

**I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN  
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 Guåhan</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.		2/18/22	2/3/22 3:27 p.m.	Author	2/10/22 10:00 a.m.	2/16/22 3:53 p.m.	

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

**Resolution No. 260-36 (COR)**

As substituted and amended on the Floor.

Introduced by:

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 “Pedo” Terlaje  
Mary Camacho Torres  
Telena Cruz Nelson

**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 *I MINA'TRENTAI SAIS NA LIHESLATURAN***  
2 ***GUÅHAN*:**

3           **WHEREAS, *I Liheslaturan Guåhan* finds that the U.S. Congress stated in the**  
4 **Small Business Act at 15 U.S.C. § 631(f) that “the opportunity for full participation in**  
5 **our free enterprise system by socially and economically disadvantaged persons is**

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

17 **WHEREAS**, the Small Business Act also states in 15 U.S.C. § 637 that “socially  
18 disadvantaged individuals are those who have been subjected to racial or ethnic  
19 prejudice or cultural bias because of their identity as a member of a group without regard  
20 to their individual qualities”; and “economically disadvantaged individuals are those  
21 socially disadvantaged individuals whose ability to compete in the free enterprise  
22 system has been impaired due to diminished capital and credit opportunities as  
23 compared to others in the same business area who are not socially disadvantaged”; and

24 **WHEREAS**, the 8(a) Business Development Program administered by the Small  
25 Business Administration, commonly known as the 8(a) Program, is designed to assist  
26 small minority-owned businesses compete in the wider American economy. The 8(a)  
27 Program provides training, technical assistance, and contracting opportunities. One of

1 the program’s major benefits is that 8(a) firms can receive federal contracting  
2 preferences in the form of set-aside and sole-source awards. A set-aside award is a  
3 contract in which only certain contractors may compete, whereas a sole-source award  
4 is a contract awarded, or proposed for award, without competition. The 8(a) Program  
5 is limited to eligible businesses unconditionally owned and controlled by one or more  
6 socially and economically disadvantaged groups; and

7 **WHEREAS**, the 8(a) Program was originally established for the benefit of  
8 disadvantaged individuals; however, in the 1980s, Congress expanded the program to  
9 include small businesses owned by four (4) disadvantaged groups, specifically Alaska  
10 Native Corporations (ANCs), Community Development Corporations (CDCs), Indian  
11 tribes, and Native Hawaiian Organizations (NHOs), also known as group-owned 8(a)  
12 firms; and

13 **WHEREAS**, on January 25, 2022, the *Native Pacific Islanders of America*  
14 *Equity Act* was introduced in the 117<sup>th</sup> U.S. House of Representatives by Guam  
15 Congressman Michael San Nicolas and co-sponsored by Commonwealth of the  
16 Northern Mariana Islands Congressman Gregorio “Kilili” Camacho Sablan as H.R.  
17 6504. The *Native Pacific Islanders of America Equity Act* seeks to allow eligible Native  
18 CHamoru and Native Northern Marianas organizations to qualify for federal contracting  
19 opportunities through their participation in certain small business programs that are  
20 administered by the Small Business Administration; and

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

25 **WHEREAS**, *I Liheslaturan Guåhan* finds the definition of Native CHamoru in  
26 H.R. 6504 is tied to 1950 and does not describe the native inhabitants of Guam prior to  
27 the 1521 contact with outsiders, prior to the over three hundred (300)-year occupation

1 by the Spanish, prior to the Treaty of Paris, prior to the U.S. Naval rule, prior to the  
2 World War II occupation of Guam by the Japanese, or prior to the 1950 conveyance by  
3 the United States Congress of citizenship on the residents of Guam; but *I Liheslatura*  
4 further finds for purposes of this particular small business program that this definition  
5 will adequately address the disparity and significantly help to remedy the needs of  
6 Native CHamoru businesses of Guam as was the goal of the Section 8(a) programs; and

7 **WHEREAS**, the *Native Pacific Islanders of America Equity Act* would establish  
8 under the Office of the Governor a “CHamoru Registry Program, which shall keep a  
9 database to serve as a genealogy bank to verify Native CHamoru ancestry requirements.  
10 The Governor of Guam shall include in the database the name of any individual who  
11 submits to the Governor of Guam a request to be included and a copy of the birth  
12 certificate of that individual and birth certificates of direct ancestors that demonstrate  
13 that one or more of the individual’s direct ancestors resided on Guam before August 1,  
14 1950.”; and

15 **WHEREAS**, *I Maga'hågan Guahan* may request for an appropriation if  
16 necessary from *I Liheslaturan Guåhan* to cover any implementation and operating  
17 costs; and

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

1 designee thereof) of the Commonwealth of the Northern Mariana Islands Department  
2 of Commerce, or any successor agency; that is controlled by persons of Northern  
3 Marianas descent (as defined in Section 4 of Article 12 of the Constitution of the  
4 Commonwealth of the Northern Mariana Islands); and whose business activities will  
5 principally benefit persons of Northern Marianas descent; and

6       **WHEREAS**, *I Liheslaturan Guåhan* finds that passage of H.R. 6504 would  
7 benefit eligible Native CHamoru-owned businesses who compete for billions of dollars  
8 in federal contracts by providing training, technical assistance and contracting  
9 opportunities. In FY 2020, 8(a) firms were awarded \$34 Billion Dollars in federal  
10 contracts, including \$9.3 Billion Dollars in 8(a) set-aside awards, \$11.1 Billion Dollars  
11 in 8(a) sole-source awards, \$2.2 Billion Dollars to an 8(a) firm in open competition with  
12 other firms, and \$11.3 Billion Dollars with another small business preference (e.g., set  
13 asides and sole-source awards for small businesses generally and for HUBZone firms,  
14 women-owned small businesses, and service-disabled veteran-owned small  
15 businesses); and

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

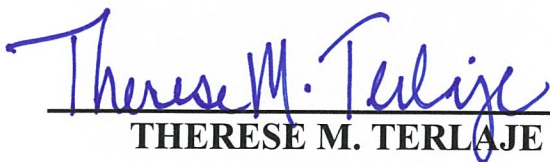
21       **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on  
22 behalf of *I Liheslaturan Guåhan* and the people of Guam, respectfully request that the  
23 Congress of the United States include Native CHamoru-owned businesses in its small  
24 business programs targeting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

26       **RESOLVED**, that *I Mina'trentai Sais Na Liheslaturan Guåhan* does hereby, on  
27 behalf of *I Liheslaturan Guåhan* and the people of Guam, express its support for the

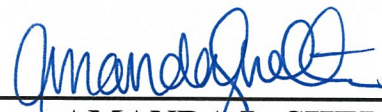
1 passage of H.R. 6504, the “Native Pacific Islanders of America Equity Act,” because it  
2 seeks to allow eligible Native CHamoru and Native Northern Marianas organizations  
3 to qualify for federal contracting opportunities through their participation in certain  
4 small business programs that are administered by the Small Business Administration;  
5 and be it further

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

**DULY AND REGULARLY ADOPTED BY *I MINA'TRENTAI SAIS NA LIHESLATURAN GUÅHAN* ON THE 18<sup>TH</sup> DAY OF FEBRUARY 2022.**

  
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**THERESE M. TERLAJE**  
Speaker

  
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**AMANDA L. SHELTON**  
Legislative Secretary