

WorkSource Information Notice (WIN)

Employment System Administration & Policy

Policy-related | Fiscal | Performance | Q&A | Other

Number: WIN - 0062

Date: August 25, 2014

Expiration Date: N/A

TO: Workforce Development System Partners, Tribal Governments and Washington Indian & Native American (INA) WIA Section 166 Grantees

FROM: Amy L. Smith, Director

SUBJECT: Tribal Outreach and Resources

Purpose:

To encourage outreach to tribal organizations, facilitate tribal representation on local workforce investment boards, and provide information on resources available to support tribal workforce development projects and programs.

Action Required:

Workforce Development Councils (WDCs) and their contractors, as well as Employment Security Regional Directors, must distribute this guidance broadly throughout the system to ensure that staff and partners in the WorkSource System are familiar with its content and requirements.

It is requested that Indian & Native American (INA) WIA Section 166 Grantees and other tribal entities share this Workforce Information Notice broadly to ensure that tribal organizations throughout the state are aware of its content and the resources available.

Content:

1. Background

On May 20, 2014, Governor Jay Inslee hosted the 2014 Governor's Tribal-State Economic Development Summit. The Summit, held at the Squaxin Island Tribe's Little Creek Casino Hotel, was attended by the Governor, key staff members, 11 tribal chairs, five state agency directors and workforce development partners. This gathering of more than 110 leaders addressed specific challenges and opportunities facing our state's tribal communities, including issues pertaining to workforce development.

The Summit generated a list of action items to advance tribal economic development including identifying best practices for workforce training and increasing tribal representation on local workforce boards.

2. Tribal Outreach and Representation on Local Boards

The Workforce Investment Act of 1998, and the Workforce Innovation & Opportunities Act of 2014, establish state and local workforce investment board to oversee workforce development activities authorized and operating in each state under the Acts. The Acts specify the membership of state and local boards while providing the Governor and chief local elected officials with the authority to appoint members to these boards in alignment with the composition requirements.

Local elected officials are encouraged to actively pursue tribal representation on local workforce investment boards. Such representation is critical to ensuring strong partnerships and alignment with tribal economic development efforts. In addition, tribal representation on local boards serves to support efforts to provide culturally sensitive workforce development services and programs.

3. Tribal Resources

To address the resource needs of small tribes and WIA Section 166 grantees, the Employment Security Department has committed to providing staff resources for the purposes of technical assistance, consultation and other support for those entities pursuing workforce development grant funds.

Tribal organizations seeking such assistance should contact:

Amy L. Smith, MA, LMHC, NCC
Tribal Liaison
Director of Employment System Administration & Policy
Employment Security Department
212 Maple Park Ave SW
Olympia, WA 98507
360/902-9702
asmith@esd.wa.gov

Further, ESD has developed a Tribal Resources page on its public Inside WorkSource website. This page may be accessed via the following link:

http://www.wa.gov/esd/1stop/tribal_resources/tribal_resources.htm

It is the intent of the Department to foster the sharing of best practice and other information pertaining to tribal workforce needs via this website. Organizations wishing to share information are encouraged to contact ESD's Tribal Liaison.

References:

- WIA Section 166
- WIOA Section 166

Website:

http://www.wa.gov/esd/1stop/policies/state_guidance.htm
http://www.wa.gov/esd/1stop/tribal_resources/tribal_resources.htm

Direct Inquiries To:

*Employment System Administration & Policy
Employment Security Department
Olympia, WA 98507
(360) 902-9797
SystemPolicy@esd.wa.gov*

Attachment:

Attachment A – DRAFT: Proposed Actions Update, Governor’s Tribal-State Economic Development Summit, May 20, 2014

ATTACHMENT A – DRAFT: Proposed Actions Update,
Governor's Tribal State Economic Development Summit,
May 20, 2014



**Governor's Tribal-State
Economic Development Summit
May 20, 2014
DRAFT: Proposed Actions Update**

ADVANCING TRIBAL ECONOMIC DEVELOPMENT

Washington state and tribal leaders identified 20 areas for further collaboration at the Governor's Tribal-State Economic Development Summit in May 2014. The Governor and key staff members, 11 tribal chairs, five state agency directors, and others participated in the interactive workshop held at the Squaxin Island Tribe's Little Creek Casino Hotel.

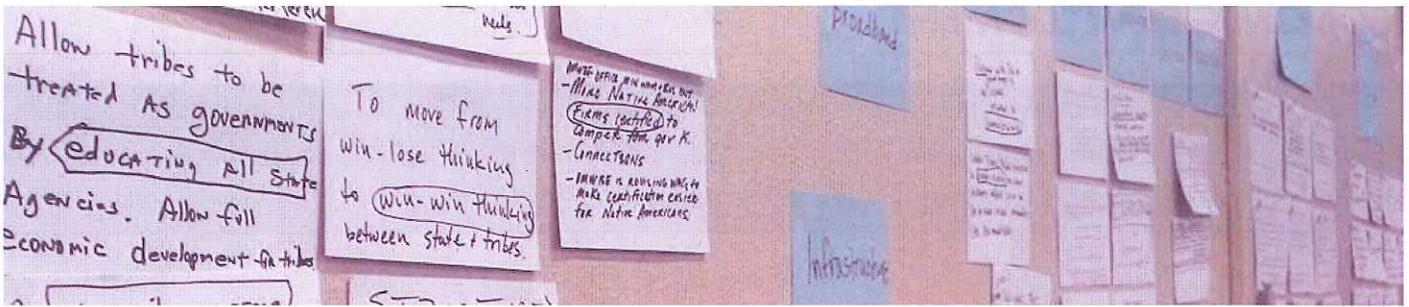
The gathering of more than 110 leaders addressed specific challenges and opportunities facing our state's tribal communities, including access to broadband, taxation, and access to capital, workforce development, entrepreneurship, transportation, and infrastructure.

Proposed action items to help advance tribal economic development include, among others, a tribal broadband summit; targeted economic development facilitation and grant writing assistance to smaller tribes; programs for growing tribal entrepreneurship; increasing outreach on economic development mechanisms and opportunities; use the Department of Revenue's Tribal Tax Advisory Workgroup to determine the approach to use to address taxation issues; identifying best practices for workforce training; and increasing tribal representation on local workforce boards.

State agencies and the Governor's Office were assigned to develop proposed next steps in collaboration with to-be-determined tribal partners.

This report groups the action items by general topic area, provides context and background for each item, and identifies the next steps agencies propose, after review and input from tribes.

Continued engagement between the tribes, Governor's Office and state agencies forges a pathway for effective partnerships to spur additional tribal economic development.



ECONOMIC DEVELOPMENT

1. Create state/tribal committee to address tribal economic development

Department of Commerce, Department of Revenue, Governor's Office of Indian Affairs

BACKGROUND:

In addition to the Tribal Tax Advisory Workgroup being convened by the Department of Revenue, tribes have requested a collaborative economic development workgroup to focus on broader economic development issues.

NEXT STEPS:

Identify potential grant opportunities for tribal economic development	Fall 2014
Convene state/tribal economic development representatives to plan and scope an ongoing economic development workgroup	Fall 2014

2. Assign an economic development specialist to work directly with tribes

Department of Commerce

BACKGROUND:

Many tribes need technical assistance to successfully engage in strategic economic development planning, identifying and pursuing opportunities, and securing the necessary infrastructure and related financing. As the economic development agency for the state of Washington, the Department of Commerce provides limited business and economic development services to tribes in conjunction with other local and state organizations. Tribes have requested that Commerce provide a dedicated business development specialist to work with them.

NEXT STEPS:

Develop funding proposal for an economic development specialist to work directly with tribes	September 2014
Support efforts to secure funding for the position	2015 Legislative Session

ECONOMIC DEVELOPMENT

3. Advocate legislation/bills for tribes to help create economic vitality

Governor's Office of Indian Affairs, Department of Commerce, Department of Revenue

BACKGROUND: State and tribal leadership recognize the need to work collaboratively to affect systemic change regarding economic development policies, strategies, and structures.

NEXT STEPS:

Consult with tribes to identify areas where policy changes could impact the economic vitality of tribal communities, as part of convening the economic development committee

November 2014

4. Help identify state and federal contracting opportunities for tribal businesses

Department of Enterprise Services, Office of Minority and Women's Business Enterprises

BACKGROUND: While state agencies are conducting a number of improvements to better engage with tribal communities, agencies lack a more strategic and coordinated effort to address government contracting. The Office of Minority and Women's Business Enterprises, and departments of Enterprise Services, Transportation, and Veterans Affairs are developing a collaborative state strategy.

NEXT STEPS:

- | | |
|---|---------------|
| The Department of Enterprise Services' annual trade show will provide marketing and outreach assistance for Indian-owned businesses, including bid opportunities and a state-tribal work session to identify contracting improvements | Sept 10, 2014 |
| The Office of Minority and Women's Business Enterprises is partnering with external stakeholders, including the Native Procurement Technical Assistance Center (PTAC), to provide certification workshops in targeted geographic locations | Ongoing |
| The Department of Transportation and the Office of Minority and Women's Business Enterprises will engage with Tribal Employment Rights Offices (TERO) to expand transportation-related contracting opportunities for native and tribally-owned businesses | Ongoing |



ECONOMIC DEVELOPMENT

5. Engage tribes with the Washington Tourism Alliance

Department of Commerce

BACKGROUND:

The Washington Tourism Alliance is a contractor for the state that maintains information distribution systems, and promotes tourism and tourism development. The alliance recognizes that the state and tribes must partner to promote our unique cultural heritage and Washington as a great place to visit. Two tribal representatives are engaged with WTA governance and activities.

NEXT STEPS:

Collaborate with the congressional delegation on a potential Maritime Washington National Heritage Area to increase tourism funding opportunities for local governments, non-profits, and tribes	Ongoing
Work with tribes and WTA to ensure Indian tourism is a key component of the overall marketing strategy	Ongoing

ECONOMIC DEVELOPMENT

6. Identify and invite tribal representatives on international trade missions

Department of Commerce

BACKGROUND:

Periodic international trade missions provide opportunities for Washington exporters to develop new markets for their products with assistance from the state.

NEXT STEPS:

Identify potential tribal exporters	Fall 2014
Include potential tribal exporters in international trade and trade mission communications	Ongoing
Help tribal exporters identify new opportunities	Ongoing

7. Identify opportunities and strategies for better communications and coordination between tribes and local economic development organizations

Department of Commerce

BACKGROUND:

Commerce contracts biennially with Associated Development Organizations (ADOs) to support local economic development activities, primarily focusing on the identification and recruitment of new or existing business to their respective communities. A number of ADOs have productive, ongoing relationships with tribes. Tribes expressed interest in more opportunities to work with ADOs.

NEXT STEPS:

Request that ADOs provide regular reporting on interactions with tribes and tribal strategies	December 2014
Encourage ADO involvement with the planned Tribal Broadband Summit to identify ways to better address local broadband issues	September 2014
Add provisions to ADO performance-based contracts for collaboration with tribes on economic development issues	July 2016



ECONOMIC DEVELOPMENT

8. Conduct outreach to tribes to increase awareness of Community Development Financial Institutions (CDFIs)

Department of Commerce

BACKGROUND:

Tribes are often challenged with generating capital for economic development efforts. Community Development Financial Institutions can help tribes gain access to needed capital.

NEXT STEPS:

Partner with Craft3 and others to provide targeted outreach to tribes through informational seminars and direct assistance

Fall 2014- Ongoing

ECONOMIC DEVELOPMENT

9. Explore the feasibility of marketing the social services and health care sector on reservations

Department of Commerce

BACKGROUND:

Some tribal leaders are interested in exploring the viability of expanding on-reservation social services and health care services as an economic development strategy.

NEXT STEPS:

Identify tribes interested in assessing this idea for their reservation	November 2014
Convene tribes and economic development organizations/experts with relevant experience to determine a path forward	January 2015

10. Revisit the 2012 tribal economic impact study – recognize and socialize the value of tribes to the broader communities

Governor's Office of Indian Affairs, Department of Commerce

BACKGROUND:

There is general agreement within state and tribal leadership that it's in everybody's interest to socialize the economic importance of tribes to broader communities – the question is how to best do that.

NEXT STEPS:

Collaborate with tribes to develop strategies to socialize the value of tribes with broader communities (this could be discussed as part of convening the economic development committee)	January 2015
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Incorporate tribal economic benefit information into Department of Commerce communications and outreach	July 2014- Ongoing
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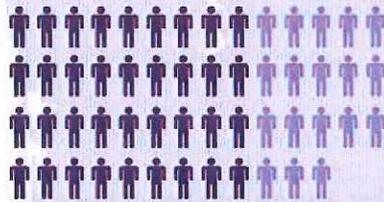
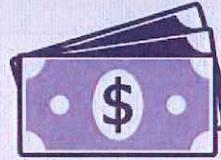
TRIBAL IMPACTS

TO WASHINGTON'S ECONOMY

2010

ECONOMIC IMPACT

\$3.5 BILLION



27,376 JOBS

**18,126 NON-INDIAN
EMPLOYEES**

**\$1.3 BILLION IN
WAGES & BENEFITS**

Source: The Economic and Fiscal Impacts of Indian Tribes in Washington, 2012

ECONOMIC DEVELOPMENT

11. Conduct business plan competitions at high schools to grow entrepreneurship

Department of Commerce

BACKGROUND:

Many tribal leaders have identified an interest in supporting and growing individual tribal member-owned businesses. One successful model for increasing entrepreneurship is to support a variety of activities at the high school level, including business plan competitions and mentor programs. These types of activities could be offered at tribal schools.

NEXT STEPS:

Survey tribes for interest in participating in business plan competitions and entrepreneurship activities	October 2014
Provide coaching and technical assistance to interested tribes	Oct. 2014-March 2015
Follow up and assess continuing interest, needs and resources to support high school-level entrepreneurial training	Summer 2015

INFRASTRUCTURE

12. Facilitate a broadband networking and implementation meeting to share ideas and models of success

Department of Commerce, Washington State Broadband Office

BACKGROUND:

Smaller tribes often lack the internal capacity and/or resources to pursue available broadband grant funds or become broadband providers.

NEXT STEPS:

Finalize date and location for Tribal Broadband Summit	August 2014
Collaborate with key tribal representatives to develop speaker agenda, funding options, etc.	Fall 2014
Finalize program, implement online registration	Fall 2014
Post all event information on state broadband webpage	As appropriate

13. Conduct outreach on infrastructure planning grants available to tribes

Department of Commerce

BACKGROUND:

Historically, state infrastructure planning programs have been reactive to requests for funding from tribes. Building relationships between funders and tribal partners will allow funders to be more proactive to tribal needs and help tribal partners better understand available options.

NEXT STEPS:

Assess tribal infrastructure planning needs	November 2014
Develop online tool to highlight various infrastructure planning, funding, and assistance programs	January 2015
In coordination with other agencies, develop and widely publicize a tribal session track at the Infrastructure Assistance Coordinating Council's fall conference	Sept. 30-Oct. 2

TAXATION

14. Address broad spectrum of tax equity issues

Governor's Office, Department of Revenue

BACKGROUND:

During the Tribal-State Economic Development Summit, tribal leaders expressed frustration about what they term "double taxation." They stated that:

- Any tribal tax they could impose would double tax non-Indians and create a disincentive for non-Indians to invest or transact business in Indian country.
- The tribes believe the lack of revenue impedes tribal economic development, depriving tribes of funding sources for infrastructure.
- Washington's retail sales and use tax, business and occupation tax, and property tax are perceived as duplicative by the tribes.
- Tribes believe the inability to establish a reliable and sufficient tax base infringes upon Tribal sovereignty and self-governance.

NEXT STEPS:

Meet with Governor's Office to address action items	Ongoing
Send invitation to tribal leaders requesting participation in a Tribal Tax Advisory Workgroup	May 21, 2014
Convene workgroup on regular basis to propose concrete solutions for state/tribal taxation issues	August 14, 2014

15. Implement BIA leasing regulations

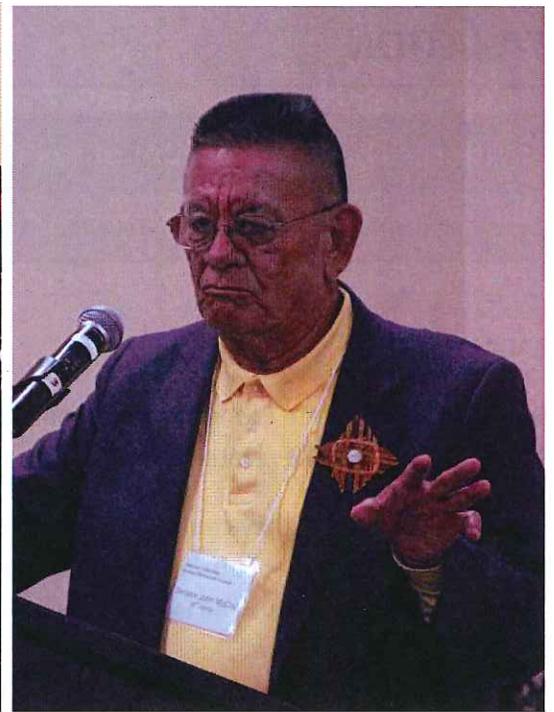
Department of Revenue

BACKGROUND:

The 2013 BIA leasing regulation purports to clarify that taxes on activities on land subject to the leases covered by the regulation are preempted by federal law. The tribes have asked the Department to consult with them on the implementation of the regulation.

NEXT STEPS:

See "Address broad spectrum of tax equity issues"



TAXATION

16. Address the “minimal burden” requirement

Department of Revenue

BACKGROUND:

The United States Supreme Court in *Washington v. Confederated Tribes of the Colville Indian Reservation*, 447 U.S. 134 (1980) reaffirmed that states may impose minimal burdens, including requiring that tax stamps be affixed to individual packages of cigarettes, on tribal businesses to aid the state in collecting valid taxes on sales to non-tribal members. The tribes have asked the Department to reconsider what constitutes a “minimal burden” under the decision of the court.

NEXT STEPS:

See “Address broad spectrum of tax equity issues”

WORKFORCE DEVELOPMENT

17. Identify new models and best practices for workforce training

Employment Security Department, Governor's Office of Indian Affairs

BACKGROUND:

New models and best practices information will foster stronger partnerships, leverage resources, and improve outcomes for all customers.

NEXT STEPS:

Develop and publish a dedicated tribal resources page on the Employment Security Department's <i>Inside WorkSource</i> website.	July 18, 2014
Draft and publish WorkSource Information Notice advising public workforce system of website and calling for information sharing	Sept 2, 2014
Draft and publish a communication advising tribal organizations of website and calling for information sharing	Sept 2, 2014

18. Leverage state resources to support grant writing for smaller tribes

Employment Security Department, Governor's Office, Governor's Office of Indian Affairs

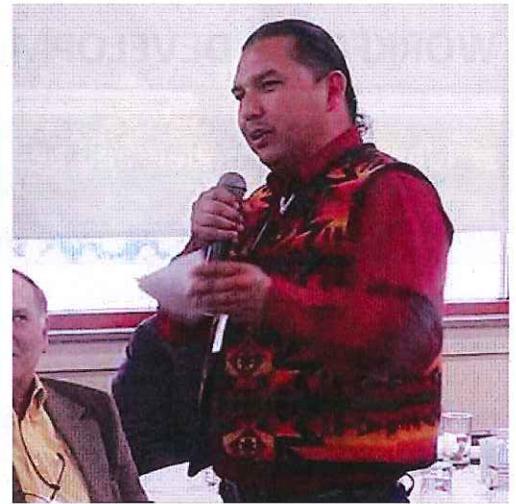
BACKGROUND:

Smaller tribes often lack the internal capacity and/or resources to have dedicated grant writers and, consequently, are often unable to pursue available grant funds.

To better support small tribe workforce development initiatives, the Employment Security Department will make staffing resources available to small tribes for purposes of technical assistance, consultation, and other support in pursuit of workforce development grant funds.

NEXT STEPS:

Develop and publish a dedicated webpage	July 18, 2014
Publish Employment Security Department's contact information on tribal webpage	July 18, 2014
Draft and publish a communication advising tribal organizations of the resource and website/page	Sept 2, 2014



WORKFORCE DEVELOPMENT

Increase tribal representation on each of the 12 local workforce boards and/or the state 16. 19. workforce investment board

Employment Security Department, Governor's Office of Indian Affairs

BACKGROUND:

The Workforce Investment Act of 1998 establishes state and local workforce investment boards to oversee workforce development activities authorized and operating in each state under the Act. The Act specifies the membership of state and local boards while providing the Governor and chief local elected officials with the authority to appoint members to these boards in alignment with membership composition requirements.

NEXT STEPS:

Complete survey to ascertain the current level of tribal representation on the local and state boards	June 13, 2014
Draft and publish WorkSource Information Notice requesting increase in tribal representation on local boards	Sept 2, 2014
Advocate for tribal representation on the State Workforce Investment Board	Ongoing

HONORING THE WORK OF BILLY FRANK, JR.

20. Name a University of Washington Program or Facility after Billy Frank, Jr.

Senator John McCoy and the Honorable Ron Allen, Chairman of the Jamestown S'Klallam Tribe

BACKGROUND:

Summit participants expressed strong support for carrying on Billy Frank Jr.'s legacy by naming a natural resources education program or related facility after him.

NEXT STEPS:

Continue to work with UW representatives to identify an appropriate program and/or campus space after Billy Frank, Jr.

Fall 2014

Contact Information:

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