

116TH CONGRESS
2D SESSION

H. R. 7986

To provide for contracting with Native Chamorro Organizations, and for
other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 7, 2020

Mr. SAN NICOLAS introduced the following bill; which was referred to the Committee on Natural Resources, and in addition to the Committee on Small Business, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To provide for contracting with Native Chamorro
Organizations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native Chamorro Eq-
5 uity Act”.

6 **SEC. 2. CHAMORRO REGISTRY PROGRAM.**

7 The Organic Act of Guam (48 U.S.C. 1421 et seq.)
8 is amended by inserting after section 3 the following:

1 “SEC. 4. (a) There is established under the Depart-
 2 ment of Chamorro Affairs the ‘Chamorro Registry Pro-
 3 gram’ which shall keep a database to serve as a genealogy
 4 bank to verify Native Chamorro ancestry requirements.
 5 The President of the Department of Chamorro Affairs
 6 shall include in the database the name of any individual
 7 who submits to that President a request to be included
 8 and a copy of that individual’s birth certificate and direct
 9 ancestors birth certificates that demonstrate that one or
 10 more of the individual’s direct ancestors resided on Guam
 11 before August 1, 1950.

12 “(b)(1) In this section, the term ‘Native Chamorro’
 13 means an individual who can document that one or more
 14 of the individual’s direct ancestors resided on Guam before
 15 August 1, 1950.

16 “(2) No residency or blood quantum amount shall be
 17 required for an individual to qualify as a ‘Native
 18 Chammoro’ under paragraph (1).”.

19 **SEC. 3. SMALL BUSINESS CONTRACTING FOR NATIVE**
 20 **CHAMORRO ORGANIZATIONS.**

21 (a) NATIVE CHAMORRO ORGANIZATION DEFINED.—
 22 Section 3 of the Small Business Act (15 U.S.C. 632) is
 23 amended by adding at the end the following new sub-
 24 section:

25 “(ff) NATIVE CHAMORRO ORGANIZATION.—

1 “(1) IN GENERAL.—In this Act, the term ‘Na-
 2 tive Chamorro Organization’ means any organiza-
 3 tion—

4 “(A) that is a nonprofit corporation that
 5 has filed articles of incorporation with the di-
 6 rector (or the designee thereof) of the Guam
 7 Department of Revenue and Taxation, or any
 8 successor agency;

9 “(B) that is controlled by Native
 10 Chamorros; and

11 “(C) whose business activities will prin-
 12 cipally benefit Native Chamorros.

13 “(2) RULE OF CONSTRUCTION.—The Adminis-
 14 trator shall, to the extent practicable, determine
 15 whether an organization is a Native Chamorro Orga-
 16 nization in the same manner as such determination
 17 is made under section 8(a)(15) with respect to Na-
 18 tive Hawaiian Organizations.”.

19 (b) SOCIALLY AND ECONOMICALLY DISADVANTAGED
 20 SMALL BUSINESS CONCERN.—Section 8(a)(4) of the
 21 Small Business Act (15 U.S.C. 637(a)(4)) is amended—

22 (1) in subparagraph (A)—

23 (A) in clause (i)—

24 (i) in subclause (II), by striking “or”
 25 at the end; and

1 (ii) by adding at the end the following
2 new subclause:

3 “(IV) an economically disadvantaged Na-
4 tive Chamorro Organization, or”; and

5 (B) in clause (ii)—

6 (i) in subclause (II), by striking “or”
7 at the end;

8 (ii) in subclause (III), by striking the
9 period at the end and inserting “, or”; and

10 (iii) by adding at the end the fol-
11 lowing new subclause:

12 “(IV) an economically disadvantaged Na-
13 tive Chamorro Organization.”; and

14 (2) in subparagraph (B)—

15 (A) in clause (ii), by striking “or” at the
16 end;

17 (B) in clause (iii), by striking the period at
18 the end and inserting “, or”; and

19 (C) by adding at the end the following new
20 clause:

21 “(iv) Native Chamorro Organizations described
22 in subparagraph (A)(i)(IV) or subparagraph
23 (A)(ii)(IV).”.

24 (c) HUBZONE SMALL BUSINESS CONCERN.—Sec-
25 tion 31(b)(2) (15 U.S.C. 657a note) is amended—

1 (1) in subparagraph (E)(ii), by striking “or” at
2 the end;

3 (2) in subparagraph (F)(iii), by striking the pe-
4 riod at the end and inserting “; or”; and

5 (3) by adding at the end the following new sub-
6 paragraph:

7 “(G) a small business concern—

8 “(i) that is wholly owned by one or
9 more Native Chamorro Organizations, or
10 by a corporation that is wholly owned by
11 one or more Native Chamorro Organiza-
12 tions; or

13 “(ii) that is owned in part by one or
14 more Native Chamorro Organizations, or
15 by a corporation that is wholly owned by
16 one or more Native Chamorro Organiza-
17 tions, if all other owners are either United
18 States citizens or small business con-
19 cerns.”.

20 (d) FINDINGS.—Section 2(f)(1)(C) of the Small Busi-
21 ness Act (15 U.S.C. 631(f)(1)(C)) is amended by inserting
22 “Native Chamorro Organizations,” after “Native Hawai-
23 ian Organizations,”.

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