

fyng or approving collateral structures, measurements of economic strength, and contributions of Indian economies in Indian communities through the Authority established under section 4 of the Indian Tribal Regulatory Reform and Business Development Act of 2000 (25 U.S.C. 4301 note);

(4) to ensure consultation with Indian Tribes regarding increasing investment in Indian communities and the development of the report required in paragraph (5); and

(5) not less than once every 2 years, to provide a report to Congress regarding—

(A) improvements to Indian communities resulting from such initiatives and recommendations for promoting sustained growth of the Tribal economies;

(B) results of the study and collaboration regarding the necessary changes referenced in paragraph (2) and the impact of allowing Indian Tribes to qualify as an accredited investor; and

(C) the identified regulatory, legal, and other barriers referenced in paragraph (3).

(b) Waiver

For assistance provided pursuant to section 4707 of title 12 to benefit Native Community Development Financial Institutions, as defined by the Secretary of the Treasury, section 4707(e) of such title shall not apply.

(c) Indian Economic Development Feasibility Study

(1) In general

The Government Accountability Office shall conduct a study and, not later than 18 months after December 30, 2020, submit to the Committee on Indian Affairs of the Senate and the Committee on Natural Resources of the House of Representatives a report on the findings of the study and recommendations.

(2) Contents

The study shall include an assessment of each of the following:

(A) In general

The study shall assess current Federal capitalization and related programs and services that are available to assist Indian communities with business and economic development, including manufacturing, physical infrastructure (such as telecommunications and broadband), community development, and facilities construction for such purposes. For each of the Federal programs and services identified, the study shall assess the current use and demand by Indian Tribes, individuals, businesses, and communities of the programs, the capital needs of Indian Tribes, businesses, and communities related to economic development, the extent to which the programs and services overlap or are duplicative, and the extent that similar programs have been used to assist non-Indian communities compared to the extent used for Indian communities.

(B) Financing assistance

The study shall assess and quantify the extent of assistance provided to non-Indian

borrowers and to Indian (both Tribal and individual) borrowers (including information about such assistance as a percentage of need for Indian borrowers and for non-Indian borrowers, assistance to Indian borrowers and to non-Indian borrowers as a percentage of total applicants, and such assistance to Indian borrowers as individuals as compared to such assistance to Indian Tribes) through the loan programs, the loan guarantee programs, or bond guarantee programs of the—

(i) Department of the Interior;

(ii) Department of Agriculture;

(iii) Department of Housing and Urban Development;

(iv) Department of Energy;

(v) Small Business Administration; and

(vi) Community Development Financial Institutions Fund of the Department of the Treasury.

(C) Tax incentives

The study shall assess and quantify the extent of the assistance and allocations afforded for non-Indian projects and for Indian projects pursuant to each of the following tax incentive programs:

(i) New market tax credit.

(ii) Low income housing tax credit.

(iii) Investment tax credit.

(iv) Renewable energy tax incentives.

(v) Accelerated depreciation.

(D) Tribal investment incentive

The study shall assess various alternative incentives that could be provided to enable and encourage Tribal governments to invest in an Indian community development investment fund or bank.

(Pub. L. 106-464, § 8, as added Pub. L. 116-261, § 3(d)(2), Dec. 30, 2020, 134 Stat. 3308.)

Editorial Notes

REFERENCES IN TEXT

Section 4 of the Indian Tribal Regulatory Reform and Business Development Act of 2000 (25 U.S.C. 4301 note), referred to in subsec. (a)(3), is section 4 of Pub. L. 106-447, which is set out as a note under section 4301 of this title.

PRIOR PROVISIONS

A prior section 8 of Pub. L. 106-464, which was classified to section 4307 of this title, was redesignated section 10 of Pub. L. 106-464 by Pub. L. 116-261, § 3(d)(1), Dec. 30, 2020, 134 Stat. 3308.

§ 4307. Authorization of appropriations

There are authorized to be appropriated such sums as are necessary to carry out this chapter, to remain available until expended.

(Pub. L. 106-464, § 10, formerly § 8, Nov. 7, 2000, 114 Stat. 2018; renumbered § 10, Pub. L. 116-261, § 3(d)(1), Dec. 30, 2020, 134 Stat. 3308.)

CHAPTER 44A—NATIVE AMERICAN TOURISM AND IMPROVING VISITOR EXPERIENCE

Sec.

4351. Purposes.

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§ 4351. Purposes

The purposes of this chapter are—

- (1) to enhance and integrate Native American tourism—
 - (A) to empower Native American communities; and
 - (B) to advance the National Travel and Tourism Strategy;
- (2) to increase coordination and collaboration between Federal tourism assets to support Native American tourism and bolster recreational travel and tourism;
- (3) to expand heritage and cultural tourism opportunities in the United States to spur economic development, create jobs, and increase tourism revenues;
- (4) to enhance and improve self-determination and self-governance capabilities in the Native American community and to promote greater self-sufficiency;
- (5) to encourage Indian tribes, tribal organizations, and Native Hawaiian organizations to engage more fully in Native American tourism activities to increase visitation to rural and remote areas in the United States that are too difficult to access or are unknown to domestic travelers and international tourists;
- (6) to provide grants, loans, and technical assistance to Indian tribes, tribal organizations, and Native Hawaiian organizations that will—
 - (A) spur important infrastructure development;
 - (B) increase tourism capacity; and
 - (C) elevate living standards in Native American communities; and
- (7) to support the development of technologically innovative projects that will incorporate recreational travel and tourism information and data from Federal assets to improve the visitor experience.

(Pub. L. 114–221, § 2, Sept. 23, 2016, 130 Stat. 847.)

Statutory Notes and Related Subsidiaries

SHORT TITLE

Pub. L. 114–221, § 1, Sept. 23, 2016, 130 Stat. 847, provided that: “This Act [enacting this chapter] may be cited as the ‘Native American Tourism and Improving Visitor Experience Act’ or the ‘NATIVE Act’.”

§ 4352. Definitions

In this chapter:

(1) Agency

The term “agency” has the meaning given the term in section 551 of title 5.

(2) Indian tribe

The term “Indian tribe” has the meaning given the term in section 5304 of this title.

(3) Native Hawaiian organization

The term “Native Hawaiian organization” means a nonprofit organization—

- (A) that serves the interests of Native Hawaiians;

- (B) in which Native Hawaiians serve in substantive and policymaking positions; and
- (C) that is recognized for having expertise in Native Hawaiian culture and heritage, including tourism.

(4) Tribal organization

The term “tribal organization” has the meaning given the term in section 5304 of this title.

(Pub. L. 114–221, § 3, Sept. 23, 2016, 130 Stat. 848.)

§ 4353. Integrating Federal tourism assets to strengthen Native tourism opportunities

(a) Secretary of Commerce and Secretary of the Interior

The Secretary of Commerce and the Secretary of the Interior shall update the respective management plans and tourism initiatives of the Department of Commerce and the Department of the Interior to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(b) Other agencies

The head of each agency that has recreational travel or tourism functions or complementary programs shall update the respective management plans and tourism strategies of the agency to include Indian tribes, tribal organizations, and Native Hawaiian organizations.

(c) Native American tourism plans

(1) In general

The plans shall outline policy proposals—

- (A) to improve travel and tourism data collection and analysis;
- (B) to increase the integration, alignment, and utility of public records, publications, and Web sites maintained by Federal agencies;
- (C) to create a better user experience for domestic travelers and international visitors;
- (D) to align Federal agency Web sites and publications;
- (E) to support national tourism goals;
- (F) to identify agency programs that could be used to support tourism capacity building and help sustain tourism infrastructure in Native American communities;
- (G) to develop innovative visitor portals for parks, landmarks, heritage and cultural sites, and assets that showcase and respect the diversity of the indigenous peoples of the United States;

(H) to share local Native American heritage through the development of bilingual interpretive and directional signage that could include or incorporate English and the local Native American language or languages; and

(I) to improve access to transportation programs related to Native American community capacity building for tourism and trade, including transportation planning for programs related to visitor enhancement and safety.

(2) Consultation with Indian tribes and Native Americans

In developing the plan under paragraph (1), the head of each agency shall consult with In-