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(Original Signature of Member)

117TH CONGRESS
2D SESSION

H. R. _____

To require the Governor of Guam to establish a database for verifying
Native CHamoru ancestry, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. SAN NICOLAS introduced the following bill; which was referred to the
Committee on _____

A BILL

To require the Governor of Guam to establish a database
for verifying Native CHamoru ancestry, 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 Pacific Island-
5 ers of America Equity Act”.

6 **SEC. 2. CHAMORU 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 Office of
2 the Governor the ‘CHamoru Registry Program’, which
3 shall keep a database to serve as a genealogy bank to
4 verify Native CHamoru ancestry requirements. The Gov-
5 ernor of Guam shall include in the database the name of
6 any individual who submits to the Governor of Guam a
7 request to be included and a copy of the birth certificate
8 of that individual and birth certificates of direct ancestors
9 that demonstrate that one or more of the individual’s di-
10 rect ancestors resided on Guam before August 1, 1950.

11 “(b) Not less than once every 3 years, the Office of
12 Public Auditor shall audit the database established by sub-
13 section (a) to ensure the accuracy of the database and that
14 the database is in compliance with the requirements of
15 subsection (a).

16 “(c)(1) In this section, the term ‘Native CHamoru’
17 means an individual who can document that one or more
18 of the individual’s direct ancestors resided on Guam before
19 August 1, 1950.

20 “(2) No residency or blood quantum amount shall be
21 required for an individual to qualify as a ‘Native
22 CHamoru’ under paragraph (1).

23 “(d) The Superior Court of Guam shall have original
24 jurisdiction over all judicial proceedings with respect to

1 the CHamoru Registry Program and the database estab-
2 lished by subsection (a).”.

3 **SEC. 3. SMALL BUSINESS CONTRACTING FOR NATIVE**
4 **CHAMORU AND NATIVE NORTHERN MARI-**
5 **ANAS ORGANIZATIONS.**

6 (a) ORGANIZATIONS DEFINED.—Section 3 of the
7 Small Business Act (15 U.S.C. 632) is amended by adding
8 at the end the following new subsections:

9 “(gg) NATIVE CHAMORU ORGANIZATION.—

10 “(1) IN GENERAL.—In this Act, the term ‘Na-
11 tive CHamoru Organization’ means any organiza-
12 tion—

13 “(A) that is a nonprofit corporation that
14 has filed articles of incorporation with the di-
15 rector (or the designee thereof) of the Guam
16 Department of Revenue and Taxation, or any
17 successor agency;

18 “(B) that is controlled by Native
19 CHamorus (as defined in section 4 of the Or-
20 ganic Act of Guam); and

21 “(C) whose business activities will prin-
22 cipally benefit Native CHamorus.

23 “(2) RULE OF CONSTRUCTION.—The Adminis-
24 trator shall, to the extent practicable, determine
25 whether an organization is a Native CHamoru Orga-

1 nization in the same manner as such determination
2 is made under section 8(a)(15) with respect to Na-
3 tive Hawaiian Organizations (as defined in such sec-
4 tion).

5 “(hh) NATIVE NORTHERN MARIANAS ORGANIZA-
6 TION.—

7 “(1) IN GENERAL.—In this Act, the term ‘Na-
8 tive Northern Marianas Organization’ means any or-
9 ganization—

10 “(A) that is a nonprofit corporation that
11 has filed articles of incorporation with the sec-
12 retary (or the designee thereof) of the Common-
13 wealth of the Northern Mariana Islands De-
14 partment of Commerce, or any successor agen-
15 cy;

16 “(B) that is controlled by persons of
17 Northern Marianas descent (as defined in Sec-
18 tion 4 of Article 12 of the Constitution of the
19 Commonwealth of the Northern Mariana Is-
20 lands); and

21 “(C) whose business activities will prin-
22 cipally benefit persons of Northern Marianas
23 descent.

24 “(2) RULE OF CONSTRUCTION.—The Adminis-
25 trator shall, to the extent practicable, determine

1 whether an organization is a Native Northern Mari-
2 anas Organization in the same manner as such de-
3 termination is made under section 8(a)(15) with re-
4 spect to Native Hawaiian Organizations (as defined
5 in such section).”.

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

9 (1) in subparagraph (A)—

10 (A) in clause (i)—

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

13 (ii) in subclause (III), by striking
14 “or” at the end; and

15 (iii) by adding at the end the fol-
16 lowing new subclauses:

17 “(IV) an economically disadvantaged Na-
18 tive CHamoru Organization, or

19 “(V) an economically disadvantaged Native
20 Northern Marianas Organization, or”; and

21 (B) in clause (ii)—

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

1 (ii) in subclause (III), by striking the
2 period at the end and inserting a comma;
3 and

4 (iii) by adding at the end the fol-
5 lowing new subclauses:

6 “(IV) an economically disadvantaged Na-
7 tive CHamoru Organization, or

8 “(V) an economically disadvantaged Native
9 Northern Marianas Organization.”; and

10 (2) in subparagraph (B)—

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

13 (B) in clause (iii), by striking the period at
14 the end and inserting a comma; and

15 (C) by adding at the end the following new
16 clauses:

17 “(iv) Native CHamoru Organizations described
18 in subparagraph (A)(i)(IV) or subparagraph
19 (A)(ii)(IV), or

20 “(v) Native Northern Marianas Organizations
21 described in subparagraph (A)(i)(V) or subpara-
22 graph (A)(ii)(V).”.

23 (c) HUBZONE SMALL BUSINESS CONCERN.—Sec-
24 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 a semicolon; and

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

7 “(G) a small business concern—

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

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

20 “(H) a small business concern—

21 “(i) that is wholly owned by one or
22 more Native Northern Marianas Organiza-
23 tions, or by a corporation that is wholly
24 owned by one or more Native Northern
25 Marianas Organizations; or

1 “(ii) that is owned in part by one or
2 more Native Northern Marianas Organiza-
3 tions, or by a corporation that is wholly
4 owned by one or more Native Northern
5 Marianas Organizations, if all other owners
6 are either United States citizens or small
7 business concerns.”.

8 (d) FINDINGS.—Section 2(f)(1)(C) of the Small Busi-
9 ness Act (15 U.S.C. 631(f)(1)(C)) is amended by inserting
10 “Native CHamoru Organizations, Native Northern Mari-
11 anas Organizations,” after “Native Hawaiian Organiza-
12 tions,”.