



2023 Winter Convention Portland, Oregon

RESOLUTION #2023 – 01

**“TO URGE THE DEPARTMENT OF TRANSPORTATION TO REVISE RULES TO
AUTOMATICALLY DEEM TRIBAL 8(A)’S AS DBE CERTIFIED, RECIPROCAL TO THE
RULES FOR ALASKA NATIVE CORPORATIONS”**

PREAMBLE

We, the members of the Affiliated Tribes of Northwest 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 rights secured under Indian Treaties and benefits to which we are entitled under the laws and constitution of the United States and several states, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the welfare of the Indian people, do hereby establish and submit the following resolution:

WHEREAS, the Affiliated Tribes of the Northwest Indians (ATNI) are representatives of and advocate for national, regional, and specific tribal concerns; and

WHEREAS, ATNI is a regional organization comprised of American Indians/Alaska Natives and tribes in the states of Washington, Idaho, Oregon, Montana, Nevada, Northern California, and Alaska; and

WHEREAS, the health, safety, welfare, education, economic and employment opportunity, and preservation of cultural and natural resources are primary goals and objectives of the ATNI; and

WHEREAS, according to the United States Department of Transportation (“DOT”), the Disadvantaged Business Enterprise (“DBE”) program is designed to “remedy ongoing discrimination and the continuing effects of past discrimination in federally-assisted highway, transit, airport, and highway safety financial assistance transportation contracting markets nationwide;” and

WHEREAS, according to DOT, the primary remedial goal and objective of the DBE program is to “level the playing field by providing small businesses owned and controlled by socially and economically disadvantaged individuals a fair opportunity to compete for federally funded transportation contracts;” and

WHEREAS, despite the intent of the DBE program, tribes and tribally-owned enterprises have encountered obstacles such as the Uniform Federal Application that have ultimately prohibited them from participating in the program; and

WHEREAS, Alaska Native Corporations (“ANCs”) are automatically qualified for the DBE program by qualifying for the U.S. Small Business Administration’s (SBA) 8(a) Business Development Program; now

THEREFORE BE IT RESOLVED, that the ATNI Economic Development Committee, their associates and stakeholders request that tribes and tribally-owned firms be given the same treatment as ANCs in the DBE Program; and

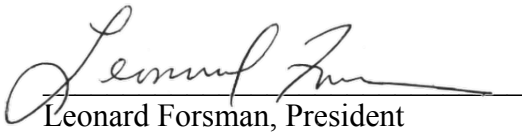
BE IT FURTHER RESOLVED, that the ATNI Economic Development Committee requests that the United States Department of Transportation support and call for consultation to discuss and amend DOT rules to deem tribally-owned firms to be economically and socially disadvantaged without requiring these firms to submit proof of any personal net worth of any Board Members or Executives, and to automatically deem tribally-owned firms that have qualified for and are current participants in the SBA 8(a), SBA Small Disadvantaged Business, and/or HUBZone programs, as certified in the U.S. DOT Disadvantaged Business Enterprise (“DBE”) Program; and

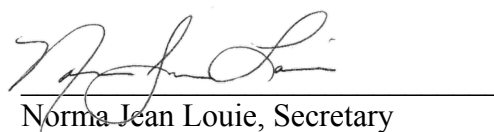
BE IT FURTHER RESOLVED, that ATNI call upon the National Congress of American Indians to support this resolution; and

BE IT FINALLY RESOLVED, that ATNI does hereby support the ATNI Economic Development Committee and its associate tribes that participate.

CERTIFICATION

The foregoing resolution was adopted at the 2023 Winter Convention of the Affiliated Tribes of Northwest Indians, Portland, Oregon, on January 26, 2023 with a quorum approving.


Leonard Forsman, President


Norma Jean Louie, Secretary