



HOUSE COMMITTEE ON
NATURAL RESOURCES
CHAIRMAN BRUCE WESTERMAN

To: Subcommittee on Indian and Insular Affairs Republican Members
From: Subcommittee on Indian and Insular Affairs Staff: Hannah Hulehan
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Date: Monday, February 2, 2026
Subject: Oversight hearing titled “*Making Federal Economic Development Programs Work in Indian Country*”

The Subcommittee on Indian and Insular Affairs will hold an oversight hearing titled “*Making Federal Economic Development Programs Work in Indian Country*” on **Tuesday, February 3, 2026, at 2:00 p.m., in room 1324 Longworth House Office Building.**

Member offices are requested to notify Seneca Feys (Seneca.Feys@mail.house.gov) by 4:30 p.m. on Monday, February 2, 2026, if their Member intends to participate in the hearing.

I. KEY MESSAGES

- Federal Indian policy is most effective when it respects tribal sovereignty and removes unnecessary federal barriers to tribal decision-making.
- Federal economic development programs affecting Indian Country are administered across multiple agencies with limited coordination, requiring tribes to navigate duplicative processes and inconsistent standards.
- As a result, tribes’ most significant barriers are often procedural and regulatory, including complicated rules, lengthy approval timelines, and a disjointed system.
- The central challenge is not a lack of federal economic development programs, but rather a fragmented federal system that is difficult for tribes to navigate and use effectively.

II. WITNESSES

Panel I (Outside Experts):

- **The Honorable Hope Silvas**, Chairwoman, Shivwits Band of Paiutes, Ivins, Utah
- **The Honorable Rodney Butler**, President, Native American Finance Officers Association, Board of Directors, (Chairman, Mashantucket Pequot Tribal Nation), Washington, D.C.
- **Mr. Haven Harris**, Co-Chair, Board of Directors, Native American Contractors Association, Anchorage, Alaska
- **Mr. Derrick Watchman**, Chairman, The National Center for American Indian Enterprise Development, Mesa, Arizona (*Minority Witness*)

III. BACKGROUND

Introduction

Federal economic development authorities affecting Indian Country have developed incrementally over more than a century and are administered across multiple departments. These authorities differ in their primary function—ranging from direct capital access and federal procurement to technical assistance, planning, and interagency coordination. Understanding these functional differences is essential to evaluating how tribes access, combine, and navigate federal economic development programs.

These programs reflect Congress’s longstanding efforts to fulfill the federal trust responsibility to native Americans and to promote tribal self-determination by supporting economic self-sufficiency. Many of these programs are designed to address structural barriers unique to Indian Country – such as trust land status, limited access to private capital, and remoteness from major markets – by enabling tribes to participate more fully in federal procurement, private lending, and regional economic activity. Tribal economic authorities are mechanisms that seek to allow Indian tribes to operate competitively within the national economy.

In practice, however, tribes experience these federal programs very differently. Across departments, programs are governed by different statutory authorities, regulatory frameworks, application processes, eligibility criteria, compliance standards, and timelines. Each department - and often individual offices within a department - operates its programs independently, with limited alignment across agencies. As a result, tribes must repeatedly learn new rules, develop new administrative processes, and engage with new federal counterparts each time they seek access to a different program. This fragmentation makes it exceedingly difficult for tribes to achieve economies of scale, standardize internal systems, or carry institutional knowledge from one federal program to another. Even well-resourced, experienced tribes often face a “reset” when engaging a new agency, which increases transaction costs and slows economic development.

This memo outlines key federal economic development authorities affecting Indian Country, providing context for assessing how effectively the current framework supports tribal economic development goals across diverse tribal circumstances.

Federal Authorities Providing Direct Market or Capital Access

Some federal economic development authorities provide direct access to markets or capital and, when functioning as intended, can generate significant revenue or investment in Indian Country. These programs tend to have the greatest economic impact, but also the highest stakes when eligibility, oversight, or administrative design breaks down.

I. SBA 8(a) Business Development Program (Tribal Eligibility Added in 1986)

The U.S. Small Business Administration (SBA)'s 8(a) program is among the most consequential federal economic development tools affecting Indian Country.¹ Since Congress clarified eligibility for tribally owned firms, Alaska Native Corporations (ANCs), and Native Hawaiian Organizations (NHOs) in 1986, tribal and ANC-owned 8(a) firms have established a significant presence in federal procurement markets, generating revenue that supports tribal government services and community development.²

The scale of Native participation in the 8(a) program is substantial. In fiscal year (FY) 2023, tribally-owned firms, ANCs, and NHOs collectively received approximately \$23.3 billion in federal contract awards, accounting for just over 3% of total federal contracting dollars.³ Within the 8(a) program itself, Native-owned firms now account for a dominant share of activity: through FY2024, they received roughly \$16.1 billion, nearly two-thirds of all 8(a) contract dollars.⁴ For many tribes, particularly those in remote or capital-constrained regions, 8(a) contracting represents one of the few scalable pathways to sustained economic growth. Revenues generated by tribally owned firms are reinvested in core government and community functions, including healthcare, housing, education, workforce development, and infrastructure.

At the same time, the size and success of the 8(a) program have made it vulnerable to abuse, particularly by non-qualifying firms seeking to exploit eligibility rules or use 8(a) entities as pass-through vehicles.⁵ Recent investigations and audits have underscored legitimate concerns regarding fraud and weak compliance in parts of the program. In response, SBA has moved to strengthen oversight, verify ownership and control, and enforce compliance through audits and suspensions.⁶

Effective enforcement is not in tension with program access for tribes.⁷ Rooting out fraud and abuse is essential to preserving the credibility of the 8(a) program and ensuring that contracting opportunities flow to bona fide tribal enterprises that use 8(a) revenues to support governmental functions and community development in Indian Country.

¹ "8(a) Business Development program", U.S. Small Business Administration, <https://www.sba.gov/federal-contracting/contracting-assistance-programs/8a-business-development-program>.

² P.L. 99-272, §18015, 100 Stat. 370 (1986).

³ "Record High: Tribal entities won \$23.3 billion in federal contracts in fiscal 2023", Tribal Business News, <https://tribalbusinessnews.com/sections/federal-8-a-contracting/14585-record-high-tribal-entities-get-23-3b-in-federal-contracts-in-fiscal-2023>.

⁴ "Defense Secretary orders review of 8(a) contracts; Native firms received \$16B in 2024", Tribal Business News, <https://tribalbusinessnews.com/sections/federal-8-a-contracting/15451-defense-secretary-orders-review-of-8-a-contracts-native-firms-received-16b-in-2024>.

⁵ "Treasury Announces Department-Wide Probe into Potential Fraud in Use of Contracting Preferences", Morgan Lewis, <https://www.morganlewis.com/pubs/2025/11/treasury-announces-department-wide-probe-into-potential-fraud-in-use-of-contracting-preferences>.

⁶ SBA Orders All 8(a) Participants to Provide Financial Records", U.S. Small Business Administration, <https://www.sba.gov/article/2025/12/05/sba-orders-all-8a-participants-provide-financial-records>

⁷ "Application of DEI Executive Order to American Indian and Alaska Natives", U.S. Small Business Administration, https://www.tribalbusinessnews.com/images/2023/SBA_OGC_Memo_DEI_Executive_Order_to_American_Indians_and_Alaska_Natives.pdf.

II. Buy Indian Act (1910)

The Buy Indian Act, originally passed in 1910, authorizes the U.S. Department of the Interior (DOI) to prioritize Indian labor and industry when procuring goods and services for Indian programs.⁸ For decades, the authority was underutilized due to outdated and incomplete implementing regulations and uneven application across DOI bureaus and regions.⁹ DOI promulgated modernized regulations in 2013, and the U.S. Department of Health and Human Services adopted parallel regulations pursuant to the Indian Community Economic Enhancement Act of 2020.¹⁰

Since these reforms, use of Buy Indian contracting authority has increased substantially at both DOI and the Indian Health Service.¹¹ At the Bureau of Indian Affairs, Buy Indian awards jumped from about \$85.4 million in FY2018 to nearly \$280 million in FY2021.¹² Growth accelerated further following full implementation of the 2020 Act. In FY2023, DOI and the Department of Health and Human Services (HHS) together awarded approximately \$2.9 billion in contracts to Native-owned and controlled business.¹³ The Bureau of Indian Affairs devoted roughly two-thirds of its contract dollars to Native firms,¹⁴ while the Indian Health Service obligated more than \$440 million, or over 30 percent of eligible contract spending, to Indian-owned businesses.¹⁵

III. Indian Loan Guarantee Program (1974)

Administered by DOI, the Indian Loan Guarantee Program encourages private lending to Indian borrowers by guaranteeing up to 90 percent of eligible loans.¹⁶ The program seeks to lower barriers to private lending in Indian Country by reducing lender risk through federal guarantees. Eligible borrowers include tribes, tribal enterprises, Indian-owned businesses, and individual Indians. The program supports business development projects that contribute to reservation or tribal service area economies. Annual appropriations support loan guarantees and administrative costs and cap the total principal amount that may be guaranteed in a fiscal year.¹⁷

⁸ 25 U.S. Code § 47.

⁹ “BUY INDIAN ACT – Bureau of Indian Affairs and Indian Health Service Need Greater Insight into Implementation at Regional Offices”, U.S. Government Accountability Office, July 9, 2015, <https://www.gao.gov/assets/680/671825.pdf>.

¹⁰ *Id.*

¹¹ “Buy Indian Act Final Rule”, Indian Health Service, <https://www.ihs.gov/newsroom/factsheets/buy-indian-act/>.

¹² “Indian Affairs expands opportunities for Native business with new Buy Indian Act rule”, Bureau of Indian Affairs, <https://www.bia.gov/news/indian-affairs-expands-opportunities-native-businesses-new-buy-indian-act-rule>.

¹³ “Interior, HHS Achieve Key Buy Indian Act Milestones”, The National Center for American Indian Enterprise Development, <https://ncaied.org/stories-media/press-releases.html/article/2023/12/15/interior-hhs-achieve-key-buy-indian-act-milestones>.

¹⁴ *Id.*

¹⁵ “Report to the Congress of the United States on the Buy Indian Act Implementation”, U.S. Department of Health and Human Services, https://www.ihs.gov/sites/newsroom/themes/responsive2017/display_objects/documents/Buy_Indian_Act_Report.pdf.

¹⁶ “Budget Justifications and Performance Information Fiscal Year 2026”, Bureau of Indian Affairs, Page 143, <https://edit.doi.gov/sites/default/files/documents/2025-12/bia-2026-greenbook508.pdf>.

¹⁷ “Indian Loan Guarantee, Insurance, and Interest Subsidy Program”, Office of the Comptroller of the Currency, <https://www.occ.gov/publications-and-resources/publications/community-affairs/community-developments-fact-sheets/pub-cd-fact-sheet-indian-loan-guarantee-ins-interest-sub-programs-mar-2019.pdf>.

IV. Community Development Financial Institutions (CDFI) Fund – Native Initiatives (1994)

The U.S. Department of the Treasury (Treasury) Community Development Financial Institutions (CDFI) Fund, established by the Riegle Community Development and Regulatory Improvement Act of 1994, supports community-based financial institutions operating in underserved markets.¹⁸ Through its Native Initiatives, including the Native American CDFI Assistance (NACA) program, the CDFI Fund provides financial and technical assistance that has supported the growth and capacity of Native CDFIs, which offer business lending, housing finance, and other financial services in Indian Country.¹⁹

Native CDFIs have grown substantially in both number and scale. As of FY2023, there are 66 certified Native CDFIs nationwide, up from just 14 in 2001.²⁰ Since its inception, the NACA Program has awarded over \$220 million in financial and technical assistance, enabling Native CDFIs to leverage more than \$1.6 billion in loans and investments in Native communities.²¹ In FY2023 alone, Native CDFIs made over 6,100 loans totaling more than \$330 million, supporting small businesses, housing, and consumer credit.²²

Native CDFIs play a distinct role in Indian Country by providing small-dollar, relationship-based lending in communities where traditional banks often do not operate, including remote reservations and trust-land areas. They frequently serve as the primary source of business loans, microenterprise financing, housing finance, and credit-builder products for Native borrowers who face structural barriers to conventional lending. Unlike many federal programs, demand for NACA funding consistently exceeds available resources, reflecting both the effectiveness of the model and the persistent capital gaps in Indian Country.²³

Sector-Specific and Conditional Capital Programs

Sector-specific and conditional capital programs support tribal economic development indirectly by leveraging tax incentives, sector-specific financing tools, or place-based grants. These programs further illustrate the fragmented nature of federal economic development, as tribes must navigate separate tax, housing, agriculture, energy, and commerce regimes – each with distinct eligibility rules, timelines, and administrative expectations.

I. Federal Tax Incentives

Tribes and tribal entities may participate in generally applicable federal tax incentive programs that support development in distressed areas, although access is often indirect due to tribes' tax-exempt status. Tribal governments are sovereign and generally not subject to federal income tax. This limits the extent to which tribes and tribal enterprises benefit from incentive credits,

¹⁸ P.L. 103-325, 12 U.S.C. § 4701 *et seq.*

¹⁹ “Native Initiatives”, U.S. Department of the Treasury, Community Development Financial Institutions Fund <https://www.cdfifund.gov/programs-training/programs/native-initiatives>.

²⁰ “Annual Report Fiscal Year 2023”, Community Development Financial Institutions Fund, https://www.cdfifund.gov/system/files/2024-05/CDFI_Fund_FY_2023_Annual_Report_FINAL_508c.pdf.

²¹ *Id.*

²² *Id.*

²³ “As demand for Native CDFIs surges, their capacity lags”, Federal Reserve Bank of Minneapolis, <https://www.minneapolisfed.org/article/2025/as-demand-for-native-cdfis-surges-their-capacity-lags>.

prompting reliance on taxable partners or other entities that can claim the incentives.²⁴ These incentives include the New Markets Tax Credit, which can attract private capital through community development entities,²⁵ and the Low-Income Housing Tax Credit, which has supported some tribal housing, as well as commercial and mixed-use developments.²⁶ Because these incentives are not administered as tribal programs, participation typically requires partnerships with taxable investors and project-specific financing structures. Tribes may also access tax-exempt bond financing for certain governmental and economic development purposes, although use of this tool has been constrained by statutory and administrative limitations that do not apply to state and local governments.²⁷

II. Indian Community Development Block Grant

Authorized under Title I of the Housing and Community Development Act of 1974, the Indian Community Development Block Grant program is administered by the U.S. Department of Housing and Urban Development. The program provides competitive grants to federally recognized tribes and tribal consortia for community development activities, including housing, infrastructure, public facilities, and economic development.²⁸

III. Rural Development Business and Lending Programs

Through its Rural Development mission area, the U.S. Department of Agriculture (USDA) administers a range of business, infrastructure, and lending programs for rural areas. These programs are available to federally recognized tribes and tribal entities and can be used to support economic development projects in Indian Country.²⁹ Although they are not designed as tribal-specific economic development tools, the programs may support business formation and local economic activity by financing community infrastructure, improving access to capital, or supporting intermediary lending. Examples include USDA's Community Facilities Programs,³⁰ Rural Business Development Grants³¹ and Business Programs,³² among others, depending on program-specific eligibility and project characteristics.

²⁴ "TRIBAL ECONOMIC DEVELOPMENT Action Is Needed to Better Understand the Extent of Federal Support", U.S. Government Accountability Office, Page 9, <https://www.gao.gov/assets/730/722294.pdf>.

²⁵ "New Markets Tax Credit Native Initiative", U.S. Department of the Treasury, Community Development Financial Institutions Fund, <https://www.cdfifund.gov/programs-training/training-ta/nmtc-program-native-initiative>.

²⁶ "Low Income Housing Tax Credits and Affordable Rentals in Indian Country", The Center for Indian Country Development, https://www.minneapolisfed.org/-/media/assets/articles/2019/low-income-housing-tax-credits-and-affordable-rentals-in-indian-country/lihtcs-and-affordable-rentals-in-indian-country_cicd.pdf.

²⁷ "FAQs for Indian tribal governments regarding tax exempt bonds", Internal Revenue Service, <https://www.irs.gov/government-entities/indian-tribal-governments/faqs-for-indian-tribal-governments-regarding-tax-exempt-bonds>.

²⁸ "Indian Community Development Block Grant Program", U.S. Department of Housing and Urban Development, <https://www.hud.gov/helping-americans/public-indian-housing-grants-icdbg>.

²⁹ "Tribal Relations", U.S. Department of Agriculture, Rural Development, <https://www.rd.usda.gov/about-rd/tribal-relations>.

³⁰ "Community Facilities Programs", U.S. Department of Agriculture, Rural Development, <https://www.rd.usda.gov/programs-services/community-facilities>.

³¹ "Rural Business Development Grants", U.S. Department of Agriculture, <https://www.rd.usda.gov/programs-services/business-programs/rural-business-development-grants>.

³² "Business Programs", U.S. Department of Agriculture, Rural Development, <https://www.rd.usda.gov/programs-services/business-programs>.

IV. Tribal Energy Programs

The U.S. Department of Energy (DOE)'s Office of Energy Dominance Financing manages the Tribal Energy Financing Program, which provides direct loans and loan guarantees to federally recognized tribes, Alaska Native villages, and eligible tribal development organizations to help finance energy infrastructure projects.³³ DOE's Office of Indian Energy Policy and Programs provides competitive financial and technical assistance to support tribal energy planning, feasibility assessments, and economic development.³⁴

V. Economic Development Administration (EDA)

The U.S. Department of Commerce (DOC)'s Economic Development Administration (EDA) provides grants and technical assistance to support economic development in economically distressed communities. Indian tribes are eligible for several of EDA's competitive programs, including Public Works and Economic Adjustment Assistance,³⁵ Planning and Technical Assistance,³⁶ and certain supplemental, disaster-related funding opportunities, subject to the terms of individual funding announcements. These programs aim to support infrastructure and capacity projects that contribute to growth and job creation, including in tribal areas. Tribes compete for these funds alongside states and local governments, which can disadvantage smaller or capacity-constrained tribal applicants.

Technical Assistance, Planning, and Business Support Programs

In addition to direct capital and market access programs, tribes may engage with a range of federal technical assistance, planning, and business support initiatives intended to help navigate application processes, comply with program requirements, or participate in federal procurement markets. In theory, these programs are designed to build capacity and reduce barriers to entry, particularly for first-time or smaller applicants.

In practice, however, technical assistance alone often cannot offset structural challenges embedded in program design. Tribes - particularly those that are smaller or rural - face cumulative administrative demands that limit their ability to pursue multiple programs simultaneously, even when assistance is available. Where application timelines, eligibility criteria, and reporting requirements are misaligned across agencies, additional technical assistance may reduce confusion, but does not eliminate the underlying burden. As a result, the effectiveness of technical assistance programs depends heavily on coordination, flexibility, and alignment with the realities of tribal governance and administrative capacity.

³³ "Tribal Energy Financing Program Frequently Asked Questions", U.S. Department of Energy, Office of Energy Dominance Financing, <https://www.energy.gov/edf/tribal-energy-financing-program-frequently-asked-questions>.

³⁴ "Office of Indian Energy Funding and Technical Assistance Opportunities", U.S. Department of Energy, Office of Indian Energy, <https://www.energy.gov/indianenergy/current-funding-and-technical-assistance-opportunities>.

³⁵ "FY 2025 EDA Public Works and Economic Adjustment Assistance Programs", Grants.gov, <https://grants.gov/search-results-detail/346815>.

³⁶ "Fiscal Year 2021-2023 EDA Planning and Local Technical Assistance Program", U.S. Economic Development Administration, <https://www.eda.gov/funding/funding-opportunities/fiscal-year-2021-2023-eda-planning-and-local-technical-assistance>.

I. Minority Business Development Agency (MBDA) Native Business Centers

Established by executive order in 1971, the Minority Business Development Agency (MBDA) within DOC provides business centers and technical assistance to support minority-owned businesses. While MBDA is not a tribal-specific agency, Native Business Centers were initially funded through MBDA cooperative agreements, with Native organizations operating early centers. In the past, MBDA has awarded grants specifically targeting American Indian, Alaska Native, and Native Hawaiian business development, based on congressional directives and appropriations.³⁷

Tribal participation in MBDA programs is somewhat anomalous, as tribal status is a political designation³⁸ while MBDA maintains a lengthy history of making grant funding decisions based on race and ethnicity.³⁹ However, tribal inclusion by previous Congresses and Administrations highlights the fragmentation and complexity of existing federal business assistance structures for delivering technical assistance to Native enterprises.

II. Employment and Training Administration

The U.S. Department of Labor's Employment and Training Administration administers workforce development programs authorized under the Workforce Innovation and Opportunity Act, including the Indian and Native American program under Section 166.⁴⁰ Section 166 programs fund employment and training services designed to promote economic development in Indian Country, and tribes and tribal organizations are among the entities eligible to receive Section 166 grants to administer these workforce services.⁴¹

III. APEX Accelerators

Tribes and Native-owned businesses may access procurement-focused technical assistance through APEX Accelerators, formerly known as Procurement Technical Assistance Centers.⁴² APEX Accelerators are a federally funded technical assistance program supported through U.S. Department of War (DOW) cooperative agreements and operated by non-federal entities under DOW's Office of Small Business Programs. The program provides counseling, training, and bid-related assistance to businesses seeking to compete in federal, state, and local government procurement markets.⁴³ A limited number of APEX Accelerators are specifically structured to serve tribal and Native business communities, offering procurement assistance tailored to tribally

³⁷ "The Minority Business Development Agency: An Overview of Its History and Programs" Congressional Research Service, June 6, 2024, <https://www.congress.gov/crs-product/R46816>.

³⁸ *Morton v. Mancari*, 417 U.S. 535 (1974).

³⁹ "Cuts to Woke Programs", The White House, <https://www.whitehouse.gov/wp-content/uploads/2025/05/Cuts-to-Woke-Programs-Fact-Sheet.pdf>.

⁴⁰ "Workforce Innovation and Opportunity Act (WIOA)", Employment and Training Administration, <https://www.dol.gov/agencies/eta/dinap/laws>.

⁴¹ 20 CFR § 684.100-200.

⁴² "Procurement Opportunities for Tribes", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/running-business/procurement-opportunities-tribes>. "Apex Accelerators", <https://www.apexaccelerators.us/#/>.

⁴³ "Apex Accelerators (formerly PTACs)", Price Reporter, <https://pricereporter.com/glossary/apex-accelerators-formerly-ptacs/>.

owned enterprises.⁴⁴ APEX Accelerators support navigation of government contracting systems, but they do not confer procurement preferences or contracting authority.

IV. Small Business Development Centers (SBDCs)

The SBA supports a nationwide network of SBDCs through cooperative agreements with local host institutions. Tribal entrepreneurs and tribally affiliated businesses may access SBDC counseling and training on the same basis as other small businesses. Because SBDCs are not designed as tribal-specific programs, however, practical access and utilization can vary significantly across tribal communities.⁴⁵

Limited-Scale or Episodic Authorities

Limited-scale and episodic authorities are further illustrate how fragmentation and lack of sustained implementation can render otherwise well-intentioned programs ineffective in practice.

I. Supplemental Surety Bond Guarantee Authority (1974)

The Supplemental Surety Bond Guarantee authority (25 U.S.C. § 1497a) is a provision of the Indian Financing Act of 1974 that empowers the Secretary of the Interior to partially guarantee surety bonds for Indian contractors.⁴⁶ Specifically, § 1497a authorizes DOI to provide a “supplemental surety bond guarantee” of up to 20 percent of any loss on a bond for an Indian individual or economic enterprise, supplementing the primary guarantee provided by SBA under 15 U.S.C. § 694b.⁴⁷ § 1497a authority was intended to bridge existing gaps, so that SBA’s and DOI’s combined guarantees could cover 100 percent of the surety’s risk, thereby helping Indian businesses obtain performance and payment bonds required for construction and other contracts.

This bonding guarantee authority has never been utilized in practice, however, and remains essentially dormant.⁴⁸ In a December 2020 presentation, DOI’s Division of Capital Investment characterized the authority as “ripe for review,” but no action was taken under the Biden Administration.⁴⁹

II. Native American Incubators Program Act (2020)

The Native American Incubators Program Act directed DOI to establish the Indian Business Incubators Program, a competitive grant program to support business incubators providing

⁴⁴ “National Center APEX Accelerator”, National Center for American Indian Enterprise Development, <https://ncaied.org/what-we-do/apex/apex-home.html>.

⁴⁵ “Small Business Development Centers in Indian Country: Exploring access to a vital resource”, Federal Reserve Bank of Minneapolis, <https://www.minneapolisfed.org/article/2023/small-business-development-centers-in-indian-country-exploring-access-to-a-vital-resource>.

⁴⁶ 25 U.S.C. § 1497a.

⁴⁷ *Id.*

⁴⁸ “The Impact of Surety Bonding on American Indian and Tribally Owned Contractors”, Federal Reserve Bank of Minneapolis, https://www.minneapolisfed.org/-/media/files/pubs/cdpapers/surety_bonding_minge_and_twite_january_2014.pdf.

⁴⁹ “Indian Loan Guarantee and Insurance Program - Tribal Consultation” U.S. Department of the Interior, https://www.bia.gov/sites/default/files/dup/assets/as-ia/ieed/pdf/12_1_20_DCI_Consultation_Presentation508.pdf.

incubation services to Native entrepreneurs and businesses in reservation communities.⁵⁰ DOI issued a solicitation and made initial awards in 2022, but the program has not functioned as an annually recurring grant opportunity.⁵¹

III. Native American Tourism and Improving Visitor Experience Act (2016)

The Native American Tourism and Improving Visitor Experience Act requires the U.S. Department of Commerce (Commerce), DOI, and other federal agencies with recreational travel or tourism functions to update tourism initiatives and management plans to include Indian Tribes, tribal organizations, and NHOs.⁵² Implementation has largely proceeded through agency planning, coordination, and targeted efforts, such as DOI's tribal tourism technical assistance and grant activities. Because the Act did not establish a permanent mandatory funding stream, activity levels have depended on discretionary funding decisions and available resources.

IV. Bureau of Indian Affairs—Additional Economic Development and Capacity Programs

The Bureau of Indian Affairs (BIA) administers several grant and capacity-building programs related to economic and energy development, including the Native American Business Development Institute Grant Program,⁵³ Tribal Tourism Grant Program,⁵⁴ the Tribal Energy Development Capacity Grant,⁵⁵ and Energy and Mineral Development Grant.⁵⁶

Federal Offices with Tribal Coordination or Liaison Functions

Amid the proliferation of agency-specific programs, the executive branch has established a range of coordination bodies and liaison offices intended to improve communication, consultation, and information sharing related to tribal economic development. These entities reflect recognition of fragmentation as a barrier to entry, but most lack authority to align program rules, standardize application and compliance processes, or reduce duplicative requirements that increase transaction costs and hinder tribes' ability to scale, finance, and sustain economic development projects leveraged through agency programs.

⁵⁰ S.294, Native American Business Incubators Program Act, Congress.gov, <https://www.congress.gov/bill/116th-congress/senate-bill/294>.

⁵¹ "Indian Business Incubators Program (IBIP)", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/grants/ibip>.

⁵² S. 1579, NATIVE Act, Congress.gov, <https://www.congress.gov/bill/114th-congress/senate-bill/1579>.

⁵³ "Native American Business Development Institute (NABDI) Grant", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/grants/nabdi>.

⁵⁴ "Tribal Tourism Grant Program (TTGP)", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/grants/ttgp>.

⁵⁵ "Tribal Energy Development Capacity (TEDC) Grant", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/grants/tedc>.

⁵⁶ "Energy and Mineral Development Program (EMDP) Grant", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/service/grants/emdp>.

I. Executive Branch Tribal Coordination Mechanisms

A. White House Council on Native American Affairs (WHCNAA)

The White House Council on Native American Affairs (WHCNAA) is an interagency body established to coordinate federal policies affecting Tribal Nations and to facilitate tribal-federal engagement across the executive branch.⁵⁷ The WHCNAA includes more than 20 federal departments and agencies and is co-chaired by the Secretary of the Interior and the White House Office of Intergovernmental Affairs.⁵⁸

Within WHCNAA, the Economic Development, Energy, and Infrastructure Committee is intended to support coordination among agencies responsible for tribal economic development, infrastructure investment, and energy development.⁵⁹ Participating agencies include, among others, Commerce, DOE, SBA, and the U.S. Department of Transportation.⁶⁰

WHCNAA does not administer programs directly. Instead, it functions as a convening and coordination mechanism intended to reduce silos among agencies with overlapping authorities in Indian Country. While this coordination mechanism can improve awareness and dialogue, it does not materially reduce project timelines, financing complexity, or compliance costs for tribes seeking to execute economic development projects across agencies.

B. Tribal Access to Capital Clearinghouse

The Tribal Access to Capital Clearinghouse, developed through the WHCNAA, is an online database that centralizes information on federal grants, tax incentives, and financing programs available to tribes and Native businesses.⁶¹ The clearinghouse operates as a searchable repository of federal funding opportunities, many of which relate to economic development, infrastructure, and community development.

The clearinghouse does not establish new funding streams. Rather, it is intended to reduce information barriers by providing tribes with a single point of entry to identify potentially relevant federal programs. However, the program's effectiveness depends on agency participation, the accuracy and timeliness of program information, and tribal awareness and utilization of the tool, and these factors vary widely both within the U.S. government and in Indian Country.

⁵⁷ "White House Council on Native American Affairs", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/whcnaa>.

⁵⁸ "WHCNAA Committee on Economic Development, Energy and Infrastructure", U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/whcnaa/economic-development-energy-infrastructure-committee>.

⁵⁹ *Id.*

⁶⁰ *Id.*

⁶¹ "Access to Capital Clearinghouse", U.S. Department of the Interior, Bureau of Indian Affairs, https://www.bia.gov/atc/search?sortBy=date_added_desc&sortGrantsFirst=true&page=1.

II. Department-Level Offices with Tribal Coordination and Liaison Functions

In addition to WHCNA, multiple federal departments maintain offices dedicated to tribal coordination, consultation, or liaison functions related to tribal economic development. These offices primarily operate within their respective agencies, support agency-specific programs, and serve as points of contact for Tribal Nations. While they can improve communication and awareness, they do not serve as central coordinating bodies and generally lack authority to align program rules, standardize processes, or reduce duplicative administrative requirements across departments. Examples of such offices include:

A. Department of the Interior—Office of Indian Economic Development (OIED)

OIED administers DOI-specific economic development and capacity-building programs.⁶²

B. U.S. Department of Agriculture—Office of Tribal Relations

USDA’s Office of Tribal Relations supports coordination, consultation, and outreach on USDA programs that affect tribal communities.⁶³

C. Small Business Administration (SBA) — Office of Native American Affairs (ONAA)

SBA’s Office of Native American Affairs (ONAA) provides outreach and serves as a focal point for Native participation in SBA lending, contracting, and business development programs.⁶⁴

D. Department of the Treasury—Office of Tribal and Native Affairs

Treasury’s Office of Tribal and Native Affairs coordinates tribal consultation and advises Treasury and Internal Revenue Service personnel on tribal tax, finance, and capital access issues relevant to economic development.⁶⁵

E. Department of Energy—Office of Indian Energy Policy and Programs

DOE’s Office of Indian Energy Policy and Programs provides outreach and technical assistance related to tribal energy planning, development, and infrastructure.⁶⁶

⁶² “Office of Indian Economic Development”, U.S. Department of the Interior, Bureau of Indian Affairs, <https://www.bia.gov/as-ia/ied>.

⁶³ “Office of Tribal Relations – About Us”, U.S. Department of Agriculture, <https://www.usda.gov/about-usda/general-information/staff-offices/office-tribal-relations>.

⁶⁴ “Office of Native American Affairs” U.S. Small Business Administration, <https://www.sba.gov/about-sba/sba-locations/headquarters-offices/office-native-american-affairs>.

⁶⁵ “Tribal Affairs”, U.S. Department of the Treasury, <https://home.treasury.gov/policy-issues/tribal-affairs>.

⁶⁶ “Office of Indian Energy Policy and Programs”, U.S. Department of Energy, <https://www.energy.gov/indianenergy/office-indian-energy-policy-and-programs>.

F. Department of Commerce—Office of Native American Business Development (ONABD)

The Native American Business Development, Trade Promotion, and Tourism Act of 2000 established the Office of Native American Business Development (ONABD) within Commerce to promote Native business development, trade, and tourism, as well as to coordinate Commerce’s activities affecting Indian Country.⁶⁷ The Indian Community Economic Enhancement Act of 2020 expanded and elevated ONABD’s statutory authorities within Commerce.⁶⁸

ONABD is authorized to perform coordination, advocacy, and trade promotion functions rather than to administer standalone grant or lending programs.⁶⁹ While ONABD’s statutory authority remains in effect, the office does not currently appear to operate as a distinct, publicly visible organizational unit.

Conclusion

Taken together, federal economic development efforts affecting Indian Country reflect a complex mix of longstanding statutory authorities, newer programmatic initiatives, and diverse coordination mechanisms administered across multiple federal agencies. While Congress has repeatedly acted to expand access and promote tribal self-determination, the resulting framework remains fragmented, requiring tribes to navigate duplicative processes, inconsistent standards, and lengthy approval timelines.

The central challenge is not a lack of federal economic development programs, but a federal system that is difficult to navigate and use effectively. Without deregulation and greater alignment across federal departments, tribes will continue to face high transaction costs and limited ability to scale successful economic strategies across programs, regardless of the number or size of individual federal initiatives.

Addressing these challenges may require a range of approaches, including administrative actions to improve coordination and implementation, as well as legislative consideration of how existing authorities are structured, aligned, and deployed. Understanding whether barriers are statutory or administrative is essential to identifying solutions that respect tribal self-determination by removing unnecessary federal barriers to tribal decision-making while improving program accessibility and effectiveness.

⁶⁷ P.L. 106-464, 25 U.S.C. § 4303.

⁶⁸ P.L. 116-261.

⁶⁹ “TRIBAL ECONOMIC DEVELOPMENT Action Is Needed to Better Understand the Extent of Federal Support”, U.S. Government Accountability Office, Page 17, <https://www.gao.gov/assets/730/722294.pdf>.