

110TH CONGRESS
1ST SESSION

H. R. 2284

To amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Alaska Natives, and Native Hawaiians.

IN THE HOUSE OF REPRESENTATIVES

MAY 10, 2007

Mr. UDALL of New Mexico (for himself, Mr. ABERCROMBIE, Mr. RENZI, Mr. MORAN of Virginia, Mr. MICHAUD, Mr. GRIJALVA, Ms. HERSETH SANDLIN, Mr. HONDA, Ms. MCCOLLUM of Minnesota, Mr. WU, and Mr. MOORE of Kansas) introduced the following bill; which was referred to the Committee on Small Business

A BILL

To amend the Small Business Act to expand and improve the assistance provided by Small Business Development Centers to Indian tribe members, Alaska Natives, and Native Hawaiians.

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. FINDINGS AND PURPOSES.**

4 (a) FINDINGS.—Congress finds the following:

5 (1) The rate for American Indians and Alaskan
6 Natives living below 50 percent the poverty level is

1 11.2 percent, nearly double the rate of the general
2 population.

3 (2) The unemployment rate for American Indi-
4 ans and Alaskan Natives 16 years and over is 13.6
5 percent, nearly double the rate of the general popu-
6 lation.

7 (3) Indian tribe members and Alaska Natives
8 own more than 201,000 businesses and generate
9 more than \$26,000,000,000 in revenues. The con-
10 struction industry accounted for 16 percent of these
11 businesses and 22.5 percent of their total receipts.
12 The next largest was the service industry (13.2 per-
13 cent and 3.4 percent, respectively). The third largest
14 was the health care and social assistance industry
15 (12.1 percent and 4.6 percent, respectively).

16 (4) The Small Business Development Center
17 program is cost effective. Clients receiving long-term
18 counseling under the program in 2005 generated ad-
19 ditional tax revenues of \$248,000,000, nearly 2.8
20 times the cost of the program to the Federal Gov-
21 ernment.

22 (5) Using the existing infrastructure of the
23 Small Business Development Center program, small
24 businesses owned by Indian tribe members, Alaska
25 Natives, and Native Hawaiians receiving services

1 under the program will have a higher survival rate
2 than the average small business not receiving such
3 services.

4 (6) Business counseling and technical assist-
5 ance is critical on Indian lands where similar serv-
6 ices are scarce and expensive.

7 (7) Increased assistance through counseling
8 under the Small Business Development Center pro-
9 gram has been shown to reduce the default rate as-
10 sociated with lending programs of the Small Busi-
11 ness Administration.

12 (b) PURPOSES.—The purposes of this Act are as fol-
13 lows:

14 (1) To stimulate economies on Indian lands.

15 (2) To foster economic development on Indian
16 lands.

17 (3) To assist in the creation of new small busi-
18 nesses owned by Indian tribe members, Alaska Na-
19 tives, and Native Hawaiians and expand existing
20 ones.

21 (4) To provide management, technical, and re-
22 search assistance to small businesses owned by In-
23 dian tribe members, Alaska Natives, and Native Ha-
24 waiians.

1 (5) To seek the advice of local Tribal Councils
2 on where small business development assistance is
3 most needed.

4 (6) To ensure that Indian tribe members, Alas-
5 ka Natives, and Native Hawaiians have full access
6 to existing business counseling and technical assist-
7 ance available through the Small Business Develop-
8 ment Center program.

9 **SEC. 2. SMALL BUSINESS DEVELOPMENT CENTER ASSIST-**
10 **ANCE TO INDIAN TRIBE MEMBERS, ALASKA**
11 **NATIVES, AND NATIVE HAWAIIANS.**

12 (a) IN GENERAL.—Section 21(a) of the Small Busi-
13 ness Act (15 U.S.C. 648(a)) is amended by adding at the
14 end the following:

15 “(8) ADDITIONAL GRANT TO ASSIST INDIAN
16 TRIBE MEMBERS, ALASKA NATIVES, AND NATIVE HA-
17 WAIANS.—

18 “(A) IN GENERAL.—Any applicant in an
19 eligible State that is funded by the Administra-
20 tion as a Small Business Development Center
21 may apply for an additional grant to be used
22 solely to provide services described in subsection
23 (c)(3) to assist with outreach, development, and
24 enhancement on Indian lands of small business
25 startups and expansions owned by Indian tribe

1 members, Alaska Natives, and Native Hawai-
2 ians.

3 “(B) ELIGIBLE STATES.—For purposes of
4 subparagraph (A), an eligible State is a State
5 that has a combined population of Indian tribe
6 members, Alaska Natives, and Native Hawai-
7 ians that comprises at least 1 percent of the
8 State’s total population, as shown by the latest
9 available census.

10 “(C) GRANT APPLICATIONS.—An applicant
11 for a grant under subparagraph (A) shall sub-
12 mit to the Administration an application that is
13 in such form as the Administration may re-
14 quire. The application shall include information
15 regarding the applicant’s goals and objectives
16 for the services to be provided using the grant,
17 including—

18 “(i) the capability of the applicant to
19 provide training and services to a rep-
20 resentative number of Indian tribe mem-
21 bers, Alaska Natives, and Native Hawai-
22 ians;

23 “(ii) the location of the Small Busi-
24 ness Development Center site proposed by
25 the applicant;

1 “(iii) the required amount of grant
2 funding needed by the applicant to imple-
3 ment the program; and

4 “(iv) the extent to which the applicant
5 has consulted with local Tribal Councils.

6 “(D) APPLICABILITY OF GRANT REQUIRE-
7 MENTS.—An applicant for a grant under sub-
8 paragraph (A) shall comply with all of the re-
9 quirements of this section, except that the
10 matching funds requirements under paragraph
11 (4)(A) shall not apply.

12 “(E) MAXIMUM AMOUNT OF GRANTS.—No
13 applicant may receive more than \$300,000 in
14 grants under this paragraph for one fiscal year.

15 “(F) REGULATIONS.—After providing no-
16 tice and an opportunity for comment and after
17 consulting with the Association recognized by
18 the Administration pursuant to paragraph
19 (3)(A) (but not later than 180 days after the
20 date of enactment of this paragraph), the Ad-
21 ministration shall issue final regulations to
22 carry out this paragraph, including regulations
23 that establish—

24 “(i) standards relating to educational,
25 technical, and support services to be pro-

1 vided by Small Business Development Cen-
2 ters receiving assistance under this para-
3 graph; and

4 “(ii) standards relating to any work
5 plan that the Administration may require a
6 Small Business Development Center receiv-
7 ing assistance under this paragraph to de-
8 velop.

9 “(G) DEFINITIONS.—In this section, the
10 following definitions apply:

11 “(i) INDIAN LANDS.—The term ‘In-
12 dian lands’ has the meaning given the term
13 ‘Indian country’ in section 1151 of title 18,
14 United States Code, the meaning given the
15 term ‘Indian reservation’ in section 151.2
16 of title 25, Code of Federal Regulations
17 (as in effect on the date of enactment of
18 this paragraph), and the meaning given
19 the term ‘reservation’ in section 4 of the
20 Indian Child Welfare Act of 1978 (25
21 U.S.C. 1903).

22 “(ii) INDIAN TRIBE.—The term ‘In-
23 dian tribe’ means any band, nation, or or-
24 ganized group or community of Indians lo-
25 cated in the contiguous United States, and

1 the Metlakatla Indian Community, whose
2 members are recognized as eligible for the
3 services provided to Indians by the Sec-
4 retary of the Interior because of their sta-
5 tus as Indians.

6 “(iii) INDIAN TRIBE MEMBER.—The
7 term ‘Indian tribe member’ means a mem-
8 ber of an Indian tribe (other than a Alaska
9 Native).

10 “(iv) ALASKA NATIVE.—The term
11 ‘Alaska Native’ has the meaning given the
12 term ‘Native’ in section 3(b) of the Alaska
13 Native Claims Settlement Act (43 U.S.C.
14 1602(b)).

15 “(v) NATIVE HAWAIIAN.—The term
16 ‘Native Hawaiian’ means any individual
17 who is—

18 “(I) a citizen of the United
19 States; and

20 “(II) a descendant of the aborigi-
21 nal people, who prior to 1778, occu-
22 pied and exercised sovereignty in the
23 area that now constitutes the State of
24 Hawaii.

1 “(vi) TRIBAL ORGANIZATION.—The
2 term ‘tribal organization’ has the meaning
3 given that term in section 4(l) of the In-
4 dian Self-Determination and Education
5 Assistance Act (25 U.S.C. 450b(l)).

6 “(H) AUTHORIZATION OF APPROPRIA-
7 TIONS.—There is authorized to be appropriated
8 to carry out this paragraph \$7,000,000 for each
9 of fiscal years 2008 through 2010.

10 “(I) FUNDING LIMITATIONS.—

11 “(i) NONAPPLICABILITY OF CERTAIN
12 LIMITATIONS.—Funding under this para-
13 graph shall be in addition to the dollar
14 program limitations specified in paragraph
15 (4).

16 “(ii) LIMITATION ON USE OF
17 FUNDS.—The Administration may carry
18 out this paragraph only with amounts ap-
19 propriated in advance specifically to carry
20 out this paragraph.”.

21 **SEC. 3. STATE CONSULTATION WITH TRIBAL ORGANIZA-**
22 **TIONS.**

23 Section 21(c) of the Small Business Act (15 U.S.C.
24 648(c)) is amended by adding at the end the following:

1 “(9) ADVICE OF LOCAL TRIBAL ORGANIZA-
2 TIONS.—A Small Business Development Center re-
3 ceiving a grant under this section shall request the
4 advice of tribal organization on how best to provide
5 assistance to Indian tribe members, Alaska Natives,
6 and Native Hawaiians and where to locate satellite
7 centers to provide such assistance.”.

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