

114TH CONGRESS  
2D SESSION

**S.** \_\_\_\_\_

To modernize prior legislation relating to Diné College.

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IN THE SENATE OF THE UNITED STATES

Mr. FLAKE (for himself, Mr. MCCAIN, Mr. UDALL, and Mr. HEINRICH) introduced the following bill; which was read twice and referred to the Committee on \_\_\_\_\_

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**A BILL**

To modernize prior legislation relating to Diné College.

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 “Diné College Act of  
5 2016”.

6 **SEC. 2. FINDINGS.**

7        Congress finds that—

8            (1) the Treaty between the United States of  
9        America and the Navajo Tribe of Indians, done at  
10        Fort Sumner, New Mexico June 1, 1868 (15 Stat.

1 667), provides for the education of the citizens of  
2 the Navajo Nation;

3 (2) the Navajo Nation created and chartered  
4 the Navajo Community College by Resolution CN-  
5 95-68 as a wholly owned educational entity of the  
6 Navajo Nation;

7 (3) in 1971, Congress enacted the Navajo Com-  
8 munity College Act (25 U.S.C. 640a et seq.);

9 (4) the Navajo Nation officially changed the  
10 name of the Navajo Community College to “Diné  
11 College” by Resolution CAP-35-97; and

12 (5) the purpose of Diné College is to provide  
13 educational opportunities to the Navajo people and  
14 others in areas important to the economic and social  
15 development of the Navajo Nation.

16 **SEC. 3. PURPOSE.**

17 The purpose of this Act is to ensure that the Navajo  
18 Nation and Navajo people—

19 (1) exercise their right to self-determination,  
20 particularly in matters relating to the internal and  
21 local affairs of the Navajo Nation;

22 (2) maintain and strengthen distinct institu-  
23 tions of higher education through the teaching of the  
24 Navajo language, culture, traditions, and history;  
25 and

1           (3) improve the economic and social conditions  
2 of the Navajo Nation and Navajo people through  
3 higher education and postsecondary vocational train-  
4 ing.

5 **SEC. 4. DEFINITIONS.**

6 In this Act:

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

10                   (A) the Committee on Indian Affairs and  
11 the Committee on Appropriations of the Senate;  
12 and

13                   (B) the Committee on Natural Resources,  
14 the Committee on Education and the Work-  
15 force, and the Committee on Appropriations of  
16 the House of Representatives.

17           (2) **COLLEGE.**—The term “College” means  
18 Diné College.

19           (3) **INFRASTRUCTURE.**—

20                   (A) **IN GENERAL.**—The term “infrastruc-  
21 ture” means the buildings, water and sewer fa-  
22 cilities, roads, and information technology and  
23 telecommunications infrastructure of the Col-  
24 lege.

1 (B) INCLUSIONS.—The term “infrastruc-  
2 ture” includes classrooms and external matters  
3 such as walkways.

4 (4) OPERATION AND MAINTENANCE.—The term  
5 “operation and maintenance” means—

6 (A) costs and expenses associated with the  
7 customary daily operation of the College; and

8 (B) necessary maintenance costs of the  
9 College.

10 (5) RENOVATION AND REPAIR.—The term “ren-  
11 ovation and repair” means modernization and im-  
12 provement to the infrastructure.

13 (6) SECRETARY.—The term “Secretary” means  
14 the Secretary of the Interior.

15 **SEC. 5. SURVEY, STUDY, AND REPORT.**

16 (a) IN GENERAL.—

17 (1) SURVEY, STUDY, AND REPORT.—Not later  
18 than January 31, 2017, in accordance with sub-  
19 section (b), the Secretary shall conduct, and submit  
20 to the appropriate committees of Congress a report  
21 on the results of, a detailed survey and study of all  
22 capital projects and facility needs of the College.

23 (2) INCLUSIONS IN REPORT.—The report de-  
24 scribed in paragraph (1) shall include—

1 (A) recommendations by the Secretary;  
2 and

3 (B) any recommendations or views sub-  
4 mitted by the College or the Navajo Nation re-  
5 garding the capital projects and facility needs  
6 of the College.

7 (b) INVENTORY.—

8 (1) IN GENERAL.—Not later than August 1,  
9 2016, the College shall prepare and submit to the  
10 Secretary an inventory that identifies the renova-  
11 tions and repairs necessary to meet—

12 (A) health and safety standards; and

13 (B) any other requirements the College de-  
14 termines necessary.

15 (2) USE OF INVENTORY.—The Secretary shall  
16 use the inventory described in paragraph (1) as  
17 baseline data to inform the survey, study, and report  
18 under subsection (a).

19 (c) ADMINISTRATIVE EXPENSES.—The Secretary  
20 may use to carry out this section amounts made available  
21 to the Secretary in general administrative appropriations.

22 **SEC. 6. GRANTS AUTHORIZED.**

23 (a) CONSTRUCTION GRANTS.—

24 (1) IN GENERAL.—The Secretary shall make  
25 grants to the College for construction activities, in-

1 including the renovation and repair or construction of  
2 buildings, water and sewer facilities, roads, informa-  
3 tion technology and telecommunications infrastruc-  
4 ture, classrooms, and external structures (such as  
5 walkways) identified in the survey, study, and report  
6 under section 5 .

7 (2) AUTHORIZATION OF APPROPRIATIONS.—  
8 There is authorized to be appropriated to the Sec-  
9 retary to carry out paragraph (1) \$2,000,000 for  
10 each of fiscal years 2017 through 2020, to remain  
11 available until expended unless otherwise provided in  
12 an appropriations Act.

13 (b) OPERATION AND MAINTENANCE GRANTS.—

14 (1) IN GENERAL.—The Secretary shall make  
15 grants to the College for operation and maintenance  
16 activities, including—

17 (A) basic, special, developmental, voca-  
18 tional, technical, and special handicapped edu-  
19 cation costs;

20 (B) annual capital expenditures, including  
21 equipment needs, minor capital improvements  
22 and remodeling projects, physical plant mainte-  
23 nance and operation costs, and an exceptions  
24 and supplemental needs account;

25 (C) summer and special interest programs;

1 (D) major capital improvements, including  
2 internal capital outlay funds and capital im-  
3 provement projects;

4 (E) mandatory payments, including pay-  
5 ments due on bonds, loans, notes, or lease pur-  
6 chases;

7 (F) supplemental student services, includ-  
8 ing student housing, food service, and the provi-  
9 sion of access to books and services; and

10 (G) improving and expanding the College,  
11 including by providing for the Navajo people  
12 and others in the community of the College—

13 (i) higher education programs;

14 (ii) career and technical education;

15 (iii) activities relating to the preserva-  
16 tion and protection of the Navajo lan-  
17 guage, philosophy, and culture;

18 (iv) employment and training opportu-  
19 nities;

20 (v) economic development and commu-  
21 nity outreach; and

22 (vi) a safe learning, working, and liv-  
23 ing environment.

24 (2) AUTHORIZATION OF APPROPRIATIONS.—

25 There are authorized to be appropriated to the Sec-



1           (1) the Higher Education Act of 1965 (20  
2           U.S.C. 1001 et seq.);

3           (2) the Equity in Educational Land-Grant Sta-  
4           tus Act of 1994 (7 U.S.C. 301 note; Public Law  
5           103–382); or

6           (3) any other applicable program for the benefit  
7           of institutions of higher education, community col-  
8           leges, or postsecondary educational institutions.