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for American Indian Enterprise Development

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September 27, 2023

Jamila Thompson, Senior Advisor
U.S. Trade Representative
Office of the United States Trade Representative
Washington, DC
<https://www.regulations.gov>

Re: Docket Number USTR-2023-0004, Comments on Advancing Inclusive, Worker-Centered Trade Policy

Dear Ms. Thompson:

The National Center for American Indian Enterprise Development (NCAIED) requests consideration of the following comments and recommendations in response to the Office of the United States Trade Representative Request for Comments, 88 Fed. Reg. 38118 (June 12, 2023), and Extension, 88 Fed. Reg. 60731 (Sept. 5, 2023), on Advancing Inclusive, Worker-Centered Trade Policy. NCAIED appreciates the extended deadline to submit these comments and outreach from the Office of the United States Trade Representative (USTR) to ensure receipt of responses to questions posed in the Request for Comments and other recommendations for USTR policies that include and advance U.S. indigenous interests, including those of Tribal Nations, Alaska Native corporations, Native Hawaiian Organizations, and the community enterprises and individually-owned businesses of members of these indigenous communities.

Background on NCAIED and international trade:

NCAIED is a 501(c)(3) non-profit organization with over 50 years of experience in assisting American Indian Tribes, Alaska Native corporations, Native Hawaiian Organizations, and their enterprises and businesses owned by their community members, with business, procurement, trade, tourism, and other economic development assistance. Now the largest national Indian-specific business organization in the United States, we are driven by our motto, "We Mean Business." NCAIED actively engages in helping Tribal Nations and Native businesses and entrepreneurs to realize their business goals through its many offices, including our export offices, and Native Edge Institute trainings offered throughout the country. We also host our annual Reservation Economic Summit (RES) and Trade Conference that attracts thousands of tribal leaders and indigenous business attendees who engage in business matchmaking, training sessions, and consultations with federal agencies seeking to vet and improve their various policy proposals and engagement with indigenous leaders and businesses.



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Trade is an increasingly important focus area for our organization. In 2022, we launched the Arizona Minority Business Development Administration (MBDA) Export Center located in our Mesa, AZ headquarters to provide trade and export-specific business development services and help generate increased financing, contract opportunities, and greater access to global markets. NCAIED is the first Native American organization selected to operate an MBDA Export Center.

To promote our export initiatives, we participated in the World Expo in Dubai and the World Trade Organization Public Forum in Geneva, Switzerland. NCAIED continues to have a relationship with both organizations, including an invitation to speak at an Asia-Pacific Economic Cooperation (APEC) Indigenous Trade Dialogue in Seattle. At our annual RES conferences, we have hosted indigenous leaders and businesses from Canada, Panama, Australia, and New Zealand to participate in our Buy Native business matchmaking, workshops, and networking opportunities. We have partnered with the government of Canada, and specifically its consulate in Chicago and Los Angeles to identify cross-border trade opportunities between Southwestern/Midwestern tribes and Canadian First Nations.

In May, NCAIED signed a Memorandum of Agreement with the International Trade Administration (ITA) to formalize Indian Country's commitment to international trade and commerce. This led to our participation in this summer's Global Diversity Export Initiative Trade Mission to Africa, where we ensured indigenous voices were heard in the dialogue between minority-owned American businesses and their counterparts in South Africa and Ghana.

I do not recite these facts and achievements as a means of credentialing myself or our organization. Rather, the abundance of trade-focused activity and partnerships underscore the very real interest in the topic across American Indian, Alaska Native, and Native Hawaiian communities. USTR is accepting these comments at a time when Indian Country is hungry for federal support to expand their markets beyond national borders. The below recommendations seek to ensure USTR actively incorporates indigenous perspectives and participation in its important work.

NCAIED Comments on USTR Request for Comments (88 Fed. Reg. 38119):

- **Include Native Representatives in U.S. Foreign Trade Missions:** The USTR should work with NCAIED and other key national Native organizations such as the National Congress of American Indians, Native American Contractors Association, and American Indian and Alaska Native Tourism Association to identify and recruit key Native representatives with expertise in key aspects of international commerce involving tribal enterprises and Native-owned businesses to participate in foreign trade missions to other countries where there exists significant potential for (1) increasing U.S. exports of Native goods and services to those countries; and (2) attracting citizens of those countries to those countries.
- **Co-Design with Native Organizations and Host Special Foreign Trade Missions to Native Communities in the United States to Showcase Native Goods and Services:** Partner with NCAIED and the other national Native organizations listed above to develop and host



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foreign trade missions in Native communities with representatives from foreign countries and companies to foster expanded international trade involving tribal enterprises and Native-owned businesses.

- **Launch New Initiative to Promote Native Foods Internationally:** The number and scale of Native food producers – operations owned by Native nations and individual Native people – have grown dramatically over the past decade. Working with leading relevant Native organizations like the Intertribal Agriculture Council, the USTR should design and implement a new initiative – collaborating with Native producers and the leading national support organizations in its design – to help market their products to buyers in foreign countries.
- **Establish/Deepen Partnership with the Foreign Agricultural Service (FAS) within the U.S. Department of Agriculture:** to (1) strengthen implementation of the Trade Title provisions in the 2018 Farm Bill – such as the Market Access Program (MAP) – that pertain to Native producers to facilitate increased exports of the products they produce to buyers in foreign countries, and (2) advance USDA and USTR’s collective understanding of Indian Country’s priorities for international trade in the 2023 Farm Bill (and jointly support those priorities).
- **Launch Comprehensive Initiative to Implement Indigenous-Focused Provisions in 2020 United States-United Mexican States-Canada (USMCA) Trade Agreement:** Convene a special listening session with tribal governments and leading national Native organizations to assist USTR with developing a comprehensive strategy for supporting and advancing the exercise of indigenous peoples’ rights as recognized in the USMCA (specifically those contained in the Preamble, Chapters 23 and 24, and the sections focused on Exceptions, Intellectual Property, and Cultural Protections).
- **Focus the Next USMCA Small and Medium-Sized Enterprises (SME) Dialogue on Enhancing International Commerce Involving Native Nations and Businesses:** The first SME Dialogue took place in San Antonio, Texas, and the second SME Dialogue took place earlier this year in Mexico city, with neither substantively focusing on international commerce involving tribal enterprises and Native-owned businesses. NCAIED proposes the USTR focus a significant portion of the third SME Dialogue, slated for Canada in 2024, on this subject, with the participation of Canada’s First Nations; alternatively, it should convene a special SME Dialogue exclusively dedicated to the topic.
- **Share the USTR’s Priorities, Plan, and Progress for Expanding International Trade Involving Tribal Enterprises and Native Businesses:** by presenting at NCAIED’s Reservation Economic Summit as well as regular conferences held by other relevant national Native organizations like those mentioned above.
- **Convene a Special Listening Session with Existing and Prospective Native Exporters of Goods and Services to Foreign Countries:** to learn about their particular challenges and main priorities for increasing business between Native commercial entities in the United States and buyers abroad; and analyze and synthesize those perspectives into refining USTR policies impacting Native commercial entities.



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Conclusion:

NCAIED welcomes further engagement with USTR in the development and implementation of policies and actions pursuant to our recommendations above. We stand ready to offer whatever assistance we can provide to accommodate further consultations, policy planning sessions, and other methods of engagement – whether as part of our upcoming Reservation Economic Summit (RES 2024) in Las Vegas March 11-14, 2024, or other NCAIED gatherings. Like USTR, our ultimate goal is to expand the benefits of trade to our indigenous communities that have been underserved and marginalized far too long.

Respectfully,

Chris James
NCAIED President and CEO