accordance with the provisions of the Indian Employment, Training and Related Services Demonstration Act of 1992 (25 U.S.C. 3401 et seq.).”**

Ability under Consolidation of Funds in WIA to include this program with Public Law 102-477 has allowed program flexibility to address needs of the community where tribal grantees can plan seamless services, where grantees are allowed options to create one-stop centers, and where partnerships have been developed with other grantees to maximize services to the community.

Final Comment: With reinvigorating WIA in the reauthorization process, we recommend retaining the aforementioned provisions of the law that have worked for Indian and Native American programs; and we look forward to building upon these strengths.

IMPROVEMENT OR CHANGES NEEDED

1. Emphasize career training in addition to short-term training for immediate jobs.
2. Emphasize education, remedial training, and lifelong learning to support the main focus of career pathways.
3. Include partnerships with community colleges and Indian tribal colleges and universities.
4. Strengthen specific language in the law relative to “consultation” to be consistent with the Indian Self-Determination and Education Assistance Act:
 - a. With tribes.
 - b. With Native American Employment and Training Council (NAETC).
 - c. With “single organizational unit” Head reporting to Assistant Secretary of Labor.
5. Increase overall WIA youth funding with provision not less than 1.5% and include services to all Indian and Native American youth, on and off reservations.
6. Have clear provisions for incentive grants to be made available to Indian and Native American grantees. Have provisions for additional incentives to States for

- inclusion and collaboration with Indian and Native American partners at the State level of policy establishment, i.e. State Workforce Investment Boards.
7. Mandate funding for WIA Section 166 with language stating “at a level of no less than \$100 million” to account for population growth of Indian and Native American communities; inflation since WIA was first enacted at a “\$55 million” level; and added emphases on youth initiatives, education and career training, and special initiatives.
 8. Strengthen language in the law regarding “single organizational unit”, i.e. head of the “unit” reporting to U.S. Department of Labor Secretary or Assistant Secretary.
 9. Adhere to congressional intent of the law, **Sec. 166 (h) (2) (A)** that states **“establishing regulations to carry out this section, including performance measures for entities receiving assistance under such subsection, taking into account the economic circumstances of such entities;”**. This would allow grantees to address realistic achievements of Indian and Native American community employment, training, and educational needs.
 10. Change Program Plan implementation to 5 years from the current 2 years term.
 11. Use formula basis rather than competitive basis when Secretary is determining recipient of grants.
 12. Performance measures (indicators) need to be reflective of congressional intent and realistic achievement in addressing Indian and Native American community employment, training, and educational needs.
 13. Re-establish “single organizational unit”.
 14. Adhere to congressional intent of the law, **“Sec. 166. (h) (2) (B) ADMINISTRATIVE PROVISIONS.—REGULATIONS.—The Secretary shall consult with the entities described in subsection (c) in—developing a funding distribution plan that takes into consideration previous levels of funding (prior to the date of enactment of this Act) to such entities.”**
This correlates with #7 on funding level.

INNOVATION OPPORTUNITIES

1. Tapping into and accessing resources available from tribal colleges and universities and other educational efforts to collaborate with our programs, i.e. utilization of curriculum development. The following are the opportune areas:
 - a. Green jobs opportunities – Native American programs have rich history in environmentally conscious practices.
 - b. Green jobs inventory - Collaboration and coordination with tribal colleges and universities to document information that is already in place; and utilize the inventory to develop curriculums.
 - c. Native language instruction
 - d. Retraining
 - e. Literacy

2. Developing and mandating partnerships with Workforce Investment Boards (WIB) followed up with mandated reciprocal partnerships in state plans.
3. Utilizing vast experience of tribes and tribal organizations to develop Memorandum of Understanding (MOU) and state plans with state agencies.
4. Including Section 166 grantees in all ETA funding opportunities.
5. Providing incentives based on attainment of performance measures as one means to highlight innovation.
6. Conducting research specific to Indian and Native American WIA programs in the following areas:
 - a. Labor market, specifically to include Indian communities and businesses.
 - b. Community demographics.
 - c. Educational level of participants relating to the gap between achievement at K-12 and post secondary level.
 - d. Native American youth study similar to study conducted on Latino youth.
 - e. Relationship between State Workforce Investment Boards (WIB) and Native American grantees and model programs.
 - f. Partnership with tribal colleges and universities, other educational entities, etc. on career pathways.
 - g. Collaboration between WIA Indian and Native American grantees and tribal colleges and universities to support needs of program participants.
 - h. Technological advances.