



California Association of Tribal Governments

CATG RESOLUTION 10-003

**Support of the Rights of Native Americans and Alaska Natives to Participate in the SBA
8(a) Program
October 12, 2010**

WHEREAS, the Federal Government has a unique legal and political relationship with Tribes, Alaska Native Corporations, and Native Hawaiian Organizations, which is recognized in the U.S. Constitution, statutes, and Supreme Court decisions; and

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

WHEREAS, providing access to federal contracting opportunities to qualified Native companies provides critical incentives that stimulate economic growth in Native communities, provides economic opportunities for Native American and Alaska Native businesses, provides educational scholarships, and encourages entrepreneurship; and

WHEREAS, Congress has held many hearing 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

WHEREAS, Native communities suffer from the worst poverty in this country, with unemployment levels up to 75% and, because of the lack of resources, there are few individual entrepreneurs in Native communities; and

WHEREAS, the Federal Government buys over \$500 billion in goods and services annually, and has a statutory goal of awarding at least 23 percent (23%) of its purchases to small and disadvantaged businesses; and

WHEREAS, in hundreds of treaties with Indian tribes across the country, and through the Alaska Native Claims Settlement Act, the U.S. government committed to provide for the economic betterment of Native Americans and Alaska Natives, the majority of whom have been stripped of countless millions of acres of their Native lands; and

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

WHEREAS, Native American enterprises have struggled to break into the highly concentrated



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federal contracting marketplace, which is dominated by a handful of large companies, and only recently have some Native American enterprises become successful participants in the 8(a) program; and

WHEREAS, Native American-owned enterprises receive just over one percent (1%) of all federal contract awards compared to the five largest contractors who received twenty percent (20%) of all the contract dollars awarded in 2007; 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

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, Native Americans have only recently become successful participants in the 8(a) program and Native communities are just beginning to experience the benefits of the program; and

WHEREAS, The California Association of Tribal Governments 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, The California Association of Tribal Governments recognizes and appreciates past contributions of Members of Congress and the Administration to work positively with Native Americans to improve the 8(a) program for all participants and protect the rights of Native Americans and Alaska Natives in the program; now

THEREFORE BE IT RESOLVED, the California Association of Tribal Governments respectfully requests the continued support of Congress to maintain Native American and Alaska Native-owned enterprises in the 8(a) program for the benefit of all Native American and Alaska Native communities located in the United States; and

BE IT FURTHER RESOLVED, that the California Association of Tribal Governments does hereby strongly encourage the Small Business Administration to seek ways to promote and expand participation in the 8(a) program for all Native American and Alaska Native-owned enterprises; and



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BE IT FURTHER RESOLVED, that the California Association of Tribal Governments does hereby urge the Administration to continue to consult with Alaska Natives and Native Americans on any changes to the 8(a) program that may affect our businesses and communities pursuant to Executive Order 13175; and

BE IT FURTHER RESOLVED, that the California Association of Tribal Governments strongly opposes any Congressional amendments regulatory, changes or other legislative or administrative means to diminish, alter, denounce, or abolish the current provisions established in the federal procurement system allowing Native Americans and Alaska Natives to create economic development for the benefit of their respective Native American and Alaska Native communities; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of the California Association of Tribal Governments until it is withdrawn or modified by subsequent resolution.