

**I MINA'TRENTAI SAIS NA LIHESLATURAN GU'AHAN
RESOLUTIONS**

Resolution No.	Sponsor	Title	Date Intro	Date of Presentation	Date Adopted	Date Referred	Referred to	PUBLIC HEARING DATE	DATE AUTHOR REPORT FILED	NOTES
260-36 (COR)	Therese M. Terlaje Tina Rose Muña Barnes Amanda L. Shelton Christopher M. Dueñas Joe S. San Agustin Telo T. Taitague V. Anthony Ada Frank Blas Jr. Joanne Brown James C. Moylan Sabina Flores Perez Clynton E. Ridgell Jose "Pedro" Terlaje Mary Camacho Torres	Relative to expressing the support of <i>I Mina'Trentai Sais Na Liheslaturan Gu'ahan</i> for the passage of H.R. 6504, the "Native Pacific Islanders of America Equity Act", because it seeks to allow eligible Native CHamoru and Native Northern Marianas organizations to qualify for federal contracting opportunities through their participation in certain small business programs that are administered by the Small Business Administration.	2/1/22 4:51 p.m.	TBA						

I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN
2022 (SECOND) Regular Session

Resolution No. 260-36 (COR)

Introduced by:

Therese M. Terlaje *Tmt*
Tina Rose Muña Barnes *Vina Rose Barnes*
Amanda L. Shelton *Amanda L. Shelton*
Christopher M. Ducenas *Chris Ducenas*
Joe S. San Agustin *Joe S. San Agustin*
Telo T. Taitague *Telo T. Taitague*
V. Anthony Ada *V. Anthony Ada*
Frank F. Blas *Frank F. Blas*
Joanne Brown *Joanne Brown*
James C. Moylan *James C. Moylan*
Sabina Flores Perez *SFP*
Clynton E. Ridgell *Clynton E. Ridgell*
Jose "Pedro" Terlaje *Jose "Pedro" Terlaje*
Mary Camacho Torres *Mary C Torres*

Relative to expressing the support of *I Mina'Trentai Sais Na Liheslaturan Guåhan* for the passage of H.R. 6504, the "Native Pacific Islanders of America Equity Act", because it seeks to allow eligible Native CHamoru and Native Northern Marianas organizations to qualify for federal contracting opportunities through their participation in certain small business programs that are administered by the Small Business Administration.

1 **BE IT RESOLVED BY THE COMMITTEE ON RULES OF *I***
2 ***MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN*:**

3 **WHEREAS, *I Liheslaturan Guåhan* finds that U.S. Congress stated in the Small**
4 **Business Act (15 U.S.C. § 631(f)) that "the opportunity for full participation in our free**

1 enterprise system by socially and economically disadvantaged persons is essential if we
2 are to obtain social and economic equality for such persons and improve the functioning
3 of our national economy; that many such persons are socially disadvantaged because of
4 their identification as members of certain groups that have suffered the effects of
5 discriminatory practices or similar invidious circumstances over which they have no
6 control; that such groups include, but are not limited to, Black Americans, Hispanic
7 Americans, Native Americans, Indian tribes, Asian Pacific Americans, Native
8 Hawaiian Organizations, and other minorities; that it is in the national interest to
9 expeditiously ameliorate the conditions of socially and economically disadvantaged
10 groups; that such conditions can be improved by providing the maximum practicable
11 opportunity for the development of small business concerns owned by members of
12 socially and economically disadvantaged groups; that such development can be
13 materially advanced through the procurement by the United States of articles,
14 equipment, supplies, services, materials, and construction work from such concerns;
15 and that such procurements also benefit the United States by encouraging the expansion
16 of suppliers for such procurements, thereby encouraging competition among such
17 suppliers and promoting economy in such procurements”; and

18 **WHEREAS**, the Small Business Act also states in 15 U.S.C. § 637 that
19 “socially disadvantaged individuals are those who have been subjected to racial or
20 ethnic prejudice or cultural bias because of their identity as a member of a group
21 without regard to their individual qualities”, and “economically disadvantaged
22 individuals are those socially disadvantaged individuals whose ability to compete in
23 the free enterprise system has been impaired due to diminished capital and credit

1 opportunities as compared to others in the same business area who are not socially
2 disadvantaged”; and

3 **WHEREAS**, the 8(a) Business Development Program administered by the Small
4 Business Administration, commonly known as the 8(a) Program is designed to assist
5 small minority-owned businesses compete in the wider American economy. The 8(a)
6 Program provides training, technical assistance, and contracting opportunities. One of
7 the program’s major benefits is that 8(a) firms can receive federal contracting
8 preferences in the form of set-aside and sole-source awards. A set-aside award is a
9 contract in which only certain contractors may compete, whereas a sole-source award
10 is a contract awarded, or proposed for award, without competition. The 8(a) Program
11 is limited to eligible businesses unconditionally owned and controlled by one or more
12 socially and economically disadvantaged groups; and

13 **WHEREAS**, the 8(a) Program was originally established for the benefit of
14 disadvantaged individuals, however, in the 1980s, Congress expanded the program to
15 include small businesses owned by four disadvantaged groups, specifically Alaska
16 Native Corporations (ANCs), Community Development Corporations (CDCs), Indian
17 tribes, and Native Hawaiian Organizations (NHOs), also known as group-owned 8(a)
18 firms; and

19 **WHEREAS**, on January 25, 2022, the “*Native Pacific Islanders of America*
20 *Equity Act*,” was introduced into the 117th House of Representatives by Guam
21 Congressman Michael San Nicolas and co-sponsored by Commonwealth of Northern
22 Marianas Islands Congressman Gregorio “Kilili” Camacho Sablan as H.R. 6504. The
23 *Native Pacific Islanders of America Equity Act* seeks to allow eligible Native CHamoru
24 and Native Northern Marianas organizations to qualify for federal contracting
25 opportunities through their participation in certain small business programs that are
26 administered by the Small Business Administration; and

1 **WHEREAS**, the term ‘Native CHamoru’ in H.R. 6504 means an individual who
2 can document that one or more of the individual’s direct ancestors resided on Guam
3 before August 1, 1950. No residency or blood quantum amount shall be required for
4 an individual to qualify as a ‘Native CHamoru’ under paragraph (1) of the bill; and

5 **WHEREAS**, the *Native Pacific Islanders of America Equity Act* would establish
6 under the Office of the Governor a “CHamoru Registry Program, which shall keep a
7 database to serve as a genealogy bank to verify Native CHamoru ancestry requirements.
8 The Governor of Guam shall include in the database the name of any individual who
9 submits to the Governor of Guam a request to be included and a copy of the birth
10 certificate of that individual and birth certificates of direct ancestors that demonstrate
11 that one or more of the individual’s direct ancestors resided on Guam before August 1,
12 1950.”; and

13 **WHEREAS**, H.R. 6504 would also amend the Small Business Act to include
14 Native CHamoru organizations and Native Northern Marianas organizations as
15 eligible disadvantaged groups under the 8(a) Program. In H.R. 6504, the term ‘Native
16 CHamoru Organization’ is defined to mean any organization that: is a nonprofit
17 corporation that has filed articles of incorporation with the director (or the designee
18 thereof) of the Guam Department of Revenue and Taxation, or any successor agency;
19 that is controlled by Native CHamorus (as defined in section 4 of the Organic Act of
20 Guam); and whose business activities will principally benefit Native CHamorus. The
21 term ‘Native Northern Marianas Organization’ in H.R. 6504 means any organization
22 that: is a nonprofit corporation that has filed articles of incorporation with the
23 secretary (or the designee thereof) of the Commonwealth of the Northern Mariana
24 Islands Department of Commerce, or any successor agency; that is controlled by
25 persons of Northern Marianas descent (as defined in Section 4 of Article 12 of the

1 Constitution of the Commonwealth of the Northern Mariana Islands); and whose
2 business activities will principally benefit persons of Northern Marianas descent; and
3 **WHEREAS, I Liheslaturan Guåhan** finds that passage of H.R. 6504 would
4 benefit eligible Native CHamoru owned businesses who compete for billions of dollars
5 in federal contracts by providing training, technical assistance and contracting
6 opportunities. In FY2020, 8(a) firms were awarded \$34.0 billion in federal contracts,
7 including \$9.3 billion in 8(a) set-aside awards, \$11.1 billion in 8(a) sole-source awards,
8 \$2.2 billion to an 8(a) firm in open competition with other firms, and \$11.3 billion with
9 another small business preference (e.g., set asides and sole-source awards for small
10 businesses generally and for HUBZone firms, women-owned small businesses, and
11 service-disabled veteran-owned small businesses); and

12 **WHEREAS, I Liheslaturan Guåhan** further finds that passage of H.R. 6504 - the
13 *Native Pacific Islanders of America Equity Act* shall not absolve or relieve the United
14 States of any liability for land takings or waive the historic demand of the people of
15 Guam for return or restoration of the land, nor does it negate the rights of the People of
16 Guam to self-determination; now therefore, be it

17 **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on
18 behalf of *I Liheslaturan Guåhan* and the people of Guam, respectfully request that the
19 Congress of the United States include Native CHamoru owned businesses in its small
20 business programs targeting socially and economically disadvantaged groups; and be it
21 further

22 **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on
23 behalf of *I Liheslaturan Guåhan* and the people of Guam, express its support for the
24 passage of H.R. 6504, the “Native Pacific Islanders of America Equity Act”, because it
25 seeks to allow eligible Native CHamoru and Native Northern Marianas organizations
26 to qualify for federal contracting opportunities through their participation in certain

1 small business programs that are administered by the Small Business Administration;
2 and be it further

3 **RESOLVED**, that the Speaker certify and the Legislative Secretary attest to the
4 adoption hereof, and that copies of the same be thereafter transmitted to thereafter
5 transmitted to the Honorable Joe Biden, President of the United States of America; to
6 the Honorable Kamala Harris, Vice President of the United States; to the Honorable
7 Nancy Pelosi, Speaker, U.S. House of Representatives; to the Honorable Gregorio Kilili
8 Camacho Sablan, Commonwealth of Northern Marianas Islands Representative and
9 Chairman of the Committee on Natural Resources, U.S. House of Representatives; to
10 the Honorable Michael F. Q. San Nicolas, Guam Delegate, U.S. House of
11 Representatives; to the Honorable Nydia M. Velázquez, Chairwoman of the Committee
12 on Small Business, U.S. House of Representatives; and to the Honorable Lourdes A.
13 Leon Guerrero, *I Maga'hågan Guåhan*.

**DULY AND REGULARLY ADOPTED BY THE COMMITTEE ON RULES OF
I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN ON THE DAY
OF 2022.**

THERESE M. TERLAJE
Speaker

AMANDA L. SHELTON
Acting Chairperson, Committee on Rules

AMANDA L. SHELTON
Legislative Secretary