

**CHAPTER 50—NATIVE AMERICAN BUSINESS  
INCUBATORS PROGRAM**

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**§ 5801. Findings**

Congress finds that—

(1) entrepreneurs face specific challenges when transforming ideas into profitable business enterprises;

(2) entrepreneurs that want to provide products and services in reservation communities face an additional set of challenges that requires special knowledge;

(3) a business incubator is an organization that assists entrepreneurs in navigating obstacles that prevent innovative ideas from becoming viable businesses by providing services that include—

- (A) workspace and facilities resources;
- (B) access to capital, business education, and counseling;
- (C) networking opportunities;
- (D) mentorship opportunities; and
- (E) an environment intended to help establish and expand business operations;

(4) the business incubator model is suited to accelerating entrepreneurship in reservation communities because the business incubator model promotes collaboration to address shared challenges and provides individually tailored services for the purpose of overcoming obstacles unique to each participating business; and

(5) business incubators will stimulate economic development by providing Native entrepreneurs with the tools necessary to grow businesses that offer products and services to reservation communities.

(Pub. L. 116-174, § 2, Oct. 20, 2020, 134 Stat. 839.)

**Statutory Notes and Related Subsidiaries**

**SHORT TITLE**

Pub. L. 116-174, § 1, Oct. 20, 2020, 134 Stat. 839, provided that: “This Act [enacting this chapter] may be cited as the ‘Native American Business Incubators Program Act.’”

**§ 5802. Definitions**

In this chapter:

**(1) Business incubator**

The term “business incubator” means an organization that—

(A) provides physical workspace and facilities resources to startups and established businesses; and

(B) is designed to accelerate the growth and success of businesses through a variety of business support resources and services, including—

- (i) access to capital, business education, and counseling;

- (ii) networking opportunities;
- (iii) mentorship opportunities; and
- (iv) other services intended to aid in developing a business.

**(2) Eligible applicant**

The term “eligible applicant” means an applicant eligible to apply for a grant under section 5803(b) of this title.

**(3) Indian tribe**

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

**(4) Institution of higher education**

The term “institution of higher education” has the meaning given the term in section 1001 of title 20.

**(5) Native American; Native**

The terms “Native American” and “Native” have the meaning given the term “Indian” in section 5304 of this title.

**(6) Native business**

The term “Native business” means a business concern that is at least 51-percent owned and controlled by 1 or more Native Americans.

**(7) Native entrepreneur**

The term “Native entrepreneur” means an entrepreneur who is a Native American.

**(8) Program**

The term “program” means the program established under section 5803(a) of this title.

**(9) Reservation**

The term “reservation” has the meaning given the term in section 1452 of this title.

**(10) Secretary**

The term “Secretary” means the Secretary of the Interior.

**(11) Tribal college or university**

The term “tribal college or university” has the meaning given the term “Tribal College or University” in section 1059c(b) of title 20.

(Pub. L. 116-174, § 3, Oct. 20, 2020, 134 Stat. 839.)

**§ 5803. Establishment of program**

**(a) In general**

The Secretary shall establish a program in the Office of Indian Energy and Economic Development under which the Secretary shall provide financial assistance in the form of competitive grants to eligible applicants for the establishment and operation of business incubators that serve reservation communities by providing business incubation and other business services to Native businesses and Native entrepreneurs.

**(b) Eligible applicants**

**(1) In general**

To be eligible to receive a grant under the program, an applicant shall—

- (A) be—
  - (i) an Indian tribe;
  - (ii) a tribal college or university;
  - (iii) an institution of higher education;
- or
- (iv) a private nonprofit organization or tribal nonprofit organization that—