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(Original Signature of Member)

113TH CONGRESS
2D SESSION

H. R. _____

To amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000 to require the Secretary of Commerce to prepare and submit to Congress a report and recommendations to promote the sustained economic development of Indian tribes and Indian lands.

IN THE HOUSE OF REPRESENTATIVES

Ms. DELBENE introduced the following bill; which was referred to the Committee on _____

A BILL

To amend the Native American Business Development, Trade Promotion, and Tourism Act of 2000 to require the Secretary of Commerce to prepare and submit to Congress a report and recommendations to promote the sustained economic development of Indian tribes and Indian lands.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Indian Country Eco-
3 nomic Revitalization Act of 2014”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) In 2000, the Native American Business De-
7 velopment, Trade Promotion, and Tourism Act
8 (Public Law 106–464; 25 U.S.C. 4301 et seq.) iden-
9 tified the need for the Federal Government to pro-
10 mote long-range economic development of Indian
11 lands.

12 (2) This law had the limited effect of estab-
13 lishing within the Department of Commerce an of-
14 fice to coordinate Federal programs related to In-
15 dian economic development, promote the inter-
16 national trade and export of Indian goods and serv-
17 ices, and conduct intertribal tourism demonstration
18 projects.

19 (3) To have a meaningful impact, this law
20 should be amended to significantly expand Federal
21 support for the economic development of Indian
22 tribes and Indian lands.

23 (4) Recent fiscal policies of the Federal Govern-
24 ment, such as sequestration and the partial shut-
25 down of the Federal Government due to a lapse in
26 appropriations, have negatively impacted and in

1 some cases caused severe hardship to Indian tribes
2 due to their dependence upon Federal funds.

3 (5) The Federal Government has a trust re-
4 sponsibility to Indian tribes and must support tribal-
5 owned enterprises and Indian-owned businesses by
6 preparing recommendations for Congress to enact
7 legislation that support the development of sustain-
8 able tribal economies.

9 **SEC. 3. REPORT AND RECOMMENDATIONS TO CONGRESS**
10 **ON TRIBAL ECONOMIC DEVELOPMENT.**

11 The Native American Business Development, Trade
12 Promotion, and Tourism Act of 2000 (Public Law 106–
13 464; 25 U.S.C. 4301 et seq.) is amended—

14 (1) by redesignating section 8 as section 9; and

15 (2) by inserting after section 7 the following
16 new section:

17 **“SEC. 8. REPORT AND RECOMMENDATIONS TO CONGRESS**
18 **ON TRIBAL ECONOMIC DEVELOPMENT.**

19 “(a) **REPORTING REQUIREMENT.**—Not later than 1
20 year after the date of the enactment of the Indian Country
21 Economic Revitalization Act of 2014, and every 3 years
22 thereafter, the Secretary of Commerce shall prepare and
23 submit to the Committee on Natural Resources of the
24 House of Representatives and the Committee on Indian
25 Affairs of the Senate a report and recommendations for

1 promoting the sustained growth of the economies of In-
2 dian tribes and Indian lands. In conducting the reports
3 under this section, The Secretary of Commerce shall con-
4 sult with—

5 “(1) Secretary of the Treasury;

6 “(2) the Secretary of the Interior;

7 “(3) the Secretary of Agriculture;

8 “(4) the Administrator of the Small Business
9 Administration;

10 “(5) the Board of Governors of the Federal Re-
11 serve System;

12 “(6) the heads of other Federal agencies as de-
13 termined by the Secretary of Commerce;

14 “(7) Indian tribes;

15 “(8) Indian-owned businesses; and

16 “(9) other tribal business entities.

17 “(b) CONTENTS OF REPORT.—Each report prepared
18 under subsection (a) shall include the following:

19 “(1) Data on Indian business development and
20 employment during the 3-year period immediately
21 preceding the date of the submission of the report,
22 except that the first such report shall include data
23 for the 10-year period immediately preceding the
24 date of the submission of such report. Such data
25 shall include, at a minimum—

1 “(A) data from each decennial census con-
2 ducted by the Bureau of the Census for the pe-
3 riod covered by the report; and

4 “(B) relevant data voluntarily provided by
5 Indian tribes, Indian-owned businesses, and
6 other tribal business entities.

7 “(2) An assessment of existing structural ad-
8 vantages and barriers to the economic development
9 of Indian tribes and Indian lands, including an anal-
10 ysis of the economic effect on Indian tribes and In-
11 dian lands of the following:

12 “(A) Federal judicial decisions granting
13 State and local governments jurisdiction over
14 economic development activities occurring on
15 Indian lands, including the authority to tax
16 such activities.

17 “(B) Federal judicial decisions and admin-
18 istrative actions authorizing the application of
19 laws of general applicability to economic devel-
20 opment activities occurring on Indian lands, in
21 places with respect to which Congress has not
22 expressly authorized such application.

23 “(C) Federal judicial decisions and actions
24 by the Internal Revenue Service authorizing the
25 taxation of Indian income and economic devel-

1 opment activities within Indian lands in places
2 with respect to which Federal law does not ex-
3 pressly authorized such taxation.

4 “(D) Tax incentives in the Internal Rev-
5 enue Code of 1986, including wage credits, ac-
6 celerated depreciation deductions, tax-exempt
7 bonds, and new market tax credits, including an
8 assessment of how additional new tax incentives
9 such as tribal empowerment zones may impact
10 tribal economic development.

11 “(E) Such other related factors that pro-
12 vide an advantage or barrier to economic devel-
13 opment on Indian lands.

14 “(3) Analysis of Indian access to adequate in-
15 frastructure, affordable energy, educational opportu-
16 nities, and investment capital.

17 “(4) Recommendations to Congress on legisla-
18 tion to strengthen the economies of Indian tribes
19 and Indian lands in areas that include—

20 “(A) regulatory, tax, and trust reform; and

21 “(B) other related areas that promote the
22 findings and purposes provided in section 2.

23 “(c) USE OF PREVIOUS STUDIES.—In conducting the
24 studies under this section, the Secretary of Commerce

1 shall consider any appropriate information contained in
2 previous studies and reports, such as the following:

3 “(1) The American Indian Policy Review Com-
4 mission Final Report, dated May 17, 1977.

5 “(2) The Report and Recommendations of the
6 Presidential Commission on Indian Reservation
7 Economies, dated November 1984.

8 “(3) The Native American Economic Policy Re-
9 port: Developing Tribal Economies to Create
10 Healthy, Sustainable, and Culturally Vibrant Com-
11 munities, dated 2007.

12 “(4) The report titled ‘Growing Economies in
13 Indian Country: Taking Stock of Progress and Part-
14 nerships’, dated April 2012.”.