

Editorial Notes

REFERENCES IN TEXT

The Indian Gaming Regulatory Act, referred to in subsec. (b)(6), is Pub. L. 100-497, Oct. 17, 1988, 102 Stat. 2467, as amended, which is classified principally to chapter 29 (§2701 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 2701 of this title and Tables.

AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116-261, §3(c)(1)(A), substituted “Office of the Secretary” for “Department of Commerce” and struck out “(referred to in this chapter as the ‘Office’)” before period at end.

Subsec. (a)(2). Pub. L. 116-261, §3(c)(1)(B), struck out “(referred to in this chapter as the ‘Director’)” after “Development”.

Subsec. (b)(4)(B), (5)(B). Pub. L. 116-261, §3(e)(2), substituted “Tribes” for “tribes”.

Subsec. (c). Pub. L. 116-261, §3(c)(2), added subsec. (c).

§ 4304. Native American trade and export promotion**(a) In general**

The Secretary, acting through the Director, shall carry out a Native American export and trade promotion program (referred to in this section as the “program”).

(b) Coordination of Federal programs and services

In carrying out the program, the Secretary, acting through the Director, and in cooperation with the heads of appropriate Federal agencies, shall ensure the coordination of Federal programs and services designed to—

- (1) develop the economies of Indian Tribes; and
- (2) stimulate the demand for Indian goods and services that are available from eligible entities.

(c) Activities

In carrying out the duties described in subsection (b), the Secretary, acting through the Director, shall ensure the coordination of, or, as appropriate, carry out—

- (1) Federal programs designed to provide technical or financial assistance to eligible entities;
- (2) the development of promotional materials;
- (3) the financing of appropriate trade missions;
- (4) the marketing of Indian goods and services;
- (5) the participation of appropriate Federal agencies or eligible entities in international trade fairs; and
- (6) any other activity related to the development of markets for Indian goods and services.

(d) Technical assistance

In conjunction with the activities described in subsection (c), the Secretary, acting through the Director, shall provide technical assistance and administrative services to eligible entities to assist those entities with—

- (1) the identification of appropriate markets for Indian goods and services;
- (2) entering the markets referred to in paragraph (1);

(3) compliance with foreign or domestic laws and practices with respect to financial institutions with respect to the export and import of Indian goods and services; and

(4) entering into financial arrangements to provide for the export and import of Indian goods and services.

(e) Priorities

In carrying out the duties and activities described in subsections (b) and (c), the Secretary, acting through the Director, shall give priority to activities that—

- (1) provide the greatest degree of economic benefits to Indians; and
- (2) foster long-term stable international markets for Indian goods and services.

(Pub. L. 106-464, §5, Nov. 7, 2000, 114 Stat. 2016; Pub. L. 116-261, §3(e)(2), Dec. 30, 2020, 134 Stat. 3311.)

Editorial Notes

AMENDMENTS

2020—Subsec. (b)(1). Pub. L. 116-261 substituted “Tribes” for “tribes”.

§ 4305. Intertribal tourism demonstration projects**(a) Program to conduct tourism projects****(1) In general**

The Secretary, acting through the Director, shall conduct a Native American tourism program to facilitate the development and conduct of tourism demonstration projects by Indian Tribes, on a Tribal, intertribal, or regional basis.

(2) Demonstration projects**(A) In general**

Under the program established under this section, in order to assist in the development and promotion of tourism on and in the vicinity of Indian lands, the Secretary, acting through the Director, shall, in coordination with the Under Secretary of Agriculture for Rural Development, assist eligible entities in the planning, development, and implementation of tourism development demonstration projects that meet the criteria described in subparagraph (B).

(B) Projects described

In selecting tourism development demonstration projects under this section, the Secretary, acting through the Director, shall select projects that have the potential to increase travel and tourism revenues by attracting visitors to Indian lands and lands in the vicinity of Indian lands, including projects that provide for—

- (i) the development and distribution of educational and promotional materials pertaining to attractions located on and near Indian lands;
- (ii) the development of educational resources to assist in private and public tourism development on and in the vicinity of Indian lands; and
- (iii) the coordination of tourism-related joint ventures and cooperative efforts be-

tween eligible entities and appropriate State and local governments that have jurisdiction over areas in the vicinity of Indian lands.

(3) Grants

To carry out the program under this section, the Secretary, acting through the Director, may award grants or enter into other appropriate arrangements with Indian Tribes, Tribal organizations, intertribal consortia, or other Tribal entities that the Secretary, in consultation with the Director, determines to be appropriate.

(4) Locations

In providing for tourism development demonstration projects under the program under this section, the Secretary, acting through the Director, shall provide for a demonstration project to be conducted—

(A) for Indians of the Four Corners area located in the area adjacent to the border between Arizona, Utah, Colorado, and New Mexico;

(B) for Indians of the northwestern area that is commonly known as the Great Northwest (as determined by the Secretary);

(C) for the Oklahoma Indians in Oklahoma;

(D) for the Indians of the Great Plains area (as determined by the Secretary); and

(E) for Alaska Natives in Alaska.

(b) Assistance

The Secretary, acting through the Director, shall provide financial assistance, technical assistance, and administrative services to participants that the Secretary, acting through the Director, selects to carry out a tourism development project under this section, with respect to—

(1) feasibility studies conducted as part of that project;

(2) market analyses;

(3) participation in tourism and trade missions; and

(4) any other activity that the Secretary, in consultation with the Director, determines to be appropriate to carry out this section.

(c) Infrastructure development

The demonstration projects conducted under this section shall include provisions to facilitate the development and financing of infrastructure, including the development of Indian reservation roads in a manner consistent with title 23.

(Pub. L. 106-464, § 6, Nov. 7, 2000, 114 Stat. 2016; Pub. L. 116-261, § 3(e)(2), (3), Dec. 30, 2020, 134 Stat. 3311.)

Editorial Notes

AMENDMENTS

2020—Subsec. (a)(1). Pub. L. 116-261 substituted “Tribes” for “tribes” and “Tribal” for “tribal”.

Subsec. (a)(3). Pub. L. 116-261 substituted “Tribes” for “tribes” and “Tribal” for “tribal” in two places.

§ 4306. Report to Congress

(a) In general

Not later than 1 year after November 7, 2000, and annually thereafter, the Secretary, in con-

sultation with the Director, shall prepare and submit to the Committee on Indian Affairs of the Senate and the Committee on Resources of the House of Representatives a report on the operation of the Office.

(b) Contents of report

Each report prepared under subsection (a) shall include—

(1) for the period covered by the report, a summary of the activities conducted by the Secretary, acting through the Director, in carrying out sections 4303 through 4305 of this title; and

(2) any recommendations for legislation that the Secretary, in consultation with the Director, determines to be necessary to carry out sections 4303 through 4305 of this title.

(Pub. L. 106-464, § 7, Nov. 7, 2000, 114 Stat. 2018.)

Statutory Notes and Related Subsidiaries

CHANGE OF NAME

Committee on Resources of House of Representatives changed to Committee on Natural Resources of House of Representatives by House Resolution No. 6, One Hundred Tenth Congress, Jan. 5, 2007.

§ 4306a. Indian community development initiatives

(a) Interagency coordination

Not later than 1 year after December 30, 2020, the Secretary, the Secretary of the Interior, and the Secretary of the Treasury shall coordinate—

(1) to develop initiatives that—

(A) encourage, promote, and provide education regarding investments in Indian communities through—

(i) the loan guarantee program of Bureau of Indian Affairs under section 1481 of this title;

(ii) programs carried out using amounts in the Community Development Financial Institutions Fund established under section 4703(a) of title 12; and

(iii) other capital development programs;

(B) examine and develop alternatives that would qualify as collateral for financing in Indian communities; and

(C) provide entrepreneur and other training relating to economic development through tribally controlled colleges and universities and other Indian organizations with experience in providing such training;

(2) to consult with Indian Tribes and with the Securities and Exchange Commission to study, and collaborate to establish, regulatory changes necessary to qualify an Indian Tribe as an accredited investor for the purposes of sections 230.500 through 230.508 of title 17, Code of Federal Regulations (or successor regulations), consistent with the goals of promoting capital formation and ensuring qualifying Indian Tribes have the ability to withstand investment loss, on a basis comparable to other legal entities that qualify as accredited investors who are not natural persons;

(3) to identify regulatory, legal, or other barriers to increasing investment, business, and economic development, including quali-