



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #SAC-22-020

TITLE: Calling on the Administration and Relevant Federal Agencies to Fully and Promptly Implement the Indian Community Economic Enhancement Act of 2020

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WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS, the National Congress of American Indians (NCAI) was established in 1944 and is the oldest and largest national organization of American Indian and Alaska Native tribal governments; and

WHEREAS, Tribal nations and communities have faced formidable and longstanding legal, bureaucratic, infrastructure, capital access, and commercial barriers to their development of vibrant tribal economies; and

WHEREAS, the Indian Community Economic Enhancement Act of 2020 (ICEE Act) (Public Law 116-261) is designed to help Tribal nations and communities overcome these barriers by amending three federal laws relating to business, economic, and trade development in Indian Country to promote the growth of tribally owned and Native-owned businesses, increase economic opportunities in Indian Country, and attract much-needed investments to tribal communities; and

WHEREAS, relevant federal agencies have faithfully executed certain key provisions of the ICEE Act, notably: the Government Accountability Office's issuance of a study assessing (among other topics) the effectiveness of current federal programs and services that assist tribal communities with business and economic development, the waiving of the matching funds requirement for Native community development financial institutions (CDFIs) receiving funding from the Treasury Department's Native American CDFI Assistance program, and the provision by the Administration for Native Americans of financial assistance to Native CDFIs for specific purposes delineated in the law; and

WHEREAS, to date relevant federal agencies have failed to implement or been slow to implement other key provisions of the ICEE Act, notably the provisions requiring: (1) the elevation of the Office of Native American Business Development (ONABD) within the Department of Commerce and the appointment of an ONABD Director; (2) that the Departments of Interior (DOI) and Health and Human Services (HHS) use Native labor and purchase goods and services from tribally owned and Native-owned businesses unless DOI or HHS determine it “impracticable and unreasonable to do so”; and (3) interagency coordination between Commerce, DOI, and Treasury to support economic development in tribal communities; and

WHEREAS, nearly two years after the ICEE Act’s passage, Commerce has yet to appoint an ONABD Director, DOI and HHS’ use of Native labor and their purchases of goods and services from tribally owned and Native-owned businesses have been unacceptably inadequate, and interagency coordination between Commerce, DOI, and Treasury has been insufficient to meaningfully support tribal economic development.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls upon the Department of Commerce to immediately elevate ONABD within the Department and appoint an ONABD Director with all due haste; and


BE IT FURTHER RESOLVED, that NCAI calls upon the Departments of Interior and Health and Human Services to provide Tribal nations and relevant national Native organizations a full accounting of its use of Native labor and purchases of goods and services from tribally owned and Native-owned businesses since January 2021, and that they develop a formal plan to substantially increase them (sharing said plan with Tribal nations and relevant national Native organizations); and

BE IT FURTHER RESOLVED, that NCAI calls upon the Departments of Commerce, Interior, and Treasury to develop – in consultation with Tribal nations and leading national Native organizations – a comprehensive action plan governing how the three agencies will work in coordination to effectively support economic development in tribal communities in a targeted, sustained fashion; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2022 Annual Conference of the National Congress of American Indians, held in Sacramento, CA, October 30-November 4, 2022, with a quorum present.



Fawn Sharp, President

ATTEST:



Stephen Roe Lewis, Recording Secretary