



September 2023 Newsletter

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ANNOUNCEMENT

NICC APEX Staff News: Meet Mr. Mike Grant

Mike Grant has joined the NICC APEX Accelerator as a Counselor.

The NICC and the APEX Accelerator team are happy to welcome Mike! Since his employment began in the past month, he has been very busy completing training and has been transitioning to meet current APEX clients. Mike proves to be a great addition thus far and we look forward to continuing to grow our APEX together.

SUCCESS STORY

I feel very honored and privileged to have received an invitation to the Iowa Tribe of Kansas and Nebraska’s Groundbreaking Ceremony for their Foreign Trade Zone Lay Down Yard. The President of Nebraska Indian Community College Mike Oltrogge and myself were able to attend. We are very proud to be able to be working with such a progressive Tribe. We will continue to support and help network our clients working towards creating change in Indian Country.

MIKE

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PRESS RELEASE

FOR IMMEDIATE RELEASE**July 21, 2023****Iowa Tribe of Kansas and Nebraska breaks ground on Foreign Trade Zone**

Forest City, Mo. - The Iowa Tribe of Kansas and Nebraska (ITKN) celebrated the initiation of their Foreign Trade Zone (FTZ) project with a groundbreaking ceremony on Monday, July 17. This event marked a significant milestone in the Tribe's pursuit of sustainable growth for both Tribal and regional economies and Indigenous-to-Indigenous trade across the globe.

Special guest speaker Benson Saulo, Consul-General and Senior Trade and Investment Commissioner, assisted the ITKN Executive Committee with the groundbreaking alongside Brandon Roberts, Deputy General Manager of ITKN-owned Grey Snow Construction Services. Saulo is the first Indigenous person appointed an Australian Consul-General and is a descendant of the Wemba Wemba and Gunditjmara nations of Western Victoria and the New Ireland Province of Papua New Guinea.

The location of the Tribe's FTZ is historically significant, as the location in Holt County is part of the Tribe's traditional lands. In 1837, the Platte Purchase transferred 3,149 square miles of land from the Ioway and the Missouri Band of the Sac and Fox Tribes to the United States in exchange for \$7,500, some supplies and services, and less than 30 square miles of reservation land in what would become Kansas and Nebraska.

Foreign Trade Zones are designated geographic areas within a country where businesses can engage in international trade activities with certain advantages, such as reduced costs related to customs duties, taxes, and tariffs, while simultaneously enhancing global market competitiveness for businesses of all sizes.

The Tribe's FTZ will generate job opportunities across Kansas, Missouri, and Nebraska as a part of the Greater Kansas City Foreign Trade Zone, which handles more volume than the FTZs of Chicago, Dallas, Denver, Minneapolis, and St. Louis. Phase 1 of the Tribe's project includes the development of a laydown yard covering approximately 50,000 square feet. Future expansions will introduce additional supply chain solutions and services to the region.

“The Iowa Tribe of Kansas and Nebraska Foreign Trade Zone is a tool to attract businesses that will benefit from utilizing the zone,” said ITKN Chairman Timothy N. Rhodd. “The zone brings value to the Tribe and surrounding communities with economic and workforce development opportunities. This location has many different logistical infrastructures: rail, air, intrastate, and water, thanks to the Missouri River—one of our most precious beings. This will allow the tribe to re-establish their ancient Indigenous trade routes and strengthen food sovereignty.”

As part of their vision, the Tribe aims to develop the first Indigenous-owned multinational corporation engaged in marketing, supplying, and distributing food products to diverse retailers, institutions, and buyers.

[Visit this website for more information about the Iowa Tribe of Kansas and Nebraska's Foreign Trade Zone \(iowatribeofkansasandnebraska.com/ftz\).](https://iowatribeofkansasandnebraska.com/ftz)



Pictured at the ITKN FTZ Groundbreaking Ceremony are Brandon Roberts (ITKN Tribal Member and Deputy General Manager of Grey Snow Construction Services), Benson Saulo (Australian Consul-General and Trade & Investment Commissioner), Chairman Timothy Rhodd, Tony Fee (Secretary), Cheyenne Colborn (Member at Large), and Vice-Chairman Lance Foster.

ABOUT THE IOWA TRIBE OF KANSAS AND NEBRASKA

The Iowa Tribe of Kansas and Nebraska (ITKN) is a sovereign nation and federally recognized tribe organized under a constitution and bylaws approved on February 26, 1937. Traditionally, the tribe is known as the Ioway or Báxoje. Tribal headquarters are situated on a reservation that straddles the eastern border of Kansas and Nebraska along the confluence of two rivers—the Níamaha and Nyisoji, also known as the Big Nemaha River and Missouri River, respectively. The Iowa River and the State of Iowa were named after the Tribe.



ITKN owns several enterprises including Grey Snow Management Solutions, LLC (GSMS), a holding company for a collection of tribally owned small businesses known as the Grey Snow Companies. GSMS offers reliable solutions for fiber communications, construction, renewable green energy systems, and professional services. In addition to GSMS, the Tribe owns Casino White Cloud, Ioway Farms, Ioway Bee Farm, Soje, Grasslands, Rutana Tires & Services, Grandview Oil Gas Station and Convenience Store, Grey Snow Sanitation, and Ioway Seed Company. ITKN boasts the second-ever and largest Tribal National Park, Báxoje Mowatanani, or Ioway Tribal National Park. The park recently entered the very first Sister Park relationship between a Tribal National Park and a U.S. National Park (Effigy Mounds National Monument in Harper's Ferry, Iowa) and is scheduled to open formally in 2025.

Learn more about the tribe [HERE](#).

TIP OF THE MONTH

The Importance of Staying “In the Know”

As you peruse the contents of this month's newsletter, you'll notice a significant update regarding the eligibility requirements for the Small Business Administration's 8(a) Program. These types of developments serve as a reminder of the importance for government contractors to stay well-informed about regulatory and policy shifts in government procurement. Successfully navigating this landscape requires a keen awareness of the latest rules, procedures, and industry trends.

In this tip of the month, we highlight five reasons why being informed is critical in government contracting.

1. **Ensure Compliance:** The government frequently updates its policies to ensure fairness, combat fraud, and meet public interest goals. By staying informed, you can ensure compliance, avoiding penalties and legal issues.
2. **Identify Opportunities:** The public sector seeks innovative solutions to societal challenges through procurement. By monitoring government solicitations, you can identify projects that align with your expertise and secure contracts ahead of competitors.
3. **Adapt to Industry Trends:** Government agencies' needs change with advancing technology and shifting priorities. Staying informed allows you to adapt and tailor proposals, increasing your chances of winning contracts and establishing a reputation for innovation.
4. **Build Relationships:** Conferences and networking sessions provide an opportunity to connect with decision-makers, gain insights, and build a strong reputation in the field. Building relationships is crucial for success in government contracting.
5. **Manage Risks:** By staying informed about political, economic, and social developments, you can anticipate and manage risks effectively. This allows you to adjust strategies and enhance resilience, leading to long-term success in government contracting.

In summary, staying informed in government contracting is essential for several key reasons. It helps ensure compliance, identifies new opportunities, allows for adaptation to industry trends, fosters relationship building, and enables effective risk management. By prioritizing staying informed, you position yourself as a valuable partner to government agencies, increasing your chances of securing contracts and making meaningful contributions to public sector projects.

NICC APEX ACCELERATOR NEWS YOU CAN USE

Important Changes to the 8(a) Program: What You Need to Know

A recent ruling on July 19, 2023, by the U.S. District Court for the Eastern District of Tennessee has significantly changed the 8(a) program, impacting both currently certified 8(a) firms and future applicants. The Court's decision ends the SBA's practice of presuming social disadvantage for certain ethnic groups, including Asian Pacific Americans, Black Americans, Hispanic Americans, Subcontinent Asian Americans, and Native Americans, during the 8(a) application process. As a result, those who had previously relied on this presumption and were accepted into the program now need to provide a "social disadvantage narrative" to establish their individual social disadvantage. The ruling does not affect entity-owned firms, such as those owned by Indian tribes or Native Hawaiian Organizations. Current participants have received communication from the SBA outlining the steps for establishing or confirming their social disadvantage status. The 8(a) program remains operational, with agencies encouraged to continue using it for

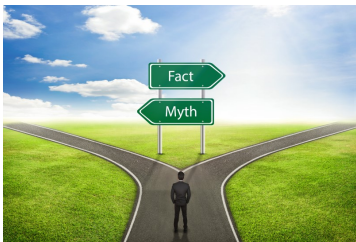
socio-economic small business needs. However, as of the date of this writing, the SBA's 8(a) Business Development Program webpage states that "SBA has temporarily suspended new 8(a) application submissions to comply with the Court's decision. Thank you for your patience and interest in the 8(a) Business Development program." We anticipate that there will be many more updates and additional guidance provided in the months to come. If you want to stay in the loop or have questions, we suggest the following resources:

- 1. [Click here](#) to read the SBA's guidance for 8(a) program participants in light of the U.S. District Court ruling.
- 2. [Click here](#) to download the SBA's "Guide For Writing A Social Disadvantage Narrative."
- 3. [Click here](#) to join Govology's September 6th Coffee & Issues Show, where they will be joined live by GovCon attorney Nicole Pottroff (Koprince McCall Pottroff LLC) to discuss the issue, share tips, and answer questions. Nicole and her team have also been posting frequent updates on their [smallgovcon.com](#) blog.
- 4. [Click here](#) to find your local SBA office and connect with their Business Opportunity Specialist, whose primary role includes providing support and guidance to 8(a) applicants and currently certified 8(a) firms.

And of course, your APEX Accelerator counselor is always here to lend a helping hand. Whether you have burning questions or need some assistance in navigating the impact of this recent change, we've got your back! So don't hesitate to reach out.

GOVOLOGY WEBINARS

Please use the new code 20NICC23 when registering for Govology webinars.



Debunking SBIR/STTR Myths: Strategies to Protect and Optimize the Value of SBIR & STTR Program Authorities (2023 Update)

Date: September 5, 2023
Time: 1:00 pm EDT
Presenter: Jeff Cuskey, Consultant & Expert Witness

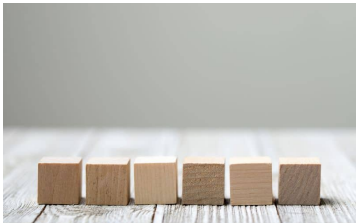
[Click Here to Learn More](#)



Going Green: Smart Manufacturing, EV Tech, and Green Development in the FAR

Date: September 7, 2023
Time: 1:00 pm EDT
Presenter: Matthew Moriarty, Schoonover & Moriarty LLC

[Click Here to Learn More](#)



NAICS Codes: Six Impactful Digits for Federal Contractors (2023 Update)

Date: September 12, 2023
Time: 1:00 pm EDT
Presenter: Tim Laughlin, Schoonover & Moriarty LLC

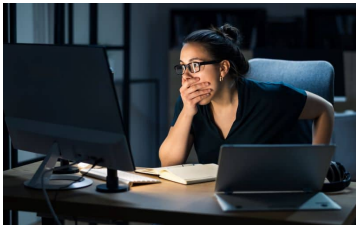
[Click Here to Learn More](#)



Foreign Ownership, Control or Influence (FOCI) Rules for Federal Contractors

Date: September 14, 2023
Time: 1:00 pm EDT
Presenter: Steven Koprince, Govology Legal Analyst

[Click Here to Learn More](#)



Cybersecurity Essentials That Protect Your Business and Customer

Date: September 21, 2023
Time: 1:00 pm EDT
Presenter: Nathan Cross, Totem Technologies

[Click Here to Learn More](#)



DIBBS System Overview – Searching for and Bidding on Opportunities (2023 Update)

Date: September 28, 2023
Time: 1:00 pm EDT
Presenter: Joshua Frank, RSM Federal

[Click Here to Learn More](#)

RECOMMENDED READINGS

USDOL Finalizes Rule Making Big Changes to Davis-Bacon Enforcement

The Department of Labor (DOL) has released a Final Rule that introduces substantial revisions to the enforcement of the Davis-Bacon Act (DBA). This act regulates the payment of wages for contractors and subcontractors engaged in federal construction projects.

[Read more about these revisions](#) or, for a deeper dive, [attend a free seminar](#) (happening in September) with the Department of Labor covering changes to the Davis-Bacon Act and related regulations.

Impact of New Health and Welfare Rates on SCA Government Contracts

The Department of Labor’s Wage and Hour Division has issued new Service Contract Act (SCA) health and welfare rates. Read [PilieroMazza’s article discussing the impact of new rates](#) on SCA government contracts.

SPECIAL INTEREST

This section highlights items of special interest and importance to the Department of Defense Office of Small Business Programs (DOD OSBP). Please take a moment to visit the sites listed below for additional information. We also suggest you read the latest edition of the [DoD’s Small Business Digest](#) if you want to do business with the Department of Defense.

CMMC / Cybersecurity Compliance Resources

[DoD CMMC Resource Page](#) - Resources to assist government contractors in understanding and complying with CMMC/Cybersecurity requirements.

[Project Spectrum](#) - Project Spectrum is working with APEX Accelerators to assist small businesses in achieving compliance with CMMC/Cybersecurity requirements.

FOCI (Foreign Ownership, Control and Influence) Resources

[FOCI Frequently Asked Questions](#) - Foreign Ownership, Control, or Influence (FOCI) is a status or situation in which a contractor with access to classified information has some foreign investment or association with foreign interest. Learn more about the Federal Government’s requirements relating to FOCI.
<https://business.defense.gov/> - The official website of DoD’s Office of Small Business Programs website. It contains additional information, news, events, and other items of interest for those interested (or currently engaged) in doing business with the DoD.

**About Nebraska Indian Community College
APEX Accelerator:**

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