

AMENDMENT NO. _____ Calendar No. _____

Purpose: In the nature of a substitute.

IN THE SENATE OF THE UNITED STATES—118th Cong., 1st Sess.

S. 1156

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

Referred to the Committee on _____ and ordered to be printed

Ordered to lie on the table and to be printed

AMENDMENT IN THE NATURE OF A SUBSTITUTE intended to be proposed by Ms. ERNST

Viz:

1 Strike all after the enacting clause and insert the fol-
2 lowing:

3 **SECTION 1. SHORT TITLE.**

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

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

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

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

11 (2) by inserting after section 48 (15 U.S.C.
12 657u) the following:

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

2 “(a) DEFINITIONS.—In this section:

3 “(1) ASSOCIATE ADMINISTRATOR.—The term
4 ‘Associate Administrator’ means the Associate Ad-
5 ministrator for Native American Affairs appointed
6 under subsection (c).

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

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

13 “(4) OFFICE.—The term ‘Office’ means the Of-
14 fice of Native American Affairs described in this sec-
15 tion.

16 “(b) ESTABLISHMENT.—

17 “(1) IN GENERAL.—There is established within
18 the Administration the Office of Native American
19 Affairs, which shall be responsible for establishing a
20 working relationship with Indian Tribes and Native
21 Hawaiian Organizations by targeting programs of
22 the Administration relating to entrepreneurial devel-
23 opment, contracting, and capital access to revitalize
24 Native businesses and economic development in In-
25 dian country.

1 “(2) CONNECTION WITH OTHER PROGRAMS.—

2 To the extent reasonable, the Office shall connect
3 Indian Tribes and Native Hawaiian Organizations to
4 programs administered by other Federal agencies re-
5 lated to the interests described in paragraph (1).

6 “(3) ALTERNATIVE WORK SITES.—

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

14 “(B) PROHIBITION.—The alternative work
15 sites established under subparagraph (A) shall
16 not be field offices of the Administration.

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

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

22 “(2) have knowledge of Native American cul-
23 tures and experience providing culturally tailored
24 small business development assistance to Native
25 Americans;

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

6 “(4) administer and manage Native American
7 outreach expansion;

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

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

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

4 “(B) access the entrepreneurial, capital,
5 and contracting programs of the Administra-
6 tion;

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

11 “(8) recommend annual budgets for the Office.

12 “(d) AUTHORIZATION OF APPROPRIATIONS.—There
13 is authorized to be appropriated to the Office such sums
14 as may be necessary for each of fiscal years 2024 through
15 2028 to carry out this section.”.