**WorkforceGPS**

**Transcript of Webinar**

**Tribal Consultation for WIOA**

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LAURA CASERTANO: I want to welcome everyone to today's webinar, and I'm going to turn things over to Leo Lestino, the director of the Division of Policy, Orchestration and Regulation of the Office of Policy Development and Research of the Employment and Training Administration. Leo, take it away.

LEO LESTINO: Thank you, Laura. Hi, everyone. Good afternoon. So glad you're able to join us this afternoon for this consultation. On behalf of ETA I would like to welcome you here to our DOL ETA tribal consultation for the effectiveness in serving employers notice of proposed rulemaking under the Workforce Innovation and Opportunity Act or WIOA.

You know, as you know, The Workforce Innovation and Opportunity Act requires that employment and training grants have performance indicators to determine how successful grantees are in meeting the objectives of the grant. There are six performance indicators that all grantees, including the grantees in their Indian and Native American program that must track and report on.

Five of the six indicators are defined in the Act. However, for step one, one little, the effectiveness of the serving employers indicator that was not defined in the law. Instead, the DOL left it to the department to define this indicator. And after piloting a bunch of different approaches over the last couple of years, we are now ready to put a proposed definition of this indicator into the WIOA regulations. Similar to how WIO regulations have definitions for other performance indicators.

So, this consultation is your opportunity to provide input and feedback regarding this rulemaking, the finalization of the WIOA fixed performance indicator. So, because this is a consultation, I want to make sure that everyone understands we are in listening mode. We want to hear your input, we want to capture your feedback on what we're trying to do.

So, to ensure that everyone is able to clearly see your feedback, we are requesting that you primarily engage via the chat feature on the left-hand side of the screen that says welcome chat. Also, we have an audio line available for anyone who may not be able to access or utilize that chat feature. Our audio lines right now are automatically muted, so if you need to use the audio line once we are in the formal consultation proper of this webinar, you'll have to unmute the line by selecting \*6 on your phone to share your comments verbally.

But again, we are in listening mode. So regardless of whether you put your comment in the chat, you type it in there or you provide it to us verbally, we are going to record it and we're going to make sure that all of your comments are considered as we move forward with this rulemaking.

But before we get into anything else, we are so fortunate to be able to open this consultation with a blessing. Mr. Walter Celestine of the Alabama Coushatta tribe of Texas and program director of the Native American Employment Training Program at the American Indian Center of Houston, is here to make sure that we get off on the right foot and open our session with a prayer. Mr. Celestine, turning it over to you.

WALTER CELESTINE: OK, thank you very much. I appreciate the honor of doing the blessings here. So, if people don't mind, I would like to do the blessings in my language. [Coushatta language.] Amen.

MR. LESTINO: Thank you so much, Mr. Celestine, for opening up with that blessing. Now it is my pleasure to introduce key leadership within the department to open this up and to sort of demonstrate that department's commitment to this consultation. We're joined today by Angela Hanks, our acting assistant secretary of the Employment and Training Administration; Richard Cesar, the deputy director of Intergovernmental Affairs for the Office of Congressional and our Governmental Affairs; and of course, Ms. Theresa Lujan, tribal liaison in the Office of Congressional and Intergovernmental Affairs. I'd like to turn it over to Ms. Angela Hanks, who will be giving our opening remarks. Thank you, Angela.

ANGELA HANKS: Thank you, Leo, and thank you for the opportunity to speak in this important tribal consultation session today. We take seriously the department's tribal consultation and engagement responsibilities, and we are here working with the White House Council on Native American Affairs on activities to support tribes and tribal organizations.

In January of this year, the president issued a memorandum to all executive agencies, reaffirming Executive Order 13175, which requires all executive departments and agencies to engage in regular, meaningful, and robust consultation with tribal officials in the development of federal policies that have tribal implications.

The president's memorandum made clear that his administration is committed to respecting tribal sovereignty and self-governance. Last month, Richard Cesar, whom you'll hear from in just a moment, announced today's tribal consultation at the National Indian and Native American Employment and Training Conference, or NAMETEC (sp). This consultation is an important part of the department's efforts in fulfilling the president's commitment. It's for these reasons that I'm glad to join you today.

As we have mentioned, today's tribal consultation is about the effectiveness in serving employers' performance indicators in WIOA. The department is in the process of developing a proposed rule on how this indicator is defined. This event is an opportunity for the department to hear your experiences with this indicator. We want to get your input early in the process as we move forward in establishing a definition for this indicator and regulations.

I'm pleased to hear from my colleagues about how much engagement there has been with our Indian and Native American grant recipients and the secretary's Native American Advisory Council in establishing performance indicators for Native American -- for the Native American Employment and Training Program.

We are proud to report that the Native American program was the first program in ETA to roll out a participant case management system called the Grants Performance Management System, or GPMS. We couldn't have done this without the input and the guidance tribal WIOA programs provided to our developers.

Finally, I want to say how important we feel this program is to your communities, and I know that you feel the same. The department awards approximately 69 million annually to 167 tribes and Native American nonprofits across the country, who then serve thousands of low income and unemployed Native Americans and Alaska Natives across the country.

Participants receive employment and training services such as occupational skills and on-the-job training, along with supportive services such as child care and transportation assistance. These services create equitable pathways for workers, including single and working parents, into quality family sustaining jobs. These services are critical for helping Native American workers get a job, get a better job, and live a better life. I appreciate your time and expertise and we look forward to hearing your input. And I'll turn it back over to Leo.

MR. LESTINO: Thank you so much, Angela, for being able to join us this afternoon. Next, I would love for everyone to be able to hear from Richard Cesar from our Office of Congressional and Intergovernmental Affairs here in the Department. Richard.

RICHARD CESAR: Thank you so much, Leo. And I echo Angela's appreciation for everyone's time and input today. I had the opportunity to speak with many of you on the call, first back in April at a department's initial tribal consultation and then recently at a town hall event at the National Indian and Native American Employment and Training Conference, where we described our plans for this event.

And I'm very happy to see so many of you were able to join us today to discuss our upcoming rulemaking. We value your involvement. As the Department of Labor moves forward toward a proposed rule to put WIOA performance indicator of effectiveness in serving employers into regulations.

As Angela shared, the Biden-Harris administration and the Department of Labor under Secretary Walsh's leadership are committed to consulting and engaging with tribes in developing and implementing our programs and policies. We will be listening and recording your comments and feedback today. However, this is not your only chance to participate in the conversation and have your feedback recorded in the process.

I also encourage you and any other interested stakeholders who may not be with us today to submit your feedback through the formal public comment process when the proposed rule is published. Our team will go over the details later in the event. I also extend myself as a direct resource in addition to my colleague, Theresa, who you'll hear from shortly, should you need anything from our department. So welcome, and I look forward to the conversation. Thank you.

MR. LESTINO: Thank you so much, Richard. We appreciate you joining us here this afternoon, and of course, now we'd love to hear from Ms. Theresa Lujan, who is the tribal liaison also with our Office of Congressional and Intergovernmental Affairs here at the Department of Labor. Ms. Lujan?

THERESA LUJAN: Thank you, Leo, and thank you for everyone for joining the call today. It is my pleasure to join the Office of Congressional and Intergovernmental Affairs on a detail as the tribal liaison. I'm here to be your advocate when it comes to any of your needs related to your tribal nations. I will be in listening mode today and ready to learn from everyone who is on this call and learn more about this important proposed rule.

I would like you to also know that Richard and I will be monitoring the email box that will be shown at the end of this presentation, and we welcome your comments and we encourage you to provide us with comments related to this webinar today. All the information will be at the end of this conference. So welcome and enjoy today's webinar. Thank you.

MR. LESTINO: Thank you so much, and thank you to our leadership for demonstrating your supporting your commitment to us to engage in this consultation as we move forward in this rulemaking. Now, of course, we are also going to hear from our very dear subject matter experts here in ETA. These are the staff who work directly with the Indian and Native American programs and also our performance teams here in the Office of Policy Development and Research.

So of course, many of you, they are not strangers. Ms. Athena Brown and Mr. Duane Hall are here to represent the department's Division of Indian and Native American Programs, often called DINAP. And of course, Ms. Christina Eckenroth from OPDAR's performance [inaudible] to provide some context regarding the current status of the effectiveness in serving employers indicator in our upcoming rulemaking processes.

So now this section is going to be a refresher for some of you, but I think it's going to be helpful to set the stage and provide some context for why we are engaging in this rulemaking. To provide us with this background, please welcome Ms. Christina Eckenroth. She is a workforce analyst with the Office of Policy Development and Research, and she's going to go over where we are with the ESE indicator and the next steps in formalizing it. Christina, I'm going to turn it over to you.

CHRISTINA ECKENROTH: Thanks, Leo. And greetings, everyone. I'll be providing a quick refresher regarding the status of the effectiveness and serving employers indicator. And this may be very familiar territory for many of you. But again, please let us know if you have any questions.

So as a brief background, the effectiveness in serving employers is one of the six WIOA primary performance indicators. However, as Leo said earlier, it's the only one that is not defined in regulation. So, during the WIOA joint rulemaking process, the Departments of Labor and Education identified three approaches to be piloted for the effective and serving employers indicator.

They were retention with the same employer, the second and fourth quarter after exit, repeat business customer, and employer penetration rate. And the core programs, so, adult, dislocated worker, youth; and Wagner-Peyser, along with education and vocational rehab, selected two of the three indicators to report.

So, the department is committed to piloting those indicators and then conducting an evaluation study to inform the final definition. So, what does this mean for you? Well, the DOL only programs, including those who are covered in WIOA Section 166 Indian and Native American programs, you know you did not participate in the pilot. And throughout this period, these grants were to report the retention with the same employer as outlined in guidance set out by Training Employment Guidance Letter Number 1418.

And that was retention with the same employer measures the percentage of program participants to exit and are employed with the same employer in the second and fourth quarters after exit. And as we noted earlier, the department is now ready to finalize the effective and serving employers indicator through the rulemaking process, whereby this same indicator, whatever we select, will apply to all the programs that utilize the WIOA performance indicators.

Now that's a really quick summary of the status of the effectiveness of serving employers indicator thus far, but I'm going to pause here briefly in case there are any questions about those slides.

MR. LESTINO: Thanks, Christina. If anyone has any questions regarding that really helpful background [inaudible] that Christina just provided, please go ahead and type it into the main chat box or press \*6 if you are unable to do so. So, we can hear your question.

MS. ECKENROTH: OK, I'm not seeing anything, so I think we're okay. Leo, I'll turn it back over to you.

MR. LESTINO: Now, the [inaudible], thank you so much, Christina. So now we're here to hear from you. This is the most -- this is the most important part of this -- of this consultation. This is the proper where we get to hear your input and your feedback. We've got a few sort of guiding questions or points of discussion that we wanted to sort of put up just to kick off some thinking to maybe prompt some questions or some further discussion.

But again, we are here to listen. We are here to record your input. We are here so we can engage in this meaningful consultation to hear from you. So, here's the first point of discussion that you can see on the screen. What are the challenges that our grantees are currently experiencing with the current definition for the ESE performance indicator, retention with the same employer?

Again, whatever comments you might have, please type them into the chat line or press \*6 so we can hear from you. And also, if you have any clarifying questions, you can also type into the chat and we can capture your input there. If you have any questions regarding the actual rulemaking process, but really and we can try to answer those questions, but really, what we want to hear about is your input on how this indicator is currently looking for your programs.

What are the possible benefits and challenges of this approach? We want to learn of any alternatives and hear about what your potential technical assistance needs might be as we move forward. So, we'd love to hear from you. Put your comments in the chat or press \*6.

Now, I see that Ms. Garrett did have an initial question about whether there is a possibility that the rulemaking can be customized categorically based on the grantee's status. For example, the rules that apply to rural programs are different from the rules that apply to urban programs, etc. That is really great question, Ms. Garrett. We are recording that question and we will take that back to with our rulemaking team and our legal team to get appropriately considered as we draft the proposed rulemaking. So, thank you. That is a really good question.

Now I see a question from Mr. Chavarria that you would like to view the draft rule so I can ask my director for their concerns. That is a really great question. So, at this point, we are still in the drafting stage of the rulemaking process. What -- once we are, you know, once we are done with this consultation, we're going to finalize a draft of that notice of proposed rulemaking and then we will -- that notice of proposed rulemaking will then be published in the Federal Register.

And we will make sure that everyone who participates in here and all of the grantees will know once that notice of proposed rulemaking is published. Once it's published in the Federal Register, you can read what our proposed rule looks like. You can read what input we considered and how we arrived at our proposal. And then you can also submit written comments to that notice of proposed rulemaking via the formal notice and common process with the Federal Register.

But that's a really good question. We'll make sure that you all know about the publication of the draft proposed rulemaking once it's published, so that you can also submit your comments there, so it becomes part of the formal comment record for that NPRM. But that's a great question, Mr. Chavarria.

I see, Mr. Chavarria, you have a follow-up question; so, can you help me understand the current question for now? I want to make sure that I understand your question. So, can you maybe clarify. Are you looking for further background on what it is right now? What the -- what are the retention with the same employer indicator might be right now? Is that what you're asking? OK. Christina, is that something that we can help Mr. Chavarria with?

MS. ECKENROTH: Oh, sure. The background of effectiveness in serving employers? Absolutely. So, the main issue is effectiveness in serving employers indicator, there were three options presented in the joint rule for ways that we might address this indicator. And that was for the core programs primarily. The DOL-only grantees did not get the opportunity to pilot those other options.

So, in this -- and there may be yet additional options that you think that we ought to consider for this indicator. So, I think what the question here is, currently, the guidance for DOL-only programs, which includes our Native American programs, is retention with the same employer. And that is second and fourth quarter after exit, so that's measuring an individual who exited the program and is still employed with the same employer the second and fourth quarter after their exit.

That is primarily calculated via wage records. So, the other options which you didn't test out, but you may want to consider and think about whether -- what your thoughts about that, whether it would be better or whatever the situation would be for your program. And repeat business customer means that within three years, the businesses came back. So, the idea behind that indicator was that they repeatedly got services from the system.

And the market penetration rate is how many businesses are you -- are you serving, out of all of the businesses in this -- for core programs that was in the state? So, the feedback today would be in general, you're seeing what some folks have put in the chat, their thoughts about other options that we should consider. We're looking into that. If you have other options you think we should consider here, this would be the time to tell us, other things that you think may make the indicator more challenging.

Like this question -- Tom's question here is if there's a challenge with the current definition for retention with the same employer, if it's -- if there is a challenge there, make sure that we understand it for your program. And then we have a couple of other pop questions as we go through that may help you think about -- formulate some feedback.

So that's where we are with the background. If that's not as helpful as it could be, please put in a chat or unmute your line if you happen to be joining via audio and we're happy to explore getting you the best information.

MR. LESTINO: Thanks, Christina. I'm seeing also there's a comment from Ms. Tracy Harjo. I hope, I hope I'm pronouncing your name correctly. If not, my apologies. That employers that tend to have a pattern of layoff and rehire would affect the outcome. So, I want to acknowledge that comment. I want to -- we will definitely take that back to the rulemaking team so that comment gets appropriate consideration.

We have one comment from Ms. Kim Carroll that Grantees in Oklahoma did not have access to state UI information, so are unable to track this other than return follow-up information. This measure doesn't take into account individuals who enter employment in advance to better employment due to services provided, which is what we all hope they will do. That is a great comment, and I believe that our performance team may be able to provide some further background regarding getting UI wage matches. Christina?

MS. ECKENROTH: So, yes, that's a good, good feedback. We do have -- many grantees have access, as we noted, to the GPMS, the new grant management system, whereby the department would do the wage matching. So that is that item to take back and note and make sure that we understand who has access to wages and where there may be gaps, so we will take that information back and make sure that it is -- that we record it appropriately and address it if needed.

And we do acknowledge your comment regarding the participants may move on due to the success of your services. And the -- the only background there is just to acknowledge that and also to indicate that the best indicator is employer facing. So, it is an attempt to measure the effectiveness in serving the employers versus the participant outcomes. But thank you for noting that comment and we'll take it back.

MR. LESTINO: Thank you, Christina. And I also -- I'm acknowledging a comment from Ms. Bridget Blix (sp) that areas with large seasonal hiring would affect this outcome. That is a good comment for consideration and we'll take that back to our team.

Ms. Carroll had a follow-up question. Have other options been submitted for consideration, for example, from the DOL Advisory Council? And I'll see if either Duane or Athena might be able to provide information if that's taking place, Duane or Athena?

ATHENA BROWN: This is Athena. The council did submit recommendations earlier to the Department of Labor. But we have -- but the council has not proposed the definition, so we would welcome any further comments regarding the definition for this particular measure.

MR. LESTINO: Thanks, Athena. I do believe Mr. Chavarria, are you on the line? And you have a verbal comment that you want to provide?

MICHAEL CHAVARRIA: Yeah, can you hear me?

MR. LESTINO: Yep, we can hear you.

MR. CHAVARRIA: Yeah, this is Michael Chavarria, and I served as governor for Santa Clara Pueblo in New Mexico in addition to serving as a chairman for the Eight Northern Pueblos Council and we are a direct grantee. And so just to elaborate on the question, you know, I feel that maybe the Department of Labor has not given consideration -- I know you have mentioned the pilot program and all that -- to the impact of employment for participants may not always continue with the same employer in the second and fourth quarters after exiting the WIOA program.

And so, for an example, a person chooses to upgrade their salary with a different employer in the fourth quarter after exit, the WIOA program could be penalized because a former participant chose to make a better living for themselves by working for a different employer. And another scenario could be the participant realized they are not the right fit for the employer between the second and fourth quarters, changing employers. And then the WIOA program could again be punished financially.

So, we got to realize that not all participants who exit early retain the same employer, especially now during the unfortunate time of our lives, the pandemic occurring. And so, we are able to request performance outcomes not have a negative effect, but to serve as a credit for job retention for our participants. The effectiveness in serving employer measures required under the section would allow participants to have the freedom to choose their employer in the second and fourth quarters after exit.

And letting that participant have a choice, this promotes independence and the initiative, which falls in line with our native culture values. And so, I feel that these are critical tribal consultation sessions open to discussion. But the chairman, I have a director that operates our WIOA programs, it's very critical to understand the challenges and what's being asked of us today and again, how the rulemaking has come into play because as grantees we take on that responsibility to be accountable, to make sure we fully understand those performance indicators and how it could negatively or positively impact our financial position for future requests for this type of assistance. But I appreciate your time. Thank you.

MR. LESTINO: Thank you so much, Mr. Chavarria. That is a really good comment that we can consider and take back. We acknowledge your comment with regard to your concerns regarding the fit of this particular measure for your grantees, as well as how grantees might be penalized under this -- under whatever proposed measure is ultimately put into the regulation. So that's a good comment, and we will take that back to the rulemaking team for consideration. Thank you.

I'm seeing a comment from Ms. Kathy Richards. I see this causing a problem for the justice involved clients who are only in the WIOA program for a short time while completing the time served on Department of Corrections and returning to their state of crime committed. I want to acknowledge that comment and make sure that you know that that is recorded, Ms. Richards, and that we will take that back to our rulemaking team. Thank you.

If we can move to the next slide to see if the next question might prompt some further sort of thinking or discussion. What are the benefits of the current definition of the indicator? Are you seeing any benefits for this current approach in the effectiveness of serving employers, the retention with the same employer sort of definition? Are you seeing that those benefits for your grants and programs? We'd love to hear from your perspective what those benefits might be.

NICOLE YORK: Hi, I'm sorry, I'm unmuted. Can you hear me?

MR. LESTINO: Yeah, I can. Who is on the line?

MS. YORK: Hi, this is Nicole York. I'm with the American Indian Center of Arkansas.

MR. LESTINO: Hi, Ms. York.

MS. YORK: I was trying to -- I can't get my app to work correctly to put anything in the chat. But I had a question regarding like, you know how we're talking about the retention with our employees staying with the same employer? I wanted to -- I'm somewhat new to the WIOA program, so I needed a little more clarification about like what -- how we can assist in making sure that everything is going good with our participants at a new employer site.

For instance, if there are any problems that the participant is seeing, for instance, let's just say for an example, they feel like they're being picked on or, you know, that they're -- things are just kind of being unfair at their current position. Is there something that I need to do because they're on my WIOA program, like to step in and kind of see if I can be like a mediator between the employer and our participant? Or can you kind of give me some examples or some insight as to how my role can better help the situation?

MR. LESTINO: Thank you, Ms. York. I want to put that question to the team. There might be any supportive services that might be responsive to Ms. York's concerns here.

Duane Hall: Yeah, hi, Duane Hall. I think our program provides a lot of support services for individuals and certainly career counseling and job counseling, and I think that's part of our -- I think that's one of our challenges here, right? I think we all agree that not only for our native communities, but just folks in general, is job retention and keeping the jobs. And there's a lot of things that happen on the job and the advantage of our participants is to be there for those clients, provide the supportive services or whatever they are and do the best we can. Sorry, I don't have any specific recommendations, but I did want to add that. Thank you.

MS. YORK: OK, so would you -- is it -- would it be okay for me to maybe meet with the employer to kind of see -- with the employer and our participant at the same time to maybe discuss some of the problems that are occurring?

DUANE HALL: Well, I think we certainly -- sure. No, I think that's a good question. I would say in general, we certainly encourage employer engagement.

MS. YORK: OK, thank you so much, Duane.

MR. LESTINO: I'm seeing a follow-up comment from Ms. Carroll on the chat line. We work with a lot of employers who are repeat employers with our program. However, many of them are entry-level positions needed to gain work experience. Thank you for that. Acknowledging that comment, and we'll take that back to our team.

You know, I just clicked to the next slide, if you all can see it. This may prompt some additional discussion. Are you using any other definitions or ways to measure the indicator for effectiveness in serving employers? You know, you're not -- we're not requiring you, and we've never required you to use any alternative measures or approaches. But if you are or you have any ideas about alternatives that the department should consider, please add them to the chat or press \*6 so we can hear from you.

I'm seeing a few entries in the chat regarding potential other ways to measure effectiveness in serving employers. I'm seeing employer satisfaction surveys. Number of employers served, number of repeat employers. Number of job fairs coordinated with employers. I'm also seeing measuring success when an employer reaches out to us for any upcoming graduates to fill their positions. That's -- those are all really good. That's good feedback. Thank you.

Oh, I'm seeing a comment about, I thought there was an option about how well we've assisted employers in hiring new employees. Job fairs, WEX to full-time hires, prescreening candidates, individual hiring events for specific employers, et cetera. Want to -- I'll see if Christina or anyone else on the team has any sort of follow-up input on that?

MS. ECKENROTH: So that's not one of the three options that were piloted with the core programs, but I do very much appreciate the feedback of additional options, and we'll record those. I think the closest to your comment would be the repeat business customer. But thank you for making the comment about potential other measures for the indicator.

MR. LESTINO: There's, you know, related to this, I know that the technical assistance is something that our grantees are always sort of interested in, and that's something that we want to make sure that we provide. Once this proposed rulemaking is in play and we're in implementation, so we'd love to also hear from you what other technical assistance would be helpful for implementing the EFE indicator.

And you can type your -- any comments on this discussion point or any other discussion point that we've had or any other related point pertaining to this proposed rulemaking on the chat line or press \*6 if you want to offer a verbal comment. I'm seeing there's a few folks that might be typing some comments in the chat line, so please keep those comments coming.

More a comment than a question. I'm seeing some questions here of grantees [inaudible] different also in terms of direct employer relationships. Well, in comparison to grantees with relationships with American Job Centers that facilitate the employment aspect. That's a good comment. It's a good comment to observe and sort of take back to the team that different grantees, in terms of direct employer relationships, and, you know, they have grantees with relationships with the American Job Centers to facilitate employment, that's a really good point. We'll take that back to the team. Thank you, Ms. Garrett.

Let me just scroll back through the last discussion point slides to see if that might help with some further thinking and further comments from the group this afternoon. We are at the 2:50 mark and we are slated to end here at three. But I want to make sure that everyone has an opportunity to be heard during this consultation, so please type your comments into the chat line or press \*6 to provide your verbal comments.

I'm seeing a comment from Ms. Roth. In the research report measuring the effectiveness of service to employers, Illinois, Kentucky, New Mexico, Pennsylvania, Tennessee, Texas, Washington, and Wisconsin were visited. New Mexico, Arizona, and Oklahoma were not a part of the pilot study, which took high Native American DOL programs. The measurement of indicators may have significantly different outcomes with INA WIOA programs, but were not included in the EFE [inaudible] pilot.

Were any INA WIOA programs included in that pilot report? North Dakota, not New Mexico, was included. I'm going to turn that and see if the team might have an answer to that question. Ellen or Christina?

MS. ECKENROTH: So, the evaluation study is what I believe is being referred to, so thank you for pointing that out. The evaluation study was conducted by an external outside contractor to keep it -- we were not involved in the selection. So that's an important note for us to take back. That from your reaction to the to the research, to the evaluation, that it may not have adequately reflected the demographics for these grants. Thank you for that comment.

MR. LESTINO: I have a follow-up comment from Mr. Chavarria with regard to when would we expect the proposed rule to be published? So right now, we are currently planning to publish this NPRM in the spring of 2022. So next year. But again, that that NPRM, once it's published, we will make sure that everyone knows that it's published.

And when you read that NPRM, you will also see instructions to enter more comments for your more formal comments or written comments through the proposed rulemaking. But that is the spring of 2022. It's our expectation of when that proposed rule will get published. So, thank you. We've got about five minutes left in the consultation. If you have any other comments or input, please enter them into the chat line. But I do want to make sure that we let you know about what our next steps would be. So, a recording of this webinar and slide deck is going to be published on workforceGPS.org/events.

You have an opportunity right now to submit written comments related to this tribal consultation session via email to tribalconsultation@DOL.gov. Please submit those written comments related to this consultation by October 29, 2021, and please include effectiveness in serving employers in the subject line of the email.

If you are unable to submit written comments through that email box, you also will have the opportunity to submit formal comments in the notice of proposed rulemaking in the Federal Register when we publish it. Just to let you know sort of how the rulemaking process takes place, we submit an NPRM, publish it, and we open a docket on www.Regulations.gov. Once that is published and that docket is open, you will have the opportunity along with the rest of the general public to provide written comments on the proposal. So, here's another opportunity for you to be able to share your comments and provide input.

I just see a follow-up question regarding once published, when would the final rule take effect? So, we published first a notice of proposed rulemaking, where you will see what our proposal might be. And then after that, after the proposed rulemaking period closes and we are able to sort of take a look at all of the comments that have been submitted, then we will see what the final rulemaking might look like and when that might take place.

So, we don't have a timeline yet for when that will happen. Right now, we're still in the NPRM stage of this rulemaking, but you will for sure know once we are in that final rulemaking stage. But for now, we are still in the NPRM stage of the rulemaking process. As we sort of start wrapping up, I wanted to see if you have any further questions or any further comments. Please enter them in the main chat or press \*6 to unmute yourself.

All right, well, thank you, everyone, for your questions, your comments, your feedback, all of this has been really helpful. Like I said, we were in listening mode, so we definitely recorded all of your comments, both written and verbal. That -- we'll take that back to our rulemaking team to get appropriately considered.

Again, you have the opportunity to provide written comments via the tribal consultation at DOL.gov email by October 29, 2021, and also a formal comment once we publish this NPRM in the Federal Register in Spring 2022. But aside from that, thank you so much for your participation and your really helpful comments. I thank you and have a great day.

(END)