

MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

137(45)
Resolution No.

Introduced by: *Ses. B.J. Cruz*

B.J.F. Cruz
R.J. Respicio
J.P. Guthertz

MAR 14 PM 1:27

RELATIVE TO EXPRESSING THE SUPPORT OF *I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN* FOR H.R. 3867 PASSED BY THE UNITED STATES HOUSE OF REPRESENTATIVES ON OCTOBER 30, 2007; AND TO URGE THE UNITED STATES SENATE TO INCLUDE CERTAIN LANGUAGE IN S. 2300 WITH RESPECT TO CONTRACTS UNDER THE HISTORICALLY UNDERUTILIZED BUSINESS ZONE (HUBZONE) EMPOWERMENT CONTRACTING PROGRAM TO COINCIDE WITH THE LANGUAGE CONTAINED IN SECTION 402 OF TITLE IV- STRENGTHENING COMMUNITY DEVELOPMENT, OF H.R. 3867.

1 BE IT RESOLVED BY *I MINA' BENTE NUEBI NA LIHESLATURAN*
2 *GUÅHAN*:

3 WHEREAS, on October 30, 2007, the United States House of
4 Representatives passed H.R. 3867, also known as the Small Business Contracting
5 Improvements Act; and

6 WHEREAS, of particular interest to *I Liheslatura* is H.R. 3867's Section 402
7 of Title IV – Strengthening Community Development, which would prohibit the
8 award of construction contracts under the Historically Underutilized Business
9 Zone (HUBZone) Empowerment Contracting program, *unless* the work will be

1 performed within one hundred fifty (150) miles of the primary office location of
2 the HUBZone-approved company; and

3 **WHEREAS**, this Section 402 of H.R. 3867 would enhance the benefits of
4 this program for Guam's local businesses, given the island's size and location;
5 and

6 **WHEREAS**, the HUBZone Empowerment Contracting program was
7 originally enacted into law as part of the Small Business Reauthorization Act of
8 1997 and encourages economic development in historically underutilized
9 business zones - "HUBZones" - through the establishment of preferences; and

10 **WHEREAS**, the HUBZone program and the proposed Section 402 in H.R.
11 3867 provides the primary advantage for Guam-based businesses in the
12 awarding of construction contracts related to the ongoing military buildup in
13 Guam; and

14 **WHEREAS**, Guam-based businesses deserve this advantage because they
15 exist in and represent the community that will be most impacted by the ongoing
16 military buildup; and

17 **WHEREAS**, Guam-based businesses have much to offer in terms of the
18 buildup effort because of their familiarity with Guam's business environment
19 and resources; and

20 **WHEREAS**, to date, one hundred forty-six (146) companies in Guam are
21 certified under the HUBZone program, which gives a competitive advantage to
22 businesses under the program; and

1 **WHEREAS**, the United States Senate is entertaining S. 2300, the Small
2 Business Contracting Revitalization Act of 2007, introduced on November 1,
3 2007, which does not include a provision similar to that of Section 402 of Title IV
4 – Strengthening Community Development, of H.R. 3867; and

5 **WHEREAS**, Section 402 of H.R. 3867 is the provision that will provide the
6 greatest benefit to the people of Guam and to the small businesses that employ
7 many thousands of our people, and an absence of such language as contained in
8 Section 402 would once again relegate the businesses in Guam to the back seat
9 when it comes to Federal contracts for the ongoing military buildup; now
10 therefore be it

11 **RESOLVED**, that *I Mina' Bente Nuebi Na Liheslaturan Guåhan*, the Twenty-
12 Ninth Guam Legislature, on behalf of the people of Guam, does hereby express
13 its support for H.R. 3867, also known as the Small Business Contracting
14 Improvements Act, and specifically Section 402 of Title IV – Strengthening
15 Community Development, which would prohibit the award of construction
16 contracts under the Historically Underutilized Business Zone (HUBZone)
17 Empowerment Contracting program, *unless* the work will be performed within
18 one hundred fifty (150) miles of the primary office location of the HUBZone-
19 approved company; and be it further

20 **RESOLVED**, that *I Mina' Bente Nuebi Na Liheslaturan Guåhan*, the Twenty-
21 Ninth Guam Legislature, on behalf of the people of Guam requests that the
22 United States Senate amends S. 2300 to include a provision similar to Section 402

1 of Title IV – Strengthening Community Development, of H.R. 3867 that would
2 achieve goals similar to those sought in H.R. 3867; and be it further

3 **RESOLVED**, that the Speaker certify, and the Legislative Secretary attest to
4 the adoption hereof, and that copies of the same be transmitted to the Honorable
5 Madeleine Z. Bordallo, Member of Congress; to the Honorable Robert C. Byrd,
6 President Pro Tempore of the Senate; to the Honorable Harry Reid, Majority
7 Leader of the Senate; to the Honorable Mitch McConnell, Minority Leader of the
8 Senate; to the Honorable John F. Kerry, Chairman of the Senate Committee on
9 Small Business and Entrepreneurship; to the Honorable Olympia J. Snowe,
10 Ranking Member of the Senate Committee on Small Business and
11 Entrepreneurship; to Secretary of Interior Dirk Kempthorne; and to the
12 Honorable Felix P. Camacho, Governor of Guam.

13 **DULY AND REGULARLY ADOPTED BY *I MINA'BENTE NUEBI NA***
14 ***LIHESLATURAN GUÅHAN* ON THE TH DAY OF MARCH 2008.**

JUDITH T. WON PAT
Speaker

TINA ROSE MUÑA BARNES
Senator and Legislative Secretary