

U.S. DEPARTMENT OF EDUCATION
OFFICE OF INDIAN EDUCATION

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TRIBAL CONSULTATION ON THE ALASKA NATIVE
EDUCATION PROGRAM AND THE BUILD AMERICA,
BUY AMERICA ACT

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TUESDAY
AUGUST 23, 2022

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The Tribal Consultation met via Video
Teleconference, at 1:00 p.m. EDT, Hollie Mackey,
WHIAIANE Executive Director, presiding.

PRESENT

HOLLIE MACKEY, Executive Director, White House
Initiative on Advancing Educational Equity,
Excellence, and Economic Opportunity for
Native Americans and Strengthening Tribal
Colleges and Universities
SUSAN CAIRNES, LPE Associates
PATRICK CARR, Director of Rural, Insular, and
Native Achievement Programs
VALISHA CRANFORD, LPE Associates
MAHOGANY HOPKINS, LPE Associates
AMY LOYD, Assistant Secretary for the Office of
Career, Technical, and Adult Education
JESSICA MCKINNEY, Grants Policy Office, Office
of Planning, Evaluation and Policy
Development
ERIN SAMPSON, Group Leader for the Alaska
Native Education Program

1 P-R-O-C-E-E-D-I-N-G-S

2 (1:05 p.m.)

3 MS. CAIRNES: Good afternoon and
4 welcome to the U.S. Department of Education
5 Tribal Consultation. Just some consultation
6 protocols. All lines have been muted. Event
7 audio and video are being recorded. Comments
8 will be received first from the elected tribal
9 government officials. Comments will be received
10 second from proxy representatives, then members
11 of the public. Whenever speaking, we ask that
12 you please state your first and last name, title,
13 and tribe organization you represent. Please
14 limit comments to the consultation questions.

15 In the event technical issues arise,
16 a traditional conference call line will be used.
17 You can see the numbers here for the conference
18 call number, 1-669-254-5252. There's the meeting
19 ID and the passcode. And someone will be there
20 to assist you. I'd like to now turn the tribal
21 consultation over to Dr. Hollie Mackey.

22 DR. MACKEY: Thank you so much, Susan.

1 Can we get next slide, please? I'd like to just
2 take a moment to introduce myself. My name is
3 Hollie Mackey. I'm the executive director for
4 the White House Initiative on Advancing
5 Educational Equity, Excellence, and Economic
6 Opportunity for Native Americans and
7 Strengthening Tribal Colleges and Universities.
8 I also serve as the Department of Education's
9 tribal consultation official, and I will be
10 walking us through the questions today. Next
11 slide, please.

12 So we have a pretty packed agenda for
13 you today, and we're really excited to get your
14 feedback on this. So we have two topics that
15 we're going to include in our tribal
16 consultation.

17 The first is the Alaska Native
18 Education Program. And through that topic, we'll
19 have our welcome and introductions of the program
20 participants who will be facilitating that.
21 You'll get a little bit of a background and
22 overview of that program. The purpose, and then

1 we'll transition into the questions. And then
2 from there, of course, we will take tribal leader
3 comments first, and then proxy comments and then
4 public comments.

5 And from there we'll transition into
6 the Build America Buy America Act, where
7 similarly, we'll introduce the people at Ed who
8 will be leading that conversation. They'll
9 provide you with background and overview, and
10 then we'll go into the consultation questions,
11 again with tribal leaders first, proxies second,
12 and then public comments afterwards. Next slide,
13 please.

14 So for our first topic, we have the
15 Alaska Native Education Program. So we'll go to
16 the next slide. And for this particular program,
17 we have Assistant Secretary Amy Lloyd, who will
18 be leading the conversation, along with
19 colleagues Patrick Carr and Erin Sampson. So we
20 can go to the next slide, and turn that over to
21 Amy.

22 MR. CARR: And this is actually

1 Patrick Carr. I'm the Director of Rural, Insular
2 and Native Achievement Programs. Amy,
3 unfortunately, is in transit and not quite close
4 enough to take our introduction and background,
5 so I will be stepping in on her behalf.

6 Apologies for the late change of plan. So I am
7 joined by Erin Sampson, who is the Group Leader
8 of the Alaska Native Education Program Board
9 within the Office of Elementary and Secondary
10 Education.

11 And today, we're excited to conduct a
12 tribal consultation to examine questions and
13 elicit responses on the implementation in
14 administration of the Alaska Native Education
15 Program. The purpose of this consultation is to
16 receive meaningful input on the Department's
17 administration of the program. Next slide,
18 please.

19 As those of you who are joining today
20 likely know, the purpose of the Alaska Native
21 Educational Equity, Support and Assistance Act is
22 to support innovative projects that recognize the

1 unique educational needs of Alaska Natives.
2 Alaska Native Education Program helps integrate
3 Alaska Native languages and cultures into
4 education, helping to ensure educational success
5 and the long-term wellbeing of Alaska Native
6 students.

7 These projects that are funded through
8 this program -- the projects that are funded
9 through this program support effective
10 supplemental education programs that maximize
11 participation of Alaska Native educators,
12 leaders, and the planning, development,
13 implementation, management and evaluation of the
14 program, designed to serve Alaska Natives. Next
15 slide, please.

16 And with that, I'm going to hand it
17 back over to Dr. Mackey to take over our
18 consultation questions.

19 MS. CAIRNES: Just for a quick
20 reminder, all lines have been muted. Event audio
21 and video are being recorded. Comments will be
22 received first from elected tribal government

1 officials. Comments will be received second from
2 proxy representatives, then members of the
3 public.

4 Whenever speaking, please state your
5 first and last name, title, and tribe
6 organization you represent. And we ask that you
7 please limit comments to the consultation
8 questions. Thank you. And I will turn it over
9 to Dr. Mackey.

10 DR. MACKEY: Thank you, Susan. I did
11 want to remind our participants, as well, if you
12 prefer not to speak, you're welcome to answer
13 this question in the chat. And in there, please,
14 again, just remember to make sure you state your
15 name, your tribal affiliation, and your role.

16 So our first question. What priority
17 or priorities would improve the overall design,
18 delivery and quality of grant projects funded
19 under the Alaska Native Education program? Use
20 the raise-hand feature in the Zoom to be
21 recognized.

22 Again, for our tribal leaders, if they

1 would like to respond to the first question, what
2 priority or priorities would improve the overall
3 design, delivery and quality of grant projects
4 funded under the Alaska Native Education program?

5 MS. CAIRNES: Dr. Mackey, I see one
6 hand.

7 DR. MACKEY: Okay.

8 MS. CAIRNES: Nicole?

9 MS. WOJCIECHOWSKI: Good morning.
10 This is Nicole Wojciechowski, vice president of
11 the Inupiat Community of the Arctic Slope
12 Regional Tribal Government, on the Arctic Slope
13 of Alaska. For this particular question on the
14 priorities, I think funding through the tribes is
15 very important. More opportunity to deliver
16 Native education services by the tribes, rather
17 than funneling the funding.

18 Going to tribal consultation, tribes
19 should be engaged in how funding is allocated and
20 distributed. Partnerships between tribes and
21 nontribal programs should be an actual
22 partnership. Ethical and equitable engagement is

1 important. And there should be monitoring of the
2 process of implementation of tribal suggestions,
3 and ensuring there's monitoring of whether the
4 grants actually benefit the Native students.

5 When it comes to deadlines and data,
6 making sure that data reporting requirements are
7 not overly burdensome, because of the limited
8 capacity of tribes and resources. And again, in
9 terms of partnerships, and not just consultation,
10 in which we're just checking the box. And if one
11 Native tribal community supports it, it doesn't
12 mean the whole region supports that project. So
13 thank you for the opportunity to comment on this
14 question.

15 DR. MACKEY: Thank you, Nicole. Do we
16 have others who would like to respond to Question
17 1, what priority or priorities would improve the
18 overall design, delivery and quality of grant
19 projects funded under the Alaska Native Education
20 Program?

21 MS. CAIRNES: Dr. Mackey, I do not
22 recognize any additional hands, if you would like

1 to move to Question Number 2.

2 DR. MACKEY: Yes, we can do that. And
3 just as a reminder, if you have thoughts, as
4 we're progressing through the questions, we can
5 certainly take the time to come back. I believe
6 we have enough time built into this, so this will
7 not be your last opportunity to answer these
8 questions.

9 So we'll go to Question 2 next,
10 please. Question 2. What suggestions do you
11 have for strengthening the Alaska Native
12 Education program, as authorized under Section
13 6304 of the Elementary and Secondary Education
14 Act of 1965?

15 Again, Question 2, what suggestions do
16 you have for strengthening the Alaska Native
17 Education program, as authorized under Section
18 6304 of the Elementary and Secondary Education
19 Act of 1965?

20 And if we have anybody -- any
21 community members who are not tribal leaders who
22 would like to answer, feel free to add your

1 comments here. It appears that we have not had
2 any tribal leaders or proxies who wanted to
3 provide comment originally.

4 MS. CAIRNES: Dr. Mackey, there are
5 two hands raised. I'll first call on Nicole, and
6 then Blanche Murphy.

7 MS. WOJCIECHOWSKI: Thank you again.
8 This is Nicole again from the Inupiat Community
9 of the Arctic Slope. To answer this question, I
10 really believe that the Department should
11 incorporate the interests of the tribes again,
12 and the educational needs that are necessary for
13 tribal members, for tribal students, receiving
14 their education.

15 And in terms of early education, it's
16 again important to consult the tribes, and the
17 Department should build curricula around the
18 needs of tribal members that are determined by
19 the tribes, not as determined by state or federal
20 authorities.

21 And when it comes to literacy, it's
22 difficult for students to connect if it's not

1 applicable to the place that surrounds them and
2 the community in which they live. And finding
3 the -- so I guess, from a western education
4 perspective, sometimes they don't grasp it, and
5 it results in low levels of success. So being
6 culturally appropriate, and implementing literacy
7 programs in a culturally-appropriate manner, is
8 very important.

9 And again, I think there should be a
10 program for, you know, the struggling students
11 who, just looking at the dropout rate of Native
12 students -- and again, I think that's because of
13 a lack of connection between the Native students
14 and their surrounding education system that
15 they're in. And bringing attention to that, I
16 think, today, is very important. I mean, as it
17 was yesterday, but even more important now. So -
18 -

19 DR. MACKEY: Nicole, might I ask you
20 a follow-up question?

21 MS. WOJCIECHOWSKI: Yeah. Yeah.

22 DR. MACKEY: Yeah, so it strikes me,

1 when you had said, you know, based upon what the
2 tribes need, and given you are right in the
3 middle of this program, how would you then
4 recommend that we most authentically determine
5 what tribes need?

6 And you can add this later, if you
7 want. I'm just -- I think that what you're
8 saying is very important, and I think providing
9 us some guidance on how you feel we could best
10 make determinations about what those needs are
11 would be helpful for this conversation.

12 MS. WOJCIECHOWSKI: I think an
13 engagement process like this, today, is very
14 important. I think, you know, in terms of
15 highlighting the different areas of what tribes
16 need, whether it's early education, working with
17 the students, and providing, you know, the
18 funding to the programs that we prioritize, I
19 feel like it varies across the regions, but there
20 are commonalities, in terms of what tribes need.

21 And bringing the educators together,
22 and bringing the experts together to really

1 highlight those, when thinking about
2 strengthening Alaska Native Education Programs,
3 is -- to make it more robust and take it to the
4 next level is so important to me. And I think, I
5 mean, I think we have an idea of what, as
6 authorized under Section 6304, what we should be
7 targeting, but further, having those
8 conversations, and really providing a roadmap is
9 very important. So I hope that answers your
10 question, or --

11 DR. MACKEY: Yes. Yeah, that does.
12 That's helpful. I know we had somebody else who
13 wanted to comment on this, and then a request in
14 the chat to go back into Question 1, for those
15 who might be stakeholders or community members
16 who did not have the opportunity. So we'll go
17 with the second person who had raised their hand
18 for Question 2, and then we'll go back to
19 Question 1.

20 MS. MURPHY: This is Blanche Murphy.
21 I am Aleut, currently living in Fairbanks,
22 Alaska. I am part of the ANE PAC, the Parent

1 Advisory Committee, and my experience with the
2 school district here is that we are a rubber
3 stamp. The school district determines what
4 they're going to do, they run it by us, and if we
5 make suggestions, they say, we'll take it under
6 advisement, and nothing ever happens. They go
7 ahead and do what they want, because it's the
8 most convenient. It fits into the school
9 district model.

10 I think that to strengthen the ANE
11 program, we have to have the curriculum. And I
12 think the ANE funding should be -- a large
13 percentage of it could go to creating curriculum,
14 because there's such a richness to our cultures
15 that needs to be -- excuse me -- reinforced with
16 our kids. And they miss that.

17 I mean, I grew up with Dick and Jane.
18 And cars -- we didn't have any cars where I grew
19 up. There were a few trucks. Didn't know what a
20 car was. A vacation? Never heard of it. And
21 these are the kinds of things our kids are being
22 exposed to, instead of fish camp, moose hunting.

1 And if there were appropriate books
2 written about local culture, yeah, it's going to
3 take money, it's going to take a large grant.
4 But you know, once it's done, there's such a
5 richness that could be in that material that
6 would make our kids feel good about themselves,
7 that they could learn, okay, so I'm a city kid
8 now, but I can learn about my cousins out there
9 in the village, going on a moose hunt.

10 There are so many concepts, so many
11 skills, that these kids can learn if there's the
12 appropriate curriculum and literature. And I
13 think that is one of the best ways that could
14 strengthen the ANE program, is to get curriculum
15 writers, and sit them down with some elders, for
16 each different culture, and have them write this
17 curriculum, and get it distributed out to all the
18 different schools, not just to that culture. But
19 they need to have the material accessible for all
20 kids across the state.

21 And I think if we had that, it would
22 make a world of difference to our kids. They

1 would want to read. There'd be a purpose to it.
2 They'd want to do the math. I think we'd see the
3 kids climb up the ladder, so to speak. Their
4 skills would improve academically. And we'd have
5 a lot more success with students in the schools.
6 Thank you.

7 DR. MACKEY: Thank you, Blanche. I
8 appreciate your comments. And just as a
9 reminder, you're welcome to put your comments
10 into the chat. Just ensure that you're
11 responding to everyone in the chat, so we can
12 make sure we're not missing anything.

13 We had a comment from Mona Berry. To
14 ensure that intervention services are provided by
15 highly-qualified teachers, using evidence-based
16 practices and programs. So just to confirm to
17 you, Mona, we have received that comment. If you
18 could just include in there where you're from?
19 If I did not see that -- your tribal affiliation
20 and organization. So we have, I believe, two
21 more hands raised for Question 2?

22 MS. CAIRNES: Yes. First Lee

1 Kadinger, and then Wallace Abernathy.

2 MR. KADINGER: This is Lee Kadinger,
3 Chief Operating Officer with Sealaska Heritage,
4 here in Juneau, Alaska. Are you able to hear me?

5 DR. MACKEY: Yes, we can hear you.

6 MR. KADINGER: All right. I wanted to
7 start -- and first mention, the 2016 changes to
8 the Alaska Native Education program have really
9 been impactful and meaningful, from our
10 perspective. We've been able to make significant
11 progress in Native academic achievement,
12 including school retention. But the status of
13 Native education remains problematic, and we
14 still face many challenges.

15 Furthermore, I must also emphasize
16 that the impacts of COVID-19, with the closure of
17 schools and the social isolation, have
18 exacerbated these problems of Native students,
19 and preliminary reports from schools indicate
20 that the academic gains that we had been making
21 have begun to erode. While there was a one-time
22 infusion of significant federal funds to address

1 COVID-19 impacts, I'm concerned that the effects
2 will be long-term, and will far outlast that one-
3 time infusion.

4 So one of our -- one of our hopes is
5 that the administration, the Department, consider
6 making increases to the Alaska Native Education
7 Program that allow tribes, tribal organizations,
8 to continue to address the challenges and the
9 impacts of COVID-19 in years forward.

10 I also wanted to touch on some of the
11 suggestions for strengthening the ANEP program,
12 more particularly, when it relates to specific
13 programmatic successes that we've seen, that we
14 feel would be helpful for the Department to
15 consider.

16 One is Native leadership in developing
17 and implementing relevant educational programs
18 for Native students, ensuring that Alaska Native
19 people are the ones that are providing those
20 educational programs that are instrumental to the
21 success of them. And that's something that could
22 potentially be looked at, to have specific points

1 awarded to, in the application process.

2 Also, applications that prioritize and
3 focus on parental involvement are extremely
4 important and helpful. Ensuring that curriculum
5 and educational materials embodies and reflects
6 Native culture, values, communities and
7 individuals. I heard another respondent that
8 mentioned that. That is another priority of
9 ours.

10 And then lastly, partnerships with
11 school districts and universities that lead to
12 systemic changes. Systemic changes are long-
13 lasting, and they have profound effects on our
14 children. And they have the ability to outlast
15 the applicable three-year program.

16 So focusing on and highlighting where
17 those partnerships can occur, so long as the
18 tribe or tribal organizations are the ones that
19 are making those decisions, is a -- we feel is an
20 important step in the ANEP program, is to
21 maintain those partnerships.

22 DR. MACKEY: Thank you for that. And

1 now, Amy Lloyd, would you like to provide comment
2 here before we move on?

3 MS. LLOYD: Sure. I --

4 DR. MACKEY: And we will be going back
5 to Question Number 1, just for folks who are
6 waiting.

7 MS. LLOYD: Yeah. Thank you for those
8 comments, Lee, and also for your earlier
9 comments, Blanche. I just wanted to chime in and
10 reinforce what you were just saying. I do want
11 to clarify that curriculum development, alongside
12 training and professional development, family
13 engagement, the dimensions of education that,
14 Lee, you were just speaking to, with respect to
15 ensuring that curriculum reflects the values,
16 communities, Alaska Native people and
17 perspective, and how essential partnerships are,
18 indeed, what the Department seeks to accomplish
19 through the Alaska Native Education Program.

20 And I -- you know, I'm at the U.S.
21 Department of Education now, but I was formerly
22 in Alaska and led Alaska Native education

1 programs, and know that that was a focus when I
2 was there, and would love to, you know, learn how
3 we at the Department can do a better job of
4 supporting Alaska Native leadership in driving
5 curricula, in driving partnerships, in driving
6 the kind of work that you want to see for your
7 students in your communities. So thank you for
8 raising those points.

9 DR. MACKEY: Thank you, Amy. Do we
10 have other people who would like to respond to
11 Question 2?

12 MS. HOPKINS: I have Wallace
13 Abernathy. He has his hand raised.

14 DR. MACKEY: Okay.

15 MR. MWAREY: Yeah, good morning. This
16 is actually Bart Mwarey, using his -- Wallace's
17 computer. I'm the superintendent of Hydaburg
18 City School District, and I work closely with the
19 Hydaburg Community Association and the local
20 tribe here.

21 And my comment has to do with -- we
22 need more money coming, infused into ANEP grants

1 to help prepare future teachers, because -- along
2 with the curriculum, along with the items that
3 were mentioned by the other individuals.

4 And if we start with junior high
5 students in exposing them to what a teacher can
6 be and, you know, hire them as aides -- and then
7 making sure that they know what the teaching
8 profession really feels like and looks like, and
9 maybe even supporting them to become teachers in
10 the future.

11 We have one local Native teacher in
12 this school, since way back then, when the
13 district was formed. And I think it's a shame
14 that we have to -- we have to hire teachers from
15 outside to teach, when you're talking about local
16 culture and language. We don't even speak the
17 language. We don't understand their culture.

18 So I'm hoping that, you know, to
19 improve the program, we can infuse -- or you
20 folks can infuse more money into the preparation
21 of teachers. Maybe even working and hiring aides
22 under this program, to hopefully entice them to

1 become teachers in the future. And then we can
2 actually fully teach what Hydaburg culture and
3 language really looks like, and what it feels
4 like. And I also have a comment for Question
5 Number 1.

6 DR. MACKEY: Do we have anybody else
7 who wants to comment on Question 2, before we go
8 back to 1?

9 MS. HOPKINS: Yes. I have Mark
10 Roseberry, followed by Renee Culp. And --

11 DR. MACKEY: Okay. And so if we could
12 hold off on the Question 1 response, just so
13 we're clear in our notes when we're compiling
14 them? And we'll come back to -- if you'll just
15 raise your hand again for Question 1? And we'll
16 go to the remaining Question 2 participants.

17 MS. HOPKINS: All right.

18 MR. ROSEBERRY: Okay. Yeah, this is
19 Mark Roseberry. Yeah, I'm the education director
20 at the Inupiat Community of the Arctic Slope.
21 And you know, on Question 2, you know, part of --
22 and this goes along with -- and we can go back to

1 Question 1, too, because they kind of -- they
2 kind of go together.

3 But a lot of the tribes in Alaska,
4 there's a number of us putting together our own
5 tribal schools, tribally-run schools, sanction
6 schools, and things like that. And so improving
7 the program would be, you know, working with the
8 tribes to support those school systems that
9 they're putting together. There's tribal
10 compacting here.

11 So, I mean, everything from early
12 education -- from our view, in order to have a
13 successful program, it starts at early education,
14 so that the Native students are getting the same
15 education from early on, childhood, infancy, all
16 the way up to graduation, instead of going from
17 one system to another.

18 And having this cohesiveness and
19 supporting the tribes in this way -- you know,
20 Alaska tribes are very different than the Lower
21 48. There's not reservations, there's not things
22 like that. And so getting funding for the

1 education outside of the ANE grants is very
2 difficult.

3 And strengthening the program would
4 mean working closer with the tribes to support
5 their authorities to implement education where
6 they're having a lot of difficulty in attaining
7 funding, because of the way current legislation
8 is written. So --

9 DR. MACKEY: Thank you, Mark. All
10 right. We have Renee Culp, followed by Lisa
11 Rieger.

12 MS. CULP: Hello, my name is Renee
13 Culp. I'm the Juvenile Justice Program
14 coordinator for the Navigators program with
15 Tlingit and Haida Tribe in Juneau, Alaska. I'm a
16 current -- we are a current grant recipient for
17 the ANEP grant program. One suggestion that I
18 would like to make for strengthening the ANEP
19 program is to focus on equity, and increasing
20 cultural awareness within our educators,
21 including self-cultural awareness.

22 The education system in the United

1 States for Native people was built on, as we all
2 are learning very intimately, kill the Indian and
3 save the man. And unfortunately, the systemic
4 racism within our school systems, at least in
5 Alaska, are still extremely strong. Our students
6 live with this every day.

7 It's an experience that, as someone
8 growing up in the school system in Alaska,
9 graduating in the '90s, I felt it then, and in
10 the years that I've been working with students
11 since then, have continued to hear the horrific
12 stories that they have to endure while they're
13 trying to get an education. As educators, we
14 know that if you are in fight, flight, freeze or
15 fawn mode, it's very difficult to learn anything.

16 And it's such a regular occurrence
17 that just even recently, we had an elder assist a
18 family by going in to address a situation that
19 had happened, and just before they entered the
20 space, the elder identified that it was a good
21 day to be arrested. This is the level of
22 oppression and racism that Native people are

1 living every day, while we're trying to get an
2 education.

3 Many of the comments that have been
4 said this morning to make improvements are
5 extremely important in that process, including
6 assisting us in creating our own educational
7 systems. Those tribal schools that are being
8 built are absolutely fabulous, and I'm excited
9 for the creation for them, yet many of our
10 students will be remaining -- as we build these
11 tribal schools, will remain in the main western
12 school system.

13 So addressing equity within the
14 schools, increasing cultural awareness,
15 addressing and reducing the racism, is an uphill
16 battle, as the gentleman from Hydaburg
17 identified, that we have few Indigenous educators
18 in our system, and with the recent challenge of
19 losing so many educators -- with burnout and
20 exhaustion, understandably so -- we're facing
21 even a higher rate of new educators coming into
22 our school systems.

1 These are challenges that we face
2 every day, and they are systemic, that as
3 Indigenous people, we can give light to, we can
4 reflect a mirror on. But being outside of the
5 system that has created the structure for kill
6 the Indian, save the man, we are largely
7 ineffective in changing those systems. And so we
8 need assistance in that process. Those are my
9 comments. GunalchEesh.

10 DR. MACKEY: Thank you, Renee. We
11 appreciate that. We'll take one more comment for
12 Question 2 -- I believe is the number of hands we
13 had raised. And then we'll go back to Question
14 1, for those who were unable to answer at that
15 time.

16 MS. HOPKINS: It's going to be Lisa
17 Rieger.

18 MS. RIEGER: Hello, and thank you for
19 the opportunity to make a comment. I am speaking
20 on behalf of Cook Inlet Tribal Council in
21 Anchorage, Alaska. And in addition to all of the
22 very cogent comments that have been made so far,

1 with which we completely agree, I wanted to give
2 a couple of maybe pragmatic approaches that would
3 improve the program dramatically.

4 First of all, if the Department could
5 possibly adjust the application and funding
6 cycle, so that our funds could be received before
7 the beginning of the academic year, in August,
8 that would make a huge difference in the
9 successful implementation of our programs. It's
10 just unreasonable to get our funding at the end
11 of September, when school started in the middle
12 of August. I think you can understand that.

13 We also urge the Department to double
14 the request for funding, which has remained
15 basically stagnant over the last several years.
16 As Lee pointed out, we have increased need, due
17 to COVID, that is not going to go away. But it's
18 also, you know, if you double the amount of
19 funding, then that would double the amount of
20 programs that would be funded.

21 And as has been mentioned, this is the
22 only source of Native education in Alaska, other

1 than Johnson-O'Malley. And so it is really a
2 critical piece in addressing the cultural and
3 academic (audio interference). Hello? Hello?
4 That was weird.

5 DR. MACKEY: I'm sorry, Lisa. It
6 seems like one of our contractors is not muted.

7 MS. RIEGER: Okay.

8 DR. MACKEY: I think you were saying
9 that it's one of the only sources of funding,
10 along with Johnson-O'Malley?

11 MS. RIEGER: Right. It is the only
12 source, along with Johnson-O'Malley. And then,
13 I'm going to just slip my comment in about
14 Question 1 now. The Department should follow the
15 priorities that were listed -- that are listed in
16 the legislation, and never substitute for -- or
17 add points or preferences for other types of
18 programs.

19 Because there's a lot of thought and
20 intentionality that went into that list, which is
21 very comprehensive, and includes all the things
22 that people have already said today are

1 priorities. So, really urge the Department not
2 to substitute any priorities for those that are
3 listed in the legislation.

4 And then finally, the approach towards
5 administrative funds that have been mandated by
6 the appropriations committees in the past are
7 really essential to being able to make these
8 programs work in Alaska Native organizations.
9 Thank you.

10 DR. MACKEY: Thank you for your
11 comments, Lisa. Can we please go back to the
12 Question 1? Thank you. And just, as people want
13 to raise their hand to provide input here, I just
14 did want to point out that we have Woody, who had
15 said that, supporting Bart 100 percent, more
16 money for teacher preparation. Also development
17 of a more culturally-appropriate teacher
18 preparation certification.

19 And then Desiree, asking us to address
20 other social, emotional, and economic factors
21 that contribute to student outcomes. So now back
22 into Question 1, I'll turn that over to our

1 contractors to call on people.

2 MS. HOPKINS: Yes. We had a question
3 in the chat from Renee Culp, regarding Question
4 Number 1. If you would like to speak? Followed
5 by Wallace Abernathy.

6 MS. CULP: Yes. GunalchEesh. The
7 comment that was just made a few moments ago to
8 focus on the priority list that has been
9 determined already certainly is what I'm
10 encouraging, and then back to the equity issue.

11 And so I will just yield the floor to
12 others, because I have shared -- everything that
13 I said for Question 2, regarding equity in
14 schools, is what I was going to say for Question
15 1.

16 MS. HOPKINS: Okay. Thank you.
17 Wallace Abernathy?

18 MR. MWAREY: Yeah, this is Bart Mwarey
19 again, superintendent, Hydaburg City School
20 District. And I wanted to make a comment on who
21 is eligible to apply. When the school district
22 applied for this grant, it kind of forced all the

1 entities in the community to form what we call a
2 united front.

3 You know, I am having -- I was forced
4 to -- not forced, but I was required to get the
5 tribe to sign off on the application, which kind
6 of made it possible for us to have a dialog, and
7 if we didn't, that opportunity might not be
8 there. So I hope that you still would allow
9 school districts to apply on behalf of the tribe,
10 you know, in a kind of collaborative manner.

11 And there are also some communities
12 that are just not equipped for the tribe to just
13 go ahead and apply for the grants, without
14 anybody else, because they might not be able to
15 get the opportunity to get these kinds of funds,
16 especially in times that the State of Alaska had
17 leveled -- I mean, we're still on the funding
18 formula for 2007. And they haven't really raised
19 the SBA for a long time. So these kind of funds
20 come in handy in terms of running school
21 districts in the state.

22 DR. MACKEY: Thank you for your

1 additional comments, Bart. Do we have others for
2 Question 1?

3 MS. HOPKINS: Dr. Mackey, I do not see
4 any additional hands raised for Question 1.

5 DR. MACKEY: Okay. So we'll go to
6 Question 3. We have a comment from Jen LeBret,
7 who does not have a mic, but she said there are a
8 few programs that address the issues that are
9 being talked about, such as creating books and
10 curriculum, that our Native students --
11 Washington State is working on Native Teacher
12 Pathways Program. I agree, they don't have
13 support in the school system once they get there.
14 So thank you, Jen, for that comment. Always
15 happy to learn from you and your experiences.

16 We're going to now go to Question 3.
17 How can the U.S. Department of Education improve
18 its online resources for Alaska Native Education
19 Program grantees? And again, we'll open it up
20 first to tribal leaders, and if we have no tribal
21 leaders on who would like to speak, their
22 proxies. And then if we don't have any of the

1 proxies, we'll go to public comments. Again, the
2 question -- how can the U.S. Department of
3 Education improve its online resources for Alaska
4 Native Education Program grantees?

5 MS. HOPKINS: Dr. Mackey, I recognize
6 one hand raised. Nicole?

7 DR. MACKEY: Nicole, if you'd like to
8 go ahead, please?

9 MS. WOJCIECHOWSKI: Thank you, Dr.
10 Mackey. Thank you. Again, I just want to stress
11 that we appreciate the U.S. Department of
12 Education providing online resources for Alaska
13 Native Education Programs.

14 One suggestion that we make is to
15 create one comprehensive website for online
16 resources. Multiple websites that our staff have
17 to go through to access information can take a
18 lot of energy and work, and can be a little bit
19 confusing for them. So I think one suggestion is
20 to create a comprehensive website for online
21 resources, and other tools, as well. So thank
22 you.

1 DR. MACKEY: Thank you, Nicole.

2 MS. HOPKINS: Dr. Mackey, we have Lee
3 Kadinger.

4 DR. MACKEY: Lee, please. You have
5 the floor.

6 MR. KADINGER: Thank you, Dr. Mackey.

7 Lee Kadinger, Chief Operating Officer with
8 Sealaska Heritage, speaking on behalf of Dr.
9 Rosita Worl. I wanted to also echo what Nicole
10 just mentioned. Maybe a site that the Department
11 of Ed could possibly host, that makes available
12 some of the resources that have been developed
13 under these programs.

14 SHI has something that we're working
15 on, but basically, pull all of the historical
16 lessons, resources, materials, that we've
17 developed, in our probably 40 years of existence.
18 But that's something that, I think, as a whole,
19 across the state, if all different organizations
20 could see materials that were developed, lessons
21 that were developed, for other entities and
22 organizations, not only could they adapt and

1 develop those for their specific regions, for
2 their specific languages, but they could adapt
3 those.

4 That's something that I just feel
5 would be really advantageous, because there's a
6 lot of great work that's been done over the
7 years, and I feel that at times, it's hard to
8 even be made aware of it, unless you really are
9 in the know on that specific -- within the
10 specific organization. So that could even be an
11 optional thing, where entities could upload that,
12 and make it available, if they see fit.

13 But I just wanted to echo Nicole's
14 comment, in having resources available in kind of
15 one site. And that could be just beyond kind of
16 more of the federal resources, but it could even
17 dip down into the resources that have been
18 developed through the ANEP program.

19 And then, lastly, I wanted to also
20 mention that having a forum where Alaska Native
21 organization and tribes that are operating in
22 programs can meet and talk about the programs

1 that we're doing -- that's something that has
2 happened a few times in the past, through the ANE
3 program. But I do feel that it was somewhat
4 helpful, highlighting programs and entities,
5 successful programs, having entities share about
6 the programs they're doing.

7 That all helps us, in Alaska,
8 understand what others are doing, maybe get ideas
9 for our regions. So I just wanted to throw that
10 out, that those meetings are extremely impactful,
11 and it's been helpful. Those are my comments.

12 Thank you.

13 DR. MACKEY: Thank you very much, Lee.
14 I think I saw Lisa was next. Is that correct?

15 MS. CRANFORD: That is correct.

16 DR. MACKEY: Lisa?

17 MS. RIEGER: Sorry. Just trying to
18 put myself off mute there. I would -- I agree
19 with Nicole and Lee. And also, I just want to
20 give you an example. The Child Welfare Gateway
21 distributes materials, both from within their
22 programs and all kinds of other resources that

1 are available for those involved in working in
2 child welfare. That's offered through HHS. And
3 that might be a good model for looking at how to
4 disseminate information.

5 I think this is one of the big
6 frustrations -- sorry -- we have in terms of --
7 you know, we do our work, you know, we make
8 materials, we create books and music and all
9 kinds of things. And then we report back to the
10 Department, but others don't get the benefit of
11 that, or of Lee's work, or, you know, anybody
12 else on the call. So we would suggest that that
13 might be a good resource to look at.

14 DR. MACKEY: Thank you for that. Is
15 there a web link or something you could drop into
16 the chat, potentially? Lisa, that was directed
17 towards you, but if not, we can certainly follow
18 up. And we do have a comment in the chat --

19 MS. RIEGER: I'll try. I'll try to --
20 I'll try.

21 DR. MACKEY: Okay. We know where to
22 find you, so if it doesn't work, we can follow

1 up. So we have a -- in response to Lee, the
2 Native Hawaiian Education Program in 1994
3 reauthorization created a Native Hawaiian
4 Education Council to serve as coordinating entity
5 among the Native Hawaiian Education Program
6 grantees, to share resources, deepen
7 collaboration and partnerships, and coordinate
8 efforts. So it sounds like potentially a
9 recommendation, right, for Ed to think about, as
10 well?

11 Do we have other people who would like
12 to respond to Question Number 3? How can the
13 U.S. Department of Education improve its online
14 resources for Alaska Native Education Program
15 grantees?

16 MS. CRANFORD: Looks like we have one
17 hand. Jennifer Belle?

18 DR. MACKEY: Okay, Jennifer, please.

19 Jennifer, it seems you might be having
20 a challenge with your microphone. So Jennifer,
21 we'll make sure to come back to you on Question
22 3, if in fact we can get the tech parts worked

1 out that may be at play. Do we have anybody else
2 for Question 3?

3 MS. CRANFORD: We do. We have Mark
4 Roseberry.

5 DR. MACKEY: Okay. Mark?

6 MR. ROSEBERRY: Yeah, I think on the
7 education -- I mean, the application process, the
8 only comment I'd have is, you know, I agree with
9 what people have said about a more timely process
10 when the money comes out would be helpful, if
11 that's possible.

12 But the other part of it is giving
13 feedback on our applications in a timely manner,
14 too, so that we know, you know, what do we need
15 to improve, or how that is -- and I know we
16 hadn't received feedback, and I know others
17 haven't. So maybe that would be helpful.

18 DR. MACKEY: Thank you for that.

19 MS. CRANFORD: All right. We have one
20 more hand. Renee Culp?

21 MS. CULP: Yes, thank you. Renee Culp
22 with Navigators Program, Tlingit and Haida in

1 Juneau. And doing a quick glance at the online
2 resources, I may be missing it, but I -- my
3 suggestion would be to add, similar to what Lee
4 with Sealaska is suggesting, to pool together the
5 various different cultural resources that have
6 been created, either underneath the ANE Program
7 grants and/or working with the knowledgeable
8 entities within Alaska and around the United
9 States, who provide knowledgeable resources for
10 the vast different cultures that are -- Alaska
11 Native cultures that are being represented in
12 specifically this state, though that is a large
13 task.

14 So not necessarily recreating the
15 wheel. As Lee was identifying, there are lots of
16 resources out there. Just had attended a
17 training in working with partners that work
18 within the school districts here in the
19 southeast, who identified that they are lost in
20 where to go for resources to help them connect
21 with Native students and learn about our history
22 and our current challenges, and fights, and

1 movements and leaders, kind of all of those
2 things.

3 That's a huge, specific resource link
4 that provides our educators direction to go for
5 not only information to learn and educate
6 themselves, but also resources that many of us
7 have identified we need within our school systems
8 for our students. GunalchEesh.

9 DR. MACKEY: Thank you, Renee. Just
10 doublechecking, Jennifer Belle, have we worked
11 out the audio issues? So I have a note here --
12 we'll come back to you as we troubleshoot it on
13 our end. Do we have anybody else for Question 3
14 before we move on to Question 4?

15 MS. CRANFORD: Not at this time.

16 DR. MACKEY: Okay. Go ahead and --
17 next slide, please. Question 4. What
18 suggestions do you have to improve the annual
19 performance reporting process for Alaska Native
20 Education grantees?

21 And again, we'll take tribal leaders
22 first, and then proxies, and if we have none who

1 want to contribute, or once those are completed,
2 we'll move to public comments from our
3 stakeholders and educators on the line.

4 Again, what suggestions do you have to
5 improve the annual performance reporting
6 performance process for Alaska Native Education
7 grantees? Nicole, would you like to start us
8 off?

9 MS. WOJCIECHOWSKI: Yes, very briefly,
10 this is Nicole Wojciechowski with the Inupiat
11 Community of the Arctic Slope. I just wanted to
12 add that, in terms of the reporting, and thinking
13 about encouraging and considering the question of
14 what constitutes educational success, funding
15 allocated through ANE Program should be dependent
16 on actual results, and success should not be
17 based solely on increased attendance by Native
18 students.

19 I know numbers are important, but
20 really grasping onto what is success is very
21 important, and I think an annual consultation
22 with the tribes on what constitutes success, and

1 the performance of the grantees, is important.

2 Thank you.

3 DR. MACKEY: Any other comments on
4 Question 4? What suggestions do you have to
5 improve the annual performance reporting process
6 for Alaska Native Education grantees?

7 Okay, we'll move on to Question 5, and
8 then we'll leave some time at the end to double
9 back. And Jennifer, we're still trying to figure
10 out the audio piece. I completely understand,
11 speaking it is often far clearer than trying to
12 type it out into a chat.

13 So for Question 5, what type of
14 technical assistance could the U.S. Department of
15 Education provide to address application-related
16 barriers that cause hardship for potential
17 applicants? Again, Question 5. What type of
18 technical assistance could the U.S. Department of
19 Education provide to address application-related
20 barriers that cause hardship for potential
21 applicants?

22 MS. CRANFORD: We have one hand.

1 Nicole?

2 MS. WOJCIECHOWSKI: Yes, thank you.

3 DR. MACKEY: Some of you have -- some
4 of you have mentioned some of the previous
5 questions. Please do feel free to reiterate
6 here.

7 MS. WOJCIECHOWSKI: Yes. I think just
8 reiterating what Mark said earlier, but providing
9 timely feedback to organizations that have
10 submitted applications. And kind of -- yeah,
11 returning and -- I think as tribes, you know, go
12 over, you know, some of the things that may have
13 been issues or -- but I think ICAS turned in a
14 grant application a year ago, and never received
15 feedback on why they didn't receive the grant.
16 And so just timely feedback would be very helpful
17 to improve our applications, and know for future
18 applications. So thank you.

19 DR. MACKEY: Do we have other hands
20 up?

21 MS. CRANFORD: Not at this time, no.

22 DR. MACKEY: Let's give you a little

1 bit of think time, in case you want to answer
2 this. Again, Question 5. What type of technical
3 assistance could the U.S. Department of Education
4 provide to address application-related barriers
5 that cause hardship for potential applicants?

6 And potentially encouraging you to
7 think about, you know, in what ways could we
8 better help? Technical assistance can be kind of
9 a broad term, so if you have any feedback as to
10 ways that we could help address these barriers to
11 applying that may not fall within your particular
12 idea of what technical assistance is, we'd also
13 love to hear those.

14 Hearing none, on to Question 6. I
15 just got something -- we've got Patricia from New
16 Mexico, saying that she works for Navajo
17 students, and had the same issue with lack of
18 communication to correct the application, and
19 their funding was not approved, either.

20 So Question Number 6. How could the
21 U.S. Department of Education increase the number
22 of peer-reviewers who have experience with Alaska

1 Native education and Alaska, generally? So I
2 think, speaking into the feedback on applications
3 and reducing barriers, how could we also increase
4 the number of peer reviewers who have experience
5 with Alaska Native education and Alaska,
6 generally?

7 MS. CRANFORD: Dr. Mackey, we have one
8 hand raised. Joel Isaak.

9 DR. MACKEY: Joel, please.

10 MR. ISAAK: Thank you. I think that
11 there's a couple of factors, and some might be
12 beyond the ability of the Department. But it's
13 the time of year. When the reviewing process
14 corresponds to peak harvesting, it makes it
15 difficult to find Alaska Native, American Indian
16 people who have the time to serve as reviewers.

17 Because they're serving as a reviewer,
18 that oftentimes means that they can't go out and
19 do the harvesting that they need. So that's part
20 of it. Just, when it corresponds to fishing
21 season, that's just a really tricky time.

22 And the other piece -- and this kind

1 of goes back to some crossover between Question 5
2 and Question 6 -- is that the Native person who's
3 reviewing kind of becomes somebody who has to
4 translate what Alaska is -- like, what Alaska
5 feels like, what it looks like, the context of
6 it, to other people on the review -- through the
7 reviewing process.

8 And if there was, like, some type of
9 either training or, like, parent source material
10 that everybody had available to read through
11 before the reviewing process actually started, it
12 would help applicants not have to try and spend
13 so much time in the application explaining the
14 context of Alaska.

15 Things like, what's the level of
16 broadband in that community? What's the level of
17 access to healthcare? Roads, population, that
18 kind of content, so that the reviewers aren't
19 starting from a position of not knowing anything
20 about Alaska.

21 I think that would create more kind of
22 -- it's less pressure on the Alaska Native

1 reviewer, and it becomes a more welcoming
2 environment. I don't know how exactly to
3 describe that, but I just appreciate being able
4 to share. Thank you.

5 DR. MACKEY: Thank you, Joel. And you
6 know, I think that's something that we've also
7 talked about. Right? How do we move past,
8 right, having to reteach the context of every
9 grant application as a prior point? And I think,
10 to Christy's comment, thinking about people who
11 have a good amount of time and experience with
12 Alaska Native education would be something to
13 think about there.

14 Do we have other people who would like
15 to comment on Question 6? How could the U.S.
16 Department of Education increase the number of
17 peer reviewers who have experience with Alaska
18 Native education and Alaska, generally?

19 MS. HOPKINS: Yes, we have two hands
20 raise. Renee Culp, followed by Lee Kadinger.

21 DR. MACKEY: Okay. Renee, please.

22 MS. CULP: Yes, thank you. Let's see.

1 Two suggestions, I think. One would be ensuring
2 that there is a broad range of representatives
3 from the different regions of Alaska. Just
4 thinking about the possibility of being a
5 reviewer, as an Indigenous woman, a Tlingit woman
6 in southeast Alaska, I would hesitate to speak to
7 what an Inupiat's need, in the North Slope --
8 that would be overstepping my bounds pretty
9 significantly. So ensuring that there's a broad
10 representation, I think, would be a good start.

11 Alaska Federation of Natives is a
12 statewide organization that brings
13 representatives from all regions together. And
14 that, as well as First Alaskans Institute, in
15 asking for recommendations and referrals, I think
16 going to the tribes and within the different
17 regions and asking them if they have
18 representatives -- I think that those three
19 different entities or connections might assist in
20 being able to locate quality peer reviewers who
21 have experience in Alaska Native education, and
22 yes, with Alaska in general.

1 It is certainly something that we talk
2 about when we write our application, and also do
3 our reports, is ensuring that we are
4 communicating really well for those reviewers who
5 don't understand the challenges that we
6 experience in Alaska. Yeah. Thank you for this
7 question.

8 DR. MACKEY: Thank you, Renee. Lee,
9 would you like to go next?

10 MR. KADINGER: Yes, thank you again.
11 I just wanted to reiterate a comment that was
12 made earlier about the time of year that the
13 review of ANEP grants happens. That absolutely
14 is a major hurdle. When subsistence and
15 harvesting in our communities is so involved, in
16 the summer months, particularly, here in
17 southeast, that's something that -- taking a week
18 or ten days off to be a reviewer does become
19 somewhat problematic.

20 I wanted to also bring up a second
21 item that I do believe that the Department can
22 look to address. And that is -- and I've seen

1 this in past reviewer packets -- is the conflicts
2 that happen. While we're large in size for a
3 state, we're relatively small, and those that are
4 involved in education are oftentimes assisting or
5 working on ANEP grants for a foreign entity.

6 And so I think the perception is that,
7 if they're working for an ANEP -- working on an
8 ANEP grant, or they're working as a contractor on
9 an ANEP grant, but have you -- that they are
10 unable to review any other ANEP grants -- and I
11 think that would be something to consider, is if
12 the review would be far outside your region, you
13 may not have a conflict. It might be something
14 that would help encourage more Alaska Native
15 reviewers to have a clearer understanding.

16 If just working in southeast Alaska on
17 an ANEP project would preclude you from reviewing
18 other ANEP grants across the state -- if that's
19 the case, that you can't work on any ANEP
20 project, in order to be a reviewer, we're more or
21 less removing probably 80 to 90 percent of those
22 working in education here in the state. So just

1 a thought on how we might be able to clarify that
2 a little bit more, to allow participation in the
3 review process.

4 DR. MACKEY: Thank you, Lee. And we
5 have a comment from Maria Burnett. Compensate
6 the reviewers for their time. They're experts in
7 their culture, and should be treated as such.
8 Thank you for that, Maria. And we'll move to
9 Nicole. You have the floor.

10 MS. WOJCIECHOWSKI: Thank you. I just
11 wanted to echo the importance of ensuring peer
12 reviewers are well-rounded and representatives
13 from different regions. Thank you, Renee, for
14 that comment. And I think ICAS supports that, as
15 well, as peer reviewers from different regions is
16 very helpful to ensure that we're reducing
17 biases. And then maybe training for peer
18 reviewers to address biases may be helpful.

19 I know the education community is very
20 small, as Lee said, but, you know, connecting
21 with the regions to, you know, find that
22 nomination for a good peer reviewer within the

1 regions is very helpful. So thank you.

2 DR. MACKEY: Thank you for that. Do
3 we have anybody else who would like to address
4 Question 6? How could the U.S. Department of
5 Education increase the number of peer reviewers
6 who have experience with Alaska Native education
7 and Alaska in general?

8 Okay, seeing none, I would like to
9 open the floor for just a couple of minutes for
10 any follow-up thoughts you've had, Questions 1
11 through 6, in terms of improving the program,
12 improving our technical assistance to application
13 process, peer review.

14 Any lingering thoughts that we would
15 like to get on the record, prior to closing out
16 this session of the consultation before moving on
17 to the Buy America Act? Jennifer? Yes, please
18 do.

19 MS. BELLE: Can you hear me?

20 DR. MACKEY: Yes, we can hear you now.

21 Please --

22 MS. BELLE: Yay, hi, my name is

1 Jennifer Belle, and I am working with the Oregon
2 Department of Education in the Office of Indian
3 Education. And I don't -- this is going back to
4 Question Number 4, about improvement -- no, wait,
5 no. Question Number 3 -- sorry about that -- for
6 online resources.

7 And actually, I don't have a comment
8 so much as a question I wanted to pose to people,
9 because a team member in my unit, in my office,
10 who is a tribal member, brought up a concern that
11 I personally have never been able to answer, and
12 it's very directly appropriate to this.

13 He's working with curriculum
14 development with the tribes. And I had mentioned
15 what I had learned about online educational
16 resources, and being able to provide tribal
17 curriculum in an open-resource environment, so
18 that way it can be utilized in multiple
19 educational areas, and by participants, as far
20 and wide as have access.

21 And his concern that he brought up is,
22 how do we know that people using these resources

1 would teach it appropriate to the intent of the
2 original tribal creation? How do we know that
3 it's going to be honored properly? And how do we
4 know that the curriculum isn't going to be
5 changed by educators who may use openly available
6 resources?

7 And as Lee was talking about
8 developing a forum or a wide website, you know,
9 opportunity to post curriculum and materials, how
10 can we answer this question that is a concern of
11 my colleague? Thank you.

12 DR. MACKEY: Thank you for that. And
13 I think that's an enduring question that none of
14 us at this point have an answer to. I would
15 encourage those of you who are interested in
16 thinking more deeply about Native languages to be
17 on the lookout -- I know through Interior, we're
18 partnering with them on, I believe, September
19 14th, for a tribal consultation directly related
20 to the Native languages and the ways the federal
21 government can better support implementation.

22 So while I appreciate your comments,

1 I would like to just reiterate to you that this
2 is something that we, too -- we think about this,
3 as well. So if we can move on to the next slide,
4 please?

5 And I'm going to -- just a quick
6 reminder, if you have not had the opportunity to
7 speak, and you would like to provide written
8 comments, you can certainly send those to the
9 TribalConsultation@ed.gov email address, no later
10 than 11:59 p.m. on August 31st.

11 And so we'll leave this up for you to
12 get that information down, and I'm going to turn
13 it over now to Patrick Carr to close out this
14 portion of our first half of the Tribal
15 Consultation.

16 MR. CARR: Thank you, Dr. Mackey. I
17 appreciate that. And I just want to real quickly
18 say thank you to everyone for their comments
19 today. Erin and I have been taking very close
20 notes, and it's really fortunate, because we're
21 about to embark on our FY23 planning period,
22 where we can start to prioritize some of the

1 feedback we heard today. So, really appreciate
2 everyone's participation, and look forward to
3 reading through the written comments in addition
4 to the comments that have been shared verbally.

5 I also just want to add, and I'll put
6 this in the chat, if there's specific questions
7 related to active grants, we're happy to respond
8 to those as quickly as we can, and I will drop an
9 email address that is a shared email address that
10 goes across our team, and we'll make sure we
11 respond to any outstanding questions that --
12 existing grants you have, or if you have
13 questions about the program more generally. So
14 with that, I will turn it back to Dr. Mackey and
15 -- appreciate your time today.

16 DR. MACKEY: Thank you very much. So
17 -- go ahead to Consultation Topic 2. And for
18 Consultation Topic 2, it's the Build America Buy
19 America Act. And for this topic, we're going to
20 -- next slide, please.

21 We're going to turn this over to our
22 colleague Jessica McKinney to provide an overview

1 of the program before we kick off into the
2 questions associated with this section. Next
3 slide, please. And next slide. Okay. Jessica?

4 Do we have Jessica on? Or are we
5 having some technical difficulty?

6 MS. MCKINNEY: I'm so sorry. It was
7 the double-mute. Here we go. Can you hear me
8 now?

9 DR. MACKEY: Yes, we can. Thank you.

10 MS. MCKINNEY: Great. Thank you so
11 much. Today we will hold tribal consultation
12 regarding implementation of the Build America Buy
13 America requirements, in support of our effort to
14 uphold our federal trust responsibilities. Next
15 slide, please.

16 The Build America Buy America Act is
17 part of the Infrastructure Investment and Jobs
18 Act, which was signed in November of 2021. And
19 it requires that recipients of federal financial
20 assistance that allows for infrastructure
21 projects and activities make sure that the iron,
22 steel, manufactured products, and construction

1 materials funded by these programs are made in
2 the United States.

3 After review and a public comment
4 period, the Department does have some waiver
5 authority, with regard to these requirements. At
6 the Department, we are implementing BABAA
7 requirements, effective October 1, 2022. Next
8 slide.

9 And just to situate some of the
10 Department-administered grant programs subject to
11 BABAA that are more likely to award grants to
12 tribes or tribal organizations are those shown on
13 this slide, which is the Alaska Native Program,
14 the American Indian Tribally Controlled Colleges
15 and Universities program, and some of the IDEA
16 programs.

17 BABAA applies to those programs that
18 do fund infrastructure work, so not every single
19 Department of Education program offers funding of
20 that nature -- or not all of them are subject to
21 that. And I believe at this time, I will turn it
22 back over.

1 MS. CAIRNES: Thank you. Just a quick
2 reminder about the consultation protocols. All
3 lines have been muted. Event audio and video are
4 being recorded. Comments will be received first
5 from elected tribal government officials.
6 Comments will be received second from proxy
7 representatives, then members of the public.

8 We ask that whenever speaking, please
9 state your first and last name, title, and tribe
10 organization you represent. And please limit
11 comments to the consultation questions. Thank
12 you.

13 DR. MACKEY: Thank you for that. So
14 I believe we have four questions related with the
15 BABAA requirements. So the first is, how can the
16 Department assist tribes in implementing the
17 BABAA requirements, as discussed by Jessica?

18 MS. HOPKINS: Dr. Mackey, I do not
19 recognize any hands.

20 DR. MACKEY: Thank you. So again,
21 Question 1, for those who might be thinking. How
22 can the Department assist tribes in implementing

1 the BABAA requirements? We'll give it just a few
2 more seconds before we move on to the next
3 question. Okay. Let's move on to the next
4 slide, please.

5 MS. HOPKINS: Dr. Mackey? We have --

6 DR. MACKEY: Yes?

7 MS. HOPKINS: We do have one comment
8 from Brian Wagner.

9 DR. MACKEY: Okay. Brian?

10 MR. WAGNER: Good afternoon. My name
11 is Brian Wagner. I'm Tribal Education Director
12 for the Lower Brule Tribe in the education -- the
13 thing that I would look for is a simple chart.
14 Any visual that makes it as easy as possible to
15 identify -- whether it be a rubric -- that is
16 another example -- for the use of those funds.
17 The less narrative, the better, I guess, to make
18 it easier than that to -- guess we need to do --
19 a while before we --

20 DR. MACKEY: Brian, can you repeat
21 just that last bit? You cut out, and I don't
22 know if it's just me or if it's -- it cut out

1 from the record. I want to make sure we captured
2 your kind of last couple sentences.

3 MR. WAGNER: Basically just that I
4 would -- you know, a visual of how the funds and
5 resources would be used, that -- nearly a one-
6 page document, but I don't -- that's not a
7 realistic option. But a rubric or such document,
8 that it has the least amount of verbiage as
9 needed.

10 DR. MACKEY: Okay. Thank you.

11 MR. WAGNER: Thank you.

12 DR. MACKEY: Thank you. Any other
13 comments for Question 1?

14 Okay. We'll go to Question 2.

15 MS. HOPKINS: We do. We have some --

16 DR. MACKEY: Oh, we do? Okay. Go
17 ahead.

18 MS. HOPKINS: Yeah. We have Mark
19 Roseberry and Kevin Shendow, I believe it is.

20 MR. ROSEBERRY: Yeah, I think my only
21 comment would go along with, like, the rubric and
22 everything. Maybe having a phone number or a

1 place to chat, to ask questions, if we have
2 questions. So just have somebody available, or
3 give us a way of -- who we might contact.

4 DR. MACKEY: Thank you for that, Mark.
5 Kevin, would you like to go next?

6 MR. SHENDOW: Yes. I was just -- in
7 terms of Buying America and Building America, is
8 there a way that the vendors that are -- that we
9 need to buy from are -- is that going to be
10 provided? Or how can that be identified?

11 Because these days, there's a lot of
12 things made in other countries and shipped here,
13 and then sent out, then sold by other companies.
14 So identifying the companies directly that we
15 need to, to be in compliance with this, the Build
16 and Buy America, how is that going to be
17 facilitated, I guess, or coordinated?

18 DR. MACKEY: Jessica, do you have any
19 insight into this?

20 So I don't know if Jessica is still
21 on, or if she had to jump to another meeting, so
22 --

1 MS. MCKINNEY: No, I --

2 DR. MACKEY: Oh, okay.

3 MS. MCKINNEY: Sorry. No, no. I'm
4 here. I apologize. The requirements attach to
5 the grantees -- but I appreciate the points about
6 it being helpful to know more about what is made
7 in America.

8 DR. MACKEY: Okay. Thank you for
9 that. So we do have the recommendation that
10 consideration and list of Native-owned businesses
11 would be beneficial, as well. Thank you, Lolita.

12 So we'll move on to Question 2. And
13 again, we'll have time at the end if you think of
14 something you'd like to contribute to Question 1,
15 that you may not have had the opportunity to add.
16 So Question 2. What barriers do tribes
17 anticipate they might face when implementing
18 these BABAA requirements? Brian?

19 MR. WAGNER: Brian Wagner again, with
20 the Lower Brule Tribe, and its tribal education
21 director, and corporate and private education
22 consultant. What would concern me is, since

1 there appears to be the waiver that would allow
2 us to buy items not made in the United States,
3 somehow, we would need to know, what is the
4 process? I mean, do you put out a list of those
5 waivers? Do we have to contact you directly to
6 make sure that it's an appropriate purchase?

7 So whether that be -- again, I tend to
8 like visuals, so whether that be a flowchart or
9 whatever, contact information, that would be a
10 simplicity, at least for me. Thank you.

11 DR. MACKEY: Thank you. Jessica?

12 MS. MCKINNEY: Hollie, just to respond
13 briefly, it is possible for there to be waivers
14 at the project level, at the program level, or at
15 the Department level. So we're very eager to
16 hear from tribes about what sorts of waivers
17 might be needed in their particular context. So
18 certainly, we will follow up with additional
19 information on requesting particular project-
20 level waivers.

21 DR. MACKEY: Thank you. I see, Mark,
22 you have your hand up.

1 MR. ROSEBERRY: Yes. I think
2 geographic location, and especially the ruralness
3 of Alaska, having access to limited providers,
4 vendors and other things, might be a barrier to
5 some of our tribes, or a lot of our tribes,
6 maybe, in rural Alaska.

7 DR. MACKEY: Thank you for that.
8 Okay. Question 2. What barriers do tribes
9 anticipate they might face when implementing
10 these BABAA requirements? I'll give it a few
11 more minutes, if anybody has any thoughts they'd
12 like to add.

13 Okay. Let's go to Question 3, please.
14 For Question 3, what tribe-specific process
15 and/or policy positions do tribes recommend the
16 Department consider as it develops its BABAA
17 implementation policy, procedures, and guidance,
18 including with respect to waivers?

19 Again, Question 3. What tribe-
20 specific process and/or policy positions do
21 tribes recommend the Department consider as it
22 develops its BABAA implementation policy,

1 procedures and guidance, including with respect
2 to waivers?

3 And I do think that Lolita's comment
4 here is also relevant -- in considering a list of
5 Native-owned businesses, when it comes to tribal
6 projects. I'd like to lift that one again. Any
7 other thoughts on this question? Dawn?

8 MS. SHENOSKEY: I was thinking maybe
9 that the -- whoever has selected the vendor, that
10 they respect the land, that they don't trash
11 things around. Treatment, respect, that would be
12 part of policy for --

13 DR. MACKEY: So if I heard you correct
14 -- you were cutting out a little bit -- is,
15 ensuring that the vendors respect the land, and
16 treat it with respect, as part of a policy
17 position?

18 MS. SHENOSKEY: Yes. I wonder if
19 those -- building their buildings to not, you
20 know, you get each interval, you know, be it the
21 groundbreaking -- you know, maybe some tribes
22 want less -- the materials they're using, that

1 kind of thing, particular tribe --

2 DR. MACKEY: Right. Thank you for
3 that. Other comments to Question 3? What tribe-
4 specific process or policy positions do tribes
5 recommend the Department consider as it develops
6 its BABAA implementation policy, procedures, and
7 guidance, including with respect to waivers?
8 Mark, I see your hand up.

9 MR. ROSEBERRY: Yeah, I think what I
10 would add is something -- and I'm not sure how
11 all of these will be written, or how the
12 requirements will be, but having political hiring
13 training is important to the tribes, because of
14 the limitations in rural Alaska for our people to
15 have access to, you know, high-skilled jobs,
16 because of training limitations. And with this
17 building, you know, having a higher training
18 opportunities for our people would be very
19 helpful.

20 DR. MACKEY: Thank you. Again, I'm
21 just going to repeat the question, in case
22 anyone's audio cut out. I know mine has a couple

1 of times. What tribe-specific process and/or
2 policy positions do tribes recommend the
3 Department consider as it develops its BABAA
4 implementation policy, procedures, and guidance,
5 including with respect to waivers?

6 Hearing none, and fully knowing we'll
7 have time to come back to these questions, I'm
8 going to move to Question 4. And as we're going
9 through this, please do remember, you're welcome
10 to put your comment into the chat. Just make
11 sure you list your name and your organization
12 with your comment. And you'll have until August
13 31st, if you'd like to provide written comments
14 separately at the email address we'll provide at
15 the end.

16 So Question 4. What other
17 recommendations do tribes propose the Department
18 consider -- sorry. My email went off. What
19 other recommendations do tribes propose the
20 Department consider as it finalizes its BABAA
21 policy, procedures, and guidance?

22 I'll repeat the question, just in case

1 some folks might be listening and not seeing the
2 screen. What other recommendation do tribes
3 propose the Department consider as it finalizes
4 its BABAA policy, procedures, and guidance?

5 We have a comment in the chat. I
6 would suggest that, as one requirement, the
7 organization -- I apologize for that. My dog is
8 in the background, joining the tribal
9 consultation. So I would suggest that, as a
10 requirement, an organization or program must
11 follow the 93-638 Indian Preference Act, and
12 provide tribal identification as abetting policy.
13 That's one suggestion. Kevin, would you like to
14 go next?

15 MR. SHENDOW: Thank you. I think the
16 one big consideration would be budgeting and
17 providing additional financial resources, because
18 buying American and what's built here, sometimes,
19 is a lot more expensive than things you can get
20 shipped in internationally.

21 So I think that needs to be a
22 consideration, as this bill -- or this initiative

1 moves forward, is looking at the cost-benefit
2 analysis, and being able to have programs that
3 are being funded to support those local purchases
4 that are being promoted in this act.

5 DR. MACKEY: Thank you, Kevin. Do we
6 have any other responses or thoughts on BABAA?
7 No? Oh, we have a new comment. I have Donnie
8 Wetzel. Possibly consult the tribes in offering
9 a stamp of approval for tribal businesses in
10 their region, developing lists for others while
11 promoting tribal products.

12 Can we go to the next slide, please?
13 So again, we have the written comment period that
14 will be open until August 31st. You may provide
15 any additional comments in written form to
16 TribalConsultation@ed.gov, no later than 11:59
17 p.m., again on August 31st. And with that, I
18 will turn it over to Jessica to give us a wrap-up
19 on this portion of the tribal consultation
20 regarding BABAA implementation.

21 MS. MCKINNEY: Thank you so much. We
22 really appreciate all of this input and

1 thinking, and would very much welcome any
2 additional recommendation for particular waiver
3 considerations that we should apply at the
4 outset, or other information about what would be
5 most helpful from a training and implementation
6 perspective. But thank you very much. We look
7 forward to following up anything further.

8 DR. MACKEY: Okay. This brings us to
9 the end of today's tribal consultation. I do see
10 that we have one more comment. I'm concerned the
11 unusually short time allowed for participants to
12 submit comments -- essentially just six business
13 days -- does not allow sufficient time for
14 participants to provide meaningful input on the
15 Department's administration of the ANE Program.
16 Do you expect this timeline to be changed or
17 extended to allow for the more standard two weeks
18 after the tribal consultation has occurred?

19 And I think -- I don't see a reason
20 why we could not extend that. Typically our time
21 clock for written comments goes from when it's
22 posted to the Federal Register, and the notice

1 goes out, and then we schedule the tribal
2 consultation within that window of time.

3 I know that we had extended the last
4 one, so let me just look at the calendar, and
5 make an executive decision on this. I believe
6 that we would be safe in making it September 7th,
7 as opposed to the 31st. And so I will check back
8 with our -- and see.

9 I do know that, with BABAA, there's
10 some immediate next steps that need to be -- that
11 need to take place, and I suspect that is why
12 that shorter window of opportunity was there for
13 the BABAA component of it. But I can say with
14 the Alaska Native Program, we certainly have more
15 time on that.

16 So all of that to say, to answer that
17 question, let me check back. I suspect we can
18 extend it out for at least the Alaska Native
19 Program, and we'll see if there is a date or an
20 extension that we can provide for the BABAA
21 program.

22 So again, thank you for joining us

1 today. Ed.gov is our website. You're free to
2 find additional information about upcoming tribal
3 consultations there, and we will be sending out
4 through the listserv the tribal consultation
5 related to native languages, just going back to
6 the Alaska Native Program, where some of you had
7 suggested that information.

8 So is there anything else for the good
9 of the order, from any of our facilitators or co-
10 presenters that you would like to add in closing?

11 Okay. Hearing none, thank you again
12 for joining us today. We always look forward to
13 these opportunities to learn from you and to
14 incorporate your feedback into the work that
15 we're doing.

16 Just please know that tribal
17 sovereignty and self-determination is of the
18 utmost importance to us, and we would be remiss
19 if we didn't acknowledge the time that you spend
20 on these tribal consultations with us, providing
21 us the guidance that we need to better serve,
22 really, Indian Country in general. So thank you

1 again, and we look forward to the next time we
2 have the opportunity to chat with you all.

3 MS. HOPKINS: Thank you. This
4 concludes the tribal consultation.

5 (Whereupon, the above-entitled matter
6 went off the record at 2:48 p.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

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was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate DPNQMFUF record of the proceedings.



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