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110TH CONGRESS
2^D SESSION

S. 1779

[Report No. 110-519]

To establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 12, 2007

Mr. TESTER (for himself, Mr. DORGAN, Mr. BAUCUS, Mr. BINGAMAN, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

OCTOBER 1 (legislative day, SEPTEMBER 17), 2008

Reported by Mr. DORGAN, with an amendment

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

A BILL

To establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, 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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
 5 “Tribal Health Promotion and Tribal Colleges and Uni-
 6 versities Advancement Act of 2007”.

7 (b) **TABLE OF CONTENTS.**—The table of contents of
 8 this Act is as follows:

Sec. 1. Short title; table of contents:

**TITLE I—THROUGH HIGHER EDUCATION: PROMOTING THE
 ADVANCEMENT OF TRIBAL HEALTH**

Sec. 101. Short title.

Sec. 102. Findings and purpose.

Sec. 103. Definitions.

Sec. 104. Administration by coordinating officer.

Sec. 105. Community-based health and wellness fairs.

Sec. 106. Health promotion and disease prevention targeted programs; wellness
 centers.

Sec. 107. Development and expansion of public health professional degree pro-
 grams.

Sec. 108. Tribal College and University Rural Health Equity Endowment
 Fund.

Sec. 109. Offices of sponsored programs.

Sec. 110. Health promotion and disease prevention research programs.

**TITLE II—ADVANCING TRIBES THROUGH TRIBAL COLLEGES AND
 UNIVERSITIES**

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Office on Tribal College and University Programs.

Sec. 204. Native Prosperity and Native American Language Vitalization and
 Training Programs at TCUs.

Sec. 205. Tribal colleges and universities native communities research program.

Sec. 206. Definitions.

Sec. 207. Authorization of appropriations.

1 **TITLE I—THROUGH HIGHER**
 2 **EDUCATION: PROMOTING**
 3 **THE ADVANCEMENT OF TRIB-**
 4 **AL HEALTH**

5 **SEC. 101. SHORT TITLE.**

6 This title may be cited as the “Through Higher Edu-
 7 cation: Promoting the Advancement of Tribal Health Act”
 8 or “THE PATH Act”.

9 **SEC. 102. FINDINGS AND PURPOSE.**

10 (a) **FINDINGS.**—Congress finds that—

11 (1) because there is a significant lack of health-
 12 related education and training opportunities for In-
 13 dians, few Indians are represented in the health-re-
 14 lated workforce of the United States;

15 (2) tribal colleges and universities remain the
 16 most poorly-funded institutions of higher education
 17 in the United States, yet, as engaged institutions,
 18 tribal colleges and universities serve as true catalysts
 19 for positive change in Indian communities;

20 (3) tribal colleges and universities with nursing
 21 programs train hundreds of students to hold criti-
 22 cally-needed leadership and management positions in
 23 the Indian Health Service, tribal health organiza-
 24 tions, and private and community agencies serving
 25 rural Indian populations;

1 (4) to the extent that tribal colleges and univer-
2 sities are able, the colleges and universities have
3 begun to address the many societal challenges faced
4 by Indian communities;

5 (5) tribal colleges and universities offer criti-
6 cally-needed education and outreach programs, in-
7 cluding—

8 (A) community health fairs;

9 (B) HIV/AIDS education programs;

10 (C) extensive diabetes programs;

11 (D) nutritional and obesity programs, in-
12 cluding community garden programs;

13 (E) substance abuse prevention programs;

14 (F) youth-at-risk programs;

15 (G) parenting classes; and

16 (H) child and elder care services; and

17 (6) due to a chronic lack of operational and tar-
18 geted program funding, together with the unwilling-
19 ness of certain Federal agencies to recognize tribal
20 colleges and universities as valuable partners in ad-
21 dressing rural community issues, including health
22 issues, tribal colleges and universities have limited
23 resources available to adequately address the peren-
24 nial health challenges of the rural communities
25 served by the tribal colleges and universities.

1 (b) PURPOSE.—The purpose of this title is to assist
2 tribal colleges and universities to strengthen Indian com-
3 munities through the provision of health promotion and
4 disease prevention education, outreach, and workforce de-
5 velopment programs, including through program imple-
6 mentation, research, and capacity-building.

7 **SEC. 103. DEFINITIONS.**

8 In this title:

9 (1) DEPUTY ASSISTANT SECRETARY.—The term
10 “Deputy Assistant Secretary” means the Deputy As-
11 sistant Secretary for Minority Health, within the Of-
12 fice of Public Health and Science.

13 (2) DIRECTOR.—The term “Director” means
14 the Director of the National Institutes of Health.

15 (3) INDIAN.—The term “Indian” has the mean-
16 ing given the term in section 4 of the Indian Health
17 Care Improvement Act (25 U.S.C. 1603).

18 (4) SECRETARY.—The term “Secretary” means
19 the Secretary of Health and Human Services.

20 (5) TRIBAL COLLEGE OR UNIVERSITY.—The
21 term “tribal college or university” means—

22 (A) an institution that is eligible to receive
23 funds under the Tribally Controlled College or
24 University Assistance Act of 1978 (25 U.S.C.
25 1801 et seq.);

1 (B) Diné College; and

2 (C) any 1 of the 1994 Institutions (as de-
3 fined in section 532 of the Equity in Edu-
4 cational Land-Grant Status Act of 1994 (7
5 U.S.C. 301 note; Public Law 103-382)).

6 **SEC. 104. ADMINISTRATION BY COORDINATING OFFICER.**

7 (a) DESIGNATION.—The Deputy Assistant Secretary
8 shall serve as the coordinating officer with respect to pro-
9 grams of tribal colleges and universities relating to health
10 promotion and disease prevention.

11 (b) STAFF.—The Secretary shall appoint such addi-
12 tional staff as the Secretary determines to be necessary—

13 (1) to assist the Deputy Assistant Secretary in
14 carrying out the duties under this section; and

15 (2) to provide appropriate technical assistance
16 to tribal colleges and universities that receive grants
17 or enter into cooperative agreements under this title.

18 (c) MEMORANDUM OF AGREEMENT.—Not later than
19 180 days after the date of enactment of this Act, the Sec-
20 retary, in consultation with the Deputy Assistant Sec-
21 retary, shall develop and implement a formal memo-
22 randum of agreement with the American Indian Higher
23 Education Consortium to establish programs—

24 (1) to ensure that Native American commu-
25 nities, through tribal colleges and universities, par-

1 participate equitably in employment programs, services,
 2 and resources of the Department of Health and
 3 Human Services; and

4 (2) to provide necessary technical assistance to
 5 the tribal colleges and universities.

6 **SEC. 105. COMMUNITY-BASED HEALTH AND WELLNESS**
 7 **FAIRS.**

8 (a) ESTABLISHMENT.—The Secretary, acting
 9 through the Deputy Assistant Secretary, shall establish a
 10 program under which the Secretary shall provide grants
 11 to, or offer to enter into cooperative agreements with, trib-
 12 al colleges and universities to carry out annual, commu-
 13 nity-based, and culturally relevant health and wellness
 14 fairs at the tribal colleges and universities.

15 (b) FUNDING.—

16 (1) AUTHORIZATION OF APPROPRIATIONS.—
 17 There is authorized to be appropriated to the Sec-
 18 retary to carry out this section for each of fiscal
 19 years 2009 through 2017 an amount equal to the
 20 sum of—

21 (A) the product obtained by multiplying—

22 (i) the number of tribal colleges and
 23 universities in operation on October 1 of
 24 the fiscal year; and

25 (ii) \$15,000; and

1 ~~(B)~~ such amount as the Secretary deter-
 2 mines to be necessary for the costs of admin-
 3 istering the program under this section.

4 ~~(2)~~ TOTAL AMOUNT.—Subject to paragraph
 5 ~~(3)~~, the Secretary shall use all amounts made avail-
 6 able under paragraph ~~(1)~~(A) to provide grants or
 7 enter into cooperative agreements pursuant to this
 8 section.

9 ~~(3)~~ NONAPPLICABILITY OF LIMITATION.—The
 10 limitation under section 1703(e) of the Public
 11 Health Service Act (42 U.S.C. 300a-2(e)) shall not
 12 apply to this section.

13 **SEC. 106. HEALTH PROMOTION AND DISEASE PREVENTION**
 14 **TARGETED PROGRAMS; WELLNESS CENTERS.**

15 ~~(a)~~ HEALTH PROMOTION AND DISEASE PREVENTION
 16 TARGETED PROGRAMS.—

17 ~~(1)~~ ESTABLISHMENT.—The Secretary, acting
 18 through the Deputy Assistant Secretary, shall estab-
 19 lish a program under which the Secretary shall pro-
 20 vide grants to, or offer to enter into cooperative
 21 agreements with, tribal colleges and universities to
 22 carry out activities to improve and expand the ca-
 23 pacity of the tribal colleges and universities—

24 ~~(A)~~ to carry out activities relating to
 25 health promotion and disease prevention; and

1 (~~B~~) to eliminate health disparities in tribal
2 communities, to the maximum extent prac-
3 ticable.

4 (~~2~~) REQUIREMENTS.—In providing grants and
5 entering into cooperative agreements under this sub-
6 section, the Secretary, to the maximum extent prac-
7 ticable, shall—

8 (A) approve applications on a competitive
9 basis; and

10 (~~B~~) ensure maximum and equitable dis-
11 tribution among eligible tribal colleges and uni-
12 versities.

13 (~~3~~) APPLICATION.—

14 (A) IN GENERAL.—To be eligible to receive
15 a grant or enter into a cooperative agreement
16 under this subsection, a tribal college or univer-
17 sity shall submit to the Secretary an application
18 at such time and in such manner as the Sec-
19 retary may reasonably require.

20 (B) INCLUSION.—An application under
21 subparagraph (A) shall include a description of
22 a 5-year strategy of the applicable tribal college
23 or university for meeting the health promotion
24 and disease prevention needs of Indians or

1 Alaska Natives, as appropriate, in the area
2 served by the tribal college or university.

3 (C) STREAMLINED PROCEDURE.—The Sec-
4 retary shall ensure, to the maximum extent
5 practicable, a simplified and streamlined proce-
6 dure for the submission and approval of appli-
7 cations under subparagraph (A), taking into
8 consideration the limited number of institutions
9 that are eligible to receive assistance under this
10 subsection.

11 (4) ACTIVITIES.—A tribal college or university
12 that receives a grant or enters into a cooperative
13 agreement under this subsection may use the grant
14 or cooperative agreement to develop and carry out
15 activities to address targeted areas of health pro-
16 motion and disease prevention in tribal communities,
17 including activities relating to—

18 (A) diabetes education and prevention;

19 (B) injury prevention;

20 (C) substance abuse, including meth-
21 amphetamine abuse;

22 (D) HIV-AIDS prevention;

23 (E) emerging health promotion and disease
24 prevention program and response development;
25 and

1 ~~(F)~~ obesity and nutrition.

2 ~~(5)~~ AUTHORIZATION OF APPROPRIATIONS.—

3 There is authorized to be appropriated to carry out
4 this subsection \$10,000,000 for each of fiscal years
5 2009 through 2017.

6 ~~(b)~~ WELLNESS CENTERS.—

7 ~~(1)~~ ESTABLISHMENT.—The Secretary, acting
8 through the Deputy Assistant Secretary, shall estab-
9 lish a program under which the Secretary shall pro-
10 vide grants to tribal colleges and universities for
11 purposes of—

12 ~~(A)~~ construction, renovation, and mod-
13 ernization of community wellness centers lo-
14 cated on the campuses of the tribal colleges and
15 universities; and

16 ~~(B)~~ construction, renovation, and mod-
17 ernization of outpatient student health clinics
18 located on those campuses.

19 ~~(2)~~ MAXIMUM AMOUNT.—

20 ~~(A)~~ IN GENERAL.—Except as provided in
21 subparagraph ~~(B)~~, the maximum amount of a
22 grant provided under paragraph ~~(1)~~ shall not
23 exceed an amount equal to 95 percent of the
24 cost of the project carried out by the applicable
25 tribal college or university.

1 (B) EXCEPTION.—The limitation under
 2 subparagraph (A) shall not apply to a tribal
 3 college or university located in, as determined
 4 by the Secretary—

5 (i) an urban area; or

6 (ii) a poor rural area.

7 (3) AUTHORIZATION OF APPROPRIATIONS.—

8 There is authorized to be appropriated to carry out
 9 this subsection \$15,000,000 for each of fiscal years
 10 2009 through 2017.

11 **SEC. 107. DEVELOPMENT AND EXPANSION OF PUBLIC**
 12 **HEALTH PROFESSIONAL DEGREE PRO-**
 13 **GRAMS.**

14 (a) ESTABLISHMENT.—The Secretary, acting
 15 through the Administrator of the Health Resources and
 16 Services Administration, shall establish a program under
 17 which the Secretary shall provide grants to tribal colleges
 18 and universities for purposes of developing curricula,
 19 courses, and degree and in-service programs for health-
 20 related professions.

21 (b) APPLICATION.—

22 (1) IN GENERAL.—To be eligible to receive a
 23 grant under this subsection, a tribal college or uni-
 24 versity shall submit to the Secretary an application

1 at such time and in such manner as the Secretary
2 may reasonably require.

3 (2) INCLUSION.—An application under para-
4 graph (1) shall include a description of a 5-year
5 strategy of the applicable tribal college or university
6 for increasing the number of Indians in the health
7 workforce of the United States.

8 (3) STREAMLINED PROCEDURE.—The Secretary
9 shall ensure, to the maximum extent practicable, a
10 simplified and streamlined procedure for the submis-
11 sion and approval of applications under paragraph
12 (1), taking into consideration the limited number of
13 institutions that are eligible to receive assistance
14 under this section.

15 (c) AUTHORIZATION OF APPROPRIATIONS.—There is
16 authorized to be appropriated to carry out this subsection
17 \$10,000,000 for each of fiscal years 2009 through 2017.

18 **SEC. 108. TRIBAL COLLEGE AND UNIVERSITY RURAL**
19 **HEALTH EQUITY ENDOWMENT FUND.**

20 (a) ESTABLISHMENT.—There is established in the
21 Treasury of the United States a fund, to be known as the
22 “Tribal College and University Rural Health Equity En-
23 dowment Fund” (referred to in this section as the
24 “Fund”), consisting of—

1 (1) such amounts as are appropriated to the
2 Fund under subsection (b); and

3 (2) any interest earned on those amounts.

4 (b) TRANSFERS TO FUND.—There is appropriated to
5 the Fund, out of funds of the Treasury not otherwise ap-
6 propriated, \$9,000,000 for each of fiscal years 2009
7 through 2017.

8 (c) INVESTMENTS.—The Secretary shall invest
9 amounts in the Fund in interest-bearing obligations of the
10 United States.

11 (d) EXPENDITURES FROM FUND.—

12 (1) IN GENERAL.—Subject to paragraph (2), on
13 September 30 of fiscal year 2009 and annually
14 thereafter through September 30, 2017, on request
15 by the Secretary, the Secretary of the Treasury shall
16 transfer from the Fund to the Secretary an amount
17 equal to the amount of interest income earned on
18 amounts in the Fund during the preceding fiscal
19 year.

20 (2) ADMINISTRATIVE EXPENSES.—An amount
21 not exceeding 1 percent of the annual interest yield
22 distributed to tribal colleges and universities shall be
23 available for each fiscal year to pay the administra-
24 tive expenses necessary to carry out this section.

1 (e) DISTRIBUTION OF AMOUNTS.—Of amounts trans-
 2 ferred under subsection (d)(1), the Secretary shall dis-
 3 tribute—

4 (1) 60 percent to tribal colleges and universities
 5 on a pro rata basis, based on the proportion that—

6 (A) the Indian student count (as defined in
 7 section 2(a) of the Tribally Controlled College
 8 or University Assistance Act of 1978 (25
 9 U.S.C. 1801(a)) of a tribal college or university
 10 for the applicable fiscal year; bears to

11 (B) the Indian student count of all tribal
 12 colleges and universities for that fiscal year;
 13 and

14 (2) 40 percent in payments of equal amounts to
 15 each tribal college and university.

16 (f) USE OF FUNDS.—A tribal college or university
 17 shall use amounts received under this section to establish
 18 an endowment for a rural health-related program at the
 19 tribal college or university.

20 **SEC. 109. OFFICES OF SPONSORED PROGRAMS.**

21 (a) ESTABLISHMENT.—The Secretary, acting
 22 through the Director, shall establish a program under
 23 which the Secretary shall provide grants to tribal colleges
 24 and universities to establish and maintain at the tribal col-

1 leges and universities offices of sponsored programs de-
2 scribed in subsection (b):

3 (b) SPONSORED PROGRAMS.—The sponsored pro-
4 grams referred to in subsection (a) include programs for—

5 (1) pre- and post-grant award research, data
6 collection, and analyses, through a method that en-
7 sures—

8 (A) proper documentation of relevant ap-
9 plications; and

10 (B) compliance with applicable regulations
11 and guidelines;

12 (2) advancing specific institutional grant appli-
13 cation procedures and processes through coordina-
14 tion of external funding sources and faculty, staff,
15 and financial officers;

16 (3) assisting in negotiations with Federal fund-
17 ing sources;

18 (4) providing liaisons with Federal counterparts
19 of tribal colleges and universities—

20 (A) to train and assist principal investiga-
21 tors, faculty, and college staff with respect to
22 grant management, reporting, and program im-
23 plementation; and

24 (B) to ensure that applicable deadlines are
25 met and required reports are completed;

1 (5) coordinating partnerships between tribal
2 colleges and universities, Federal agencies, and the
3 private sector for collaborative programs and activi-
4 ties; and

5 (6) in consultation with Federal agencies, iden-
6 tifying and proposing solutions to—

7 (A) obstacles relating to Federal agency
8 grant application procedures and requirements;
9 and

10 (B) other problems relating to Federal
11 grant program structures and requirements.

12 (c) APPLICATION.—

13 (1) IN GENERAL.—To be eligible to receive a
14 grant under this section, a tribal college or univer-
15 sity shall submit to the Secretary an application at
16 such time and in such manner as the Secretary may
17 reasonably require.

18 (2) INCLUSION.—An application under para-
19 graph (1) shall include a description of a 5-year
20 strategy of the applicable tribal college or university
21 for carrying out a sponsored program at the tribal
22 college or university, including performance indica-
23 tors by which success of the tribal college or univer-
24 sity will be evaluated.

1 (d) DISTRIBUTION OF FUNDS.—For each of fiscal
2 years 2009 through 2017, the Secretary, acting through
3 the Director, shall provide to each tribal college and uni-
4 versity the application of which is approved under sub-
5 section (e) a grant in an amount equal to the quotient
6 obtained by dividing—

7 (1) the total amount made available under sub-
8 section (f) for the fiscal year; by

9 (2) the number of tribal colleges and univer-
10 sities the applications of which are approved under
11 subsection (e) for the fiscal year.

12 (e) REPORTS.—For each of fiscal years 2010 through
13 2018, each tribal college or university that receives a grant
14 under this section shall submit to the Director a report
15 describing the success of the office of sponsored programs
16 of the tribal college or university during the preceding fis-
17 cal year, as determined in accordance with the perform-
18 ance indicators contained in the application of the tribal
19 college or university under subsection (e)(2).

20 (f) AUTHORIZATION OF APPROPRIATIONS.—There is
21 authorized to be appropriated to carry out this section for
22 each of fiscal years 2009 through 2017 an amount equal
23 to the product obtained by multiplying—

1 (1) the number of tribal colleges and univer-
2 sities in operation on October 1 of the applicable fis-
3 cal year; and

4 (2) \$50,000.

5 **SEC. 110. HEALTH PROMOTION AND DISEASE PREVENTION**
6 **RESEARCH PROGRAMS.**

7 (a) **ESTABLISHMENT.**—The Secretary, acting
8 through the Director, shall establish a program under
9 which the Secretary shall provide grants to, or offer to
10 enter into cooperative agreements with, tribal colleges and
11 universities to conduct research relating to health pro-
12 motion and disease prevention at the tribal colleges and
13 universities.

14 (b) **REQUIREMENTS.**—

15 (1) **COMPETITION.**—The Secretary shall provide
16 grants and offer to enter into cooperative agree-
17 ments under subsection (a) on a competitive basis.

18 (2) **GENERAL TERMS AND AMOUNTS.**—Except
19 as provided in paragraph (3)—

20 (A) the term of a grant or cooperative
21 agreement under subsection (a) shall be not
22 more than 3 years; and

23 (B) the minimum amount of a grant under
24 subsection (a) for a fiscal year shall be
25 \$150,000.

1 ~~(3) UNDERGRADUATE RESEARCH EXPERIENCE~~
2 PROGRAMS.—With respect to a grant or cooperative
3 agreement provided for an undergraduate research
4 experience program under subsection (d)~~(3)~~—

5 (A) the term of such a grant or cooperative
6 agreement shall be not more than 1 year; and

7 (B) the minimum amount of such a grant
8 for a fiscal year shall be \$10,000.

9 ~~(c) APPLICATION.—~~

10 ~~(1) IN GENERAL.—~~To be eligible to receive a
11 grant, or to enter into a cooperative agreement,
12 under this subsection, a tribal college or university
13 shall submit to the Secretary an application at such
14 time and in such manner as the Secretary may rea-
15 sonably require.

16 ~~(2) STREAMLINED PROCEDURE.—~~The Secretary
17 shall ensure, to the maximum extent practicable, a
18 simplified and streamlined procedure for the submis-
19 sion and approval of applications under paragraph
20 ~~(1)~~, taking into consideration the limited number of
21 institutions that are eligible to receive assistance
22 under this section.

23 ~~(d) ACTIVITIES.—~~A tribal college or university that
24 receives a grant or enters into a cooperative agreement

1 under this section may use the grant or cooperative agree-
 2 ment to carry out activities, including—

3 (1) research on culturally relevant and innova-
 4 tive health promotion and disease prevention strate-
 5 gies;

6 (2) epidemiological research on the health sta-
 7 tus of Indian populations and communities; and

8 (3) undergraduate research experience pro-
 9 grams as the tribal college or university determines
 10 to be appropriate.

11 (e) **AUTHORIZATION OF APPROPRIATIONS.**—There is
 12 authorized to be appropriated to carry out this section
 13 \$12,000,000 for each of fiscal years 2009 through 2017.

14 **TITLE II—ADVANCING TRIBES**
 15 **THROUGH TRIBAL COLLEGES**
 16 **AND UNIVERSITIES**

17 **SEC. 201. SHORT TITLE.**

18 This title may be cited as the “Advancing Tribes
 19 Through Tribal Colleges and Universities Act” or the “AT
 20 TCUs Act”.

21 **SEC. 202. FINDINGS.**

22 Congress finds that—

23 (1) a primary goal of providing Federal support
 24 for higher education is to ensure social and economic

1 self-sufficiency and growth for all residents of the
2 United States;

3 ~~(2)~~ social and economic underdevelopment is
4 the primary obstacle to the self-sufficiency of Indian
5 communities and families;

6 ~~(3)~~ research has demonstrated that higher edu-
7 cation is a primary method of achieving economic
8 and social development for Indian communities;

9 ~~(4)~~ tribal colleges and universities are institu-
10 tions of higher education created by Indians for In-
11 dians primarily on rural and isolated Indian reserva-
12 tions, which were virtually excluded from the general
13 system of higher education in the United States;

14 ~~(5)~~ underlying goals of tribal colleges and uni-
15 versities are—

16 ~~(A)~~ to improve the lives of Indians through
17 higher education; and

18 ~~(B)~~ to assist Indians in achieving self-suffi-
19 ciency;

20 ~~(6)~~ tribal colleges and universities—

21 ~~(A)~~ offer a variety of social services for
22 students and community members; and

23 ~~(B)~~ often serve as community centers, li-
24 braries, tribal archives, career and business cen-
25 ters, economic development centers, public

1 meeting places, and childcare and wellness cen-
2 ters;

3 ~~(7) tribal colleges and universities and students~~
4 ~~of those colleges or universities contribute signifi-~~
5 ~~cantly to the economic and social health of Indian~~
6 ~~communities;~~

7 ~~(8)(A) tribal colleges and universities have been~~
8 ~~more successful than any other institution of higher~~
9 ~~education in educating and helping to retain Indians~~
10 ~~in high-need fields, such as nursing and teaching;~~

11 ~~(B) data from 2005 indicates that—~~

12 ~~(i) approximately 1/2 of all graduates of~~
13 ~~tribal colleges and universities pursue advanced~~
14 ~~education; and~~

15 ~~(ii) of those graduates, more than 86 per-~~
16 ~~cent pursue bachelor's degrees;~~

17 ~~(9) individuals, including Indians, with bach-~~
18 ~~elor's or advanced degrees earn—~~

19 ~~(A) almost 4 times as much as individuals~~
20 ~~who do not graduate from high school; and~~

21 ~~(B) more than twice as much as individ-~~
22 ~~uals with high school diplomas;~~

23 ~~(10) of the 155 indigenous languages spoken in~~
24 ~~the United States as of the date of enactment of this~~
25 ~~Act, 135 are spoken only by Indian elders;~~

1 (11)(A) language and culture are at the heart
2 of the mission of each tribal college and university;

3 (B) tribal colleges and universities—

4 (i) play a strong leadership role in Native
5 American language immersion; and

6 (ii) are responsible for the majority of the
7 approximately 50 Native American language
8 immersion programs in the United States; and

9 (12) despite the proven success of Native Amer-
10 ican language preservation and vitalization efforts of
11 tribal colleges and universities, only minimal Federal
12 and private sector resources are used for the activi-
13 ties.

14 **SEC. 203. OFFICE ON TRIBAL COLLEGE AND UNIVERSITY**
15 **PROGRAMS.**

16 Section 803B of the Native American Programs Act
17 of 1974 (42 U.S.C. 2991b-2) is amended—

18 (1) by redesignating subsection (e) as sub-
19 section (f); and

20 (2) by inserting after subsection (d) the fol-
21 lowing:

22 “(e) OFFICE ON TRIBAL COLLEGE AND UNIVERSITY
23 PROGRAMS.—

24 “(1) ESTABLISHMENT.—There is established
25 within the Administration on Native Americans an

1 office, to be known as the ‘Office on Tribal College
2 and University Programs’ (referred to in this sub-
3 section as the ‘Office’), for the purposes of—

4 “(A) administering the programs author-
5 ized by this Act; and

6 “(B) coordinating intra- and inter-depart-
7 mental activities relating to tribal colleges and
8 universities.

9 “(2) DIRECTOR.—The Secretary shall appoint a
10 Director of the Office, who shall—

11 “(A) serve on a full-time basis; and

12 “(B) carry out the duties described in
13 paragraph (1).

14 “(3) STAFF.—The Secretary shall appoint such
15 additional staff as the Secretary determines to be
16 necessary—

17 “(A) to assist the Director in carrying out
18 the duties described in paragraph (1); and

19 “(B) to provide appropriate technical as-
20 sistance to tribal colleges and universities that
21 receive grants or enter into cooperative agree-
22 ments under this Act.

23 “(4) TECHNICAL ASSISTANCE.—To ensure that
24 tribal colleges and universities receive timely, equi-
25 table, and culturally-relevant technical assistance

1 under section 804, the Secretary, acting through the
 2 Commissioner, may enter into any cooperative agree-
 3 ment the Secretary determines to be necessary with
 4 the American Indian Higher Education Consor-
 5 tium.”.

6 **SEC. 204. NATIVE PROSPERITY AND NATIVE AMERICAN**
 7 **LANGUAGE VITALIZATION AND TRAINING**
 8 **PROGRAMS AT TCUS.**

9 (a) IN GENERAL.—The Native American Programs
 10 Act of 1974 is amended by inserting after section 803C
 11 (42 U.S.C. 2991b-3) the following:

12 **“SEC. 803D. NATIVE PROSPERITY AND NATIVE AMERICAN**
 13 **LANGUAGE VITALIZATION AND TRAINING**
 14 **PROGRAMS AT TCUS.**

15 **“(a) NATIVE PROSPERITY PROGRAM.—**

16 **“(1) ESTABLISHMENT.—**The Secretary, acting
 17 through the Commissioner, shall establish a pro-
 18 gram, to be known as the ‘Native Prosperity Pro-
 19 gram’, under which the Secretary shall provide
 20 grants to, or offer to enter into cooperative agree-
 21 ments with, eligible tribal colleges and universities to
 22 promote economic development, entrepreneurship,
 23 community development, and sound fiscal leadership
 24 in Indian communities.

25 **“(2) REQUIREMENTS.—**

1 “(A) IN GENERAL.—Except as provided in
2 subparagraph (B)—

3 “(i) the Secretary shall provide grants
4 and offer to enter into cooperative agree-
5 ments under paragraph (1) on a competi-
6 tive basis; and

7 “(ii) the term of a grant or coopera-
8 tive agreement under paragraph (1) shall
9 be not more than 5 years.

10 “(B) EXCEPTION.—If the Secretary deter-
11 mines that a tribal college or university that re-
12 ceives a grant or enters into a cooperative
13 agreement under this subsection has performed
14 satisfactorily throughout the initial 5-year term
15 of the grant or cooperative agreement under
16 subparagraph (A)(i)—

17 “(i) the tribal college or university
18 may submit to the Secretary an application
19 to extend the grant or cooperative agree-
20 ment, as applicable, for a period of not
21 more than 3 additional years; and

22 “(ii) the Secretary may waive the
23 competitiveness requirement of subpara-
24 graph (A)(i) with respect to the applica-
25 tion.

1 “(3) APPLICATION.—

2 “(A) IN GENERAL.—To be eligible to re-
3 ceive a grant or enter into a cooperative agree-
4 ment under this subsection, a tribal college or
5 university shall submit to the Secretary an ap-
6 plication at such time and in such manner as
7 the Secretary may reasonably require.

8 “(B) PROGRAM PLAN.—

9 “(i) IN GENERAL.—An application
10 under subparagraph (A) shall include a
11 plan for the program proposed to be ear-
12 ried out by the eligible tribal college or
13 university using the grant or pursuant to
14 the cooperative agreement, as applicable.

15 “(ii) INCLUSIONS.—A program plan
16 under subparagraph (A) shall include—

17 “(I) a description of a 5-year
18 strategy of the applicable tribal col-
19 lege or university for meeting the
20 needs of Indians or Alaska Natives, as
21 appropriate, in the area served by the
22 tribal college or university;

23 “(II) an identification of the pop-
24 ulation to be served by the tribal col-
25 lege or university;

1 “(III) an identification of the
2 education and employment needs of
3 that population and a description of
4 the manner in which the program
5 will—

6 “(aa) strengthen the eco-
7 nomic development potential of
8 the population; or

9 “(bb) contribute to the de-
10 velopment of high-quality local
11 and community services;

12 “(IV) a description of the serv-
13 ices to be provided under the pro-
14 gram, including the manner in which
15 the services will be integrated with
16 other appropriate activities; and

17 “(V) a description, to be pre-
18 pared in consultation with the Sec-
19 retary, of the performance measures
20 to be used to assess the performance
21 of the tribal college or university in
22 carrying out the program.

23 “(iii) REQUIREMENT.—A program
24 plan shall be consistent with the purposes

1 of this section, as determined by the Sec-
 2 retary.

3 “(4) ACTIVITIES.—A tribal college or university
 4 that receives a grant or enters into a cooperative
 5 agreement under this subsection may use the grant
 6 or cooperative agreement to carry out activities, in-
 7 cluding—

8 “(A) microenterprise development;

9 “(B) business development and administra-
 10 tion courses and degree programs;

11 “(C) entrepreneurship programs;

12 “(D) municipality planning and adminis-
 13 tration courses, degree programs, and in-service
 14 training; and

15 “(E) executive leadership training in eco-
 16 nomic development, planning, and emerging
 17 management issues.

18 “(5) AUTHORIZATION OF APPROPRIATIONS.—

19 There is authorized to be appropriated to carry out
 20 this subsection \$12,000,000 for each of fiscal years
 21 2009 through 2012.

22 “(b) NATIVE AMERICAN LANGUAGE VITALIZATION
 23 AND TRAINING PROGRAM.—

24 “(1) IN GENERAL.—The Secretary, acting
 25 through the Commissioner, shall establish a pro-

1 gram, to be known as the ‘Native American Lan-
2 guage Vitalization and Training Program’, under
3 which the Secretary shall provide grants to, or offer
4 to enter into cooperative agreements with, eligible
5 tribal colleges and universities to promote the pres-
6 ervation, revitalization, relevancy, and use of Native
7 American languages.

8 “(2) REQUIREMENTS.—

9 “(A) IN GENERAL.—Except as provided in
10 subparagraph (B)—

11 “(i) the Secretary shall provide grants
12 and offer to enter into cooperative agree-
13 ments under paragraph (1) on a competi-
14 tive basis; and

15 “(ii) the term of a grant or coopera-
16 tive agreement under paragraph (1) shall
17 be not more than 5 years.

18 “(B) EXCEPTION.—If the Secretary deter-
19 mines that a tribal college or university that re-
20 ceives a grant or enters into a cooperative
21 agreement under this subsection has performed
22 satisfactorily throughout the initial 5-year term
23 of the grant or cooperative agreement under
24 subparagraph (A)(ii)—

1 “(i) the tribal college or university
2 may submit to the Secretary an application
3 to extend the grant or cooperative agree-
4 ment, as applicable, for a period of not
5 more than 3 additional years; and

6 “(ii) the Secretary may waive the
7 competitiveness requirement of subpara-
8 graph (A)(i) with respect to the applica-
9 tion.

10 “(3) APPLICATION.—

11 “(A) IN GENERAL.—To be eligible to re-
12 ceive a grant or enter into a cooperative agree-
13 ment under this subsection, a tribal college or
14 university shall submit to the Secretary an ap-
15 plication at such time and in such manner as
16 the Secretary may reasonably require.

17 “(B) PROGRAM PLAN.—

18 “(i) IN GENERAL.—An application
19 under subparagraph (A) shall include a
20 plan for the program proposed to be ear-
21 ried out by the eligible tribal college or
22 university using the grant or pursuant to
23 the cooperative agreement, as applicable.

24 “(ii) INCLUSIONS.—A program plan
25 under subparagraph (A) shall include—

1 “(I) a description of a 5-year
2 strategy of the applicable tribal col-
3 lege or university for meeting the
4 needs of Indians or Alaska Natives, as
5 appropriate, in the area served by the
6 tribal college or university;

7 “(II) an identification of the pop-
8 ulation to be served by the tribal col-
9 lege or university;

10 “(III) an identification of the
11 status of Native American language
12 understanding and use within that
13 population and a description of the
14 manner in which the program will
15 help preserve and revitalize the rel-
16 evant Native American language;

17 “(IV) a description of the serv-
18 ices to be provided under the pro-
19 gram, including the manner in which
20 the services will be integrated with
21 other appropriate activities; and

22 “(V) a description, to be pre-
23 pared in consultation with the Sec-
24 retary, of the performance measures
25 to be used to assess the performance

1 of the tribal college or university in
2 carrying out the program.

3 “(iii) REQUIREMENT.—A program
4 plan shall be consistent with the purposes
5 of this section, as determined by the Sec-
6 retary.

7 “(4) ACTIVITIES.—A tribal college or university
8 that receives a grant or enters into a cooperative
9 agreement under this subsection may use the grant
10 or cooperative agreement to carry out activities, in-
11 cluding—

12 “(A) curricula development and academic
13 instruction, including educational activities, pro-
14 grams, and partnerships relating to students in
15 prekindergarten through grade 12;

16 “(B) professional development for college
17 and university faculty and in-service training
18 programs for prekindergarten through grade 12
19 instructors and administrators; and

20 “(C) innovative Native American language
21 programs for students in prekindergarten
22 through grade 12, including language immer-
23 sion programs.

24 “(5) AUTHORIZATION OF APPROPRIATIONS.—

25 There is authorized to be appropriated to carry out

1 tive agreements under paragraph (1) on a com-
2 petitive basis.

3 “(B) TERM.—The term of a grant or coop-
4 erative agreement under paragraph (1) shall be
5 not more than 3 years.

6 “(3) APPLICATION.—

7 “(A) IN GENERAL.—To be eligible to re-
8 ceive a grant or enter into a cooperative agree-
9 ment under this subsection, a tribal college or
10 university shall submit to the Secretary an ap-
11 plication at such time and in such manner as
12 the Secretary may reasonably require.

13 “(B) INCLUSION.—An application under
14 subparagraph (A) shall include a plan for the
15 program proposed to be carried out by the eligi-
16 ble tribal college or university using the grant
17 or pursuant to the cooperative agreement, as
18 applicable.

19 “(4) ACTIVITIES.—A tribal college or university
20 that receives a grant or enters into a cooperative
21 agreement under this subsection may use the grant
22 or cooperative agreement to carry out activities, in-
23 cluding—

24 “(A) community-based social science re-
25 search;

1 “(B) Native American language preserva-
2 tion and vitalization research; and

3 “(C) economic development research, in-
4 cluding research relating to—

5 “(i) workforce inventory and indus-
6 trial analysis;

7 “(ii) community development through
8 coordinated planning; and

9 “(iii) multistakeholder partnership
10 models.

11 ~~“(5) AUTHORIZATION OF APPROPRIATIONS.—~~

12 There is authorized to be appropriated to carry out
13 this subsection \$10,000,000 for each of fiscal years
14 2009 through 2012.”.

15 **SEC. 206. DEFINITIONS.**

16 Section 815 of the Native American Programs Act
17 of 1974 (42 U.S.C. 2992e) is amended—

18 (1) in paragraph (5), by striking “and” at the
19 end;

20 (2) in paragraph (6), by striking the period at
21 the end and inserting “; and”; and

22 (3) by adding at the end the following:

23 ~~“(7) the term ‘tribal college or university’~~
24 means—

1 “(A) an institution that is eligible to re-
2 ceive funds under the Tribally Controlled Col-
3 lege or University Assistance Act of 1978 (25
4 U.S.C. 1801 et seq.);

5 “(B) Diné College; and

6 “(C) any 1 of the 1994 Institutions (as de-
7 fined in section 532 of the Equity in Edu-
8 cational Land-Grant Status Act of 1994 (7
9 U.S.C. 301 note; Public Law 103-382)).”.

10 **SEC. 207. AUTHORIZATION OF APPROPRIATIONS.**

11 Section 816 of the Native American Programs Act
12 of 1974 (42 U.S.C. 2992d) is amended—

13 (1) in subsections (a), (c), and (e), by striking
14 “fiscal years 1999, 2000, 2001, and 2002” each
15 place it appears and inserting “fiscal years 2008
16 through 2012”;

17 (2) in subsections (a) and (b), by striking “sub-
18 section (c)” each place it appears and inserting
19 “subsection (d)”;

20 (3) by striking subsection (d); and

21 (4) by redesignating subsection (e) as sub-
22 section (d).

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) *SHORT TITLE.*—*This Act may be cited as the*
 3 *“Tribal Health Promotion and Tribal Colleges and Univer-*
 4 *sities Advancement Act of 2008”.*

5 (b) *TABLE OF CONTENTS.*—*The table of contents of this*
 6 *Act is as follows:*

Sec. 1. Short title; table of contents.

*TITLE I—THROUGH HIGHER EDUCATION: PROMOTING THE
 ADVANCEMENT OF TRIBAL HEALTH*

Sec. 101. Short title.

Sec. 102. Findings and purpose.

Sec. 103. Definitions.

Sec. 104. Administration by coordinating officer.

Sec. 105. Community-based health and wellness fairs.

Sec. 106. Health promotion and disease prevention targeted programs.

Sec. 107. Development and expansion of public health professional degree pro-
grams.

Sec. 108. Tribal College and University Rural Health Equity Endowment Fund.

Sec. 109. Offices of sponsored programs.

Sec. 110. Health promotion and disease prevention research programs.

*TITLE II—ADVANCING TRIBES THROUGH TRIBAL COLLEGES AND
 UNIVERSITIES*

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Native Prosperity Programs at TCUs.

Sec. 204. Definitions.

7 **TITLE I—THROUGH HIGHER**
 8 **EDUCATION: PROMOTING THE**
 9 **ADVANCEMENT OF TRIBAL**
 10 **HEALTH**

11 **SEC. 101. SHORT TITLE.**

12 *This title may be cited as the “Through Higher Edu-*
 13 *cation: Promoting the Advancement of Tribal Health Act”*
 14 *or “THE PATH Act”.*

1 **SEC. 102. FINDINGS AND PURPOSE.**

2 (a) *FINDINGS.*—Congress finds that—

3 (1) *because there is a significant lack of acces-*
4 *sible health-related education and training opportuni-*
5 *ties for Indians, few Indians are represented in the*
6 *health-related workforce of the United States;*

7 (2) *tribal colleges and universities remain the*
8 *most poorly-funded institutions of higher education in*
9 *the United States, yet, as engaged institutions, tribal*
10 *colleges and universities serve as catalysts for positive*
11 *change in Indian communities;*

12 (3) *tribal colleges and universities with nursing*
13 *programs train hundreds of students to hold criti-*
14 *cally-needed professional and management positions*
15 *in the Indian Health Service, tribal health organiza-*
16 *tions, and private and community agencies serving*
17 *rural Indian populations;*

18 (4) *to the extent that tribal colleges and univer-*
19 *sities are able, the colleges and universities have*
20 *begun to address the many societal challenges faced by*
21 *Indian communities;*

22 (5) *tribal colleges and universities offer criti-*
23 *cally-needed education and outreach programs, in-*
24 *cluding—*

25 (A) *community health fairs;*

26 (B) *HIV–AIDS education programs;*

1 (C) diabetes education programs;

2 (D) nutritional and obesity programs, in-
3 cluding community garden programs;

4 (E) substance abuse prevention programs;

5 (F) youth-at-risk programs;

6 (G) parenting classes; and

7 (H) child and elder care services; and

8 (6) due to a chronic lack of operational and tar-
9 geted program funding, together with the unwilling-
10 ness of certain Federal agencies to recognize tribal
11 colleges and universities as valuable partners in ad-
12 dressing rural community issues, including health
13 care professional shortages, tribal colleges and univer-
14 sities have limited resources available to help ade-
15 quately address the perennial health challenges of
16 rural Indian communities.

17 (b) *PURPOSE.*—The purpose of this title is to assist
18 tribal colleges and universities to strengthen Indian com-
19 munities through the provision of health promotion and dis-
20 ease prevention education, outreach, and workforce develop-
21 ment programs, including program implementation, re-
22 search, and capacity-building.

23 **SEC. 103. DEFINITIONS.**

24 *In this title:*

1 (1) *DEPUTY ASSISTANT SECRETARY.*—*The term*
2 *“Deputy Assistant Secretary” means the Deputy As-*
3 *stant Secretary for Minority Health, within the Of-*
4 *fice of Public Health and Science.*

5 (2) *DIRECTOR.*—*The term “Director” means the*
6 *Director of the National Institutes of Health.*

7 (3) *INDIAN.*—*The term “Indian” has the mean-*
8 *ing given the term in section 4 of the Indian Health*
9 *Care Improvement Act (25 U.S.C. 1603).*

10 (4) *SECRETARY.*—*The term “Secretary” means*
11 *the Secretary of Health and Human Services.*

12 (5) *TRIBAL COLLEGE OR UNIVERSITY.*—*The term*
13 *“tribal college or university” means—*

14 (A) *an institution that is eligible to receive*
15 *funds under the Tribally Controlled College or*
16 *University Assistance Act of 1978 (25 U.S.C.*
17 *1801 et seq.);*

18 (B) *Diné College; and*

19 (C) *any 1 of the 1994 Institutions (as de-*
20 *finied in section 532 of the Equity in Edu-*
21 *cational Land-Grant Status Act of 1994 (7*
22 *U.S.C. 301 note; Public Law 103–382)).*

1 **SEC. 104. ADMINISTRATION BY COORDINATING OFFICER.**

2 (a) *DESIGNATION.*—*The Deputy Assistant Secretary*
3 *shall serve as the coordinating officer with respect to pro-*
4 *grams of tribal colleges and universities relating to—*

5 (1) *health care workforce development; and*

6 (2) *health promotion and disease prevention.*

7 (b) *STAFF.*—*The Secretary shall appoint such addi-*
8 *tional staff as the Secretary determines to be necessary—*

9 (1) *to assist the Deputy Assistant Secretary in*
10 *carrying out the duties under this section; and*

11 (2) *to provide appropriate technical assistance to*
12 *tribal colleges and universities eligible to receive*
13 *grants or enter into cooperative agreements under this*
14 *title.*

15 (c) *MEMORANDUM OF AGREEMENT.*—*Not later than*
16 *180 days after the date of enactment of this Act, the Sec-*
17 *retary shall develop and implement a formal memorandum*
18 *of agreement with the American Indian Higher Education*
19 *Consortium to establish programs—*

20 (1) *to help ensure that Native American commu-*
21 *nities, through tribal colleges and universities, par-*
22 *ticipate equitably in programs, services, and resources*
23 *of the Department of Health and Human Services;*
24 *and*

25 (2) *to provide necessary technical assistance to*
26 *the tribal colleges and universities, including in estab-*

1 *lishing collaborations among tribal colleges and uni-*
 2 *versities and institutions of higher education or other*
 3 *organizations that carry out activities for culturally*
 4 *integrated education and training and research pro-*
 5 *grams, delivered onsite or through distance learning.*

6 **SEC. 105. COMMUNITY-BASED HEALTH AND WELLNESS**

7 **FAIRS.**

8 *(a) ESTABLISHMENT.—The Secretary, acting through*
 9 *the Deputy Assistant Secretary, shall establish a program*
 10 *under which the Secretary shall provide grants to, or offer*
 11 *to enter into cooperative agreements with, tribal colleges*
 12 *and universities to carry out annual, community-based,*
 13 *and culturally relevant health and wellness fairs at the trib-*
 14 *al colleges and universities.*

15 *(b) FUNDING.—*

16 *(1) AUTHORIZATION OF APPROPRIATIONS.—*

17 *There is authorized to be appropriated to the Sec-*
 18 *retary to carry out this section for each of fiscal years*
 19 *2009 through 2017 an amount equal to the sum of—*

20 *(A) the product obtained by multiplying—*

21 *(i) the number of tribal colleges and*
 22 *universities in operation on October 1 of the*
 23 *fiscal year; and*

24 *(ii) \$15,000; and*

1 (B) such amount as the Secretary deter-
2 mines to be necessary for the costs of admin-
3 istering the program under this section.

4 (2) *TOTAL AMOUNT.*—Subject to paragraph (3),
5 the Secretary shall use all amounts made available
6 under paragraph (1)(A) to provide grants or enter
7 into cooperative agreements pursuant to this section.

8 (3) *NONAPPLICABILITY OF LIMITATION.*—The
9 limitation under section 1703(c) of the Public Health
10 Service Act (42 U.S.C. 300u–2(c)) shall not apply to
11 this section.

12 **SEC. 106. HEALTH PROMOTION AND DISEASE PREVENTION**

13 **TARGETED PROGRAMS.**

14 (a) *ESTABLISHMENT.*—The Secretary, acting through
15 the Deputy Assistant Secretary, shall establish a program
16 under which the Secretary shall provide grants to, or offer
17 to enter into cooperative agreements with, tribal colleges
18 and universities to assist the tribal colleges and universities
19 to build and expand the capacity to work collaboratively
20 with relevant Indian tribes—

21 (1) to conduct coordinated community-based
22 health promotion and disease prevention activities;
23 and

1 (2) *to jointly plan and implement programs to*
2 *help reduce health disparities in tribal communities,*
3 *to the maximum extent practicable.*

4 (b) *REQUIREMENTS.—In providing grants and enter-*
5 *ing into cooperative agreements under this section, the Sec-*
6 *retary, to the maximum extent practicable, shall—*

7 (1) *approve applications on a competitive basis;*
8 *and*

9 (2) *ensure maximum and equitable distribution*
10 *among eligible tribal colleges and universities.*

11 (c) *APPLICATION.—*

12 (1) *IN GENERAL.—To be eligible to receive a*
13 *grant or enter into a cooperative agreement under*
14 *this section, a tribal college or university shall submit*
15 *to the Secretary an application at such time and in*
16 *such manner as the Secretary may reasonably re-*
17 *quire.*

18 (2) *INCLUSIONS.—An application under para-*
19 *graph (1) shall include—*

20 (A) *a signed agreement between the tribal*
21 *college or university and each relevant Indian*
22 *tribe that—*

23 (i) *requires the entities to establish a*
24 *partnership to implement the proposed com-*
25 *munity-based program; and*

1 (ii) specifies the roles of each entity;

2 (B) a jointly prepared 5-year plan for ad-
3 dressing the health promotion and disease pre-
4 vention needs of Indians or Alaska Natives, as
5 appropriate, in the area served by the tribal col-
6 lege or university;

7 (C) a demonstration of need for the pro-
8 posed program;

9 (D) an assurance that measures will be im-
10 plemented and monitored to minimize duplica-
11 tion of services; and

12 (E) an assurance that, under the proposed
13 program, the tribal college or university shall not
14 be a direct provider of any health care treatment
15 or service.

16 (3) *STREAMLINED PROCEDURE.*—The Secretary
17 shall ensure, to the maximum extent practicable, a
18 simplified and streamlined procedure for the submis-
19 sion and approval of applications under paragraph
20 (1), taking into consideration the limited number of
21 institutions that are eligible to receive assistance
22 under this section.

23 (d) *ACTIVITIES.*—A tribal college or university that re-
24 ceives a grant or enters into a cooperative agreement under
25 this section may use the grant or cooperative agreement to

1 *develop and carry out activities to address targeted areas*
 2 *of health promotion and disease prevention in tribal com-*
 3 *munities, including activities described in a partnership*
 4 *agreement under subsection (c)(2)(A) relating to—*

5 *(1) diabetes education and prevention;*

6 *(2) injury prevention;*

7 *(3) substance abuse, including methamphetamine*
 8 *abuse;*

9 *(4) HIV–AIDS prevention;*

10 *(5) emerging health promotion and disease pre-*
 11 *vention program and response development; and*

12 *(6) obesity and nutrition education.*

13 *(e) AUTHORIZATION OF APPROPRIATIONS.—There is*
 14 *authorized to be appropriated to carry out this section*
 15 *\$10,000,000 for each of fiscal years 2009 through 2017.*

16 **SEC. 107. DEVELOPMENT AND EXPANSION OF PUBLIC**
 17 **HEALTH PROFESSIONAL DEGREE PROGRAMS.**

18 *(a) ESTABLISHMENT.—The Secretary, acting through*
 19 *the Administrator of the Health Resources and Services Ad-*
 20 *ministration, shall establish a program under which the*
 21 *Secretary shall provide grants to tribal colleges and univer-*
 22 *sities (which may include consortia of tribal colleges and*
 23 *universities and other institutions of higher education) for*
 24 *purposes of—*

1 (1) *developing curricula, courses, degree, and in-*
2 *service programs for health-related professions; and*

3 (2) *strengthening those programs through the ac-*
4 *quisition of basic and advanced laboratory, research,*
5 *and classroom equipment, instruments, and com-*
6 *puters (including software).*

7 (b) *APPLICATION.—*

8 (1) *IN GENERAL.—To be eligible to receive a*
9 *grant under this subsection, a tribal college or univer-*
10 *sity shall submit to the Secretary an application at*
11 *such time and in such manner as the Secretary may*
12 *reasonably require.*

13 (2) *INCLUSION.—An application under para-*
14 *graph (1) shall include a description of a 5-year*
15 *strategy of the applicable tribal college or university*
16 *for increasing the number of Indians in the health*
17 *workforce of the United States.*

18 (3) *STREAMLINED PROCEDURE.—The Secretary*
19 *shall ensure, to the maximum extent practicable, a*
20 *simplified and streamlined procedure for the submis-*
21 *sion and approval of applications under paragraph*
22 *(1), taking into consideration the limited number of*
23 *institutions that are eligible to receive assistance*
24 *under this section.*

1 (c) *AUTHORIZATION OF APPROPRIATIONS.*—*There is*
 2 *authorized to be appropriated to carry out this subsection*
 3 *\$15,000,000 for each of fiscal years 2009 through 2017.*

4 **SEC. 108. TRIBAL COLLEGE AND UNIVERSITY RURAL**
 5 **HEALTH EQUITY ENDOWMENT FUND.**

6 (a) *ESTABLISHMENT.*—*There is established in the*
 7 *Treasury of the United States a fund, to be known as the*
 8 *“Tribal College and University Rural Health Equity En-*
 9 *dowment Fund” (referred to in this section as the “Fund”),*
 10 *consisting of—*

11 (1) *such amounts as are appropriated to the*
 12 *Fund under subsection (b); and*

13 (2) *any interest earned on those amounts.*

14 (b) *TRANSFERS TO FUND.*—*There is appropriated to*
 15 *the Fund, out of funds of the Treasury not otherwise appro-*
 16 *priated, \$9,000,000 for each of fiscal years 2009 through*
 17 *2017.*

18 (c) *INVESTMENTS.*—*The Secretary shall invest*
 19 *amounts in the Fund in interest-bearing obligations of the*
 20 *United States.*

21 (d) *EXPENDITURES FROM FUND.*—

22 (1) *IN GENERAL.*—*Subject to paragraph (2), on*
 23 *September 30 of fiscal year 2009 and annually there-*
 24 *after through September 30, 2017, on request by the*
 25 *Secretary, the Secretary of the Treasury shall transfer*

1 *from the Fund to the Secretary an amount equal to*
2 *the amount of interest income earned on amounts in*
3 *the Fund during the preceding fiscal year.*

4 (2) *ADMINISTRATIVE EXPENSES.—An amount*
5 *not exceeding 1 percent of the annual interest yield*
6 *distributed to tribal colleges and universities shall be*
7 *available for each fiscal year to pay the administra-*
8 *tive expenses necessary to carry out this section.*

9 (e) *DISTRIBUTION OF AMOUNTS.—Of amounts trans-*
10 *ferred under subsection (d)(1), the Secretary shall dis-*
11 *tribute—*

12 (1) *60 percent to tribal colleges and universities*
13 *on a pro rata basis, based on the proportion that—*

14 (A) *the Indian student count (as defined in*
15 *section 2(a) of the Tribally Controlled College or*
16 *University Assistance Act of 1978 (25 U.S.C.*
17 *1801(a)) of a tribal college or university for the*
18 *applicable fiscal year; bears to*

19 (B) *the Indian student count of all tribal*
20 *colleges and universities for that fiscal year; and*

21 (2) *40 percent in payments of equal amounts to*
22 *each tribal college and university.*

23 (f) *USE OF FUNDS.—A tribal college or university*
24 *shall use amounts received under this section to establish*
25 *and maintain an endowment for a health professions work-*

1 *force development program at the tribal college or univer-*
2 *sity.*

3 **SEC. 109. OFFICES OF SPONSORED PROGRAMS.**

4 (a) *ESTABLISHMENT.*—*The Secretary, acting through*
5 *the Director, shall establish a program under which the Sec-*
6 *retary shall provide grants to tribal colleges and univer-*
7 *sities to establish and maintain at the tribal colleges and*
8 *universities offices of sponsored programs described in sub-*
9 *section (b).*

10 (b) *SPONSORED PROGRAMS.*—*The sponsored programs*
11 *referred to in subsection (a) include programs for—*

12 (1) *pre- and post-grant award research, data col-*
13 *lection, and analyses, through a method that en-*
14 *sures—*

15 (A) *proper documentation of relevant appli-*
16 *cations; and*

17 (B) *compliance with applicable regulations*
18 *and guidelines;*

19 (2) *advancing specific institutional grant appli-*
20 *cation procedures and processes through coordination*
21 *of external funding sources and faculty, staff, and fi-*
22 *nancial officers;*

23 (3) *assisting in negotiations with Federal fund-*
24 *ing sources;*

1 (4) *providing liaisons with Federal counterparts*
2 *of tribal colleges and universities—*

3 (A) *to train and assist principal investiga-*
4 *tors, faculty, and college staff with respect to*
5 *grant management, reporting, and program im-*
6 *plementation; and*

7 (B) *to ensure that applicable deadlines are*
8 *met and required reports are completed;*

9 (5) *coordinating partnerships between tribal col-*
10 *leges and universities, Federal agencies, and the pri-*
11 *vate sector for collaborative programs and activities;*
12 *and*

13 (6) *in consultation with Federal agencies, identi-*
14 *fying and proposing solutions to—*

15 (A) *obstacles relating to Federal agency*
16 *grant application procedures and requirements;*
17 *and*

18 (B) *other problems relating to Federal grant*
19 *program structures and requirements.*

20 (c) *APPLICATION.—*

21 (1) *IN GENERAL.—To be eligible to receive a*
22 *grant under this section, a tribal college or university*
23 *shall submit to the Secretary an application at such*
24 *time and in such manner as the Secretary may rea-*
25 *sonably require.*

1 (2) *INCLUSION.*—An application under para-
2 graph (1) shall include a description of a 5-year
3 strategy of the applicable tribal college or university
4 for carrying out a sponsored program at the tribal
5 college or university, including performance indica-
6 tors by which success of the tribal college or university
7 will be evaluated.

8 (d) *DISTRIBUTION OF FUNDS.*—For each of fiscal
9 years 2009 through 2017, the Secretary, acting through the
10 Director, shall provide to each tribal college and university
11 the application of which is approved under subsection (c)
12 a grant in an amount equal to the quotient obtained by
13 dividing—

14 (1) the total amount made available under sub-
15 section (f) for the fiscal year; by

16 (2) the number of tribal colleges and universities
17 the applications of which are approved under sub-
18 section (c) for the fiscal year.

19 (e) *REPORTS.*—For each of fiscal years 2010 through
20 2018, each tribal college or university that receives a grant
21 under this section shall submit to the Director a report de-
22 scribing the success of the office of sponsored programs of
23 the tribal college or university during the preceding fiscal
24 year, as determined in accordance with the performance in-

1 *dicators contained in the application of the tribal college*
2 *or university under subsection (c)(2).*

3 *(f) AUTHORIZATION OF APPROPRIATIONS.—There is*
4 *authorized to be appropriated to carry out this section for*
5 *each of fiscal years 2009 through 2017 an amount equal*
6 *to the product obtained by multiplying—*

7 *(1) the number of tribal colleges and universities*
8 *in operation on October 1 of the applicable fiscal*
9 *year; and*

10 *(2) \$50,000.*

11 **SEC. 110. HEALTH PROMOTION AND DISEASE PREVENTION**
12 **RESEARCH PROGRAMS.**

13 *(a) ESTABLISHMENT.—The Secretary, acting through*
14 *the Director, shall establish a program under which the Sec-*
15 *retary shall provide grants to, or offer to enter into coopera-*
16 *tive agreements with, tribal colleges and universities to con-*
17 *duct research relating to health promotion and disease pre-*
18 *vention at the tribal colleges and universities.*

19 *(b) REQUIREMENTS.—*

20 *(1) COMPETITION.—The Secretary shall provide*
21 *grants and offer to enter into cooperative agreements*
22 *under subsection (a) on a competitive basis.*

23 *(2) GENERAL TERMS AND AMOUNTS.—Except as*
24 *provided in paragraph (3)—*

1 (A) *the term of a grant or cooperative*
2 *agreement under subsection (a) shall be not more*
3 *than 3 years; and*

4 (B) *the minimum amount of a grant under*
5 *subsection (a) for a fiscal year shall be \$150,000.*

6 (3) *UNDERGRADUATE RESEARCH EXPERIENCE*
7 *PROGRAMS.—With respect to a grant or cooperative*
8 *agreement provided for an undergraduate research ex-*
9 *perience program under subsection (d)(3)—*

10 (A) *the term of such a grant or cooperative*
11 *agreement shall be not more than 1 year; and*

12 (B) *the minimum amount of such a grant*
13 *for a fiscal year shall be \$10,000.*

14 (c) *APPLICATION.—*

15 (1) *IN GENERAL.—To be eligible to receive a*
16 *grant, or to enter into a cooperative agreement, under*
17 *this subsection, a tribal college or university shall*
18 *submit to the Secretary an application at such time*
19 *and in such manner as the Secretary may reasonably*
20 *require.*

21 (2) *STREAMLINED PROCEDURE.—The Secretary*
22 *shall ensure, to the maximum extent practicable, a*
23 *simplified and streamlined procedure for the submis-*
24 *sion and approval of applications under paragraph*
25 *(1), taking into consideration the limited number of*

1 *institutions that are eligible to receive assistance*
 2 *under this section.*

3 *(d) ACTIVITIES.—A tribal college or university that re-*
 4 *ceives a grant or enters into a cooperative agreement under*
 5 *this section may use the grant or cooperative agreement to*
 6 *carry out activities, including—*

7 *(1) research on culturally relevant and innova-*
 8 *tive health promotion and disease prevention strate-*
 9 *gies;*

10 *(2) epidemiological research on the health status*
 11 *of Indian populations and communities; and*

12 *(3) undergraduate research experience programs*
 13 *as the tribal college or university determines to be ap-*
 14 *propriate.*

15 *(e) AUTHORIZATION OF APPROPRIATIONS.—There is*
 16 *authorized to be appropriated to carry out this section*
 17 *\$12,000,000 for each of fiscal years 2009 through 2017.*

18 **TITLE II—ADVANCING TRIBES**
 19 **THROUGH TRIBAL COLLEGES**
 20 **AND UNIVERSITIES**

21 **SEC. 201. SHORT TITLE.**

22 *This title may be cited as the “Advancing Tribes*
 23 *Through Tribal Colleges and Universities Act” or the “AT*
 24 *TCUs Act”.*

1 **SEC. 202. FINDINGS.**

2 *Congress finds that—*

3 *(1) a primary goal of providing Federal support*
4 *for higher education is to ensure social and economic*
5 *self-sufficiency and growth for all residents of the*
6 *United States;*

7 *(2) social and economic underdevelopment is the*
8 *primary obstacle to the self-sufficiency of Indian com-*
9 *munities and families;*

10 *(3) research has demonstrated that higher edu-*
11 *cation is a primary method of achieving economic*
12 *and social development for Indian communities;*

13 *(4) tribal colleges and universities are institu-*
14 *tions of higher education created by Indians for Indi-*
15 *ans primarily on rural and isolated Indian reserva-*
16 *tions, which were virtually excluded from the general*
17 *system of higher education in the United States;*

18 *(5) underlying goals of tribal colleges and uni-*
19 *versities are—*

20 *(A) to improve the lives of Indians through*
21 *higher education; and*

22 *(B) to assist Indians in achieving self-suffi-*
23 *ciency;*

24 *(6) tribal colleges and universities—*

25 *(A) offer a variety of social services for stu-*
26 *dents and community members; and*

1 (B) often serve as community centers, li-
2 braries, tribal archives, career and business cen-
3 ters, economic development centers, public meet-
4 ing places, and childcare and wellness centers;

5 (7) tribal colleges and universities and students
6 of those colleges or universities contribute signifi-
7 cantly to the economic and social health of Indian
8 communities;

9 (8)(A) tribal colleges and universities have been
10 more successful than any other institution of higher
11 education in educating and helping to retain Indians
12 in high-need fields, such as nursing and teaching;

13 (B) data from 2005 indicates that—

14 (i) approximately $\frac{1}{2}$ of all graduates of
15 tribal colleges and universities pursue advanced
16 education; and

17 (ii) of those graduates, more than 86 per-
18 cent pursue bachelor's degrees;

19 (9) individuals, including Indians, with bach-
20 elor's or advanced degrees earn—

21 (A) almost 4 times as much as individuals
22 who do not graduate from high school; and

23 (B) more than twice as much as individuals
24 with high school diplomas;

1 (10) of the 155 indigenous languages spoken in
2 the United States as of the date of enactment of this
3 Act, 135 are spoken only by Indian elders;

4 (11)(A) language and culture are at the heart of
5 the mission of each tribal college and university;

6 (B) tribal colleges and universities—

7 (i) play a strong leadership role in Native
8 American language immersion; and

9 (ii) are responsible for the majority of the
10 approximately 50 Native American language im-
11 mersion programs in the United States; and

12 (12) despite the proven success of Native Amer-
13 ican language preservation and vitalization efforts of
14 tribal colleges and universities, only minimal Federal
15 and private sector resources are used for the activities.

16 **SEC. 203. NATIVE PROSPERITY PROGRAMS AT TCUS.**

17 (a) *IN GENERAL.*—Section 166 of the Workforce In-
18 vestment Act of 1998 (29 U.S.C. 2911) is amended by add-
19 ing at the end the following:

20 “(k) *NATIVE PROSPERITY PROGRAMS AT TCUS.*—

21 “(1) *ESTABLISHMENT.*—The Secretary shall es-
22 tablish a program, to be known as the ‘TCU Native
23 Prosperity Program’, under which the Secretary shall
24 provide grants to, or offer to enter into cooperative
25 agreements with, eligible tribal colleges and univer-

1 *sities to promote economic development, entrepreneur-*
2 *ship, community development, and sound fiscal lead-*
3 *ership in Indian communities.*

4 “(2) *REQUIREMENTS.*—

5 “(A) *IN GENERAL.*—*Except as provided in*
6 *subparagraph (B)—*

7 “(i) *the Secretary shall provide grants*
8 *and offer to enter into cooperative agree-*
9 *ments under paragraph (1) on a competi-*
10 *tive basis; and*

11 “(ii) *the term of a grant or cooperative*
12 *agreement under paragraph (1) shall be 5*
13 *years.*

14 “(B) *EXCEPTION.*—*If the Secretary deter-*
15 *mines that a tribal college or university that re-*
16 *ceives a grant or enters into a cooperative agree-*
17 *ment under this subsection has performed satis-*
18 *factorily throughout the initial 5-year term of*
19 *the grant or cooperative agreement under sub-*
20 *paragraph (A)(i)—*

21 “(i) *the tribal college or university*
22 *may submit to the Secretary an application*
23 *to extend the grant or cooperative agree-*
24 *ment, as applicable, for a period of not*
25 *more than 3 additional years; and*

1 “(ii) the Secretary may waive the com-
2 petitiveness requirement of subparagraph
3 (A)(i) with respect to the application.

4 “(3) APPLICATION.—

5 “(A) IN GENERAL.—To be eligible to receive
6 a grant or enter into a cooperative agreement
7 under this subsection, a tribal college or univer-
8 sity shall submit to the Secretary an application
9 at such time and in such manner as the Sec-
10 retary may reasonably require.

11 “(B) PROGRAM PLAN.—

12 “(i) IN GENERAL.—An application
13 under subparagraph (A) shall include a
14 plan for the program proposed to be carried
15 out by the eligible tribal college or univer-
16 sity using the grant or pursuant to the co-
17 operative agreement, as applicable.

18 “(ii) INCLUSIONS.—A program plan
19 under subparagraph (A) shall include—

20 “(I) a description of a 5-year
21 plan for the applicable tribal college or
22 university, developed in consultation
23 with, and approved by, each relevant
24 Indian tribe, through which the tribal
25 college or university will work collabo-

1 *ratively to meet the needs of Indians or*
2 *Alaska Natives, as appropriate, in the*
3 *area served by the tribal college or uni-*
4 *versity;*

5 *“(II) an identification of the pop-*
6 *ulation to be served by the tribal col-*
7 *lege or university;*

8 *“(III) an identification of the*
9 *education and employment needs of*
10 *that population and a description of*
11 *the manner in which the program*
12 *will—*

13 *“(aa) strengthen the eco-*
14 *nomie development potential of*
15 *the population; or*

16 *“(bb) contribute to the devel-*
17 *opment of high-quality local and*
18 *community services;*

19 *“(IV) a description of the services*
20 *to be provided under the program, in-*
21 *cluding the manner in which the serv-*
22 *ices will be integrated with other ap-*
23 *propriate activities to minimize dupli-*
24 *cation of services; and*

1 “(V) a description, to be prepared
2 in consultation with the Secretary, of
3 the performance measures to be used to
4 assess the performance of the tribal col-
5 lege or university in carrying out the
6 program.

7 “(iii) *REQUIREMENT.*—A program
8 plan shall be consistent with the purposes of
9 this section, as determined by the Secretary.

10 “(4) *ACTIVITIES.*—A tribal college or university
11 that receives a grant or enters into a cooperative
12 agreement under this subsection may use the grant or
13 cooperative agreement to carry out activities, includ-
14 ing—

15 “(A) microenterprise development;

16 “(B) business development and administra-
17 tion courses and degree programs;

18 “(C) entrepreneurship programs;

19 “(D) municipality planning and adminis-
20 tration courses, degree programs, and in-service
21 training; and

22 “(E) executive leadership training in eco-
23 nomic development, planning, and emerging
24 management issues.

1 “(5) *TECHNICAL ASSISTANCE.*—*To ensure that*
 2 *tribal colleges and universities receive timely, equi-*
 3 *table, and culturally relevant technical assistance, the*
 4 *Secretary may enter into any cooperative agreement*
 5 *the Secretary determines to be necessary with the*
 6 *American Indian Higher Education Consortium.*

7 “(6) *AUTHORIZATION OF APPROPRIATIONS.*—
 8 *There is authorized to be appropriated to carry out*
 9 *this subsection \$12,000,000 for each of fiscal years*
 10 *2009 through 2012.”*

11 **SEC. 204. DEFINITIONS.**

12 *Section 166(b) of the Workforce Investment Act of 1998*
 13 *(29 U.S.C. 2911(b)) is amended by adding at the end the*
 14 *following:*

15 “(4) *TRIBAL COLLEGE OR UNIVERSITY.*—*The*
 16 *term ‘tribal college or university’ means—*

17 “(A) *an institution that is eligible to receive*
 18 *funds under the Tribally Controlled College or*
 19 *University Assistance Act of 1978 (25 U.S.C.*
 20 *1801 et seq.);*

21 “(B) *Diné College; and*

22 “(C) *any 1 of the 1994 Institutions (as de-*
 23 *finied in section 532 of the Equity in Edu-*
 24 *cational Land-Grant Status Act of 1994 (7*
 25 *U.S.C. 301 note; Public Law 103–382)).”.*

Calendar No. 1110

110TH CONGRESS
2^D SESSION

S. 1779

[Report No. 110-519]

A BILL

To establish a program for tribal colleges and universities within the Department of Health and Human Services and to amend the Native American Programs Act of 1974 to authorize the provision of grants and cooperative agreements to tribal colleges and universities, and for other purposes.

OCTOBER 1 (legislative day, SEPTEMBER 17), 2008
Reported with an amendment