

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

Resolution No. 137 (LS)

Introduced by:

B. J.F. Cruz
R. J. Respicio
Judith Paulette Guthertz, DPA
Frank F. Blas, Jr.
Edward J.B. Calvo
James V. Espaldon
Mark Forbes
Frank T. Ishizaki
J. A. Lujan
Tina Rose Muña Barnes
A. B. Palacios, Sr.
v. c. pangelinan
Dr. David L.G. Shimizu
Ray Tenorio
J. T. Won Pat, Ed. D.

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*:

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

4 **WHEREAS**, of particular interest to *I Liheslatura* is H.R. 3867's Section
5 402 of Title IV – Strengthening Community Development, which would
6 prohibit the award of construction contracts under the Historically
7 Underutilized Business Zone (HUBZone) Empowerment Contracting
8 program, *unless* the work will be performed within one hundred fifty (150)
9 miles of the primary office location of the HUBZone-approved company; and

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

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14 originally enacted into law as part of the Small Business Reauthorization Act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

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

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

1 **WHEREAS**, Guam-based businesses have much to offer in terms of the
2 buildup effort because of their familiarity with Guam’s business environment
3 and resources; and

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

7 **WHEREAS**, the United States Senate is entertaining S. 2300, the Small
8 Business Contracting Revitalization Act of 2007, introduced on November 1,
9 2007, which does *not* include a provision similar to that of Section 402 of Title
10 IV – Strengthening Community Development, of H.R. 3867; and

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

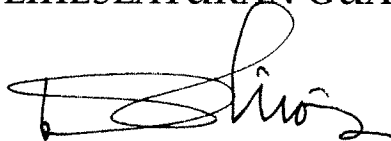
17 **RESOLVED**, that *I Mina’Bente Nuebi Na Liheslaturan Guåhan* does
18 hereby, on behalf of the people of Guam, express its support for H.R. 3867,
19 also known as the Small Business Contracting Improvements Act, and
20 specifically Section 402 of Title IV – Strengthening Community Development,
21 which would prohibit the award of construction contracts under the
22 Historically Underutilized Business Zone (HUBZone) Empowerment
23 Contracting program, *unless* the work will be performed within one hundred

1 fifty (150) miles of the primary office location of the HUBZone-approved
2 company; and be it further

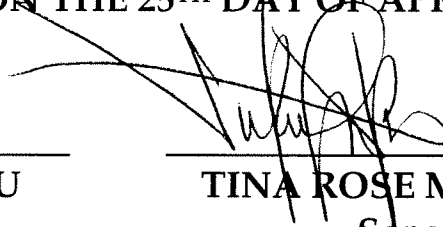
3 **RESOLVED**, that *I Mina'Bente Nuebi Na Liheslaturan Guåhan*, the
4 Twenty-Ninth Guam Legislature, on behalf of the people of Guam requests
5 that the United States Senate amends S. 2300 to include a provision similar to
6 Section 402 of Title IV – Strengthening Community Development, of H.R. 3867
7 that would achieve goals similar to those sought in H.R. 3867; and be it further

8 **RESOLVED**, that the Speaker certify, and the Secretary of the
9 Legislature attest to, the adoption hereof, and that copies of the same be
10 thereafter transmitted to the Honorable Madeleine Z. Bordallo, Member of
11 Congress; to the Honorable Robert C. Byrd, President Pro Tempore of the
12 Senate; to the Honorable Harry Reid, Majority Leader of the Senate; to the
13 Honorable Mitch McConnell, Minority Leader of the Senate; to the Honorable
14 John F. Kerry, Chairman of the Senate Committee on Small Business and
15 Entrepreneurship; to the Honorable Olympia J. Snowe, Ranking Member of
16 the Senate Committee on Small Business and Entrepreneurship; to Secretary
17 of Interior, Dirk Kempthorne; and to the Honorable Felix P. Camacho, *I*
18 *Maga'lahaen Guåhan*.

DULY AND REGULARLY ADOPTED BY I MINA'BENTE NUEBI NA LIHESLATURAN GUÅHAN ON THE 25TH DAY OF APRIL 2008.



DR. DAVID L.G. SHIMIZU
Acting Speaker



TINA ROSE MUÑA BARNES
Senator and
Secretary of the Legislature