

RESOLUTION NO. _____

A Resolution Urging Federal Agencies to Fully Implement the Buy Indian Act Regulations

WHEREAS, the (insert tribal name) Band Assembly the duly elected governing body for the (insert tribal name here), a federally-recognized Indian Tribe; and

WHEREAS, according to (insert legal code her), the Band Assembly is empowered to adopt resolutions to promote the general welfare of the people of the Band; and

WHEREAS, the Chief Executive of the Band is empowered to exercise the Executive Branch powers of the Band; and

WHEREAS, the Buy Indian Act was signed into law on June 25, 1910 and was meant to require the Department of the Interior, Bureau of Indian Affairs (BIA) to give funding and procurement preference to American Indian owned or operated businesses; and

WHEREAS, in 2010 the BIA distributed a new draft of a proposed rule and held three tribal consultation sessions, followed by four tribal consultation sessions in 2012 on a proposed rule published which incorporated input from previously published proposed rules and associated tribal consultation sessions; and

WHEREAS, on July 8, 2013, over 100 years after the Buy Indian Act became law, the U.S. Department of the Interior adopted final rules to fully implement the law; and

WHEREAS, almost two years have passed since the Buy Indian Act's final rules were written and the BIA still has not completed written policies for their Program and Contracting Offices, and the Indian Health Service (IHS) has not given any indication of how or when they plan to implement the Act; and

WHEREAS, the Buy Indian Act can be a powerful economic engine and has the ability to empower American Indian and Alaska Native entrepreneurs to significantly impact the economic landscape of Indian Country.

NOW THEREFORE BE IT RESOLVED, that the (insert tribe name here) is requesting the immediate attention of the Department of the Interior Secretary, the Department of the Interior Chief Financial Officer, the Health & Human Services Secretary, the Indian Health Service Chief Financial Officer, and Senate Committee on Indian Affairs to address issues hindering full implementation and enforcement of the Buy Indian Act; and

BE IT FURTHER RESOLVED, that the following actions should be undertaken by the
aforementioned entities:

1. Align BIA and IHS performance plans, bonuses, and annual raises to the successful implementation and enforcement of the Buy Indian Act's set aside authority with a goal of 30% for ISBEE and 25% for IEE business owned and controlled by American Indian and Alaska Natives;
2. American Indian and Alaska Native business are at the table to provide clearly communicated recommendations for procedures and policies that ensure implementation and enforcement of the Buy Indian Act;
3. Other Federal agencies working in Indian Country are utilizing the Buy Indian Act;
4. BIA/IHS Contract officers adhere to the Rule of Two practice, especially in the area of Simplified Acquisition and GSA schedules;
5. BIA and IHS develop and distribute a Buy Indian Act report annually, showing progress and goals;
6. BIA and IHS demonstrate a commitment to small business through regular training of acquisition, program, contracting staff and senior management;
and

BE IT FURTHER RESOLVED, that the Buy Indian Act: 7 Steps to Transparency, Accountability and Economic Parity White Paper will be attached to this resolution and marked as **Exhibit A**; and

WE DO HEREBY CERTIFY that the foregoing resolution was duly concurred with and adopted a regular session of the Band Assembly in the Legislative Council assembled, a quorum of legislators being present, held on the ___ day of ___, 2015 at (insert location here) by a vote of () FOR, () AGAINST, () SILENT.

IN WITNESS WHEREFORE, we, the Band Assembly, hereunto cause to have set the signature of the Speaker of the Assembly.

(insert name here), Speaker of the Assembly

IN CONCURRENCE, with the action of the Speaker of the Assembly, I hereunto set my hand to her resolution.

(insert name here), Chief Executive