

Native American Languages Act

[Public Law 101–477]

[As Amended Through P.L. 117–337, Enacted January 5, 2023]

【Currency: This publication is a compilation of the text of Public Law 101–477. It was last amended by the public law listed in the As Amended Through note above and below at the bottom of each page of the pdf version and reflects current law through the date of the enactment of the public law listed at <https://www.govinfo.gov/app/collection/comps/>】

【Note: While this publication does not represent an official version of any Federal statute, substantial efforts have been made to ensure the accuracy of its contents. The official version of Federal law is found in the United States Statutes at Large and in the United States Code. The legal effect to be given to the Statutes at Large and the United States Code is established by statute (1 U.S.C. 112, 204).】

AN ACT To reauthorize the Tribally Controlled Community College Assistance Act of 1978 and the Navajo Community College Act.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. TRIBALLY CONTROLLED COMMUNITY COLLEGES.

【(a) STUDENT COUNT.—Subsections (a)-(d)(1)—Amendments to law.】

(d) ENDOWMENTS.—

(2) 【25 U.S.C. 1832 note】 The amendments made by paragraphs (A) through Q of Effective date. subsection (a) shall take effect October 1,1991.

【SEC. 2. NAVAJO COMMUNITY COLLEGE.

Amendments to law.】

TITLE I—NATIVE AMERICAN LANGUAGES ACT

SHORT TITLE

SEC. 101. 【25 U.S.C. 2901 note】 This title may be cited as the “Native American Languages Act”.

FINDINGS

SEC. 102. 【25 U.S.C. 2901】 The Congress finds that—

(1) the status of the cultures and languages of Native Americans is unique and the United States has the responsibility to act together with Native Americans to ensure the survival of these unique cultures and languages;

(2) special status is accorded Native Americans in the United States, a status that recognizes distinct cultural and political rights, including the right to continue separate identities;

(3) the traditional languages of Native Americans are an integral part of their cultures and identities and form the basic medium for the transmission, and thus survival, of Native American cultures, literatures, histories, religions, political institutions, and values;

(4) there is a widespread practice of treating Native Americans languages as if they were anachronisms;

(5) there is a lack of clear, comprehensive, and consistent Federal policy on treatment of Native American languages which has often resulted in acts of suppression and extermination of Native American languages and cultures;

(6) there is convincing evidence that student achievement and performance, community and school pride, and educational opportunity is clearly and directly tied to respect for, and support of, the first language of the child or student;

(7) it is clearly in the interests of the United States, individual States, and territories to encourage the full academic and human potential achievements of all students and citizens and to take steps to realize these ends;

(8) acts of suppression and extermination directed against Native American languages and cultures are in conflict with the United States policy of self-determination for Native Americans;

(9) languages are the means of communication for the full range of human experiences and are critical to the survival of cultural and political integrity of any people; and

(10) language provides a direct and powerful means of promoting international communication by people who share languages.

DEFINITIONS

SEC. 103. [25 U.S.C. 2902] For purposes of this chapter—

(1) The term “Native American” means an Indian, Native Hawaiian, or Native American Pacific Islander.

(2) The term “Indian” has the meaning given to such term under section 6151(3) of the Elementary and Secondary Education Act of 1965.

(3) The term “Native Hawaiian” has the meaning given to such term by section 6207 of the Elementary and Secondary Education Act of 1965.

(4) The term “Native American Pacific Islander” means any descendent of the aboriginal people of any island in the Pacific Ocean that is a territory or possession of the United States.

(5) The terms “Indian tribe” and “tribal organization” have the respective meaning given to each of such terms under section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 450b).

(6) The term “Native American language” means the historical, traditional languages spoken by Native Americans.

(7) The term “traditional leaders” includes Native Americans who have special expertise in Native American culture and Native American languages.

(8) The term “Indian reservation” has the same meaning given to the term “reservation” under section 3 of the Indian Financing Act of 1974 (25 U.S.C. 1452).

DECLARATION OF POLICY

SEC. 104. [25 U.S.C. 2903] It is the policy of the United States to—

(1) preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages;

(2) allow exceptions to teacher certification requirements for Federal programs, and programs funded in whole or in part by the Federal Government, for instruction in Native American languages when such teacher certification requirements hinder the employment of qualified teachers who teach in Native American languages, and to encourage State and territorial governments to make similar exceptions;

(3) encourage and support the use of Native American languages as a medium of instruction in order to encourage and support—

(A) Native American language survival,

(B) educational opportunity,

) increased student success and performance,

(D) increased student awareness and knowledge of their culture and history, and

(E) increased student and community pride;

(4) encourage State and local education programs to work with Native American parents, educators, Indian tribes, and other Native American governing bodies in the implementation of programs to put this policy into effect;

(5) recognize the right of Indian tribes and other Native American governing bodies to use the Native American languages as a medium of instruction in all schools funded by the Secretary of the Interior;

(6) fully recognize the inherent right of Indian tribes and other Native American governing bodies, States, territories, and possessions of the United States to take action on, and give official status to, their Native American languages for the purpose of conducting their own business;

(7) support the granting of comparable proficiency achieved through course work in a Native American language the same academic credit as comparable proficiency achieved through course work in a foreign language, with recognition of such Native American language proficiency by institutions of higher education as fulfilling foreign language entrance or degree requirements, and

(8) encourage all institutions of elementary, secondary and higher education, where appropriate, to include Native American languages in the curriculum in the same manner as foreign languages and to grant proficiency in Native American languages the same full academic credit as proficiency in foreign languages.

NO RESTRICTIONS

SEC. 105. [25 U.S.C. 2904] The right of Native Americans express themselves through the use of Native American languages shall not be restricted in any public proceeding, including publicly supported education programs.

EVALUATIONS

SEC. 106. [25 U.S.C. 2905] (a) The President shall direct the heads of the various Federal departments, agencies, and instrumentalities to—

(1) evaluate their policies and procedures in consultation with Indian tribes and other Native American governing bodies as well as traditional leaders and educators in order to determine and implement changes needed to bring the policies and procedures into compliance with the provisions of this title;

(2) give the greatest effect possible in making such evaluations, absent a clear specific Federal statutory requirement to the contrary, to the policies and procedures which will give the broadest effect to the provisions of this title; and

(3) evaluate the laws which they administer and make recommendations to the President on amendments needed to bring such laws into compliance with the provisions of this title.

(b) By no later than the date that is 1 year after the date of enactment of this title, the President shall submit to the Congress a report containing recommendations for amendments to Federal laws that are needed to bring such laws into compliance with the provisions of this title.

(c) EVALUATION; REPORT.—Not later than 1 year after the date of enactment of this subsection, the President shall—

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

(2) submit to Congress a report that describes—

(A) the results of the evaluations; and

(B) the recommendations of the Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Education, after consultation with Indian tribes, traditional leaders, and representatives of Native American language communities, for amendments to Federal laws that are needed—

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

(ii) to improve interagency coordination for purposes of supporting revitalization, maintenance, and use of Native American languages; and

(iii) to reduce duplication, inefficiencies, and barriers Native American language communities face in accessing Federal programs to support efforts to revitalize, maintain, or increase the use of Native American languages.

USE OF ENGLISH

SEC. 107. [25 U.S.C. 2906] Nothing in this title shall be construed as precluding the use of Federal funds to teach English to Native Americans.

SEC. 108. [25 U.S.C. 2907] SURVEY ON NATIVE AMERICAN LANGUAGES.

(a) **IN GENERAL.**—Not later than 18 months after the date of enactment of this section, and every 5 years thereafter, the Secretary of Health and Human Services, acting through the Commissioner of the Administration for Native Americans (referred to in this section as the “Secretary”), shall undertake a survey of the use of all Native American languages in the United States.

(b) **UPDATES.**—Prior to conducting each subsequent survey after the initial survey under subsection (a), the Secretary shall update the survey in accordance with this section.

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

(1) in consultation with Indian tribes; and

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

(d) **CONTENTS.**—Each survey under subsection (a) shall solicit—

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

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

(3) any language usage statistics or information that the Secretary, in consultation with Indian tribes and Native American language speakers and experts, determines to be relevant and appropriate;

(4) information on the types of Native American language maintenance and revitalization projects and practices that are currently being carried out;

(5) information on any unmet Native American language resource needs of Indian tribes and Native American language communities; and

(6) any other information that the Secretary, in consultation with Indian tribes and Native American language speakers and experts, determines to be necessary.

(e) **COORDINATION.**—The Secretary may coordinate, and enter into cooperative agreements with, the Director of the Bureau of the Census for the purposes of carrying out this section.

(f) **OUTREACH AND ENGAGEMENT.**—

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

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

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

- (C) the benefits and importance of participation in surveys under subsection (a).
- (2) GRANTS, CONTRACTS, AND COOPERATIVE AGREEMENTS AUTHORIZED.—The Secretary may carry out the outreach and engagement activities required under paragraph (1)—
- (A) directly;
 - (B) in partnership with the Bureau of the Census; or
 - (C) through grants to, or contracts or cooperative agreements with—
 - (i) Indian tribes;
 - (ii) tribal organizations; and
 - (iii) nonprofit organizations that work with Indian tribes, Native American language programs, and Native American language communities.
- (g) LIMITATION.—Nothing in this section requires an Indian tribe, Native American language community, or Native American language speaker—
- (1) to participate in a survey under subsection (a); or
 - (2) to provide specific or culturally sensitive information in completing such a survey.
- (h) AVAILABILITY OF SURVEY MATERIALS AND FINDINGS.—
- (1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, and prior to conducting each survey under subsection (a), the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committees on Education and Labor and Natural Resources of the House of Representatives, and make publicly available, a description of—
- (A) the feedback received under subsection (c) on the design of the survey;
 - (B) the form and content of the survey;
 - (C) the plan for deploying the survey to ensure a robust response; and
 - (D) how the Secretary will ensure any survey enumeration efforts are culturally informed and appropriate.
- (2) RESULTS.—Not later than 90 days after the date on which analysis of each survey under subsection (a) is completed, the Secretary shall submit to the Committee on Indian Affairs of the Senate and the Committees on Education and Labor and Natural Resources of the House of Representatives, and make publicly available, the results of the survey.
- (i) AUTHORIZATION OF APPROPRIATIONS.—There is authorized to be appropriated to carry out this section \$1,500,000 for each fiscal year—
- (1) preceding a fiscal year during which a survey under subsection (a) is conducted; and
 - (2) during which a survey under that subsection is conducted.