

August  
2013

# ANC Business Guide

## 8(a) Business Development Program

This guide is designed to inform, educate and engage qualified Alaska Native Corporation-owned businesses in the 8(a) Business Development Program

U.S. Small Business Administration

Office of Native American Affairs

Office of Government Contracting and Business Development



# Alaska Native Corporation

## -- ANC Business Guide -- 8(a) Business Development Program



Office of Native American Affairs  
Office of Government Contracting & Business Development  
July 2013

[www.sba.gov/naa](http://www.sba.gov/naa)



This is about small businesses owned by Alaska Native Corporations, winning federal contracts.

Welcome to SBA's ANC Business Guide, a guide to the 8(a) Business Development Program.

**NOTE:** *This supplemental workbook tracks the slides and narrative contained in the online training module, **Alaska Native Corporation – ANC Business Guide**. The online version of the training guide, with audio can be accessed at: [www.sba.gov/gclassroom](http://www.sba.gov/gclassroom). For the user's convenience, all hyperlinks contained in the copied slides are included as links at the end of the workbook.*

**Introduction**

- 8(a) Business Development Program is designed to assist socially and economically disadvantaged small businesses, including ANC owned firms
- Designed to inform, educate and engage qualified businesses in the 8(a) program

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The 8(a) program is a business development program designed to assist socially and economically disadvantaged small businesses, including ANC owned enterprises.

This guide is designed to inform, educate and engage qualified ANC businesses in the 8(a) program.

Notes...

## Course Contents

### ANC Business Guide

1. Alaska Native Corporation (ANC)
2. 8(a) Program Purpose & Summary
3. How the Program Works
4. Eligibility Requirements for ANC Enterprises
5. Application Process
6. Key Questions & Answers
7. Resources and Assistance

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The training module provides an overview of the 8(a) program, including a discussion about ANC owned businesses, a description of the program's purpose, how it works, eligibility requirements, the application process, key questions and answers and important resources.

In addition many of the slides include highlighted boxes with specific FAR and CFR regulatory references to help users easily access more information about the content in the slides.

Also, the course is designed so that you can easily go to, leave or return to any section of the course, at any time.

Notes...

## Alaska Native Corporation (ANC)

- What is an Alaska Native Corporation (ANC)?
  - ANC means any Regional Corporation, Village Corporation, Urban Corporation or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Act, as amended by 43 U.S.C 1601, et seq.
  - Indian tribe means any Indian tribe, band, nation or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians or is recognized as such by the State in which the tribe, band, nation or community resides

**13 CFR 124.3**

*ANC Business Guide*

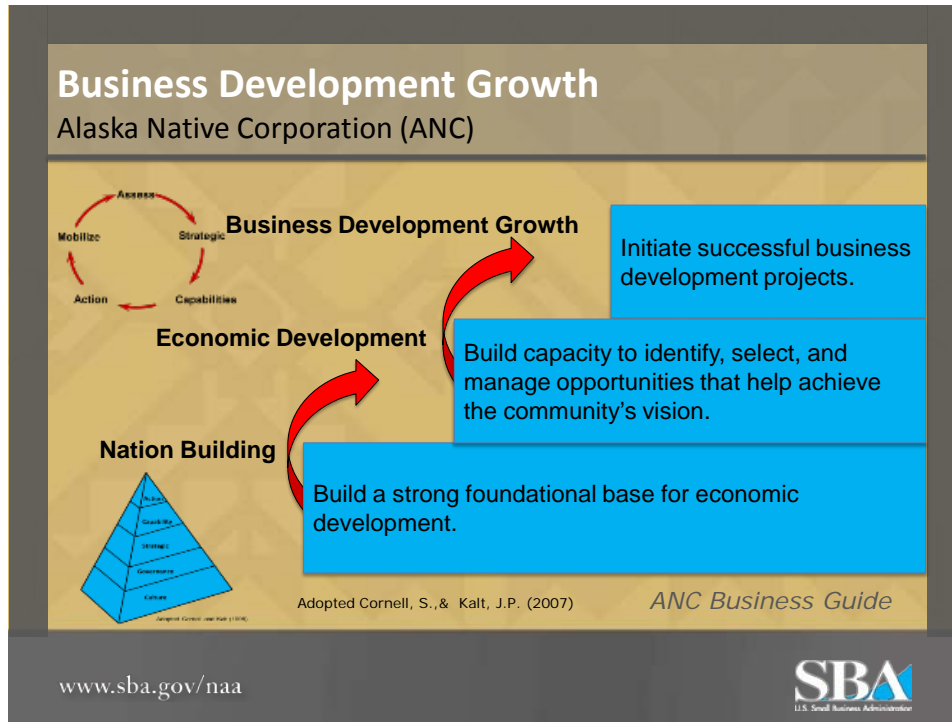
[www.sba.gov/naa](http://www.sba.gov/naa)



But first, what is an Alaska Native Corporation (ANC)?

ANC means any Regional Corporation, Village Corporation, Urban Corporation or Group Corporation organized under the laws of the State of Alaska in accordance with the Alaska Native Claims Act, as amended by 43 U.S.C 1601.

In addition and as defined in federal regulations, a tribally owned business (concern) means any business (concern) that is at least 51% owned by an Indian tribe. An Indian tribe is any Indian tribe, band, nation or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the United States to Indians because of their status as Indians or is recognized as such by the State in which the tribe, band, nation or community resides.



The 8(a) program is a tool, a business development tool that may fit within the economic development vision of the ANC or the business entities that are owned by the ANC.

With that said, successful business development within a tribe may be enhanced with a well-defined economic development framework and a strong foundational base of capabilities, strategies and supporting policies.

At the base sits nation building. A strong, effective, self-driven nation serves as the foundation to support all productive activity. Resting above it, is economic development. In this level, a nation builds the capacity to identify, select and manage the community's endowment of resources and talent that help achieve the community's vision.

At the top is business development growth. Here tribal entities make critical decisions on starting and growing their businesses. The 8(a) program is but one tool that may help support business development growth.

## Framework for Business Development Growth Alaska Native Corporation (ANC)

- Assess
  - What we know
- Strategic choices
  - Identify opportunities
- Capabilities
  - Alignment and delivery
- Action
  - Adapting and learning
- Mobilization
  - Willingness to lead change



*ANC Business Guide*

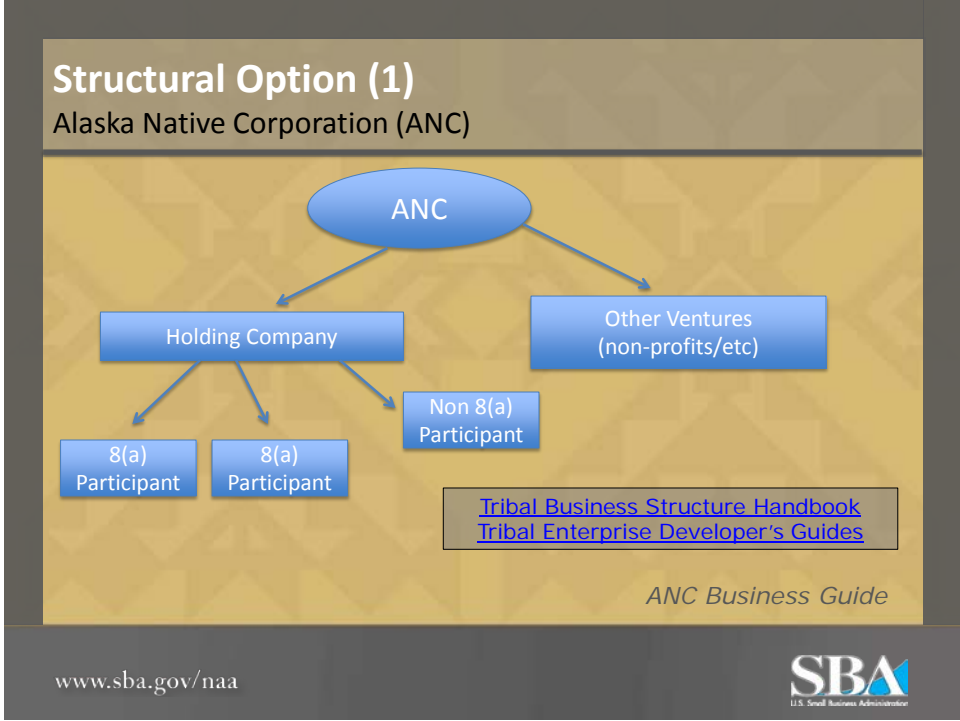
[www.sba.gov/naa](http://www.sba.gov/naa)



Achieving business growth requires a plan. A well thought out plan.

As such, a tribal entity or ANC should have a good understanding of where it is today, where it has been and where it wants to go. Five steps can be applied to build a planning framework. First, gather what you know and assess your current circumstances. Second, identify opportunities and make strategic choices. Applying to the 8(a) program, for instance, may be one of those choices.

Third, understand your tribal capabilities and align skills with what your corporation can successfully deliver. Fourth, identify and manage actions and lastly, but most importantly, mobilize change.



The 8(a) program is a business development tool, and an ANC may have more than one related 8(a) business.

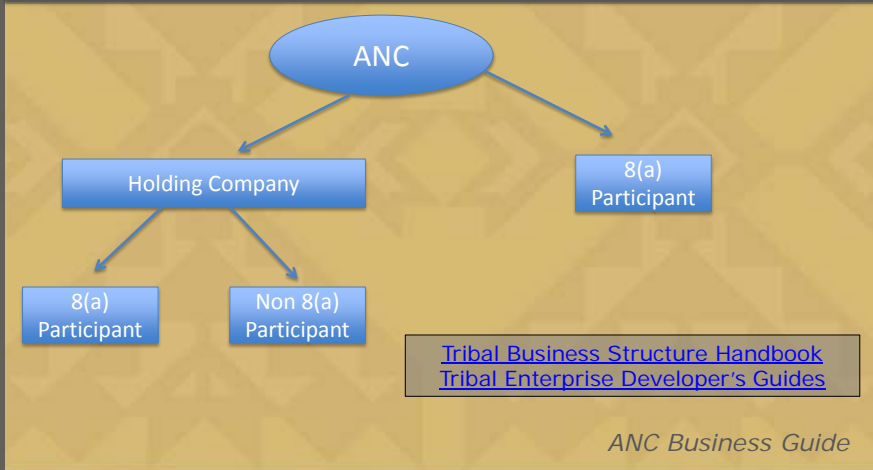
It is important for an ANC to understand how it can be optimally structured so it can be positioned for business development growth. This slide shows one structural option, with two related 8(a) firms and one non-8(a) business, organized through a holding company owned by the ANC. There are other options.

Notes...



## Structural Option (2)

Alaska Native Corporation (ANC)



[www.sba.gov/naa](http://www.sba.gov/naa)



Another option might be that an ANC owns an 8(a) firm directly and uses a holding company to own a second 8(a) firm. Again, there are multiple options.

At your convenience, review the hyperlinked guides to better understand how a tribe or ANC can be positioned for growth.

Notes...

## Reflection...

### ANC Owned Businesses

- Does your Alaska Native Corporation have a strong foundational base for economic development?
- Has tribal leadership considered ways the 8(a) program can be used as a business development tool for your ANC?
- Is your ANC structurally positioned for optimal business development growth?

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



### Reflection...

Does your Alaska Native Corporation have a strong foundational base for economic development? Has tribal leadership considered ways the 8(a) program can be used as a business development tool? Is your ANC structurally positioned for optimal business development growth?

Notes...



Program overview and summary.

Notes...

## Program Purpose

### 8(a) Program & Summary

- Help small disadvantaged businesses, including ANC owned small businesses compete in the marketplace
- Provide business development support
- Prepare qualifying entities for procurement and other business opportunities

13 CFR 124.1



*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The 8(a) Program -- named for Section 8(a) of the Small Business Act -- is designed to assist small disadvantaged businesses, including firms owned by Alaska Native Corporations to compete in the marketplace. It is also designed to assist such entities in gaining access to federal and private procurement markets.

The primary focus of the program is to provide business development support, such as mentoring, procurement assistance, business counseling, training, financial assistance, surety bonding and other management and technical assistance to qualified firms. The ultimate objective, however, is to **prepare** small disadvantaged firms for procurement and other business opportunities.

Through the award of sole source and set-aside contracts, the 8(a) program provides market access and growth for qualified small businesses.

## Alaska Native Corporation -- 8(a) Perspective

### 8(a) Program & Summary

- 8(a) program is a business development tool for ANCs
- Federal agencies have strong incentives to contract with tribal concerns and ANC owned businesses
- Tribes and ANCs do have special procurement privileges – an important perspective is that often times proceeds from tribally or ANC owned companies are used to benefit the entire tribal membership, rather than individual owners

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The program is a business development tool that offers opportunities for small businesses owned by tribes, Alaska Native Corporations and other qualifying entities.

Under the 8(a) program, Congress granted such entities with unique rights in the federal procurement process. These rights provide federal agencies with strong incentives to contract with businesses owned by ANCs.

Tribes and ANCs do have special procurement privileges. There are many reasons for this. However, an important perspective is that often times the proceeds from tribally or ANC owned companies are used for the benefit of the entire tribal membership, rather than individual owners. Tribes and ANCs use these proceeds to build, sustain and operate their communities – for the betterment of education, health care, public works and other community sustaining activities.

## Regulatory Guidance

### 8(a) Program & Summary

The 8(a) Business Development Program:

- Established by:
  - Section 8(a) of the Small Business Act of 1953
- Governed by:
  - 13 CFR 124.100–124.704 (Subpart A)
  - FAR Part 19.800–19.812
- Specific References to Tribal and ANC Owned Businesses:
  - 13 CFR 124.3 -- Definitions
  - 13 CFR 124.103 -- Who is Socially disadvantaged?
  - 13 CFR 124.105-106 -- Eligibility
  - 13 CFR 124.109 -- Applying to the 8(a) program
  - 13 CFR 124.112 -- Business criteria to remain eligible

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The 8(a) program was established by Section 8(a) of the Small Business Act.

It is primarily governed by 13 CFR 124 Subpart A and FAR Parts 19.8 – 19.812. Specific references to tribally owned businesses are also noted in the slide.

Notes...

## Key Program Objectives

### 8(a) Program & Summary

- “Promote the business development of small business concerns owned and controlled by socially and economically disadvantaged individuals...”
- “Promote the competitive viability of such concerns...”
- “Clarify and expand the program for procurement by the United States...”

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



As articulated in statute and regulations, the key objectives of the 8(a) program are to promote business development of small business concerns owned and controlled by socially and economically disadvantaged individuals; to promote the competitive viability of such concerns; and to use the tools of the program to help qualified small disadvantaged firms benefit from federal procurement opportunities.

Qualifying ANC owned businesses can benefit from these key program objectives.

Notes...

## Term of Participation

### 8(a) Program & Summary

- Maximum 9 year participation in the program, beginning from the date of SBA approval
- First 4 years are considered the developmental stage
- Last 5 years are considered the transitional stage
- Continuation in the program is dependent on:
  - Remaining eligible as a socially and economically disadvantaged firm (includes all applicable requirements)
  - Staying in compliance with the 8(a) BD participation agreement

**13 CFR 124.2**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Participation in the 8(a) program is limited to 9 years, beginning from the date a firm is approved by the SBA as a certified 8(a) Business Development firm.

The first four years in the program are considered the developmental stage. The last five years in the program are considered the transitional stage.

Continuation in the program, in both the developmental and transitional stages, is dependent on the firm's continuing eligibility as a socially and economically disadvantaged – owned and operated – firm and that the firm continues to be in compliance with the 8(a) business development agreement.



**Summary Requirements and Goals**  
**8(a) Program & Summary**

- Overall goal for 8(a) firms is to graduate from the program and thrive in a competitive business environment
- Requirements:
  - Maintain a balance between commercial and government business
  - SBA district offices monitor and measure the progress of participating firms
    - Annual review
    - Business planning
    - Systematic evaluations

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The 8(a) program is a business development program. As such, the overall goal for 8(a) firms is to graduate from the program and go-on to thrive in a competitive business environment. There are several requirements in place to help firms achieve this goal.

Firms must maintain a balance between their commercial and government business.

In addition, SBA district offices monitor and measure the progress of participating 8(a) firms. It does this through annual reviews, business planning collaboration and systematic evaluations.

Notes...

## Reflection...

### 8(a) Program & Summary

- Is the purpose of the 8(a) program aligned with the goals and objectives of your Alaska Native Corporation?
- Is your ANC and affiliated businesses positioned to take advantage of opportunities available through the 8(a) program?



*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



## Reflection...

Is the purpose of the 8(a) program aligned with the goals and objectives of your Alaska Native Corporation? Is your ANC and affiliated businesses positioned to take advantage of opportunities available through the 8(a) program?

Notes...




How the 8(a) program works.

Notes...

**Driven by Several Key Components**  
How the 8(a) Program Works

- SBA's role
  - Business development assistance
  - Business development support
  - Contract opportunities
- Role of ANC -- 8(a) program participants
  - Capitalize on available business development assistance and support
  - Learn about government buying needs
  - Market to the government
  - Submit information annually to the SBA to prove eligibility

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa) 

The program is driven by several key components. SBA plays a pivotal role, but the core of the program is focused on business development assistance, business development support, finding contract opportunities and marketing.

The most important role, however, is played by 8(a) firms themselves. Each of these components is explained in the following sections.

Notes...

## SBA's Role

### How the 8(a) Program Works

- Program policy guidance
- Review and certify eligible clients
- Assign SBA personnel, *Business Opportunity Specialists*, to 8(a) participating firms
- Provide business development assistance
- Help identify contract opportunities for 8(a) participating entities
- Review progress of 8(a) certified businesses

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



As the administrator of the program, SBA provides program policy guidance, reviews and certifies eligible clients, assigns SBA personnel -- Business Opportunity Specialists -- to approved 8(a) entities, provides business development assistance, helps in identifying potential contract opportunities and reviews the progress of participating 8(a) concerns.

SBA's role is to build a strong resource-rich program -- that helps 8(a) certified, ANC owned firms to become and remain competitive in the economic mainstream.

**Business Development Assistance**  
How the 8(a) Program Works

- Business counseling and mentoring
- Online and traditional training
- Surety bond guarantees
- Contract marketing guidance
- Acquire federal government surplus property
- Other management and technical assistance

**13 CFR 124.404-124.405**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Aiding 8(a) certified, ANC owned businesses with business development assistance is core to the program. This assistance takes many forms, but includes, business counseling and mentoring; online and traditional training; surety bond guarantees; contract marketing guidance; acquiring federal government surplus property; and, other forms of management and technical assistance.

Competitive strength comes from knowledge, financial support and technical assistance – all of which can be gained through SBA’s business development initiatives.

Notes...

## Business Development Support

### How the 8(a) Program Works

- Helping firms:
  - find contract opportunities
  - maintain a current business plan with a procurement strategy
  - and other support
- Working with agencies and prime contractors to direct contracts to small firms
- Assigning Business Opportunity Specialists(BOS)s to work individually with participating 8(a) firms

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Providing management, technical and financial assistance is one aspect of the program. Another key dimension is providing business development support to 8(a) clients.

Importantly, SBA also works with federal agencies and prime contractors ---- encouraging them to set aside, breakout or otherwise make contracts available to 8(a) and other small firms. In other words, SBA markets the technical capabilities of small businesses to federal buying entities.

In addition, each 8(a) firm is assigned a Business Opportunity Specialist by the SBA. The assigned specialist helps guide the 8(a) business during its tenure in the program.

Notes...

## Contract Opportunities

### How the 8(a) Program Works

- SBA staff and Procurement Center Representatives (PCRs) work closely with government and private organizations to identify procurement opportunities for small firms
- Government-wide procurement goals that benefit small businesses
  - 23% -- Overall small business goal
  - 5% -- **Small disadvantaged businesses**
  - 5% -- Women owned small businesses
  - 3% -- Certified HUBZone firms
  - 3% -- Service-disabled veteran-owned small businesses

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The federal government buys in excess of \$600 billion dollars in goods and services each year.

Government-wide procurement goals help define another aspect of the 8(a) program. Such goals establish procurement targets for agencies that benefit small disadvantaged businesses and other small firms.

SBA personnel, specifically Procurement Center Representatives, work closely with government and private organizations to identify procurement opportunities for small businesses and to help target specific acquisitions for 8(a) participating firms.

In addition, government policy and SBA staff encourage federal agencies to meet or exceed annual small business procurement goals. The current government-wide goal for prime and subcontracts to small disadvantaged businesses is 5%. Overall, however, the government-wide small business goal for all prime contracts is 23%.

Other government-wide procurement goals include: 5 percent of prime and subcontracts for women-owned small businesses; 3 percent of prime and subcontracts for Hubzone businesses and 3 percent of prime and subcontracts for service-disabled veteran-owned small businesses.



**Role of 8(a) Certified - ANC Owned Businesses**  
How the 8(a) Program Works

- SBA opens the door....
- 8(a) client firms must be competitive and market themselves competitively
- Successful 8(a)tribal firms **capitalize** on available business development resources, **educate** themselves on government buying needs, and **market** themselves based on skills and ability to meet such needs

ANC Business Guide

[www.sba.gov/naa](http://www.sba.gov/naa)



Finally, in describing how the program works, the most important role is played by the 8(a) firms, themselves.

SBA may be able to open some doors, but it is up to the 8(a) firms in the program to be competitive and to market themselves effectively.

It's all about preparation and self-marketing. Successful 8(a) firms **capitalize** on available business development resources, **educate** themselves on government and corporate buying needs, and **market** themselves based on their skills and ability to support the procurement needs of multiple organizations.

Notes...

## Reflection...

### How the 8(a) Program Works

- Can the 8(a) program be used successfully by your Alaska Native Corporation as a business development tool?
- How can this be accomplished?
- What specific steps should your ANC or affiliated businesses take to make this happen?



*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



## Reflection...

Can the 8(a) program be used successfully by your Alaska Native Corporation as a business development tool? How can this be accomplished? Importantly, what specific steps should your ANC or affiliated businesses take to make this happen?

Notes...



Program eligibility requirements for ANC owned businesses.

Notes...

## Eligibility – ANC Owned Businesses

### 8(a) Program Eligibility

- Special rules
- Tribal / ANC eligibility
- Business eligibility

13 CFR 124.109



ANC Business Guide

[www.sba.gov/naa](http://www.sba.gov/naa)



Eligibility for the 8(a) program is uniquely defined for tribal and ANC owned businesses. As such, there are special rules and unique tribal and business eligibility requirements.

Notes...

**Special Rules**  
8(a) Program Eligibility

- Special rules
  - Initial 8(a) eligibility --- 13 CFR 124.109
  - Remaining in the 8(a) program as a participant --- 13 CFR 124.112

**13 CFR 109(a)**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa) 

Special rules apply to tribal and ANC enterprises regarding both initial 8(a) program eligibility and eligibility to remain in the 8(a) program as a participant.

Notes...


**Tribal - ANC Eligibility**  
8(a) Program Eligibility

- Social disadvantage
- Economic disadvantage

**13 CFR 109(a)**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



ANC owned businesses, with regard to 8(a) program eligibility, are subject to the same conditions that apply to tribally owned concerns, with some exceptions. The key exceptions deal with proving economic disadvantage.

Notes...

## Social Disadvantage

### 8(a) Program Eligibility – Tribal / ANC Eligibility

- An Indian tribe or ANC as defined in 13 CFR 124.3 is considered to be socially disadvantaged

*"An Indian tribe means any Indian tribe, band nation or other organized group or community of Indians, including any ANC, which is recognized as eligible for the special programs and services provided by the U.S. to Indians because of their status as Indians, or is recognized as such by the state in which the tribe, band, nation, group or community resides"*

**13 CFR 124.3**

ANC Business Guide

[www.sba.gov/naa](http://www.sba.gov/naa)



Regarding social disadvantage and for the purposes of the 8(a) program, an Indian tribe or ANC -- as defined in 13 CFR 124.3 -- is considered to be socially disadvantaged.

Notes...

## ANC Economic Disadvantage

### 8(a) Program Eligibility – ANC Eligibility

- Alaska natives and descendants of natives must own a majority of both total equity of the ANC and the total voting powers to elect directors of the ANC through their holdings of settlement common stock
- Settlement common stock means stock of an ANC issued pursuant to U.S.C. 1606(g)(1)
- ANC that meets these requirements is deemed economically disadvantaged

13 CFR 124.109(a)(1--6)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Regarding economic disadvantage, such status is demonstrated when Alaska natives and descendants of natives own a majority of both total equity of the ANC and the total voting powers to elect directors of the ANC through their holdings of settlement common stock.

An ANC that meets these requirements is deemed economically disadvantaged.



## Required Forms and Documents

### 8(a) Program Eligibility – ANC Eligibility

- ANC applicant is required to submit all of the same documents generally required by all other 8(a) applicants
- Other ANC specific documents required include:
  - Articles of incorporation, including amendments
  - Bylaws and amendments
  - List of companies in which the ANC has ownership

Learn more...

[Alaska Native Corporation Checklist](#)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



An ANC applicant is required to submit all of the same documents generally required by all other 8(a) applicants.

However, an ANC owned business is also required to submit additional documentation, including: articles of incorporation, with any amendments; bylaws and amendments; and, a list of all companies in which the ANC has ownership.

When you are ready, review the hyperlinked ANC checklist for greater clarity regarding required documentation.

Notes...


**ANC Business Eligibility**  
8(a) Program Eligibility

- Legal business entity & ownership
- Size
- Control and management
- Individual eligibility limitation
- Potential for success

**13 CFR 124.109(c)**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Besides tribal and corporate 8(a) eligibility requirements, there are also business eligibility requirements specific to ANC affiliated firms, that must be complied with.

These requirements focus on the legal structure of the business, the size of the concern, ownership, control and management of the enterprise, individual eligibility limitation and the potential for success of the ANC Business.

## Legal Business Entity & Ownership

### 8(a) Program Eligibility – ANC Business Eligibility

- Alaska Native Corporation can be either for profit or non-profit
- Affiliated small business owned by the ANC must operate as a “for profit” to be eligible for the 8(a) program
- Firm will be considered owned and controlled by the ANC when both the majority of stock or other ownership interest and total voting power are held by the ANC and holders of the settlement common stock

13 CFR 124.109(a)3

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



An Alaska Native Corporation can be either for profit or non-profit.

However, the affiliated small business owned by the ANC must operate as a “for profit” business to be eligible for the 8(a) program. The business will be considered owned and controlled by the ANC when both the majority of stock or other ownership interest and total voting power are held by the ANC and holders of the settlement common stock.

Notes...

## Size

### 8(a) Program Eligibility – ANC Business Eligibility

- ANC owned applicant must qualify as a small business and certify as such to the SBA, pursuant to the provisions in 13 CFR 121
- In determining the small business size standard, the ANC owned business will be determined independently without regard to its affiliation with the Alaska Native Corporation, any entity of the ANC governing body or any other business enterprise owned by the ANC

13 CFR 124.109(c)2

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Business size matters. An ANC owned applicant must qualify as a small business concern as defined for purposes in 13 CFR 121. The particular size standard to be applied is based on the primary industry classification or NAICS code of the applicant concern.

Also, in determining the small business size standard, the ANC owned business will be determined independently without regard to its affiliation with the Alaska Native Corporation, any entity of the ANC governing body, or any other business enterprise owned by the ANC, unless the SBA Administrator determines that one or more such ANC owned businesses have obtained, or are likely to obtain, a substantial unfair competitive advantage within an industry category.

## Control and Management

### 8(a) Program Eligibility – ANC Business Eligibility

- Management and daily business operations of an ANC owned business must be controlled by Alaska natives
- Alaska Native Claims Settlement Act stipulates that a business which is majority owned by an ANC is deemed to be both owned and controlled by Alaska natives
- Individuals responsible for the control and management of an ANC business do not need to establish social and economic disadvantage status
- Individuals responsible for the management and daily operations of the business may not manage more than two 8(a) program participants *[Small Business Act 15 U.S.C. §636(j)(11)(B)(iii)(I)]*

**13 CFR 124.109(a)4**

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



The management and daily business operations of an ANC owned business must be controlled by Alaska natives. Such control may be exercised through one or more individuals who possess sufficient management experience to run the business.

Importantly, the Alaska Native Claims Settlement Act stipulates that a business which is majority owned by an ANC is deemed to be both owned and controlled by Alaska natives and an economically disadvantaged business. Therefore, an individual responsible for the control and management of an ANC business does not need to establish social and economic disadvantage status.

In addition, individuals responsible for the management and daily operations of the business may not manage more than two 8(a) program participants.

Use the regulatory site noted in the slide to gain additional clarity regarding control and management.

## Individual Eligibility Limitation

### 8(a) Program Eligibility – ANC Business Eligibility

- Individual eligibility limitation – there is none
- SBA does not deem an individual involved in the management or daily business operations of a tribally owned or ANC owned business to have used his or her individual eligibility within the meaning of “*one-time eligibility*”

13 CFR 124.109(c)5

ANC Business Guide

[www.sba.gov/naa](http://www.sba.gov/naa)



There is no individual eligibility limitation. That is, SBA does not deem an individual involved in the management or daily business operations of a tribally owned or ANC owned business to have used his or her individual eligibility within the meaning of “*one-time eligibility*,” as described in 13 CFR 124.108(b).

Notes...

## Potential for Success

### 8(a) Program Eligibility – ANC Business Eligibility

- ANC applicant may establish potential for success by demonstrating that:
  - It has been in business for at least two years, as evidenced by income tax returns for each of the two previous tax years ; or
  - Individual or individuals who will manage and control the daily business operations of the firm have substantial technical and management experience, the applicant has a record of successful performance on contracts from governmental or nongovernmental sources in its primary industry category, and the applicant has adequate capital to sustain its operations and carry out its business plan as an 8(a) participant; or
  - ANC has made a firm written commitment to support the operations of the applicant concern and it has the financial ability to do so

13 CFR 124.109(c)6

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



An ANC owned business applicant may establish potential for success by demonstrating that:

- it has been in business for at least two years, as evidenced by income tax returns for each of the two previous tax years showing operating revenues in the primary industry in which the applicant is seeking 8(a) certification; or
- the individual or individuals who will manage and control the daily business operations of the firm have substantial technical and management experience, the applicant has a record of successful performance on contracts from governmental or nongovernmental sources in its primary industry category, and the applicant has adequate capital to sustain its operations and carry out its business plan as a participant; or
- ANC has made a firm written commitment to support the operations of the applicant business and it has the financial ability to do so.

## Other Eligibility Criteria

### 8(a) Program Eligibility – ANC Business Eligibility

- ANC owned business applicant may not be denied admission into the program due solely to a determination that specific contract opportunities are unavailable to assist the development of the applicant firm, unless:
  - Government has not previously procured and is unlikely to procure the types of products or services offered by the concern
  - Purchase of such products or services by the government will not be in quantities sufficient to support the developmental needs of the applicant and other program participants providing the same or similar items or services

13 CFR 124.109(c)7

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



As with other 8(a) applicants, an ANC owned business applicant may not be denied admission into the program due solely to a determination that specific contract opportunities are unavailable to assist the development of the applicant firm, unless: the government has not previously procured and is unlikely to procure the types of products or services offered by the concern; or the purchase of such products or services by the government will not be in quantities sufficient to support the developmental needs of the applicant and other program participants providing the same or similar items or services.

Notes...



## Reflection...

### 8(a) Program Eligibility

- Does your Alaska Native Corporation and the affiliated business or businesses within your ANC meet the eligibility requirements of the 8(a) program?

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Reflection...

Does your Alaska Native Corporation and the affiliated business or businesses within the ANC meet the eligibility requirements of the 8(a) program?

Notes...



The application process.

Notes...

**Applying to the 8(a) BD Program**  
Application Process

- **STEP 1.** Verify ANC eligibility compliance
- **STEP 2.** Gather what you need (supporting documentation)
- **STEP 3.** Ask questions
- **STEP 4.** Register in the System for Award Management (SAM)
- **STEP 5.** Register in SBA's General Login System (GLS)
- **STEP 6.** Complete and submit the online 8(a) program application

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)

If you feel you are qualified and only when you are ready to apply – should you apply for 8(a) program certification.

The application process is not difficult. However, like any important application process it does require solid preparation, meaningful thought and a certain level of due diligence. It makes sense to do it right, the first time. No business wants to waste time and resources going through the motions and then not realizing what is expected.

So, we recommend that six steps be followed in the application process. Each of these steps is discussed in the following.

## Step 1. Verify ANC Eligibility Compliance

### Application Process

Before you begin the application process, verify ANC eligibility requirements:

- Must be able to demonstrate social and economic disadvantage by showing majority equity in an ANC owned by Alaska natives and descendants
- ANC owned business must meet legal, size, ownership, character, management & control and potential for success standards
- Review 13 CFR 124.109(a)–(c)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Not every business enterprise is eligible for 8(a) program certification. Before you begin the application process, make sure you meet core ANC eligibility requirements. This is step one.

Notes...

**Step 2. Gather What You Need**  
Application Process

Learn more about...

[Alaska Native Corporation Checklist](#)  
[Sample 8\(a\) Program Application](#)

13 CFR 124.203

13 CFR 124.203

ANC Business Guide

www.sba.gov/naa

**SBA**  
U.S. Small Business Administration

The 8(a) program is statutorily authorized and specific eligibility requirements are strictly adhered-to and monitored by the SBA.

As you prepare to apply for 8(a) program certification, you will be asked to provide, identify, demonstrate and validate much information. Therefore, it's important to assemble key tribal, business, governance, ownership, tax and other pertinent information to have readily available during the application process and BEFORE you attempt to complete the electronic 8(a) program application. This is step two.


Use the hyperlinked – Alaska Native Corporation Checklist – to review and better understand what supporting documentation will be required by the SBA. Also, take a look at a blank copy of the 8(a) application to better understand what you will need.

**Step 3. Ask Questions**  
Application Process

- You don't know what you don't know...
- Review eligibility requirements, checklist, blank 8(a) program application, documentation you gathered and then --- ASK QUESTIONS

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



As mentioned earlier, no business wants to waste time and resources going through the motions and then not getting what is expected. That is why step three is critical.

You don't know what you don't know. Make a point of becoming informed. Review eligibility requirements, the checklist, blank 8(a) application, documentation you gathered, and then, importantly, ask questions of SBA district office staff and others, experienced and qualified in the 8(a) program.


Notes...

**Step 4. Register in SAM (System for Award Mgmt)**  
Application Process

Learn more about...  
[System for Award Management \(SAM\)](#)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)

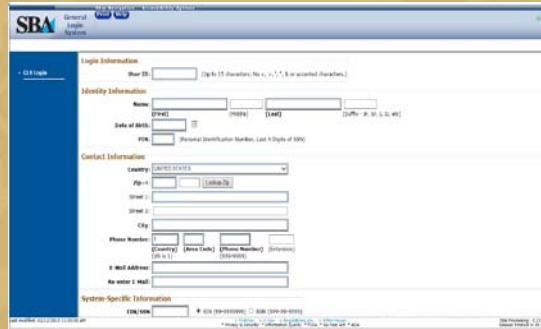


Step four, register in the System for Award Management.

To do business with the federal government and to be certified under the 8(a) program, you must register in the System for Award Management or SAM, which is a database and government-wide single point of vendor registration. Within the SAM system, you must also complete the Small Business Supplemental Page. Use the hyperlink to learn more about the SAM system and to register your ANC owned business.

Notes...

## Step 5. Access & Register in GLS (General Login) Application Process



The screenshot shows the SBA General Login System registration form. The form is titled "SBA General Login System" and includes the following sections:

- Login Information:** A field for "User ID" with a note "(Up to 15 characters. No spaces, no /, \, !, @ or special characters.)".
- Identity Information:** Fields for "Name", "DOB" (with "MM/DD" and "YYYY" sub-labels), "State of Birth" (with "State" sub-label), and "PIA" (with "Personal Identification Number (Last 4 Digits of PIN)" sub-label).
- Contact Information:** Fields for "Country" (with "SELECT COUNTRY" dropdown), "APN" (with "Link to APN" link), "Street", "City", "Phone Number" (with "Country", "Area Code", "Phone Number", and "Extension" sub-labels), and "E-Mail Address" (with "No asterisk & mail" note).
- System-Specific Information:** A field for "CIN/NA" with a note "SBA (201-201-10000) | SBA (201-201-10000)".

[Access & Register in GLS](#)

www.sba.gov/naa



Step five, access and register in the General Login System.

To apply for 8(a) certification, you must register for an account in SBA's General Log-in System, more commonly referred to as GLS. The GLS system provides a single log-in point for all SBA services. This single-entry point streamlines and simplifies service delivery to our clients.

To access the 8(a) program electronic application, you will first have to login to SBA's GLS system.

Notes...



## Step 6. Complete & Submit Application...

### Application Process

SBA Account Login

February 08, 2011

Forgot User ID?  
Forgot Password?  
Instructions for GLS  
Request SBA User ID  
Contact SBA Security

User ID:   
Password:

Login Clear

SBA US

www.sba.gov/naa

Privacy | Contact | Registration | Help | Security & Safety | Information Quality | FOIA | No Fear Act | ADA

SBA Processing: 2:22:40 PM  
Session Timeout: 30 Minutes

[Login](#)

ANC Business Guide

[www.sba.gov/naa](http://www.sba.gov/naa)



Step 6, complete and submit the 8(a) electronic application.

Notes...

**Reflection...**  
Application Process

- Is your ANC affiliated business ready to apply for 8(a) certification?
- Have you meaningfully considered each of the six 8(a) program application steps?

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Reflection...

Is your ANC affiliated business ready to apply for 8(a) certification? Have you meaningfully considered each of the six 8(a) program application steps?

Notes...



Key questions and answers.

Notes...


**FAQs**  
Key Questions & Answers

**Learn more...**

- [13 CFR 124](#)
- [Alaska Native Corporation](#) - FAQs
- [8\(a\) Program Certification](#) - FAQs
- [Acquire Surplus Property](#) - FAQs

*ANC Business Guide*

www.sba.gov/naa



Sometimes the best approach to learn about a program is to review frequently asked questions and answers. Several good sources for such information include: 13 CFR 124 -- which is a comprehensive review of the 8(a) program and developed in a question and answer format; Alaska Native Corporation FAQs; 8(a) program certification FAQs; and, FAQs about acquiring surplus property.

Notes...

## Reflection...

### Key Questions & Answers

- Knowledge is power. Does your Alaska Native Corporation know enough about the 8(a) program to consider using it as a business development tool for the corporation?
- Who are the other members in your ANC who could benefit from reviewing this training module about the 8(a) program?

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



## Reflection...

Knowledge is power. Does your Alaska Native Corporation know enough about the 8(a) program to consider using it as a business development tool for the corporation and affiliated businesses? Who are the other members in your ANC who could benefit from reviewing this training module about the 8(a) program?

Notes...



Resources and tools.

## Resources and Tools

### Resources & Assistance

- Federal Acquisition Regulations
  - <https://www.acquisition.gov/far>
- SBA-Office of Native American Affairs (*Helpful Specific Information Available*)
  - <http://www.sba.gov/naa>
- FAR Part 19 – Small Business Programs
  - <http://www.acquisition.gov/far>
- Code of Federal Regulations (13CFR)
  - <http://www.gpoaccess.gov/cfr/index.html>
- Federal Business Opportunities
  - <http://www.fbo.gov>
- SBA-Government Contracting
  - <http://www.sba.gov/aboutsba/sbaprograms/gc/index.html>

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Numerous resources are available to assist ANC owned enterprises in learning more about and participating in the 8(a) Business Development Program.

Notes...

## Resources and Tools

### Resources & Assistance

- Learn more about:
  - [SAM Registration](#)
  - [SBA Size Standards](#)
  - [8\(a\) Business Development Program](#)
  - [WOSB Program](#)
  - [HUB Zone Program](#)
- Local (client) resources:
  - [SBA district office](#) (Business Opportunity Specialists)
  - [Procurement Technical Assistance Center \(PTAC\)](#)
  - [Government Contracting Classroom](#) (free online courses)
  - [SCORE chapter](#)
  - [Small Business Development Center](#)
    - [SBA/SBDC Program Office](#)
  - [Women's Business Center](#)
    - [SBA/WBC Program](#)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



Use these resources to become better informed and improve your chances of being a successful ANC business participant in the 8(a) program.

Notes...



The image is a screenshot of a webpage titled "Find a Mentor Resources & Assistance". It features a list of benefits for ANC owned firms certified in the 8(a) program, including technical and management assistance, prime contracting, financial assistance, and qualification for other SBA programs. A button labeled "Learn more about..." points to a link for "SBA's Mentor-Protégé Program". The page also includes the URL "www.sba.gov/naa", the SBA logo, and the text "ANC Business Guide".

**Find a Mentor**  
Resources & Assistance

- SBA's Mentor-Protégé Program offers significant benefits to ANC owned firms certified in the 8(a) program
  - Technical and management assistance
  - Prime contracting
  - Financial assistance
  - Qualification for other SBA programs

**Learn more about...**  
[SBA's Mentor-Protégé Program](#)

*ANC Business Guide*

www.sba.gov/naa

**SBA**  
U.S. Small Business Administration

And finally, a very helpful resource program for ANC owned firms, certified in the 8(a) program, is SBA's Mentor-Protégé Program.

This relationship building resource-initiative is designed to enhance the capability of 8(a) participants to compete more successfully for federal contracts. The program encourages 8(a) firms to partner with experienced contracting firms, serving as mentors.

Under the program, 8(a) firms can gain significant benefits, including: technical and management assistance; prime contracting support; financial assistance in the form of equity or loans; and, qualification for other SBA programs.

Notes...

## Reflection...

### Resources & Assistance

- How can businesses within your ANC use the Mentor Protégé Program to benefit the corporation's overall goals for business growth?
- What else should your ANC do to learn more about the 8(a) program and how the program can be used to benefit your Alaska Native Corporation?



*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa)



## Reflection...

How can businesses within your ANC use the Mentor Protégé Program to benefit the corporation's overall goals for business growth? What else should your ANC do to learn more about the 8(a) program and how the program can be used to benefit your Alaska Native Corporation?

Notes...

**Contact Us...**  
Resources & Assistance

- Thank you for taking the time to review the course, ANC Business Guide and learn about the 8(a) Business Development Program
- Other available courses --- [www.sba.gov/gclassroom](http://www.sba.gov/gclassroom)
- Please contact us with any questions you may have

**U.S. Small Business Administration**  
Office of Native American Affairs  
Office of Government Contracting and Business Development  
Division of Program Certification & Eligibility  
202 205-5852  
[8abd@sba.gov](mailto:8abd@sba.gov)

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa) 

Thank you for taking the time to review the course, ANC Business Guide and learn about the 8(a) Business Development Program.

Much information has been discussed and we hope it is helpful. Please contact us with any additional questions you may have.

In addition, this is one of many training modules currently available in SBA's online **Government Contracting Classroom**. Consider reviewing other courses at your convenience.

Thank you.

Notes...

**Office of Native American Affairs**  
Resources & Assistance

- SBA's Office of Native American Affairs is pleased to have collaborated with the Office of Government Contracting and Business Development in the development of this training module for Alaska Native Corporations

**U.S. Small Business Administration**  
Office of Native American Affairs  
Office of Government Contracting and Business Development

*ANC Business Guide*

[www.sba.gov/naa](http://www.sba.gov/naa) 

SBA's Office of Native American Affairs is pleased to have collaborated with the Office of Government Contracting and Business Development in the development of this training module for Alaska Native Corporations.

Notes...

## Hyperlinks Contained in the Workbook

- Tribal Business Structure Handbook
  - [http://www.irs.gov/pub/irs-tege/tribal\\_business\\_structure\\_handbook.pdf](http://www.irs.gov/pub/irs-tege/tribal_business_structure_handbook.pdf)
- Tribal Enterprise Developer's Guide
  - <http://oecbd.org/sites/default/files/Tribal%20Enterprise%20Developer's%20Guide.pdf>
- Alaska Owned Corporation Checklist
  - [http://www.sba.gov/sites/default/files/files/ANC%20Checklist%20\(final\)\\_Conference%202012.pdf](http://www.sba.gov/sites/default/files/files/ANC%20Checklist%20(final)_Conference%202012.pdf)
- Sample 8(a) Program Application
  - [http://www.sba.gov/sites/default/files/SBA%20Form%201010\\_0.pdf](http://www.sba.gov/sites/default/files/SBA%20Form%201010_0.pdf)
- Alaska Native Corporations – FAQs
  - [http://www.sba.gov/sites/default/files/files/ANC%20FAQ\\_final.pdf](http://www.sba.gov/sites/default/files/files/ANC%20FAQ_final.pdf)
- 8(a) Program Certification – FAQs
  - <https://sba8a.symlicity.com/applicants/faqs>
- Federal Acquisition Regulations
  - <https://www.acquisition.gov/far>
- 13 CFR 124
  - <http://www.gpo.gov/fdsys/pkg/CFR-2006-title13-vol1/content-detail.html>
- SBA's Mentor-Protégé Program
  - <http://www.sba.gov/content/mentor-prot%C3%A9g%C3%A9-program>
- System for Award Management
  - <http://www.sam.gov>
- FAR Part 19 – Small Business Programs
  - <http://www.acquisition.gov/far>
- Access & Register in GLS

- [https://eweb.sba.gov/gls/dsp\\_addcustomer.cfm?IMAppSysTypNm=8ASDB](https://eweb.sba.gov/gls/dsp_addcustomer.cfm?IMAppSysTypNm=8ASDB)
- Code of Federal Regulations (13CFR)
  - <http://www.gpoaccess.gov/cfr/index.html>
- Federal Business Opportunities
  - <http://www.fbo.gov>
- SBA-Government Contracting
  - <http://www.sba.gov/aboutsba/sbaprograms/gc/index.html>
- Learn more about:
  - [Non-manufacturer waivers](#) (SBA information)
  - [SBA Size Standards](#)
  - [8\(a\) Business Development Program](#)
  - [WOSB Program](#)
  - [HUB Zone Program](#)
- Local (client) resources:
  - [SBA district office](#)
  - [Procurement Technical Assistance Center \(PTAC\)](#)
  - [SCORE chapter](#)
  - [Small Business Development Center](#)
    - [SBA/SBDC Program Office](#)
  - [Women’s Business Center](#)
    - [SBA/WBC Program](#)