

119TH CONGRESS  
1ST SESSION

# H. R. 4085

To establish Haskell Indian Nations University as a federally chartered educational institution to fulfill the treaty and trust responsibility of the Federal Government to Indians, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 23, 2025

Mr. MANN (for himself and Mr. SCHMIDT) introduced the following bill; which was referred to the Committee on Education and Workforce, and in addition to the Committees on Ways and Means, and Natural Resources, 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

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## A BILL

To establish Haskell Indian Nations University as a federally chartered educational institution to fulfill the treaty and trust responsibility of the Federal Government to Indians, and for other purposes.

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 “Haskell Indian Nations  
5 University Improvement Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds that—

3 (1) a high quality, culturally relevant education  
4 for Indians is essential for the survival and strength-  
5 ening of Indian Tribes and Indian nations through-  
6 out the United States;

7 (2) the Haskell Indian Industrial Training  
8 School was established by the United States Army  
9 in 1884, with the School renamed the Haskell Insti-  
10 tute in 1887 and operated as an elementary and  
11 high school for Indian children until 1965;

12 (3) in 1967—

13 (A) the curriculum of the Haskell Institute  
14 evolved to offer 2-year degrees; and

15 (B) the Institute was renamed Haskell In-  
16 dian Junior College;

17 (4) over the years, the Haskell Indian Junior  
18 College—

19 (A) continued to develop and begin offer-  
20 ing 4-year bachelor's degrees in 4 areas of  
21 study;

22 (B) received accreditation; and

23 (C) in 1993, was renamed Haskell Indian  
24 Nations University (referred to in this section  
25 as the “University”);

1           (5) the University has been a unique Federal  
2           educational institution within the Bureau of Indian  
3           Education that is managed by the Secretary and  
4           funded through appropriations by Congress;

5           (6) the University provides tuition-free higher  
6           education services to more than 900 Indian students  
7           every year who represent approximately 140 Indian  
8           nations and Indian Tribes throughout the United  
9           States;

10          (7) the 320-acre campus of the University is lo-  
11          cated in Lawrence, Kansas, with 12 of the 44 total  
12          buildings of the University listed as National His-  
13          toric Landmarks;

14          (8) unlike many other public and private insti-  
15          tutions of higher education, the University is solely  
16          dependent on Federal funding;

17          (9) in recent years, the Bureau of Indian Edu-  
18          cation and the administration of the University have  
19          struggled—

20                 (A) to fulfill the educational mission of the  
21                 University to its Indian students;

22                 (B) to maintain the facilities of the Uni-  
23                 versity in good repair and operation; and

24                 (C) to maintain the extracurricular pro-  
25                 grams of the University;

1           (10) the administration of the University has  
2           failed to properly manage the funds under its cus-  
3           tody or to provide a safe and secure environment for  
4           its students, subjecting the University to recent con-  
5           gressional inquiry; and

6           (11) in order for the Federal Government to  
7           fulfill its responsibilities to provide a high quality  
8           education to Indians, it is desirable to establish the  
9           University as a federally chartered corporation with  
10          an independent board of trustees to operate the Uni-  
11          versity, with financial support from the Federal Gov-  
12          ernment and the opportunity to raise private funds  
13          to support the educational mission of the University.

14 **SEC. 3. PURPOSES.**

15          The purposes of this Act are—

16               (1) to establish Haskell Indian Nations Univer-  
17               sity as a federally chartered educational institution;

18               (2) to provide the University with independence  
19               from the management authority of the Bureau of In-  
20               dian Education and improve the ability of the Uni-  
21               versity to provide a high-quality education to Indian  
22               students;

23               (3) to establish the University with the tax sta-  
24               tus of a charitable organization to accept private do-  
25               nations; and

1 (4) to affirm the treaty and trust responsibility  
2 of the Federal Government to Indians.

3 **SEC. 4. DEFINITIONS.**

4 In this Act:

5 (1) APPROPRIATE COMMITTEES OF CON-  
6 GRESS.—The term “appropriate committees of Con-  
7 gress” means—

8 (A) the Committee on Appropriations of  
9 the Senate;

10 (B) the Committee on Health, Education,  
11 Labor, and Pensions of the Senate;

12 (C) the Committee on Indian Affairs of the  
13 Senate;

14 (D) the Committee on Appropriations of  
15 the House of Representatives;

16 (E) the Committee on Education and  
17 Workforce of the House of Representatives; and

18 (F) the Committee on Natural Resources  
19 of the House of Representatives.

20 (2) BOARD.—The term “Board” means the  
21 Board of Trustees of the University established by  
22 section 8(a).

23 (3) CONTRIBUTION.—The term “contribution”  
24 means a monetary payment made by the University

1 towards the health and retirement plans of an em-  
2 ployee of the University.

3 (4) INDIAN TRIBE.—The term “Indian Tribe”  
4 means an Indian or Alaska Native tribe, band, na-  
5 tion, pueblo, village, or community that the Sec-  
6 retary recognizes as an Indian Tribe pursuant to  
7 section 104(a) of the Federally Recognized Indian  
8 Tribe List Act of 1994 (25 U.S.C. 5131(a)).

9 (5) INDIAN TRIBES OF KANSAS.—The term “In-  
10 dian Tribes of Kansas” means—

11 (A) the Prairie Band Potawatomi Nation;

12 (B) the Kickapoo Tribe of Indians of the  
13 Kickapoo Reservation in Kansas;

14 (C) the Sac and Fox Nation of Missouri in  
15 Kansas and Nebraska; and

16 (D) the Iowa Tribe of Kansas and Ne-  
17 braska.

18 (6) ISDEAA TERMS.—The terms “Indian” and  
19 “Tribal organization” have the meanings given those  
20 terms in section 4 of the Indian Self-Determination  
21 and Education Assistance Act (25 U.S.C. 5304).

22 (7) LEGACY INSTITUTION.—The term “legacy  
23 institution” means the Haskell Indian Nations Uni-  
24 versity, as operated by the Bureau of Indian Edu-  
25 cation before the date of enactment of this Act.

1           (8) SECRETARY.—The term “Secretary” means  
2           the Secretary of the Interior.

3           (9) UNIVERSITY.—Except as provided in sec-  
4           tion 2, the term “University” means the Haskell In-  
5           dian Nations University, the federally chartered cor-  
6           poration established by section 5(a).

7 **SEC. 5. ESTABLISHMENT OF HASKELL INDIAN NATIONS**  
8                               **UNIVERSITY AS A FEDERALLY CHARTERED**  
9                               **CORPORATION.**

10          (a) IN GENERAL.—There is established a federally  
11          chartered corporation, to be known as the “Haskell Indian  
12          Nations University”, which shall be under the direction  
13          and control of the Board.

14          (b) SUCCESSION; AMENDMENT OF CHARTER.—

15               (1) SUCCESSION.—The University shall have  
16               succession until dissolved by an Act of Congress.

17               (2) AMENDMENT OF CHARTER.—Congress may  
18               revise or amend the charter of the University.

19 **SEC. 6. FUNCTIONS OF UNIVERSITY.**

20          (a) PRIMARY FUNCTIONS.—The primary functions of  
21          the University shall be—

22               (1) to provide tuition-free, scholarly study for  
23               Indians; and

1           (2) to establish programs that culminate in the  
2           awarding of degrees and certificates in the various  
3           fields for which the University is accredited.

4           (b) ADMINISTRATIVE ENTITIES.—

5           (1) IN GENERAL.—The Board shall be respon-  
6           sible for establishing the policies and internal orga-  
7           nization that relate to the control and monitoring of  
8           all subdivisions, administrative entities, and depart-  
9           ments of the University.

10          (2) RESPONSIBILITY OF BOARD.—The specific  
11          responsibilities of each subdivision, entity, and de-  
12          partment of the University are solely within the dis-  
13          cretion of the Board, or the designee of the Board.

14          (3) DEPARTMENTS OF STUDY.—The Board  
15          shall establish, within the University, departments of  
16          study.

17          (c) OTHER PROGRAMS.—In addition to the depart-  
18          ments and programs described in subsection (b), the Uni-  
19          versity shall develop such departments and programs as  
20          the Board, or the designee of the Board, determines are  
21          necessary.

22   **SEC. 7. RELATIONSHIP TO SECRETARY OF THE INTERIOR.**

23          The Secretary shall provide grants and related assist-  
24          ance to the University.



1 **SEC. 8. BOARD OF TRUSTEES.**

2 (a) ESTABLISHMENT.—There is established a Board  
3 of Trustees for the University.

4 (b) COMPOSITION.—

5 (1) IN GENERAL.—The Board shall be com-  
6 posed of 15 voting members and 1 nonvoting mem-  
7 ber, in accordance with the following:

8 (A) VOTING MEMBERS.—

9 (i) IN GENERAL.—In accordance with  
10 the procedures established by the Secretary  
11 under paragraph (2)(B), the voting mem-  
12 bers of the Board shall be appointed by the  
13 President, by and with the advice and con-  
14 sent of the Senate, from among individuals  
15 who—

16 (I) are enrolled members of In-  
17 dian Tribes;

18 (II) are widely recognized in the  
19 field of education, as determined by  
20 the President; and

21 (III) represent diverse fields of  
22 expertise, including finance, law, high-  
23 er education, and Tribal leadership.

24 (ii) INITIAL APPOINTMENTS.—Of the  
25 voting members of the Board first ap-  
26 pointed under clause (i)—

1 (I) 12 shall be designees of each  
2 of the 12 regions of the Bureau of In-  
3 dian Affairs in existence as of the  
4 date of enactment of this Act;

5 (II) 1 shall be a designee of the  
6 Indian Tribes of Kansas;

7 (III) 1 shall be a member of the  
8 Haskell Indian Nations University  
9 Alumni Association; and

10 (IV) 1 shall be an at-large mem-  
11 ber of an Indian Tribe.

12 (B) NONVOTING MEMBER.—The nonvoting  
13 member of the Board shall be the president of  
14 the student body of the University, ex officio.

15 (2) REQUIREMENTS FOR APPOINTMENT OF  
16 VOTING MEMBERS.—

17 (A) IN GENERAL.—In appointing the vot-  
18 ing members of the Board under paragraph  
19 (1)(A), the President shall—

20 (i) consult with Indian Tribes and  
21 Tribal organizations;

22 (ii) publish in the Federal Register an  
23 announcement of the expiration of terms  
24 not less than 120 days before that expira-  
25 tion;

1 (iii) solicit nominations from members  
2 of Indian Tribes and Tribal organizations  
3 in each of the 12 regions of the Bureau of  
4 Indian Affairs in existence as of the date  
5 of enactment of this Act;

6 (iv) give due consideration to the ap-  
7 pointment of individuals who will provide  
8 appropriate regional and Tribal representa-  
9 tion on the Board; and

10 (v) ensure that those members are en-  
11 rolled members of Indian Tribes.

12 (B) NOMINATION PROCEDURES.—

13 (i) IN GENERAL.—Not later than 90  
14 days after the date of enactment of this  
15 Act, the Secretary shall establish, and pub-  
16 lish in the Federal Register, procedures for  
17 facilitating nominations to the Board de-  
18 scribed in subparagraph (A)(iii).

19 (ii) REQUIREMENTS.—The nomination  
20 procedures established pursuant to clause  
21 (i) shall establish the following:

22 (I) A date, which shall be not  
23 later than 60 days after the date on  
24 which the procedures are established,  
25 by which members of Indian Tribes

1 and Tribal organizations described in  
2 subparagraph (A)(iii) shall submit  
3 nominations for the Board.

4 (II) A date, which shall be not  
5 later than 90 days after the date de-  
6 scribed in subclause (I), by which the  
7 nominations described in that sub-  
8 clause shall be submitted to the Presi-  
9 dent.

10 (III) Procedures by which the  
11 President shall review nominations de-  
12 scribed in subclause (II), including the  
13 conduct of interviews.

14 (IV) A date, which shall be not  
15 later than 90 days after the date de-  
16 scribed in subclause (II), by which the  
17 President shall appoint the voting  
18 members of the Board under para-  
19 graph (1)(A)(i) from among the nomi-  
20 nations described in subclause (II).

21 (iii) NO SUBMISSION OF NOMINATION  
22 FROM CERTAIN REGIONS.—If no nomina-  
23 tion is received from a geographic region of  
24 the Bureau of Indian Affairs under sub-  
25 paragraph (A)(iii), the President shall ap-

1 point to the Board under paragraph (1)(A)  
2 an individual from that geographic region  
3 that—

4 (I) notwithstanding subclause (I)  
5 of clause (i) of that paragraph, is not  
6 a member of an Indian Tribe; and

7 (II) meets the qualifications de-  
8 scribed in subclauses (II) and (III) of  
9 that clause.

10 (C) CARRYING OUT REQUIREMENTS  
11 THROUGH THE BOARD.—

12 (i) IN GENERAL.—The President shall  
13 carry out the requirements described in  
14 clauses (ii) and (iii) of subparagraph (A)  
15 through the Board.

16 (ii) RECOMMENDATIONS BY BOARD.—  
17 The Board shall—

18 (I) make recommendations to the  
19 President based on the nominations  
20 received from Indian Tribes and Trib-  
21 al organizations under subparagraph  
22 (A)(iii);

23 (II) make recommendations of its  
24 own; and

1 (III) review and provide com-  
2 ments to the President on individuals  
3 being considered by the President for  
4 whom no nominations have been re-  
5 ceived.

6 (3) NONVOTING MEMBER.—The nonvoting  
7 member of the Board shall be entitled—

8 (A) to attend all meetings of the Board;  
9 and

10 (B) to provide advice to the Board on any  
11 matter relating to the University.

12 (4) BACKGROUND CHECKS; MINIMUM STAND-  
13 ARDS.—

14 (A) BACKGROUND CHECKS FOR INITIAL  
15 MEMBERS.—

16 (i) IN GENERAL.—The initial mem-  
17 bers nominated or appointed to the Board  
18 under paragraph (1)(A)(i) shall undergo a  
19 background check in accordance with this  
20 subparagraph.

21 (ii) REQUIREMENTS.—A background  
22 check conducted pursuant to clause (i)  
23 shall—

24 (I) be facilitated by the Secretary  
25 of Education;

1 (II) include a fingerprint check  
2 conducted by the Federal Bureau of  
3 Investigation; and

4 (III) include an investigation con-  
5 ducted by the Office of Personnel  
6 Management.

7 (B) MINIMUM STANDARDS FOR SUCCESSIVE MEMBERS.—In the bylaws of the Board  
8 established under subsection (h)(3), the Board  
9 shall establish minimum standards for the con-  
10 duct of background checks for successive mem-  
11 bers of the Board nominated and appointed  
12 pursuant to a vacancy on the Board under sub-  
13 section (d), which shall—

14 (i) be equivalent to background check  
15 standards carried out by Federal education  
16 agencies; and

17 (ii) allow the Board to contract serv-  
18 ices from Federal agencies, including the  
19 Office of Personnel Management, to con-  
20 duct those background checks.

21 (c) TERMS OF OFFICE.—

22 (1) IN GENERAL.—Except as otherwise pro-  
23 vided in this section, voting members of the Board  
24 shall be appointed for a term of 6 years.  
25

1           (2) RESTRICTION ON TERMS.—Except as pro-  
2       vided in subsection (j), no member of the Board ap-  
3       pointed under subsection (b)(1)(A)(i) shall be eligi-  
4       ble to serve more than 3 consecutive terms, subject  
5       to the condition that the member may continue to  
6       serve until the successor of the member is appointed.

7       (d) VACANCIES.—A member of the Board appointed  
8       under subsection (b)(1)(A)(i) to fill a vacancy occurring  
9       before the expiration of the term to which the predecessor  
10      of the member was appointed shall be appointed—

11           (1) for the remainder of that term; and

12           (2) in the same manner as the original appoint-  
13      ment was made, in accordance with subsection  
14      (b)(1)(A)(ii).

15      (e) REMOVAL.—

16           (1) IN GENERAL.—On a vote of  $\frac{3}{4}$  of the mem-  
17      bers of the Board, any member of the Board may  
18      be removed by the President for neglect of duty or  
19      malfeasance in office.

20           (2) NO EFFECT ON POWERS OF BOARD.—A va-  
21      cancy in the Board shall not impair the right of the  
22      remaining members of the Board to exercise the  
23      powers of the Board.

24      (f) CHAIRMAN AND VICE CHAIRMAN.—



1           (1) IN GENERAL.—The President shall des-  
 2           ignate the initial Chairman and Vice Chairman of  
 3           the Board from among the members of the Board  
 4           appointed under subsection (b)(1)(A)(i), who shall  
 5           each serve for a term of 1 year.

6           (2) SUCCESSIVE CHAIRMEN AND VICE CHAIR-  
 7           MEN.—On expiration of the term of the initial  
 8           Chairman and Vice Chairman of the Board des-  
 9           ignated under paragraph (1), the Chairman and  
 10          Vice Chairman shall—

11                   (A) be elected from among the members of  
 12           the Board appointed under subsection  
 13           (b)(1)(A)(i); and

14                   (B) serve for a term of 2 years.

15          (3) VACANCIES.—In the case of a vacancy in  
 16          the office of Chairman or Vice Chairman of the  
 17          Board—

18                   (A) the vacancy shall be filled by the mem-  
 19           bers of the Board appointed pursuant to sub-  
 20           section (b)(1)(A)(i); and

21                   (B) the member filling that vacancy shall  
 22           serve for the remainder of the unexpired term.

23          (g) QUORUM.—Unless otherwise provided by the by-  
 24          laws of the University, a majority of the members of the

1 Board appointed under subsection (b)(1)(A)(i) shall con-  
2 stitute a quorum.

3 (h) POWERS.—The Board may—

4 (1) formulate the policy of the University;

5 (2) direct the management of the University;

6 and

7 (3) make such bylaws and rules as the Board  
8 determines necessary for the administration of its  
9 functions under this Act, including the organization  
10 and procedures of the Board.

11 (i) COMPENSATION.—

12 (1) IN GENERAL.—Members of the Board ap-  
13 pointed under subsection (b)(1)(A)(i) shall, for each  
14 day the members are engaged in the performance of  
15 the duties under this Act, receive compensation per  
16 day, including travel time, at a rate specified by the  
17 Board, which shall be—

18 (A) determined in consultation with the  
19 Secretary; and

20 (B) published through an official notice  
21 after the rate is finalized.

22 (2) TRAVEL EXPENSES.—All members of the  
23 Board, while serving away from their homes or reg-  
24 ular places of business, shall be allowed travel ex-  
25 penses (including per diem in lieu of subsistence), as

1 authorized by section 5703 of title 5, United States  
2 Code, for persons in Government service employed  
3 intermittently.

4 (j) APPOINTMENT EXCEPTION FOR CONTINUITY.—

5 (1) IN GENERAL.—In order to maintain the sta-  
6 bility and continuity of the Board, the Board shall  
7 have the power to recommend the continuation of  
8 members on the Board pursuant to this subsection.

9 (2) NOTIFICATION OF PRESIDENT.—When the  
10 Board makes a recommendation under paragraph  
11 (1), the Chairman of the Board shall submit the rec-  
12 ommendation to the President not later than 75  
13 days prior to the expiration of the term of the appli-  
14 cable member.

15 (3) REAPPOINTMENT.—If the President has not  
16 transmitted to the Senate a nomination to fill the  
17 position of a member covered by a recommendation  
18 made under paragraph (1) by the date that is 60  
19 days after the date on which the term of the member  
20 expires, the member shall be deemed to have been  
21 reappointed for another full term to the Board, with  
22 all the appropriate rights and responsibilities.

23 **SEC. 9. POWERS OF THE BOARD.**

24 (a) IN GENERAL.—In carrying out this Act, the  
25 Board shall have the power, in accordance with this Act—

1           (1) to adopt, use, and alter a corporate seal;

2           (2) to make agreements and contracts with per-  
3       sons, Indian Tribes, and private or governmental en-  
4       tities;

5           (3) to sue and be sued in its corporate name  
6       and to complain and defend in any court of com-  
7       petent jurisdiction;

8           (4) to represent itself, or to contract for rep-  
9       resentation, in all judicial, legal, and other pro-  
10      ceedings;

11          (5)(A) with the approval of the Federal agency  
12      concerned, to make use of services, facilities, and  
13      property of any board, commission, independent es-  
14      tablishment, or executive agency or department of  
15      the Executive Branch in carrying out this Act; and

16          (B) to pay for that use (with those payments to  
17      be credited to the applicable appropriation that in-  
18      curred the expense);

19          (6) to use the United States mails on the same  
20      terms and conditions as the executive departments  
21      of the Federal Government;

22          (7) to obtain the services of experts and con-  
23      sultants in accordance with the provisions of section  
24      3109 of title 5, United States Code, and to accept  
25      and utilize the services of voluntary and noncom-

1        compensated personnel and reimburse that personnel for  
2        travel expenses, including per diem, as authorized by  
3        section 5703 of that title;

4            (8) to acquire, hold, maintain, use, and operate  
5        such real property, including improvements thereon,  
6        personal property, equipment, and other items, as  
7        may be necessary to enable the Board to carry out  
8        the purpose of this Act;

9            (9) to the extent not already provided by law,  
10       to obtain insurance to cover all activities of the Uni-  
11       versity, including coverage relating to property and  
12       liability, or make other provisions against losses; and

13           (10) to exercise all other lawful powers nec-  
14       essarily or reasonably related to the establishment of  
15       the University in order to carry out the provisions  
16       of this Act and the exercise of the powers, purposes,  
17       functions, duties, and authorized activities of the  
18       University.

19        (b) ACCOUNTING FOR NON-FEDERAL FUNDS.—Any  
20       funds received by, or under the control of, the University  
21       that are not Federal funds shall be accounted for sepa-  
22       rately from Federal funds.

23        (c) FIDUCIARY DUTY.—

24            (1) IN GENERAL.—Members of the Board shall  
25       have a fiduciary duty to the University, including

1 the duty of care, the duty of loyalty, the duty of  
2 good faith, the duty of confidentiality, and the duty  
3 of disclosure.

4 (2) INSURANCE.—The University may obtain  
5 insurance on behalf of the members of the Board in  
6 the performance of the official duties of the mem-  
7 bers on behalf of the University.

8 **SEC. 10. EXECUTIVE BOARD.**

9 (a) ESTABLISHMENT.—There is established an Exec-  
10 utive Board of the Board (referred to in this section as  
11 the “Executive Board”).

12 (b) COMPOSITION.—The Executive Board shall be  
13 composed of—

14 (1) the Chairman of the Board;

15 (2) the Vice Chairman of the Board;

16 (3) the Secretary of the Board;

17 (4) the Treasurer of the Board; and

18 (5) an at-large member of the Board, to be  
19 elected by the Board from among the members of  
20 the Board appointed under section 8(b)(1)(A)(i).

21 (c) VACANCIES.—In the case of any vacancy that oc-  
22 curs in the position of an at-large member of the Executive  
23 Board before the expiration of the term of that member,  
24 the Board shall elect a replacement to complete that term.

25 (d) MEETINGS.—

1           (1) IN GENERAL.—The Executive Board shall  
2           hold not more than 24 regular meetings per calendar  
3           year.

4           (2) SPECIAL MEETINGS.—Special meetings of  
5           the Executive Board may be held on the call of—

6                     (A) the Chairman of the Board; or

7                     (B) 3 members of the Executive Board.

8           (e) QUORUM.—A majority of the Executive Board  
9           shall constitute a quorum.

10          (f) POWERS.—The Executive Board may hold and  
11          use all the powers of the Board, subject to the approval  
12          of the Board.

13   **SEC. 11. PRESIDENT OF THE UNIVERSITY.**

14          (a) ESTABLISHMENT.—

15                 (1) IN GENERAL.—The University shall have a  
16                 President, to be appointed by the Board, who shall  
17                 serve as the chief executive officer of the University.

18                 (2) TRANSITION.—

19                     (A) IN GENERAL.—On the date of enact-  
20                     ment of this Act, the individual serving as the  
21                     President of the legacy institution on the day  
22                     before the date of enactment of this Act shall  
23                     be deemed to have been appointed as the In-  
24                     terim President of the University until the ear-  
25                     lier of—

1 (i) the date on which that individual is  
2 reappointed by the Board as President of  
3 the University; and

4 (ii) the date on which the Board ap-  
5 points a new individual to serve as Presi-  
6 dent of the University.

7 (B) REQUIRED ACTION.—If the Interim  
8 President of the University is not reappointed  
9 by the Board as President of the University or  
10 if a new individual is not appointed by the  
11 Board to serve as President of the University  
12 by the date that is 2 years after the date of en-  
13 actment of this Act, the Board shall—

14 (i) reappoint the Interim President of  
15 the University as the President of the Uni-  
16 versity; or

17 (ii) appoint a new individual to serve  
18 as President of the University.

19 (b) RESPONSIBILITIES.—Subject to the direction of  
20 the Board and the general supervision of the Chairman  
21 of the Board, the President of the University shall have—

22 (1) the responsibility for carrying out the poli-  
23 cies and functions of the University; and

24 (2) authority over all personnel and activities of  
25 the University.



1 (c) COMPENSATION.—The Board shall have the au-  
2 thority to fix the compensation (including health and re-  
3 tirement benefits) of the President of the University.

4 (d) REMOVAL.—On a vote of 11 of the 15 members  
5 of the Board, the President of the University may be re-  
6 moved for inefficiency, neglect of duty, or malfeasance in  
7 office.

8 **SEC. 12. STAFF OF UNIVERSITY.**

9 (a) EXEMPTION FROM CIVIL SERVICE.—Except as  
10 otherwise provided in this section, title 5, United States  
11 Code, shall not apply to the University.

12 (b) APPOINTMENT AND COMPENSATION.—The Presi-  
13 dent of the University, with the approval of the Board,  
14 shall have the authority to appoint, fix the compensation  
15 of (including health and retirement benefits), and pre-  
16 scribe the duties of such officers and employees as the  
17 President of the University deems necessary for the effi-  
18 cient administration of the University, in accordance with  
19 this section.

20 (c) POLICIES AND PROCEDURES.—

21 (1) IN GENERAL.—Not later than 180 days  
22 after the date on which the President of the Univer-  
23 sity is appointed under section 11(a), the President  
24 of the University shall make or modify, as applica-  
25 ble, policies and procedures governing—

1 (A) the establishment of positions at the  
2 University;

3 (B) basic compensation for those positions  
4 (including health and retirement benefits);

5 (C) entitlement to compensation;

6 (D) conditions of employment;

7 (E) discharge from employment;

8 (F) the leave system; and

9 (G) such other matters as may be appro-  
10 priate.

11 (2) RULES AND REGULATIONS.—Policies and  
12 procedures promulgated under paragraph (1) with  
13 respect to discharge and conditions of employment  
14 shall require—

15 (A) that procedures be established for the  
16 rapid and equitable resolution of grievances of  
17 individuals; and

18 (B) that no individual may be discharged  
19 without notice of the reasons for that discharge.

20 (d) APPEAL TO BOARD.—

21 (1) IN GENERAL.—Any officer or employee of  
22 the University may appeal to the Board any deter-  
23 mination by the President of the University to not  
24 re-employ or to discharge the officer or employee.

1           (2) OVERTURN BY BOARD.—On an appeal made  
2           under paragraph (1) by an officer or employee of the  
3           University, the Board may, on a majority vote of the  
4           Board, in writing, overturn the determination of the  
5           President of the University with respect to the em-  
6           ployment of the officer or employee.

7           (e) LEAVE.—

8           (1) IN GENERAL.—Any individual who is an  
9           employee of the Federal Government and is trans-  
10          ferred or reappointed, without a break in service,  
11          from a position under a different leave system to the  
12          University, shall be credited for purposes of the  
13          leave system provided under rules and regulations  
14          promulgated under subsection (c), with the annual  
15          and sick leave to the credit of that individual imme-  
16          diately before the effective date of the transfer or re-  
17          appointment.

18          (2) LEAVE ON TERMINATION.—On termination  
19          of employment with the University, any annual leave  
20          remaining to the credit of an individual covered by  
21          this section shall be liquidated in accordance with  
22          sections 5551(a) and 6306 of title 5, United States  
23          Code, except that leave earned or accrued under  
24          rules and regulations promulgated under subsection  
25          (c) shall not be so liquidated.

1           (3) LEAVE WHEN TRANSFERRED.—In the case  
2       of any individual who is transferred, promoted, or  
3       reappointed, without break in service, to a position  
4       in the Federal Government under a different leave  
5       system, any remaining leave to the credit of such  
6       person earned or credited under the policies and pro-  
7       cedures promulgated under subsection (c) shall be  
8       transferred to the credit of that individual in the  
9       employing agency on an adjusted basis in accordance  
10      with rules and regulations to be promulgated by the  
11      Office of Personnel Management.

12      (f) APPLICABILITY.—

13           (1) IN GENERAL.—This section shall apply to  
14      any individual appointed after the date of enactment  
15      of this Act for employment in the University.

16           (2) NO EFFECT ON CURRENT EMPLOYEES.—  
17      Except as provided in subsection (g), the enactment  
18      of this Act shall not affect—

19           (A) the continued employment of any indi-  
20      vidual employed by the legacy institution before  
21      the date of enactment of this Act; or

22           (B) the right of the individual to receive  
23      the compensation attached to the position.

24           (3) EXCEPTIONS.—This section shall not apply  
25      to—

1 (A) an individual whose services are pro-  
2 cured by the University pursuant to a written  
3 procurement contract; or

4 (B) employees of an entity performing  
5 services pursuant to a written contract with the  
6 University.

7 (g) TERMINATION OF CIVIL SERVICE POSITIONS.—  
8 On the date of enactment of this Act, any position at the  
9 University that is occupied by an individual in the civil  
10 service shall terminate.

11 (h) COLLECTIVE BARGAINING.—The University shall  
12 be considered an agency for the purpose of chapter 71 of  
13 title 5, United States Code.

14 (i) COMPENSATION FOR WORK INJURIES.—Employ-  
15 ees of the University shall receive compensation for work  
16 injuries and illnesses in accordance with chapter 81 of title  
17 5, United States Code.

18 (j) BACKGROUND CHECKS.—

19 (1) IN GENERAL.—

20 (A) CURRENT EMPLOYEES.—An individual  
21 employed by the legacy institution before the  
22 date of enactment of this Act shall undergo a  
23 background check in accordance with the min-  
24 imum standards established by the Board under

1 paragraph (2) to be eligible to be employed by  
2 the University.

3 (B) NEW EMPLOYEES.—An individual that  
4 seeks employment with the University shall un-  
5 dergo a background check in accordance with  
6 the minimum standards established by the  
7 Board under paragraph (2).

8 (2) MINIMUM STANDARDS.—The Board shall  
9 establish minimum standards for the conduct of  
10 background checks for current and new employees of  
11 the legacy institution and University under subpara-  
12 graphs (A) and (B), as applicable, of paragraph (1),  
13 which shall—

14 (A) be equivalent to background check  
15 standards carried out by Federal education  
16 agencies; and

17 (B) allow the Board to contract services  
18 from Federal agencies, including the Office of  
19 Personnel Management, to conduct those back-  
20 ground checks.

21 (3) ANNUAL CERTIFICATION; SUBMISSION.—

22 (A) IN GENERAL.—Not later than Sep-  
23 tember 1 of each year, the Board shall certify  
24 that all employees of the University received a  
25 background check in accordance with the min-

1           imum standards established under paragraph  
2           (2).

3                   (B) SUBMISSION.—The Board shall submit  
4           to the President, the Secretary, and the appro-  
5           priate committees of Congress notice of each  
6           annual certification under subparagraph (A).

7   **SEC. 13. CONTRIBUTIONS TO EMPLOYEE HEALTH AND RE-**  
8                   **TIREMENT BENEFITS.**

9           (a) MANDATORY CONTRIBUTIONS.—

10                   (1) IN GENERAL.—Except as provided in para-  
11           graph (2), the University shall make contributions  
12           toward the health and retirement costs of all em-  
13           ployees, including to faculty and staff, which shall—

14                           (A) be made at a level consistent with the  
15           requirements imposed on Federal agencies  
16           under applicable Federal law; and

17                           (B) be consistent with amounts that Fed-  
18           eral agencies are mandated to pay into similar  
19           retirement and health benefit plans.

20                   (2) ALTERNATIVE BENEFITS.—On a determina-  
21           tion by the Board, in order to support recruitment  
22           and retention efforts, the University may offer alter-  
23           native health and retirement benefits that differ  
24           from the benefits described in paragraph (1).

1 (b) ELIGIBILITY FOR FEDERAL BENEFITS.—All em-  
2 ployees of the University shall be eligible to receive health  
3 and retirement benefits, subject to the condition that the  
4 University shall meet the obligations of the University to  
5 make the contributions required under subsection (a)(1).

6 (c) IMPLEMENTATION AND COMPLIANCE.—The Uni-  
7 versity shall establish a compliance framework to ensure  
8 that contributions made under subsection (a)(1) are made  
9 in a timely manner and in accordance with Federal guide-  
10 lines.

11 (d) ANNUAL AUDITS.—Annual audits shall be con-  
12 ducted by the Inspector General of the Department of the  
13 Interior to verify adherence by the University to this sec-  
14 tion.

15 **SEC. 14. PREFERENCE FOR MEMBERS OF INDIAN TRIBES.**

16 (a) IN GENERAL.—

17 (1) IN GENERAL.—Notwithstanding any other  
18 provision of Federal or State law, the University  
19 may develop a policy—

20 (A) under which only individuals described  
21 in paragraph (2) may be admitted to, and en-  
22 roll in, programs conducted by the University;  
23 and

24 (B) to extend preference to members of In-  
25 dian Tribes in—



- 1 (i) employment by the University; and  
 2 (ii) contracts, fellowships, and grants  
 3 awarded by the University.

4 (2) INDIVIDUALS DESCRIBED.—Individuals re-  
 5 ferred to in paragraph (1)(A) are individuals—

6 (A) that are members of an Indian Tribe;

7 (B) that are descendants of a grandparent  
 8 who is a member of an Indian Tribe; or

9 (C) with  $\frac{1}{4}$  blood quantum, as evidenced  
 10 by a Certificate of Degree of Indian Blood  
 11 (commonly known as a “CDIB”) by the Bureau  
 12 of Indian Affairs.

13 (b) HIRING PREFERENCE.—In carrying out section  
 14 12(b), the President of the University shall, to the max-  
 15 imum extent practicable, give preference in hiring to mem-  
 16 bers of Indian Tribes.

17 **SEC. 15. NONPROFIT AND NONPOLITICAL NATURE OF THE**  
 18 **UNIVERSITY.**

19 (a) STOCK.—The University shall have no power to  
 20 issue any shares of stock or to declare or pay any divi-  
 21 dends.

22 (b) NONPROFIT NATURE.—No part of the income or  
 23 assets of the University shall inure to the benefit of any  
 24 director, officer, employee, or any other individual except  
 25 as salary or reasonable compensation for services.

1       (c) NONPOLITICAL NATURE.—The University may  
2 not contribute to, or otherwise support, any political party  
3 or candidate for elective public office.

4 **SEC. 16. TAX STATUS; TORT LIABILITY.**

5       (a) TAX STATUS.—The University and the franchise,  
6 capital, reserves, income, and property of the University  
7 shall be exempt from all taxation now or hereafter imposed  
8 by the United States, by any Indian Tribe, or by any State  
9 or political subdivision thereof.

10       (b) TORT LIABILITY.—

11           (1) IN GENERAL.—The University shall be sub-  
12 ject to liability relating to tort claims only to the ex-  
13 tent a Federal agency is subject to such liability  
14 under chapter 171 of title 28, United States Code.

15           (2) TREATMENT AS FEDERAL AGENCY.—For  
16 purposes of chapter 171 of title 28, United States  
17 Code, the University shall be treated as a Federal  
18 agency (within the meaning of section 2671 of that  
19 title).

20           (3) PRESIDENT.—For purposes of chapter 171  
21 of title 28, United States Code, the President of the  
22 University shall be deemed the head of the Federal  
23 agency described in paragraph (2).

1 **SEC. 17. TRANSFER OF FUNCTIONS.**

2 (a) IN GENERAL.—There are hereby transferred to  
3 the University, and the University shall perform, the func-  
4 tions of the legacy institution.

5 (b) CERTAIN MATTERS RELATING TO TRANSFERRED  
6 FUNCTIONS.—

7 (1) IN GENERAL.—Subject to subsection (d), all  
8 personnel, liabilities, contracts, real property, per-  
9 sonal property, assets, and records as are deter-  
10 mined by the Director of the Office of Management  
11 and Budget to be employed, held, or used primarily  
12 in connection with any function transferred under  
13 subsection (a) (regardless of the administrative enti-  
14 ty providing the services on the date before the  
15 transfer) shall be transferred to the University.

16 (2) CERTAIN PERSONNEL.—Personnel engaged  
17 in functions transferred under subsection (a) shall  
18 be transferred in accordance with applicable laws  
19 and regulations relating to the transfer of functions,  
20 except that the transfer shall be without reduction in  
21 classification or compensation for 1 year after the  
22 date of the transfer.

23 (c) REFERENCES IN OTHER LAW.—

24 (1) IN GENERAL.—All laws and regulations re-  
25 lating to the legacy institution shall, insofar as those  
26 laws and regulations are appropriate, and not incon-

1       sistent with the provisions of this Act, remain in full  
2       force and effect and apply with respect to the Uni-  
3       versity.

4           (2) REFERENCES.—All references in any other  
5       Federal law to the legacy institution, or any officer  
6       transferred to the University under subsection (b),  
7       shall be deemed to refer to the University.

8       (d) FORGIVENESS OF AMOUNTS OWED; HOLD HARM-  
9       LESS.—

10           (1) IN GENERAL.—Subject to paragraph (2)—

11               (A) the University shall be responsible for  
12               all obligations of the University incurred after  
13               the date of the enactment of this Act; and

14               (B) the Secretary shall be responsible for  
15               all obligations of the University incurred on or  
16               before the date of enactment of this Act, includ-  
17               ing those which accrued by reason of any statu-  
18               tory, contractual, or other reason prior to that  
19               date, which became payable within 2 years of  
20               that date.

21           (2) EXCEPTION.—

22               (A) IN GENERAL.—With respect to all pro-  
23               grams of the Federal Government, in whatever  
24               form or from whatever source derived, the Uni-  
25               versity shall only be held responsible for actions

1 and requirements, either administrative, regu-  
2 latory, or statutory in nature, for events which  
3 occurred on or after the date of enactment of  
4 this Act, including the submission of reports,  
5 audits, and other required information.

6 (B) NO RELIEF.—The United States may  
7 not seek any monetary damages or repayment  
8 for the commission of events, or omission to  
9 comply with either administrative or regulatory  
10 requirements, for any action that occurred prior  
11 to the date of enactment of this Act.

12 **SEC. 18. HEADQUARTERS OF THE UNIVERSITY.**

13 (a) IN GENERAL.—Lawrence, Kansas, shall be main-  
14 tained as the location for the University.

15 (b) BRANCHES.—The University may establish  
16 branches at additional locations to fulfill its functions and  
17 acquire or lease land as may be necessary.

18 (c) FACILITIES AND LAND.—

19 (1) CONVEYANCE OF PROPERTY.—On the date  
20 of enactment of this Act, the Secretary shall convey  
21 to the University all right, title, and interest of the  
22 United States in and to the property of the legacy  
23 institution, including all facilities of the legacy insti-  
24 tution on that property.

25 (2) USE; PROHIBITION.—

1 (A) IN GENERAL.—The land and facilities  
2 conveyed to the University under paragraph  
3 (1)—

4 (i) shall only be used to further the  
5 purposes described in section 3, which may  
6 include the demolition of such facilities;  
7 and

8 (ii) except as provided in subpara-  
9 graph (B), shall not be conveyed or other-  
10 wise sold by the University.

11 (B) TRANSFER TO IHS.—Facilities con-  
12 veyed to the University under paragraph (1)  
13 may be transferred to the Indian Health Serv-  
14 ice for use by the Indian Health Service.

15 **SEC. 19. COMPLIANCE WITH OTHER LAWS.**

16 (a) IN GENERAL.—The University shall comply with  
17 the provisions of—

18 (1) Public Law 95–341 (commonly known as  
19 the “American Indian Religious Freedom Act”) (42  
20 U.S.C. 1996 et seq.);

21 (2) the Archaeological Resources Protection Act  
22 of 1979 (16 U.S.C. 470aa et seq.); and

23 (3) division A of subtitle III of title 54, United  
24 States Code.

1 (b) CRIMINAL LAWS.—All Federal criminal laws re-  
 2 lating to larceny, embezzlement, or conversion of the funds  
 3 or the property of the United States shall apply to the  
 4 funds and property of the University.

5 (c) OTHER FEDERAL ASSISTANCE.—

6 (1) IN GENERAL.—Funds received by the Uni-  
 7 versity pursuant to this Act shall not be regarded as  
 8 Federal money for purposes of meeting any match-  
 9 ing requirements for any Federal grant, contract, or  
 10 cooperative agreement.

11 (2) APPLICATIONS.—

12 (A) IN GENERAL.—The University shall  
 13 not be subject to any provision of law requiring  
 14 that non-Federal funds or other moneys be used  
 15 in part to fund any grant, contract, cooperative  
 16 agreement, or project as a condition to the ap-  
 17 plication for, or receipt of, Federal assistance.

18 (B) SAVINGS PROVISION.—Nothing in this  
 19 subsection affects in a negative fashion the re-  
 20 view, prioritization, or acceptance of any appli-  
 21 cation or proposal for such a program, solicited  
 22 or unsolicited.

23 **SEC. 20. ENDOWMENT PROGRAM.**

24 (a) PROGRAM ENHANCEMENT ENDOWMENT.—

1           (1) IN GENERAL.—Amounts appropriated to  
2       carry out this Act for each fiscal year for use under  
3       this subsection may be deposited into a trust fund  
4       (referred to in this subsection as the “trust fund”),  
5       to be maintained by the University at a federally in-  
6       sured banking or savings institution.

7           (2) CONTRIBUTIONS.—

8           (A) IN GENERAL.—The President of the  
9       University shall provide—

10           (i) for deposit in the trust fund—

11               (I)(aa) an initial capital contribu-  
12               tion by the University of \$5,000,000;  
13               and

14               (bb) such additional capital con-  
15               tributions as may be required under  
16               subparagraph (B); and

17               (II) any earnings on the funds  
18               deposited under this subparagraph;  
19               and

20           (ii) for the reservation for the sole use  
21       of the University of any noncash, in-kind  
22       contributions of real or personal property,  
23       which may at any time be converted to  
24       cash, which shall be deposited as a capital  
25       contribution into the trust fund.



1                   (B)    MATCHING    CONTRIBUTIONS.—For  
2                   each \$5,000,000 that the University, through  
3                   private fundraising or bequests made on behalf  
4                   of the University, raises, the University shall  
5                   match that amount through a capital contribu-  
6                   tion, which shall be deposited in the trust fund.

7                   (3) RETURN TO TREASURY.—If, at any time,  
8                   the University withdraws any capital contribution  
9                   (as described in items (aa) and (bb) of paragraph  
10                  (2)(A)(i)(I)) made by the University to the trust  
11                  fund or puts any property (as described in para-  
12                  graph (2)(A)(ii)) to a use which is not for the sole  
13                  benefit of the University, an amount equal to the  
14                  value of the Federal contribution shall be withdrawn  
15                  from the trust fund and returned to the Treasury as  
16                  miscellaneous receipts.

17                  (4) INTEREST.—Interest deposited in the trust  
18                  fund pursuant to paragraph (2)(A)(i)(II) may be pe-  
19                  riodically withdrawn and used, at the direction of  
20                  the Board or its designee, to defray any expense as-  
21                  sociated with the operation of the University, includ-  
22                  ing the expense of operations and maintenance, ad-  
23                  ministration, academic and support personnel, com-  
24                  munity and student services programs, and technical  
25                  assistance.

1 (5) REQUIREMENTS.—

2 (A) IN GENERAL.—For the purpose of  
3 complying with the contribution requirement  
4 under paragraph (2)(A)(ii), the University may  
5 use funds or in-kind contributions of real or  
6 personal property fairly valued that are made  
7 available from any private or Tribal source, in-  
8 cluding interest earned by the funds invested  
9 under this subsection.

10 (B) IN-KIND CONTRIBUTIONS.—In-kind  
11 contributions shall be—

12 (i) property other than fully depre-  
13 ciable property; and

14 (ii) valued according to the procedures  
15 established for such purpose by the Sec-  
16 retary of the Treasury.

17 (C) ELIGIBILITY FOR MATCHING FUNDS.—

18 For purposes of this paragraph, all contribu-  
19 tions, including in-kind and real estate, which  
20 are received by the University beginning on the  
21 date on which the initial members of the Board  
22 appointed under section 8(b)(1)(A)(ii) are con-  
23 firmed by the Senate, but which have not been  
24 included in the computations under this sub-

1           section, shall be eligible for matching with Fed-  
2           eral funds appropriated in any fiscal year.

3           (6) CONTROL OF UNIVERSITY.—Amounts ap-  
4           propriated to carry out this Act for use under this  
5           subsection shall be paid by the Secretary of the  
6           Treasury to the University as a Federal capital con-  
7           tribution equal to the amount of funds or the value  
8           of the in-kind contributions which the University  
9           demonstrates have been placed within the control of,  
10          or irrevocably committed to the use of, the Univer-  
11          sity as a capital contribution of the University in ac-  
12          cordance with this subsection.

13          (b) USE OF AMOUNTS FROM THE NATIONAL PARKS  
14          AND PUBLIC LAND LEGACY RESTORATION FUND.—Sec-  
15          tion 200402(e)(1) of title 54, United States Code, is  
16          amended, in the matter preceding subparagraph (A), by  
17          inserting “(including Haskell Indian Nations University  
18          and the Southwestern Indian Polytechnic Institute)” after  
19          “schools”.

20          (c) GENERAL ADMINISTRATIVE PROVISIONS.—

21               (1) IN GENERAL.—Funds in the trust fund de-  
22          scribed in subsection (a) shall be invested under the  
23          same conditions and limitations as funds are in-  
24          vested under section 331(c)(2) of the Higher Edu-  
25          cation Act of 1965 (20 U.S.C. 1065(c)(2)) and the

1 regulations implementing that section (as such regu-  
2 lations were in effect at the time the funds are in-  
3 vested).

4 (2) NO BENEFIT TO PRIVATE PERSON.—No  
5 part of the net earnings of the trust fund established  
6 under this section shall inure to the benefit of any  
7 private person.

8 (3) USE OF FUNDS TO SECURE LOAN.—Any  
9 amounts deposited in the trust fund authorized  
10 under subsection (a) may be used to secure loans  
11 procured for the purposes of constructing or improv-  
12 ing University facilities.

13 (4) OTHER GOVERNING PROVISIONS.—The  
14 President of the University shall provide for such  
15 other provisions governing the trust fund established  
16 under this section as may be necessary to protect  
17 the financial interest of the United States and to  
18 promote the purpose of this Act as agreed to by the  
19 Secretary of the Treasury and the Board or the des-  
20 ignee of the Board, including record keeping proce-  
21 dures for the expenditure of accumulated interest for  
22 the trust fund under subsection (a) as will allow the  
23 Secretary of the Treasury to audit and monitor ac-  
24 tivities under this section.

1 **SEC. 21. ESTABLISHMENT OF ENDOWMENT BOARD OF**  
2 **TRUSTEES.**

3 (a) IN GENERAL.—The University shall establish an  
4 independent Board of Trustees, to be known as the “En-  
5 dowment Board” (referred to in this section as the “En-  
6 dowment Board”), dedicated to overseeing the manage-  
7 ment and investment of the endowment funds of the Uni-  
8 versity under section 20.

9 (b) APPOINTMENT.—Members of the Endowment  
10 Board shall be appointed by the Board on an affirmative  
11 vote of 11 of the 15 members of the Board.

12 (c) PURPOSE.—The establishment of the Endowment  
13 Board is intended to enhance the governance and account-  
14 ability of endowment fund management while maintaining  
15 clear separation between the roles and responsibilities of  
16 the Endowment Board and the Board.

17 (d) POWERS.—The Endowment Board shall operate  
18 separately from the Board, subject to the condition that  
19 the Endowment Board shall work in conjunction with the  
20 Board to ensure alignment of investment strategies with  
21 the financial goals and overall mission of the University.

22 (e) RESPONSIBILITIES.—The Endowment Board  
23 shall be responsible for—

24 (1) managing and overseeing the investment  
25 and allocation of the trust fund under section 20;

- 1           (2) developing and implementing investment  
2       policies and strategies to optimize the financial per-  
3       formance of the trust fund under that section; and  
4           (3) reporting regularly to the Board on the per-  
5       formance of the trust fund under that section and  
6       making recommendations, as appropriate.

7 **SEC. 22. PROVISION OF FACILITIES.**

8       (a) MASTER PLAN.—

9           (1) IN GENERAL.—The Board shall prepare a  
10      master plan on the short-term and long-term facili-  
11      ties needs of the University, which shall include eval-  
12      uation of all facets of existing University programs,  
13      including support activities and programs and facili-  
14      ties.

15          (2) REQUIREMENTS.—The master plan pre-  
16      pared under paragraph (1) shall evaluate develop-  
17      ment and construction requirements (based on a  
18      growth plan approved by the Board), including items  
19      such as infrastructure and site analysis, development  
20      of a phased plan with architectural and engineering  
21      studies, cost projections, landscaping, and related  
22      studies which cover all facets of the programs and  
23      planned functions of the University.

24       (b) DEADLINE FOR TRANSMITTAL OF INITIAL MAS-  
25      TER PLAN.—Not later than 2 years after the date of en-

1 actment of this Act, the Board shall submit to the appro-  
2 priate committees of Congress the master plan prepared  
3 under subsection (a), which shall include a prioritization  
4 of needs, as determined by the Board.

5 (c) UPDATED MASTER PLANS.—Not later than 2  
6 years after the date on which the Board submits the initial  
7 master plan under subsection (b), and not less frequently  
8 than once every 5 years thereafter, the Board shall pre-  
9 pare and submit to the appropriate committees of Con-  
10 gress an updated master plan in accordance with the re-  
11 quirements described in subsection (a).

12 **SEC. 23. REPORTS.**

13 (a) ANNUAL REPORT.—The President of the Univer-  
14 sity shall submit to the appropriate committees of Con-  
15 gress and the Board an annual report describing the sta-  
16 tus of the University during the 1-year period preceding  
17 the date of the report, which shall include, among other  
18 matters—

19 (1) a detailed statement of all private and pub-  
20 lic funds, gifts, and other items of a monetary value  
21 received by the University during that period and  
22 the disposition thereof; and

23 (2) any recommendations for improving the  
24 University.

25 (b) BUDGET PROPOSAL.—

1 (1) SUBMISSION.—

2 (A) IN GENERAL.—Not later than 180  
3 days after the date on which the initial mem-  
4 bers of the Board appointed under section  
5 8(b)(1)(A)(ii) are confirmed by the Senate, and  
6 each fiscal year thereafter, the Board shall sub-  
7 mit to Congress a budget proposal.

8 (B) INITIAL SUBMISSION TO OMB.—Prior  
9 to the submission to Congress of a budget pro-  
10 posal under subparagraph (A), the Board shall  
11 submit the applicable budget proposal to the  
12 Director of the Office of Management and  
13 Budget, who shall provide advice and rec-  
14 ommendations on the proposal before returning  
15 the proposal to the University for submission to  
16 Congress under that subparagraph.

17 (2) REQUIREMENTS.—A budget proposal sub-  
18 mitted under paragraph (1)(A) shall—

19 (A) be submitted not later than April 1 of  
20 each calendar year; and

21 (B) propose a budget for the University for  
22 the 2 fiscal years succeeding the fiscal year dur-  
23 ing which the proposal is submitted.

24 (3) NO CONSIDERATION OF FUNDRAISING OR  
25 REQUESTS.—In determining the amount of funds to



1 be appropriated to the University on the basis of a  
2 budget proposal submitted under paragraph (1)(A),  
3 Congress shall not consider the amount of private  
4 fundraising or bequests made on behalf of the Uni-  
5 versity during any preceding fiscal year.

6 **SEC. 24. AUTHORIZATION OF APPROPRIATIONS.**

7 (a) DISCRETIONARY APPROPRIATIONS.—

8 (1) IN GENERAL.—There is authorized to be  
9 appropriated not less than \$27,000,000 for each fis-  
10 cal year to carry out this Act.

11 (2) TRUST FUND.—

12 (A) INITIAL CONTRIBUTION.—There is au-  
13 thorized to be appropriated \$5,000,000 for the  
14 initial capital contribution of the University to  
15 the trust fund under section  
16 20(a)(2)(A)(i)(I)(aa) for fiscal year 2026.

17 (B) SUCCESSIVE CONTRIBUTIONS.—There  
18 is authorized to be appropriated not less than  
19 \$5,000,000 to carry out section 20(a)(2)(B).

20 (b) AVAILABILITY OF FUNDS.—

21 (1) IN GENERAL.—For the purpose of affording  
22 adequate notice of funding available under this Act,  
23 amounts appropriated in an appropriation Act for  
24 any fiscal year to carry out this Act shall—

1                   (A) become available for obligation on  
2                   June 1 of that fiscal year; and

3                   (B) remain available until September 30 of  
4                   the succeeding fiscal year.

5                   (2) TRANSITION.—To effect a transition to the  
6                   forward funding method of timing appropriation ac-  
7                   tion described in paragraph (1), there are authorized  
8                   to be appropriated, in an appropriation Act or Acts  
9                   for the same fiscal year, 2 separate appropriations  
10                  to carry out this Act.

11                  (c) SENSE OF CONGRESS.—It is the sense of Con-  
12                  gress that the University should receive, on an annual  
13                  basis, such increases in appropriations as are necessary  
14                  to ensure that the University is able to provide a high-  
15                  quality educational experience in a safe, secure, and com-  
16                  fortable campus environment.

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