

The INTER-TRIBAL COUNCIL of the FIVE CIVILIZED TRIBES

A Resolution in Support of the Small Business Administration's 8(a) Business Development Program for Native Americans

Resolution No. 16-17



Bill John Baker
Principal Chief

WHEREAS, the Inter-Tribal Council of the Five Civilized Tribes (ITC) is an organization that unites the tribal governments of the Cherokee, Chickasaw, Choctaw, Muscogee (Creek), and Seminole Nations, representing more than 650,000 Indian people throughout the United States; and



Bill Anoatubby
Governor

WHEREAS, Congress has a legitimate interest in promoting the economic and political self-sufficiency of Native Americans as a way to fulfill the Federal Government's unique obligations toward Native Americans; and



Gary Batton
Chief

WHEREAS, providing access to federal contracting opportunities to qualified Native enterprises provides critical incentives that stimulate economic growth in Native communities, provides economic opportunities for Native American enterprises, supports social services programs, and encourages entrepreneurship; and

WHEREAS, Congress has held many hearings that seek to address and redress the overwhelming poverty and unemployment experienced by Native Americans both on and off the reservations that arises from their historical relationship with the Federal Government; and



James R. Floyd
Principal Chief

WHEREAS, one of the most successful federal initiatives has been to include Native Americans (Indian tribes, Alaska Native Corporations and Native Hawaiian Organizations) in the Small Business Administration (SBA) 8(a) Business Development Program; and

WHEREAS, Native American-owned enterprises provide quality performance at cost efficient rates to federal customers, while they return significant benefits back to Native American communities, rendering the Native 8(a) program a rare example of a federal economic program that works; and



Leonard M. Harjo
Principal Chief

WHEREAS, there have been ongoing efforts by some members of Congress to repeal or significantly modify the Native 8(a) program based on biased information, and without consideration of the Federal Government's unique obligations to Native Americans; and

WHEREAS, the U.S. House of Representatives version of the Fiscal Year 2017 National Defense Authorization Act (NDAA) would replace the current 5-step justification and approval (J&A) language under the Native 8(a) program with a more burdensome 12-step process pursuant to the Competition in Contracting Act (CICA), which would drastically undermine the success of Native 8(a) businesses; and

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WHEREAS, the U.S. Senate version of the Fiscal Year 2017 NDAA reauthorization would prohibit the Department of Defense (Department) from issuing direct awards to 8(a) companies and eliminate any incentive for the Department to award overseas contracts to small businesses, which would have a chilling effect on 8(a) companies that do overseas work; and

WHEREAS, ITC recognizes that the participation of Native Americans in the SBA 8(a) program has been an important tool in building a strong Native economy and continues to provide substantial benefits to tribal people and Native Hawaiians; and

WHEREAS, ITC recognizes past contributions of Members of Congress and the Administration to work positively with Native Americans to improve the 8(a) program for all participants.

NOW THEREFORE BE IT RESOLVED, the ITC respectfully requests the continued support of Congress to maintain and enhance the Native 8(a) program for the benefit of all Native communities located in the United States.

BE IT FURTHER RESOLVED THAT, the ITC does hereby strongly encourage the Small Business Administration to seek ways to promote and expand participation in the 8(a) program for Native American owned enterprises.

BE IT FURTHER RESOLVED THAT, the ITC does hereby urge the Administration to continue to consult with Native Americans on any changes to the 8(a) program that may affect our businesses and communities pursuant to Executive Order 13175 on tribal consultation.

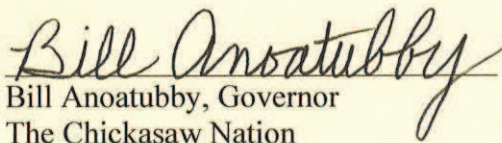
BE IT FURTHER RESOLVED THAT, the ITC does hereby strongly oppose any amendments, regulatory changes or other means to diminish, alter, denounce, or abolish the current provisions established in the federal procurement system, such as Section 842 of the FY17 House version of the NDAA regarding the J&A process and Section 884 of the FY17 Senate version of the NDAA regarding overseas contracts to small businesses, which undermine the purpose of the 8(a) program and limit the ability of Native Americans to create economic development for the benefit of their respective Native communities.

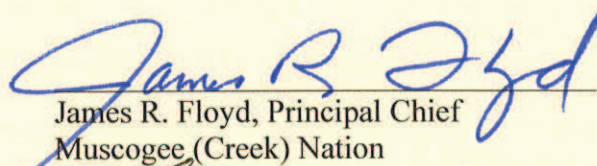
BE IT FINALLY RESOLVED THAT, this resolution shall be the policy of ITC until it is withdrawn or modified by subsequent resolution.

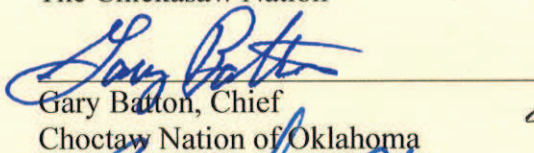
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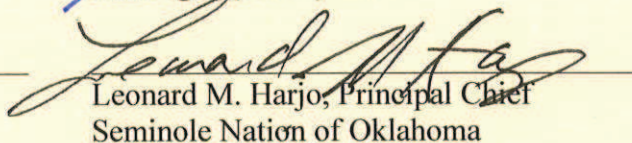
CERTIFICATION

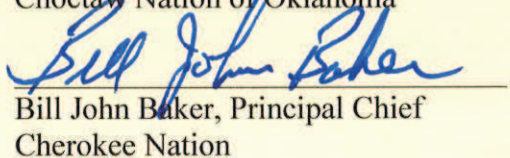
The foregoing resolution was adopted by the Inter-Tribal Council of the Five Civilized Tribes meeting in Norman, Oklahoma on this 8th day of July, 2016, by a vote of all for 0 against and 0 abstentions.


Bill Anoatubby, Governor
The Chickasaw Nation


James R. Floyd, Principal Chief
Muscogee (Creek) Nation


Gary Patton, Chief
Choctaw Nation of Oklahoma


Leonard M. Harjo, Principal Chief
Seminole Nation of Oklahoma


Bill John Baker, Principal Chief
Cherokee Nation