

**REN-19-014: Rejecting the Recommendations of the National Defense
Authorization Act Section 809 Panel**

Sponsor: Native American Contractors Association

Summary:

- The Section 809 Panel was created in the FY 2016 National Defense Authorization Act (NDAA) and was established by the Secretary of Defense to identify ways to streamline and improve the defense acquisition system.
- Resolution REN-19-014 opposes recommendations made by the Section 809 Panel's which may have negative impacts on American Indian and Alaska Native (AI/AN) owned small businesses.

Issue:

Created by the 2016 NDAA, the Section 809 Panel (Panel) has made 98 recommendations. These recommendations were conducted with limited tribal outreach and may be harmful to small businesses owned by tribal nations, Alaska Native corporations, and Native Hawaiian organizations.

The Panel recommendations that cause particular concern include, but are not limited to:

- Recommendation #21, Volume 1, asserting that small businesses are unable to contribute to national defense or promote innovation;
- Recommendation #75, Volume 3, recommending the revision of Small Business Administration (SBA) regulations to enable the Department of Defense to withdraw contracts from the 8(a) program and open them up for non-8(a) competition if SBA fails to meet an arbitrary 15-day deadline; and
- Recommendation #35, Volume 3, recommending the elimination of set asides for small businesses.

Action:

REN-19-014, urges Congress to reject the recommendations of the Section 809 Panel, specifically Recommendation #21, Volume 1; Recommendation #75, Volume 3; and Recommendation #35, Volume 3.

For additional information, please contact Jacob Schellinger at jschellinger@ncai.org or Brittany Habbart at bhabbart@ncai.org

Resolution Action Plan: REN-19-014

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Action Plan:

- 30 Days:
 - Research and familiarize oneself with resolution subject area.
 - Evaluate legislative and executive branch advocacy opportunities.
 - Contact resolution sponsor to coordinate requested assistance.
- 60 Days:
 - Assess opportunities for cross-coordination with other affected communities referenced in the resolution.
 - Letter to Congress addressing issues covered in the resolutions.
 - Conduct Hill visits on congressional letter.
- 90 Days:
 - If executive branch advocacy has been identified, begin implementation (*e.g.*, letters and meetings).
- 120 Days:
 - Continue Hill and related advocacy.
 - Prepare update on NCAI advocacy for 2020 Mid Year Conference.