

117TH CONGRESS
1ST SESSION

S. 1402

To amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, and for other purposes.

IN THE SENATE OF THE UNITED STATES

APRIL 28, 2021

Mr. SCHATZ (for himself and Ms. MURKOWSKI) introduced the following bill;
which was read twice and referred to the Committee on Indian Affairs

A BILL

To amend the Native American Languages Act to ensure the survival and continuing vitality of Native American languages, 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 “Durbin Feeling Native
5 American Languages Act of 2021”.

6 **SEC. 2. ENSURING THE SURVIVAL AND CONTINUING VITAL-**
7 **ITY OF NATIVE AMERICAN LANGUAGES.**

8 (a) IN GENERAL.—Section 106 of the Native Amer-
9 ican Languages Act (25 U.S.C. 2905) is amended by add-
10 ing at the end the following:

1 “(c) EVALUATION; REPORT.—Not later than 1 year
2 after the date of enactment of this subsection, the Presi-
3 dent shall—

4 “(1) require the heads of the various Federal
5 departments, agencies, and instrumentalities to
6 carry out an evaluation described in subsection
7 (a)(1); and

8 “(2) submit to Congress a report that de-
9 scribes—

10 “(A) the results of the evaluations; and

11 “(B) the recommendations of the Secretary
12 of the Interior, the Secretary of Health and
13 Human Services, and the Secretary of Edu-
14 cation, after consultation with Indian tribes,
15 traditional leaders, and representatives of Na-
16 tive American language communities, for
17 amendments to Federal laws that are needed—

18 “(i) to bring the Federal laws into
19 compliance with this Act;

20 “(ii) to improve interagency coordina-
21 tion for purposes of supporting revitaliza-
22 tion, maintenance, and use of Native
23 American languages; and

24 “(iii) to reduce duplication, inefficien-
25 cies, and barriers Native American lan-

1 guage communities face in accessing Fed-
 2 eral programs to support efforts to revi-
 3 talize, maintain, or increase the use of Na-
 4 tive American languages.”.

5 (b) SURVEY ON NATIVE AMERICAN LANGUAGES.—
 6 The Native American Languages Act (25 U.S.C. 2901 et
 7 seq.) is amended by adding at the end the following:

8 **“SEC. 108. SURVEY ON NATIVE AMERICAN LANGUAGES.**

9 “(a) IN GENERAL.—Not later than 18 months after
 10 the date of enactment of this section, and every 5 years
 11 thereafter, the Secretary of Health and Human Services,
 12 acting through the Commissioner of the Administration
 13 for Native Americans (referred to in this section as the
 14 ‘Secretary’), shall undertake a survey of the use of all Na-
 15 tive American languages in the United States.

16 “(b) UPDATES.—Prior to conducting each subse-
 17 quent survey after the initial survey under subsection (a),
 18 the Secretary shall update the survey in accordance with
 19 this section.

20 “(c) CONSULTATION REQUIRED.—The Secretary
 21 shall design the initial survey under subsection (a) and
 22 each updated survey under subsection (b)—

23 “(1) in consultation with Indian tribes; and

24 “(2) after considering feedback received from
 25 Native American language speakers and experts.

1 “(d) CONTENTS.—Each survey under subsection (a)
2 shall solicit—

3 “(1) information on which Native American
4 languages are currently spoken;

5 “(2) estimates of the number of speakers of
6 each Native American language;

7 “(3) any language usage statistics or informa-
8 tion that the Secretary, in consultation with Indian
9 tribes and Native American language speakers and
10 experts, determines to be relevant and appropriate;

11 “(4) information on the types of Native Amer-
12 ican language maintenance and revitalization
13 projects and practices that are currently being car-
14 ried out;

15 “(5) information on any unmet Native Amer-
16 ican language resource needs of Indian tribes and
17 Native American language communities; and

18 “(6) any other information that the Secretary,
19 in consultation with Indian tribes and Native Amer-
20 ican language speakers and experts, determines to
21 be necessary.

22 “(e) COORDINATION.—The Secretary may coordi-
23 nate, and enter into cooperative agreements with, the Di-
24 rector of the Bureau of the Census for the purposes of
25 carrying out this section.

1 “(f) OUTREACH AND ENGAGEMENT.—

2 “(1) IN GENERAL.—The Secretary shall carry
3 out outreach and engagement activities to provide
4 Indian tribes, Native language communities, and the
5 public information about—

6 “(A) opportunities to provide input on the
7 development and design of each survey under
8 subsection (a), including information on the
9 consultations required under subsection (c);

10 “(B) the goals and purpose of the surveys
11 conducted under subsection (a); and

12 “(C) the benefits and importance of par-
13 ticipation in surveys under subsection (a).

14 “(2) GRANTS, CONTRACTS, AND COOPERATIVE
15 AGREEMENTS AUTHORIZED.—The Secretary may
16 carry out the outreach and engagement activities re-
17 quired under paragraph (1)—

18 “(A) directly;

19 “(B) in partnership with the Bureau of the
20 Census; or

21 “(C) through grants to, or contracts or co-
22 operative agreements with—

23 “(i) Indian tribes;

24 “(ii) tribal organizations; and

1 “(iii) nonprofit organizations that
 2 work with Indian tribes, Native American
 3 language programs, and Native American
 4 language communities.

5 “(g) LIMITATION.—Nothing in this section requires
 6 an Indian tribe, Native American language community, or
 7 Native American language speaker—

8 “(1) to participate in a survey under subsection
 9 (a); or

10 “(2) to provide specific or culturally sensitive
 11 information in completing such a survey.

12 “(h) AVAILABILITY OF SURVEY MATERIALS AND
 13 FINDINGS.—

14 “(1) IN GENERAL.—Not later than 1 year after
 15 the date of enactment of this section, and prior to
 16 conducting each survey under subsection (a), the
 17 Secretary shall submit to the Committee on Indian
 18 Affairs of the Senate and the Committee on Natural
 19 Resources of the House of Representatives, and
 20 make publicly available, a description of—

21 “(A) the feedback received under sub-
 22 section (c) on the design of the survey;

23 “(B) the form and content of the survey;

24 “(C) the plan for deploying the survey to
 25 ensure a robust response; and

1 “(D) how the Secretary will ensure any
2 survey enumeration efforts are culturally in-
3 formed and appropriate.

4 “(2) RESULTS.—Not later than 90 days after
5 the date on which analysis of each survey under sub-
6 section (a) is completed, the Secretary shall submit
7 to the Committee on Indian Affairs of the Senate
8 and the Committee on Natural Resources of the
9 House of Representatives, and make publicly avail-
10 able, the results of the survey.

11 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
12 authorized to be appropriated to carry out this section
13 \$1,500,000 for each fiscal year—

14 “(1) preceding a fiscal year during which a sur-
15 vey under subsection (a) is conducted; and

16 “(2) during which a survey under that sub-
17 section is conducted.”.

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