



National Congress of American Indians | 1516 P St NW, Washington, DC 20005 | (202) 466-7767 | www.ncai.org

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The National Congress of American Indians Resolution #NC-24-016

TITLE: Calling for the Expansion of the Buy Indian Act to the U.S. Department of Agriculture

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, the Buy Indian Act (25 U.S.C. § 47) authorizes the U.S. Department of Interior (DOI) and the U.S. Department of Health and Human Services (HHS) to purchase supplies, services, and certain construction services (e.g., to build roads, schools, hospitals, etc.) from “Indian Economic Enterprises” (IEEs); and

WHEREAS, in FY 2023, the DOI and HHS collectively awarded \$2.9 billion in contracts to IEEs. These contracts exceeded the Administration goals by more than 100% – from \$525 million to \$1.07 billion; and

WHEREAS, NCAI has previously called for expansion of “Buy Indian” provisions among the federal agencies serving Tribal nations pursuant to [NCAI Resolution DEN-94-154](#); and

WHEREAS, according to U.S. Office of Management and Budget’s (OMB) FY 2023 Native American Crosscut, the U.S. Department of Agriculture (USDA) deploys the third greatest amount of federal funds to Tribal Nations among the Departments; and



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WHEREAS, despite millions of federal dollars being expended by USDA for goods and services benefiting Native people, only a small percentage goes to IEEs; and

WHEREAS, page 17 of USDA’s own 2022 Equity Action Plan calls on the agency to “review... regulations for expansion of Tribal contracting preferences such as Buy Indian Act or Tribal/Native American contracting preferences to USDA”; and

WHEREAS, the Buy Indian Act contract opportunities at USDA could include, but are not limited to, the procurement of food from Native producers, procurement of other goods (e.g., paper, etc.) and services (e.g., printing, IT systems, record keeping, etc.), staffing contracts for agencies struggling to fill positions, the construction of critical infrastructure (e.g., food distribution warehouses, housing for federal staff, roads, etc.), and more; and

WHEREAS, the expansion of the Buy Indian Act would significantly expand the breadth of contracts IEEs can seek, generate more economic activity, and create more local employment opportunities in Native communities than if USDA contracted non-Native firms to carry out this work.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) calls upon Congress to support the expansion of the Buy Indian Act to the U.S. Department of Agriculture; and

BE IT FURTHER RESOLVED, that the National Congress of American Indians calls upon Congress to include the expansion of the Buy Indian Act to USDA in the Farm Bill; 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 unanimously by the Executive Committee on Friday, June 14, 2024, following recommendations of adoption by the relevant Committees and referral from the General Assembly at the 2024 Mid Year Convention of the National Congress of American Indians, held June 1-6, 2024, in Cherokee, NC.

A handwritten signature in black ink, appearing to read "Mark Macarro", written over a horizontal line.

Mark Macarro, President

ATTEST:

A handwritten signature in black ink, appearing to read "Nickolaus Lewis", written over a horizontal line.

Nickolaus Lewis, Recording Secretary