

RESOLUTION NO. _____

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

The (insert tribal name here) Business Committee, on behalf of the (insert tribal name here), hereby enacts the following Resolution:

WHEREAS, the (insert tribal name here) Reservation is a sovereignty, created by the Treaty of (insert date and statute), as the perpetual home of the (insert tribal name here) which possesses the inherent jurisdiction and authority to exercise regulatory control within the boundaries of the (insert tribal name here) Reservation; and

WHEREAS, it is the sovereign obligation of the (insert tribal name here) Reservation Business Committee, as the governing body of the (insert tribal name here) Band, under the Reorganization Act, 25 U.S.C. section 461 et seq., and in accordance with the Indian Self-Determination Act, 25 U.S.C. section 450 et seq., to assume the responsibilities of Self Government; 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 tribal 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

BE IT FINALLY RESOLVED, that this resolution is effective _____ 2015.

CERTIFICATION

We do hereby certify that the foregoing resolution was duly presented and enacted upon by a vote of () in favor, () opposed, () abstaining and () absent, at a meeting of the (insert tribal name here) Reservation Business Committee, a quorum being present, held on _____ 2015 on the (insert tribal name here) Reservation.

(insert name)
Chairman or Chairwoman

(insert name)
Secretary-Treasurer

