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[Report No. 114-]

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## IN THE HOUSE OF REPRESENTATIVES

APRIL 26, 2016

Referred to the Committee on Natural Resources, and in addition to the Committees on Energy and Commerce, and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

SEPTEMBER --, 2016

Reported from the Committee on Natural Resources

# **A BILL**

To enhance and integrate Native American tourism, empower Native American communities, increase coordination and collaboration between Federal tourism assets, and expand heritage and cultural tourism opportunities in the United States.

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 Tour-  
5 ism and Improving Visitor Experience Act” or the “NA-  
6 TIVE Act”.

7 **SEC. 2. PURPOSES.**

8        The purposes of this Act are—

9            (1) to enhance and integrate Native American  
10 tourism—

11            (A) to empower Native American commu-  
12 nities; and

13            (B) to advance the National Travel and  
14 Tourism Strategy;

15            (2) to increase coordination and collaboration  
16 between Federal tourism assets to support Native  
17 American tourism and bolster recreational travel and  
18 tourism;

19            (3) to expand heritage and cultural tourism op-  
20 portunities in the United States to spur economic  
21 development, create jobs, and increase tourism reve-  
22 nues;

23            (4) to enhance and improve self-determination  
24 and self-governance capabilities in the Native Amer-

1        ican community and to promote greater self-suffi-  
2        ciency;

3            (5) to encourage Indian tribes, tribal organiza-  
4        tions, and Native Hawaiian organizations to engage  
5        more fully in Native American tourism activities to  
6        increase visitation to rural and remote areas in the  
7        United States that are too difficult to access or are  
8        unknown to domestic travelers and international  
9        tourists;

10           (6) to provide grants, loans, and technical as-  
11        sistance to Indian tribes, tribal organizations, and  
12        Native Hawaiian organizations that will—

13            (A) spur important infrastructure develop-  
14        ment;

15            (B) increase tourism capacity; and

16            (C) elevate living standards in Native  
17        American communities; and

18           (7) to support the development of techno-  
19        logically innovative projects that will incorporate rec-  
20        reational travel and tourism information and data  
21        from Federal assets to improve the visitor experi-  
22        ence.

23        **SEC. 3. DEFINITIONS.**

24        In this Act:

1           (1) AGENCY.—The term “agency” has the  
2 meaning given the term in section 551 of title 5,  
3 United States Code.

4           (2) INDIAN TRIBE.—The term “Indian tribe”  
5 has the meaning given the term in section 4 of the  
6 Indian Self-Determination and Education Assistance  
7 Act (25 U.S.C. 450b).

8           (3) NATIVE HAWAIIAN ORGANIZATION.—The  
9 term “Native Hawaiian organization” means a non-  
10 profit organization—

11                 (A) that serves the interests of Native Ha-  
12 waiians;

13                 (B) in which Native Hawaiians serve in  
14 substantive and policymaking positions; and

15                 (C) that is recognized for having expertise  
16 in Native Hawaiian culture and heritage, in-  
17 cluding tourism.

18           (4) TRIBAL ORGANIZATION.—The term “tribal  
19 organization” has the meaning given the term in  
20 section 4 of the Indian Self-Determination and Edu-  
21 cation Assistance Act (25 U.S.C. 450b).

1 **SEC. 4. INTEGRATING FEDERAL TOURISM ASSETS TO**  
2 **STRENGTHEN NATIVE TOURISM OPPORTUNI-**  
3 **TIES.**

4 (a) SECRETARY OF COMMERCE AND SECRETARY OF  
5 THE INTERIOR.—The Secretary of Commerce and the  
6 Secretary of the Interior shall update the respective man-  
7 agement plans and tourism initiatives of the Department  
8 of Commerce and the Department of the Interior to in-  
9 clude Indian tribes, tribal organizations, and Native Ha-  
10 waiian organizations.

11 (b) OTHER AGENCIES.—The head of each agency  
12 that has recreational travel or tourism functions or com-  
13 plementary programs shall update the respective manage-  
14 ment plans and tourism strategies of the agency to include  
15 Indian tribes, tribal organizations, and Native Hawaiian  
16 organizations.

17 (c) NATIVE AMERICAN TOURISM PLANS.—

18 (1) IN GENERAL.—The plans shall outline pol-  
19 icy proposals—

20 (A) to improve travel and tourism data col-  
21 lection and analysis;

22 (B) to increase the integration, alignment,  
23 and utility of public records, publications, and  
24 Web sites maintained by Federal agencies;

25 (C) to create a better user experience for  
26 domestic travelers and international visitors;

1 (D) to align Federal agency Web sites and  
2 publications;

3 (E) to support national tourism goals;

4 (F) to identify agency programs that could  
5 be used to support tourism capacity building  
6 and help sustain tourism infrastructure in Na-  
7 tive American communities;

8 (G) to develop innovative visitor portals for  
9 parks, landmarks, heritage and cultural sites,  
10 and assets that showcase and respect the diver-  
11 sity of the indigenous peoples of the United  
12 States;

13 (H) to share local Native American herit-  
14 age through the development of bilingual inter-  
15 pretive and directional signage that could in-  
16 clude or incorporate English and the local Na-  
17 tive American language or languages; and

18 (I) to improve access to transportation  
19 programs related to Native American commu-  
20 nity capacity building for tourism and trade, in-  
21 cluding transportation planning for programs  
22 related to visitor enhancement and safety.

23 (2) CONSULTATION WITH INDIAN TRIBES AND  
24 NATIVE AMERICANS.—In developing the plan under  
25 paragraph (1), the head of each agency shall consult

1 with Indian tribes and the Native American commu-  
2 nity to identify appropriate levels of inclusion of the  
3 Indian tribes and Native Americans in Federal tour-  
4 ism activities, public records and publications, in-  
5 cluding Native American tourism information avail-  
6 able on Web sites.

7 (d) TECHNICAL ASSISTANCE.—

8 (1) IN GENERAL.—The Secretary of the Inte-  
9 rior, in consultation with the Secretary of Com-  
10 merce, shall enter into a memorandum of under-  
11 standing or cooperative agreement with an entity or  
12 organization with a demonstrated record in tribal  
13 communities of defining, introducing, developing,  
14 and sustaining American Indian, Alaska Native, and  
15 Native Hawaiian tourism and related activities in a  
16 manner that respects and honors native traditions  
17 and values.

18 (2) COORDINATION.—The memorandum of un-  
19 derstanding or cooperative agreement described in  
20 paragraph (1) shall formalize a role for the organi-  
21 zation or entity to serve as a facilitator between the  
22 Secretary of the Interior and the Secretary of Com-  
23 merce and the Indian tribes, tribal organizations,  
24 and Native Hawaiian organizations—



1           (A) to identify areas where technical as-  
2           sistance is needed through consultations with  
3           Indian tribes, tribal organizations, and Native  
4           Hawaiian organizations to empower the Indian  
5           tribes, tribal organizations, and Native Hawai-  
6           ian organizations to participate fully in the  
7           tourism industry; and

8           (B) to provide a means for the delivery of  
9           technical assistance and coordinate the delivery  
10          of the assistance to Indian tribes, tribal organi-  
11          zations, and Native Hawaiian organizations in  
12          collaboration with the Secretary of the Interior,  
13          the Secretary of Commerce, and other entities  
14          with distinctive experience, as appropriate.

15          (3) FUNDING.—Subject to the availability of  
16          appropriations, the head of each Federal agency, in-  
17          cluding the Secretary of the Interior, the Secretary  
18          of Commerce, the Secretary of Transportation, the  
19          Secretary of Agriculture, the Secretary of Health  
20          and Human Services, and the Secretary of Labor  
21          shall obligate any funds made available to the head  
22          of the agency to cover any administrative expenses  
23          incurred by the organization or entity described in  
24          paragraph (1) in carrying out programs or activities  
25          of the agency.

1           (4) METRICS.—The Secretary of the Interior  
2           and the Secretary of Commerce shall coordinate with  
3           the organization or entity described in paragraph (1)  
4           to develop metrics to measure the effectiveness of  
5           the entity or organization in strengthening tourism  
6           opportunities for Indian tribes, tribal organizations,  
7           and Native Hawaiian organizations.

8           (e) REPORTS.—Not later than 1 year after the date  
9           of enactment of this Act, and occasionally thereafter, the  
10          Secretary of the Interior and the Secretary of Commerce  
11          shall each submit to the Committee on Indian Affairs of  
12          the Senate and the Committee on Natural Resources of  
13          the House of Representatives a report that describes—

14                (1) the manner in which the Secretary of the  
15                Interior or the Secretary of Commerce, as applica-  
16                ble, is including Indian tribes, tribal organizations,  
17                and Native Hawaiian organizations in management  
18                plans;

19                (2) the efforts of the Secretary of the Interior  
20                or the Secretary of Commerce, as applicable, to de-  
21                velop departmental and agency tourism plans to sup-  
22                port tourism programs of Indian tribes, tribal orga-  
23                nizations, and Native Hawaiian organizations;

24                (3) the manner in which the entity or organiza-  
25                tion described in subsection (d)(1) is working to pro-

1 mote tourism to empower Indian tribes, tribal orga-  
2 nizations, and Native Hawaiian organizations to par-  
3 ticipate fully in the tourism industry; and

4 (4) the effectiveness of the entity or organiza-  
5 tion described in subsection (d)(1) based on the  
6 metrics developed under subsection (d)(4).

7 **SEC. 5. NATIVE AMERICAN TOURISM AND BRANDING EN-**  
8 **HANCEMENT.**

9 (a) IN GENERAL.—The head of each agency shall—

10 (1) take actions that help empower Indian  
11 tribes, tribal organizations, and Native Hawaiian or-  
12 ganizations to showcase the heritage, foods, tradi-  
13 tions, history, and continuing vitality of Native  
14 American communities;

15 (2) support the efforts of Indian tribes, tribal  
16 organizations, and Native Hawaiian organizations—

17 (A) to identify and enhance or maintain  
18 traditions and cultural features that are impor-  
19 tant to sustain the distinctiveness of the local  
20 Native American community; and

21 (B) to provide visitor experiences that are  
22 authentic and respectful;

23 (3) provide assistance to interpret the connec-  
24 tions between the indigenous peoples of the United

1 States and the national identity of the United  
2 States;

3 (4) enhance efforts to promote understanding  
4 and respect for diverse cultures and subcultures in  
5 the United States and the relevance of those cul-  
6 tures to the national brand of the United States;  
7 and

8 (5) enter into appropriate memoranda of under-  
9 standing and establish public-private partnerships to  
10 ensure that arriving domestic travelers at airports  
11 and arriving international visitors at ports of entry  
12 are welcomed in a manner that both showcases and  
13 respects the diversity of Native American commu-  
14 nities.

15 (b) GRANTS.—To the extent practicable, grant pro-  
16 grams relating to travel, recreation, or tourism adminis-  
17 tered by the Commissioner of the Administration for Na-  
18 tive Americans, Chairman of the National Endowment for  
19 the Arts, Chairman of the National Endowment for the  
20 Humanities, or the head of an agency with assets or re-  
21 sources relating to travel, recreation, or tourism promotion  
22 or branding enhancement for which Indian tribes, tribal  
23 organizations, or Native Hawaiian organizations are eligi-  
24 ble may be used—

1           (1) to support the efforts of Indian tribes, tribal  
2 organizations, and Native Hawaiian organizations to  
3 tell the story of Native Americans as the First Peo-  
4 ples of the United States;

5           (2) to use the arts and humanities to help revi-  
6 talize Native communities, promote economic devel-  
7 opment, increase livability, and present the unique-  
8 ness of the United States to visitors in a way that  
9 celebrates the diversity of the United States; and

10           (3) to carry out this section.

11       (c) SMITHSONIAN.—The Advisory Council and the  
12 Board of Regents of the Smithsonian Institution shall  
13 work with Indian tribes, tribal organizations, Native Ha-  
14 waiian organizations, and nonprofit organizations to es-  
15 tablish long-term partnerships with non-Smithsonian mu-  
16 seums and educational and cultural organizations—

17           (1) to share collections, exhibitions, interpretive  
18 materials, and educational strategies; and

19           (2) to conduct joint research and collaborative  
20 projects that would support tourism efforts for In-  
21 dian tribes, tribal organizations, and Native Hawai-  
22 ian organizations and carry out the intent of this  
23 section.

1 **SEC. 6. EFFECT.**

2       Nothing in this Act alters, or demonstrates congres-  
3 sional support for the alteration of, the legal relationship  
4 between the United States and any American Indian,  
5 Alaska Native, or Native Hawaiian individual, group, or-  
6 ganization, or entity.