



# EMPOWERING TRIBAL WORKFORCE DEVELOPMENT

## Indian Country's Policy Recommendations for the Federal Government

*This brief presents a list of key policy recommendations for the federal government as it supports tribal nations, Native organizations, and tribal colleges and universities (TCUs) as they design, refine, and strengthen their workforce development efforts. Developed by the [National Congress of American Indians](#), it takes the well-founded position that it is the federal government's job to foster a positive environment for tribal workforce development, and to work closely with tribal nations and communities to identify and remove the obstacles that currently obstruct tribal innovation as well as create new opportunities for tribal ingenuity to flourish. This two-page summary presents an abbreviated version of the brief; to read the full brief, please visit the link on page 2.*

## MAJOR RECOMMENDATIONS

1

### **Charter Special Task Force to Identify Opportunities for Innovation in Tribal Workforce Programs**

*The Secretary of Labor should charter this task force to advance key measures to support tribal innovation, including:*

- inaugurating a program to provide seed grants for multiple special Native workforce projects.
- allowing Native grantees that deliver services under the Section 166 WIOA Comprehensive Services Program and Supplemental Youth Services program to use part of their regular funding allocations to explore innovative approaches.
- issuing a report one year from the date of its first meeting detailing ways to reduce barriers to tribal innovation.

2

### **The President Should Issue an Executive Order Chartering a Joint Committee**

- The committee should include representatives from the Departments of Labor (DOL), Commerce, Education, Health and Human Services (HHS), Housing and Urban Development (HUD), Interior (DOI), and Treasury; the Small Business Administration; and tribal governments, Alaska Native regional non-profits, and other Native-controlled entities.
- It should analyze and make specific recommendations regarding how to better coordinate workforce and related programs administered by federal agencies, and issue a report of its findings within one year of its establishment.

3

### **Bolster the 477 Program by Streamlining Requirements and Removing Implementation Barriers**

- The Administration should fully implement the law by increasing collaboration among the agencies, and by streamlining and simplifying 477's funding and reporting requirements.
- It also should fully implement the explicit requirements in the current law that tribal nations provide only a single plan, single budget, and single report, as it is vital to tribal nations' ability to strategically craft innovative solutions and maximize the resources available to actually serve their citizens.

4

### **Foster Closer Collaboration between Tribal Workforce and Economic Development Initiatives**

- Launch a joint examination by tribal leaders, tribal workforce development practitioners, and federal agency managers to examine relevant federal regulations and policies to insure that these programs work in tandem to stimulate the development of tribal economies and build the human capacity needed to drive and sustain that development.
- Exempt activities/funds used for integrated economic and workforce development planning/operations from reporting, expenditure, and accountability restrictions, and permit spending of 477 funds on economic development (per the law).

5

### **Adequately Fund Native Workforce Development Programs**

- The federal government should, without delay, restore full funding for vital Native American workforce development and related grant programs (WIOA, BIA's Job Placement and Training, the Department of Education's Adult and Vocational Education, Tribal TANF, and Tribal Vocational Rehabilitation programs, to name a few).
- These funds should be adjusted to account for the significantly expanded size of the service population and increases in the cost of services such as tuition for post-secondary educational institutions.

6

### **Help to Build Tribes' Capacity to Collect, Analyze and Manage Data on Their Own Populations**

- The federal government should invest in tribal data systems and the training of tribal workforce development practitioners and researchers to generate useful labor market data to support informed decision making by tribal and federal policy makers.
- These data systems need to be integrated across tribal departments, and need to be able to align with federal and state data systems.

# OTHER KEY RECOMMENDATIONS

## **1) Remove Fiscal Constraints that Hamper Tribal Planning and Innovation:**

Treasury should allow all federal departments, including HHS, to distribute funds in advance as is permitted for P.L. 638 programs (including Tribal TANF and other HHS-supported workforce development-related programs). Federal agencies also should remove the arbitrary administrative caps that have no documented basis in fact, and instead allow tribal nations to negotiate indirect cost rates with DOI's Interior Business Center (as the law requires) that meets their particular needs, and then honor them once negotiated.

## **2) Strengthen Indian Country's Voice in DOL Decision-Making:**

Elevate the authority of the Native American Employment and Training Council (NAETC) to the Secretary level and expand NAETC to include tribal leaders.

## **3) Address Federal Data Shortcomings that Impact Tribal Workforce Development Efforts:**

Direct DOI to produce the American Indian Population and Labor Force report, assess agency data collection measures to strengthen compatibility, and allow tribes/Native organizations to submit federal census data *or* their own data.

## **4) Require Federal Agencies to Follow Tribal Employment Rights Laws:**

The President should issue an Executive Order mandating that all agencies recognize and follow tribal TERO laws.

## **5) Congress Should Pass Three Critical Amendments to Section 166 of WIOA:**

See page 7 of [full brief](#) for details.

**6) Implement NCAI Tribal TANF Task Force Recommendations:** ACF, in direct consultation with tribes, should implement the [recommendations](#) (see pages 7-8 of [full brief](#) for details). Congress also should pass H.R. 3026.

**7) DOL Should Add Dental Health Aide Therapist (DHAT) as an Occupation to the Updated Standard Occupational Classification Manual:** DHATs have been providing high-quality, culturally competent, and cost-effective care to Native communities in Alaska. This step would help to enable tribes across Indian Country to train/employ DHATs.

## **8) Enhance Support of Tribal Workforce Development at the Regional Level:**

Establish regional workforce training centers for tribes/tribal communities, support the creation of regional institutes, and explore developing a DOL-HUD partnership to provide temporary housing to Native people (See page 8 of [full brief](#) for details).

## **9) Integrate Head Start and Low Income Home Energy Assistance Program under 477:**

In addition, tribes should be able to incorporate CSBGs or any other HHS program into 477 without first having to operate them as separate programs for one- or two-year trial periods.

## **10) Support Documentation of Best Practices and Innovative Approaches Under 477, WIOA, Tribal TANF, etc.:**

This would shorten the learning curve for other tribes/Native organizations who are seeking to strengthen their workforce development efforts.

## **11) Require Native Representation on State Workforce Investment Boards:**

The federal government should *require* that at least one seat on each board be held by a Native representative.

## **12) Enhance Ability of TCUs to Support Workforce Development:**

Increase investments in developmental education and academic bridge programs at TCUs. Eliminate the state pass-through for the Carl D. Perkins Vocational and Technical Education Act and establish a tribal version of the Act that would give direct funding to TCUs.

**13) Enhance Ability of Native CDFIs to Support Workforce Development:** Make permanent the waiver for the non-federal match requirement for the CDFI Fund's NACA financial assistance program, increase funding to expand CDFI-run financial education trainings, and develop "plug and play" workforce development loan and technical assistance service models they can use.

**14) Emphasize the Development of Technical Expertise:** Provide access to job training initiatives that promote technical skill development for Native people to work in emerging industries.

## **15) Make Funding for Tribal Vocational Rehabilitation Programs (TVRs) Permanent:**

Amend the regulations to treat TVRs the same as state-run VR programs by making their funding permanent; tribes also should be allowed to integrate TVRs into their 477 plans.

**16) Expand Vocational Program Opportunities for Native People:** This should include an expansion of – and significantly increased funding for – the Job Corps program in tribal communities.

## **17) Restructure YouthBuild and Other Programs to Allow Tribal Consortia to Apply Under a Single Grant**

## **18) Include a Tribal Set-Aside for All State Block Grant Programs**

**19) Initiate Mandatory Cultural Competency Training for Agency Staff:** This should include teaching about tribes, tribal sovereignty, and tribal best practices in workforce development.

## **20) Create Tribal Set-Aside for Diversion and Re-Entry Programs**

## **21) Invest in and Remove Obstacles to Infrastructure Development**

**22) Enable Tribes to Establish Sub Chapter S Corporations:** Amend Section 1361 of the Federal Tax Code to do so.