

# Calendar No. 166

118TH CONGRESS  
1ST SESSION

# S. 1156

To establish an Office of Native American Affairs within the Small Business Administration, and for other purposes.

---

## IN THE SENATE OF THE UNITED STATES

MARCH 30, 2023

Mr. HICKENLOOPER (for himself, Ms. LUMMIS, Ms. HIRONO, and Mr. MULLIN) introduced the following bill; which was read twice and referred to the Committee on Small Business and Entrepreneurship

JULY 25, 2023

Reported by Mr. CARDIN, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

---

## A BILL

To establish an Office of Native American Affairs within the Small Business Administration, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Native American En-  
5 trepreneurial and Opportunity Act of 2023”.

1 **SEC. 2. OFFICE OF NATIVE AMERICAN AFFAIRS.**

2 The Small Business Act (15 U.S.C. 631 et seq.) is  
3 amended—

4 (1) by redesignating section 49 (15 U.S.C. 631  
5 note) as section 50; and

6 (2) by inserting after section 48 (15 U.S.C.  
7 657u) the following:

8 **“SEC. 49. OFFICE OF NATIVE AMERICAN AFFAIRS.**

9 **“(a) DEFINITIONS.—**In this section:

10 **“(1) ASSOCIATE ADMINISTRATOR.—**The term  
11 ‘Associate Administrator’ means the Associate Ad-  
12 ministrator for Native American Affairs appointed  
13 under subsection (c).

14 **“(2) INDIAN TRIBE.—**The term ‘Indian Tribe’  
15 has the meaning given the term ‘Indian tribe’ in sec-  
16 tion 8(a)(13).

17 **“(3) NATIVE HAWAIIAN ORGANIZATION.—**The  
18 term ‘Native Hawaiian Organization’ has the mean-  
19 ing given the term in section 8(a)(15).

20 **“(4) OFFICE.—**The term ‘Office’ means the Of-  
21 fice of Native American Affairs described in this sec-  
22 tion.

23 **“(b) ESTABLISHMENT.—**

24 **“(1) IN GENERAL.—**There is established within  
25 the Administration the Office of Native American  
26 Affairs, which shall be responsible for establishing a

1 working relationship with Indian Tribes and Native  
 2 Hawaiian Organizations by targeting programs of  
 3 the Administration relating to entrepreneurial devel-  
 4 opment, contracting, and capital access to revitalize  
 5 Native businesses and economic development in In-  
 6 dian country.

7 “(2) CONNECTION WITH OTHER PROGRAMS.—  
 8 To the extent reasonable, the Office shall connect  
 9 Indian Tribes and Native Hawaiian Organizations to  
 10 programs administered by other Federal agencies re-  
 11 lated to the interests described in paragraph (1).

12 “(3) FIELD OFFICES.—The Office may estab-  
 13 lish field offices within such regional offices of the  
 14 Administration as may be necessary, with initial  
 15 focus on those parts of Indian Country most eco-  
 16 nomically disadvantaged, to perform efficiently the  
 17 functions and responsibilities of the Office.

18 “(c) ASSOCIATE ADMINISTRATOR.—The Office shall  
 19 be headed by an Associate Administrator for Native Amer-  
 20 ican Affairs, who shall—

21 “(1) be appointed by and report to the Admin-  
 22 istrator;

23 “(2) have knowledge of Native American cul-  
 24 tures and experience providing culturally tailored

1 small business development assistance to Native  
2 Americans;

3 “(3) carry out the program to provide assist-  
4 ance to Indian Tribes and Native Hawaiian Organi-  
5 zations and small business concerns owned and con-  
6 trolled by individuals who are members of those  
7 groups;

8 “(4) administer and manage Native American  
9 outreach expansion;

10 “(5) enhance assistance to Native Americans by  
11 formulating and promoting policies, programs, and  
12 assistance that better address their entrepreneurial,  
13 capital access, business development, and con-  
14 tracting needs, and collaborate with other Associate  
15 Administrators and intergovernmental leaders with  
16 similar missions across Federal agencies on the de-  
17 velopment of policies and plans to implement new  
18 programs of the Administration, while  
19 supplementing existing Federal programs to holis-  
20 tically serve those needs;

21 “(6) act as an ombudsman for Native Ameri-  
22 cans for programs of the Administration;

23 “(7) provide grants, contracts, cooperative  
24 agreements, or other financial assistance to Indian  
25 Tribes and Native Hawaiian Organizations, or to

1 private nonprofit organizations governed by mem-  
 2 bers of those entities, that have the experience and  
 3 capability to—

4 “(A) deploy training, counseling, work-  
 5 shops, educational outreach, and supplier  
 6 events; and

7 “(B) access the entrepreneurial, capital,  
 8 and contracting programs of the Administra-  
 9 tion, including the Community Navigator pilot  
 10 program;

11 “(8) assist the Administrator in conducting, or  
 12 conduct, Tribal consultation to solicit input and fa-  
 13 cilitate discussion of potential modifications to pro-  
 14 grams and procedures of the Administration; and

15 “(9) recommend annual budgets for the Office.

16 “(d) AUTHORIZATION OF APPROPRIATIONS.—There  
 17 is authorized to be appropriated to the Office such sums  
 18 as may be necessary for each of fiscal years 2024 through  
 19 2028 to carry out this section.”

20 **SECTION 1. SHORT TITLE.**

21 *This Act may be cited as the “Native American Entre-*  
 22 *preneurial and Opportunity Act of 2023”.*

23 **SEC. 2. OFFICE OF NATIVE AMERICAN AFFAIRS.**

24 *The Small Business Act (15 U.S.C. 631 et seq.) is*  
 25 *amended—*

1           (1) *by redesignating section 49 (15 U.S.C. 631*  
2 *note) as section 50; and*

3           (2) *by inserting after section 48 (15 U.S.C.*  
4 *657u) the following:*

5 **“SEC. 49. OFFICE OF NATIVE AMERICAN AFFAIRS.**

6           “(a) *DEFINITIONS.—In this section:*

7                   “(1) *ASSOCIATE ADMINISTRATOR.—The term ‘As-*  
8 *sociate Administrator’ means the Associate Adminis-*  
9 *trator for Native American Affairs appointed under*  
10 *subsection (c).*

11                   “(2) *INDIAN TRIBE.—The term ‘Indian Tribe’*  
12 *has the meaning given the term ‘Indian tribe’ in sec-*  
13 *tion 8(a)(13).*

14                   “(3) *NATIVE HAWAIIAN ORGANIZATION.—The*  
15 *term ‘Native Hawaiian Organization’ has the mean-*  
16 *ing given the term in section 8(a)(15).*

17                   “(4) *OFFICE.—The term ‘Office’ means the Office*  
18 *of Native American Affairs described in this section.*

19           “(b) *ESTABLISHMENT.—*

20                   “(1) *IN GENERAL.—There is established within*  
21 *the Administration the Office of Native American Af-*  
22 *airs, which shall be responsible for establishing a*  
23 *working relationship with Indian Tribes and Native*  
24 *Hawaiian Organizations by targeting programs of*  
25 *the Administration relating to entrepreneurial devel-*

1        *opment, contracting, and capital access to revitalize*  
2        *Native businesses and economic development in In-*  
3        *dian country.*

4            “(2) *CONNECTION WITH OTHER PROGRAMS.—To*  
5        *the extent reasonable, the Office shall connect Indian*  
6        *Tribes and Native Hawaiian Organizations to pro-*  
7        *grams administered by other Federal agencies related*  
8        *to the interests described in paragraph (1).*

9            “(3) *ALTERNATIVE WORK SITES.—*

10            “(A) *IN GENERAL.—The Office may estab-*  
11        *lish alternative work sites within such regional*  
12        *offices of the Administration as may be nec-*  
13        *essary, with initial focus on those parts of In-*  
14        *dian Country most economically disadvantaged,*  
15        *to perform efficiently the functions and respon-*  
16        *sibilities of the Office.*

17            “(B) *PROHIBITION.—The alternative work*  
18        *sites established under subparagraph (A) shall*  
19        *not be field offices of the Administration.*

20            “(c) *ASSOCIATE ADMINISTRATOR.—The Office shall be*  
21        *headed by an Associate Administrator for Native American*  
22        *Affairs, who shall—*

23            “(1) *be appointed by and report to the Adminis-*  
24        *trator;*

1           “(2) have knowledge of Native American cultures  
2           and experience providing culturally tailored small  
3           business development assistance to Native Americans;

4           “(3) carry out the program to provide assistance  
5           to Indian Tribes and Native Hawaiian Organizations  
6           and small business concerns owned and controlled by  
7           individuals who are members of those groups;

8           “(4) administer and manage Native American  
9           outreach expansion;

10          “(5) enhance assistance to Native Americans by  
11          formulating and promoting policies, programs, and  
12          assistance that better address their entrepreneurial,  
13          capital access, business development, and contracting  
14          needs, and collaborate with other Associate Adminis-  
15          trators and intergovernmental leaders with similar  
16          missions across Federal agencies on the development  
17          of policies and plans to implement new programs of  
18          the Administration, while supplementing existing  
19          Federal programs to holistically serve those needs;

20          “(6) provide grants, contracts, cooperative agree-  
21          ments, or other financial assistance to Indian Tribes  
22          and Native Hawaiian Organizations, or to private  
23          nonprofit organizations governed by members of those  
24          entities, that have the experience and capability to—



1           “(A) *deploy training, counseling, work-*  
2           *shops, educational outreach, and supplier events;*  
3           *and*

4           “(B) *access the entrepreneurial, capital, and*  
5           *contracting programs of the Administration;*

6           “(7) *assist the Administrator in conducting, or*  
7           *conduct, Tribal consultation to solicit input and fa-*  
8           *cilitate discussion of potential modifications to pro-*  
9           *grams and procedures of the Administration; and*

10          “(8) *recommend annual budgets for the Office.*

11          “(d) *AUTHORIZATION OF APPROPRIATIONS.—There is*  
12          *authorized to be appropriated to the Office such sums as*  
13          *may be necessary for each of fiscal years 2024 through 2028*  
14          *to carry out this section.”.*

Calendar No. 166

118<sup>TH</sup> CONGRESS  
1<sup>ST</sup> Session

**S. 1156**

---

---

**A BILL**

To establish an Office of Native American Affairs within the Small Business Administration, and for other purposes.

---

---

JULY 25, 2023

Reported with an amendment