

107TH CONGRESS  
2D SESSION

# H. R. 3761

To establish a program to provide assistance to institutions of higher education serving members of Indian tribes.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 14, 2002

Mr. MCINTYRE introduced the following bill; which was referred to the Committee on Education and the Workforce

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## A BILL

To establish a program to provide assistance to institutions of higher education serving members of Indian tribes.

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 Edu-  
5       cation Equity Act of 2001”.

6       **SEC. 2. ASSISTANCE PROGRAM AUTHORIZED.**

7       Part A of title III of the Higher Education Act of  
8       1965 is amended by inserting after section 317 (20 U.S.C.  
9       1059d) the following new section:

1 **“SEC. 318. NATIVE AMERICAN-SERVING INSTITUTIONS.**

2       “(a) PROGRAM AUTHORIZED.—The Secretary shall  
3 provide grants and related assistance to Native American-  
4 serving institutions to enable such institutions to improve  
5 and expand their capacity to serve the members of Indian  
6 tribes.

7       “(b) DEFINITIONS.—For the purpose of this  
8 section—

9               “(1) the term ‘Indian tribe’ means any Indian  
10 tribe, band, nation, or other organized group or com-  
11 munity, including any Alaskan Native village or re-  
12 gional or village corporation as defined in or estab-  
13 lished pursuant to the Alaskan Native Claims Settle-  
14 ment Act, which is recognized as eligible for the spe-  
15 cial programs and services provided by the United  
16 States to Indians because of their status as Indians,  
17 or which is recognized as an Indian tribe by law by  
18 any State or the District of Columbia;

19               “(2) the term ‘Native American-serving institu-  
20 tion’ means an institution of higher education that—

21                       “(A) is an eligible institution under section  
22 312(b);

23                       “(B) is not an eligible institution for pur-  
24 poses of section 316 or 317; and

25                       “(C) at the time of application, has an en-  
26 rollment of undergraduate students that is at

1           least 20 percent students who are members of  
2           one or more Indian tribes.

3           “(c) AUTHORIZED ACTIVITIES.—

4           “(1) TYPES OF ACTIVITIES AUTHORIZED.—

5           Grants awarded under this section shall be used by  
6           Native American-serving institutions to assist such  
7           institutions to plan, develop, undertake, and carry  
8           out activities to improve and expand such institu-  
9           tions’ capacity to serve members of one or more In-  
10          dian tribes.

11          “(2) EXAMPLES OF AUTHORIZED ACTIVITIES.—

12          Such programs may include—

13                 “(A) purchase, rental, or lease of scientific  
14                 or laboratory equipment for educational pur-  
15                 poses, including instructional and research pur-  
16                 poses;

17                 “(B) renovation and improvement in class-  
18                 room, library, laboratory, and other instruc-  
19                 tional facilities;

20                 “(C) support of faculty exchanges, and fac-  
21                 ulty development and faculty fellowships to as-  
22                 sist in attaining advanced degrees in the fac-  
23                 ulty’s field of instruction;

24                 “(D) curriculum development and aca-  
25                 demic instruction;

1           “(E) purchase of library books, periodicals,  
2           microfilm, and other educational materials;

3           “(F) funds and administrative manage-  
4           ment, and acquisition of equipment for use in  
5           strengthening funds management;

6           “(G) joint use of facilities such as labora-  
7           tories and libraries; and

8           “(H) academic tutoring and counseling  
9           programs and student support services.

10       “(d) APPLICATION PROCESS.—

11           “(1) INSTITUTIONAL ELIGIBILITY.—Each Na-  
12           tive American-serving institution desiring to receive  
13           assistance under this section shall submit to the Sec-  
14           retary such enrollment data as may be necessary to  
15           demonstrate that the institution is a Native Amer-  
16           ican-serving institution as defined in subsection (b),  
17           along with such other information and data as the  
18           Secretary may by regulation require.

19           “(2) APPLICATIONS.—Any institution which is  
20           determined by the Secretary to be a Native Amer-  
21           ican-serving institution may submit an application  
22           for assistance under this section to the Secretary.  
23           The Secretary shall, to the extent possible, prescribe  
24           a simplified and streamlined format for such appli-  
25           cations that takes into account the limited number

1 of institutions that are eligible for assistance under  
 2 this section. Such application shall include—

3 “(A) a 5-year plan for improving the as-  
 4 sistance provided by the Native American-serv-  
 5 ing institution to students who are members of  
 6 one or more Indian tribes; and

7 “(B) such other information and assurance  
 8 as the Secretary may require.

9 “(3) SPECIAL RULES.—

10 “(A) ELIGIBILITY.—No Native American-  
 11 serving institution that receives funds under  
 12 this section shall concurrently receive funds  
 13 under other provisions of this part or part B.

14 “(B) EXEMPTION.—Section 313(d) shall  
 15 not apply to institutions that are eligible to re-  
 16 ceive funds under this section.

17 “(C) DISTRIBUTION.—In awarding grants  
 18 under this section, the Secretary shall, to the  
 19 extent possible and consistent with the competi-  
 20 tive process under which such grants are  
 21 awarded, ensure maximum and equitable dis-  
 22 tribution among all eligible institutions.”.

23 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

24 Section 399(a)(1) of the Higher Education Act of  
 25 1965 (20 U.S.C. 1068h(a)(1)) is amended—

1           (1) in subparagraph (A), by striking “section  
2       316” and inserting “sections 316, 317, and 318”;  
3       and

4           (2) by adding at the end the following new sub-  
5       paragraph:

6           “(D) There are authorized to be appropriated  
7       to carry out section 318, \$10,000,000 for fiscal year  
8       2002 and such sums as may be necessary for each  
9       of the 4 succeeding fiscal years.”.

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