

Calendar No. 321

103D CONGRESS
1ST SESSION
S. 1345

[Report No. 103-194]

A BILL

To provide land-grant status for tribally controlled community colleges, tribally controlled post-secondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College, and for other purposes.

NOVEMBER 19 (legislative day, NOVEMBER 2), 1993
Reported with an amendment and an amendment to the title

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IN THE SENATE OF THE UNITED STATES

AUGUST 3 (legislative day, JUNE 30), 1993

Mr. BINGAMAN (for himself, Mr. BAUCUS, Mr. CAMPBELL, Mr. DORGAN, Mr. LEVIN, Mr. RIEGLE, Mr. SIMON, Mr. DASCHLE, Mr. WELLSTONE, Mr. EXON, and Mr. CONRAD) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

NOVEMBER 19 (legislative day, NOVEMBER 2), 1993

Reported by Mr. INOUE, with an amendment and an amendment to the title

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To provide land-grant status for tribally controlled community colleges, tribally controlled postsecondary vocational institutions, the Institute of American Indian and Alaska Native Culture and Arts Development, Southwest Indian Polytechnic Institute, and Haskell Indian Junior College, 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 “Equity in Educational
5 Land-Grant Status Act of 1993”.

6 **SEC. 2. DEFINITIONS.**

7 As used in this Act:

8 (1) INSTITUTE.—The term “Institute” means
9 the Institute of American Indian and Alaska Native
10 Culture and Arts Development established under
11 section 1504 of the American Indian, Alaska Native,
12 and Native Hawaiian Culture and Art Development
13 Act (20 U.S.C. 4411).

14 (2) TRIBALLY CONTROLLED COMMUNITY COL-
15 LEGES.—The term “tribally controlled community
16 colleges” has the meaning given such term by sec-
17 tion 2(a)(4) of the Tribally Controlled Community
18 College Assistance Act of 1978 (25 U.S.C.
19 1801(a)(4)).

20 (3) TRIBALLY CONTROLLED POSTSECONDARY
21 VOCATIONAL INSTITUTIONS.—The term “tribally
22 controlled postsecondary vocational institutions” has
23 the meaning given such term by section 390(2) of
24 the Tribally Controlled Vocational Institutions Sup-
25 port Act of 1990 (20 U.S.C. 2397h).

1 **SEC. 3. LAND-GRANT STATUS FOR TRIBALLY CONTROLLED**
2 **COMMUNITY COLLEGES AND TRIBALLY CON-**
3 **TROLLED POSTSECONDARY VOCATIONAL IN-**
4 **STITUTIONS.**

5 (a) IN GENERAL.—Tribally controlled community
6 colleges, tribally controlled postsecondary vocational insti-
7 tutions, the Institute, Southwest Indian Polytechnic Insti-
8 tute, and Haskell Indian Junior College shall be consid-
9 ered land-grant colleges established for the benefit of agri-
10 culture and the mechanic arts in accordance with the pro-
11 visions of the Act of July 2, 1862, as amended (12 Stat.
12 503; 7 U.S.C. 301–305, 307, and 308).

13 (b) APPLICABILITY OF RELATED PROVISIONS.—Any
14 provision of any Act of Congress relating to the operation
15 of, or provision of, assistance to a land-grant college in
16 the United States, Puerto Rico, the District of Columbia,
17 the Virgin Islands, Guam, American Samoa, or the North-
18 ern Mariana Islands shall apply to the land-grant colleges
19 and institutions described in subsection (a) in the same
20 manner and to the same extent.

21 (c) AUTHORIZATION OF APPROPRIATIONS.—In lieu of
22 extending to the colleges and institutions described in sub-
23 section (a) those provisions of the Act of July 2, 1862,
24 as amended, relating to donations of public land or land
25 scrip for the endowment and maintenance of colleges for
26 the benefit of agriculture and the mechanic arts, there is

1 authorized to be appropriated \$10,000,000 to such tribal
 2 colleges and institutions. Amounts appropriated pursuant
 3 to this section shall be held and considered to have been
 4 granted to such colleges and institutions subject to the
 5 provisions of that Act applicable to the proceeds from the
 6 sale of land or land scrip.

7 **SECTION 1. SHORT TITLE.**

8 *This Act may be cited as the “Equity in Educational*
 9 *Land-Grant Status Act of 1993”.*

10 **SEC. 2. DEFINITION.**

11 *As used in this Act, the term “1994 Institutions”*
 12 *means any one of the following colleges:*

- 13 (1) *Bay Mills Community College.*
- 14 (2) *Blackfeet Community College.*
- 15 (3) *Cheyenne River Community College.*
- 16 (4) *D–Q University.*
- 17 (5) *Dullknife Memorial College.*
- 18 (6) *Fond Du Lac Community College.*
- 19 (7) *Fort Belknap Community College.*
- 20 (8) *Fort Berthold Community College.*
- 21 (9) *Fort Peck Community College.*
- 22 (10) *LacCourte Orielles Ojibwa Community Col-*
 23 *lege.*
- 24 (11) *Little Big Horn Community College.*
- 25 (12) *Little Hoop Community College.*

- 1 (13) *Nebraska Indian Community College.*
- 2 (14) *Northwest Indian College.*
- 3 (15) *Oglala Lakota College.*
- 4 (16) *Salish Kootenai College.*
- 5 (17) *Sinte Gleska University.*
- 6 (18) *Sisseton Wahpeton Community College.*
- 7 (19) *Standing Rock College.*
- 8 (20) *Stonechild Community College.*
- 9 (21) *Turtle Mountain Community College.*
- 10 (22) *Navajo Community College.*
- 11 (23) *United Tribes Technical College.*
- 12 (24) *Southwest Indian Polytechnic Institute.*
- 13 (25) *Institute of American Indian and Alaska*
- 14 *Native Culture and Arts Development.*
- 15 (26) *Crownpoint Institute of Technology.*
- 16 (27) *Haskell Indian Junior College.*
- 17 (28) *Leech Lake Tribal College.*
- 18 (29) *College of the Menominee Nation.*

19 **SEC. 3. LAND-GRANT STATUS FOR 1994 INSTITUTIONS.**

20 (a) *IN GENERAL.*—1994 Institutions shall be consid-
 21 ered land-grant colleges established for the benefit of agri-
 22 culture and the mechanic arts in accordance with the provi-
 23 sions of the Act of July 2, 1862 (12 Stat. 503; 7 U.S.C.
 24 301–305, 307, and 308).

25 (b) *APPLICABILITY OF RELATED PROVISIONS.*—

1 (1) *IN GENERAL.*—*Except as provided in para-*
2 *graph (2), any provision of any Act of Congress relat-*
3 *ing to the operation of, or provision of, assistance to*
4 *a land-grant college in the United States, Puerto*
5 *Rico, the District of Columbia, the United States Vir-*
6 *gin Islands, Guam, American Samoa, or the Northern*
7 *Mariana Islands shall apply to 1994 Institutions in*
8 *the same manner and to the same extent as such pro-*
9 *vision applies to land-grant colleges.*

10 (2) *EXCEPTIONS.*—*Except as otherwise provided,*
11 *this subsection shall not apply to any Act of Congress*
12 *to assist agricultural research at colleges eligible to re-*
13 *ceive funds pursuant to the Act of August 30, 1890*
14 *(26 Stat. 417, chapter 841; 7 U.S.C. 322 et seq.), the*
15 *Act of May 8, 1914 (38 Stat. 372, chapter 79; 7*
16 *U.S.C. 341 et seq.), or the Act of March 2, 1887 (24*
17 *Stat. 440, chapter 314; 7 U.S.C. 361a et seq.).*

18 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*In lieu of*
19 *extending to 1994 Institutions, the provisions of the Act of*
20 *July 2, 1862 (12 Stat. 503, chapter 130; 7 U.S.C. 301 et*
21 *seq.), relating to donations of public land or land scrip for*
22 *the endowment and maintenance of colleges for the benefit*
23 *of agriculture and the mechanic arts, there is authorized*
24 *to be appropriated \$23,000,000 to 1994 Institutions.*
25 *Amounts appropriated pursuant to this section shall be held*

1 *and considered to have been granted to 1994 Institutions*
 2 *subject to the provisions of that Act applicable to the pro-*
 3 *ceeds from the sale of land or land scrip.*

4 **SEC. 4. APPROPRIATIONS.**

5 (a) *The Act of August 30, 1890 (26 Stat. 417, chapter*
 6 *841; 7 U.S.C. 322 et seq.) is amended—*

7 (1) *in section 1 (7 U.S.C. 322)—*

8 (A) *by inserting after “\$50,000” the follow-*
 9 *ing: “, and to each 1994 Institution (as defined*
 10 *in section 2 of the Equity in Educational Land-*
 11 *Grant Status Act of 1993), \$50,000,”; and*

12 (B) *by inserting after “That said colleges”*
 13 *the following: “and 1994 Institutions”; and*

14 (2) *in section 2 (7 U.S.C. 324)—*

15 (A) *by inserting “and 1994 Institutions”*
 16 *after “colleges”, the first place such word ap-*
 17 *pears;*

18 (B) *by inserting after “of the college,” the*
 19 *following: “1994 Institutions,”; and*

20 (C) *by inserting after the first sentence the*
 21 *following: “In the case of a 1994 Institution,*
 22 *said sums shall be paid to the treasurer of such*
 23 *Institution.”.*

24 (b) *Section 3 of the Act of May 8, 1914 (38 Stat. 373,*
 25 *chapter 79; 7 U.S.C. 343) is amended—*

1 (1) in subsection (b), by adding at the end the
2 following new paragraph:

3 “(3) There is authorized to be appropriated for
4 the fiscal year ending June 30, 1995, and for each fis-
5 cal year thereafter, for payment on behalf of the 1994
6 Institutions, \$5,000,000 for the purposes set forth in
7 section 2. Such sums shall be in addition to the sums
8 appropriated for the several States and Puerto Rico,
9 the Virgin Islands, and Guam under the provisions of
10 this section. Such sums shall be distributed on the
11 basis of a competitive applications process to be devel-
12 oped and implemented by the Secretary and paid by
13 the Secretary to State institutions established in ac-
14 cordance with the provisions of the Act of July 2,
15 1862 (12 Stat. 503, chapter 130; 7 U.S.C. 301 et seq.)
16 (other than 1994 Institutions) and administered by
17 such institutions through cooperative agreements with
18 1994 Institutions in their States in accordance with
19 regulations to be adopted by the Secretary.”;

20 (2) by redesignating subsection (f) as subsection
21 (g); and

22 (3) by inserting the following new subsection:

23 “(f) There shall be no matching requirement for funds
24 made available pursuant to subsection (b)(3).”.

1 **SEC. 5. RESEARCH FACILITIES.**

2 *The Research Facilities Act (7 U.S.C. 390 et seq.) is*
3 *amended—*

4 *(1) in section 2 (7 U.S.C. 390a)—*

5 *(A) by striking “The purpose” and insert-*
6 *ing “(a) IN GENERAL.—The purpose”; and*

7 *(B) by adding at the end the following new*
8 *subsection:*

9 *“(b) 1994 INSTITUTIONS.—For fiscal years 1995*
10 *through 1999, it shall be the purpose of this Act to assist*
11 *1994 Institutions (as defined in section 2 of the Equity in*
12 *Educational Land-Grant Status Act of 1993) to construct,*
13 *acquire, and remodel buildings, laboratories, and other cap-*
14 *ital facilities (including fixtures and equipment) necessary*
15 *to more effectively conduct research in agriculture and*
16 *sciences through matching grants to be awarded on a com-*
17 *petitive basis.”; and*

18 *(2) in section 4 (7 U.S.C. 390c)—*

19 *(A) by redesignating subsections (b) and (c)*
20 *as subsections (c) and (d), respectively; and*

21 *(B) by inserting the following new sub-*
22 *section:*

23 *“(b) 1994 INSTITUTIONS.—For each of fiscal years*
24 *1995 through 1999, there are authorized to be appropriated*
25 *\$1,700,000 for grants to 1994 Institutions (as defined in*

- 1 *section 2 of the Equity in Educational Land-Grant Status*
2 *Act of 1993) for the purposes described in section 2(b).".*

Amend the title so as to read: "A bill to provide land-grant status for certain Indian colleges and institutions.".