

Native American languages as a medium of instruction, including by disseminating promising practices and developing pedagogical programming and through appropriate alternative pathways to teacher certification;

(5) to provide information and resources—

(A) on promising practices in the use and revitalization of Native American languages in Native American communities, including use in educational institutions; and

(B) for the use of technology in school and community-based Native American language programs to support the retention, use, and teaching of Native American languages;

(6) to support the use of distance learning technologies and training for parents, students, teachers, and learning support staff associated with Native American language programs, including—

(A) the compilation and curation of digital libraries and other online resources for Native American languages, except that any materials collected by the center shall only be materials provided by a Native American language program or Native American community;

(B) the development of optional distance learning curricula appropriate for preschool, elementary school, secondary school, adult education, and postsecondary education;

(C) pedagogical training for Native American language teachers; and

(D) other efforts necessary to continue Native American language acquisition through distance learning;

(7) to provide technical assistance for Native American communities and school systems to develop Native American language medium education programs in preschool, elementary school, secondary school, or adult education programs conducted through the medium of Native American languages;

(8) to support Native American language programs and Native American communities in—

(A) accessing international best practices, resources, and research in indigenous language revitalization; and

(B) gathering and sharing technical assistance, promising practices, and experiences;

(9) for the operation of intensive programs, including summer institutes, to train Native American language speakers, to provide professional development, and to improve Native American language instruction through preservice and in-service language training for teachers; and

(10) that otherwise support the Native American language resource center established under subsection (b) to carry out the activities required in subsection (c).

(e) Definitions

In this section:

(1) ESEA definitions

The terms “elementary school”, “local educational agency”, “secondary school”, and “State educational agency” have the meanings given the terms in section 7801 of this title.

(2) Eligible entity

The term “eligible entity” means—

(A) an institution of higher education;

(B) an entity within an institution of higher education with dedicated expertise in Native American language and culture education; or

(C) a consortium that includes 1 or more institutions of higher education or 1 or more entities described in subparagraph (B).

(3) Institution of higher education

The term “institution of higher education” has the meaning given the term in section 1001 of this title.

(4) Native American; Native American language

The terms “Native American” and “Native American language” have the meanings given those terms in section 103 of the Native American Languages Act (25 U.S.C. 2902).

(f) Authorization of appropriations

There are authorized to be appropriated to carry out this section, \$3,000,000 for each fiscal year.

(Pub. L. 117-335, § 2, Jan. 5, 2023, 136 Stat. 6143.)

Editorial Notes

REFERENCES IN TEXT

This Act, referred to in subsec. (a), is Pub. L. 117-335, Jan. 5, 2023, 136 Stat. 6143, known as the Native American Language Resource Center Act of 2022, which enacted this section and provisions set out as a note under section 6301 of this title.

The Native American Languages Act, referred to in subsecs. (a) and (c)(3)(A), is title I of Pub. L. 101-477, Oct. 30, 1990, 104 Stat. 1153, which is classified generally to chapter 31 (§ 2901 et seq.) of Title 25, Indians. For complete classification of this Act to the Code, see Short Title note set out under section 2901 of Title 25 and Tables.

CODIFICATION

Section was enacted as part of the Native American Language Resource Center Act of 2022, and not as part of the Elementary and Secondary Education Act of 1965 which comprises this chapter.

SUBPART 4—FEDERAL ADMINISTRATION

§ 7471. National Advisory Council on Indian Education

(a) Membership

There is established a National Advisory Council on Indian Education (hereafter in this section referred to as the “Council”), which shall—

(1) consist of 15 Indian members, who shall be appointed by the President from lists of nominees furnished, from time to time, by Indian tribes and organizations; and

(2) represent different geographic areas of the United States.

(b) Duties

The Council shall—

(1) advise the Secretary and the Secretary of the Interior concerning the funding and administration (including the development of regulations and administrative policies and

practices) of any program, including any program established under this part—

- (A) with respect to which the Secretary has jurisdiction; and
- (B)(i) that includes Indian children or adults as participants; or
- (ii) that may benefit Indian children or adults;

(2) make recommendations to the Secretary for filling the position of Director of Indian Education whenever a vacancy occurs; and

(3) submit to Congress, not later than June 30 of each year, a report on the activities of the Council, including—

- (A) any recommendations that the Council considers appropriate for the improvement of Federal education programs that include Indian children or adults as participants, or that may benefit Indian children or adults; and
- (B) recommendations concerning the funding of any program described in subparagraph (A).

(Pub. L. 89–10, title VI, § 6141, formerly title VII, § 7141, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1930; renumbered title VI, § 6141, and amended Pub. L. 114–95, title VI, §§ 6001(a), (b)(1), 6002(r), Dec. 10, 2015, 129 Stat. 2046, 2062.)

Editorial Notes

PRIOR PROVISIONS

A prior section 7471, Pub. L. 89–10, title VII, § 7141, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3732, set forth purpose of former subpart relating to professional development, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6141 of Pub. L. 89–10 was classified to section 7315 of this title, prior to repeal by Pub. L. 114–95.

AMENDMENTS

2015—Subsec. (b)(1). Pub. L. 114–95, § 6002(r), inserted “and the Secretary of the Interior” after “advise the Secretary” in introductory provisions.

Statutory Notes and Related Subsidiaries

EFFECTIVE DATE OF 2015 AMENDMENT

Amendment by Pub. L. 114–95 effective Dec. 10, 2015, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 114–95, set out as a note under section 6301 of this title.

TERMINATION OF ADVISORY COUNCILS

Advisory councils established after Jan. 5, 1973, to terminate not later than the expiration of the 2-year period beginning on the date of their establishment, unless, in the case of a council established by the President or an officer of the Federal Government, such council is renewed by appropriate action prior to the expiration of such 2-year period, or in the case of a council established by the Congress, its duration is otherwise provided by law. See sections 3(2) and 14 of Pub. L. 92–463, Oct. 6, 1972, 86 Stat. 770, 776, set out in the Appendix to Title 5, Government Organization and Employees.

NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION

Pub. L. 118–209, Dec. 23, 2024, 138 Stat. 2705, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘National Advisory Council on Indian Education Improvement Act’ or the ‘NACIE Improvement Act’.

“SEC. 2. NATIONAL ADVISORY COUNCIL ON INDIAN EDUCATION.

“By not later than 180 days after the date of enactment of this Act [Dec. 23, 2024] and notwithstanding any other provision of section 6141 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7471), the President shall ensure that the National Advisory Council on Indian Education established under such section includes at least one member who is a president of a Tribal College or University (as defined in section 316(b) of the Higher Education Act of 1965 (20 U.S.C. 1059c(b))].”

§ 7472. Peer review

The Secretary may use a peer review process to review applications submitted to the Secretary under subpart 2 or subpart 3 of this part.

(Pub. L. 89–10, title VI, § 6142, formerly title VII, § 7142, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1931; renumbered title VI, § 6142, Pub. L. 114–95, title VI, § 6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046.)

Editorial Notes

PRIOR PROVISIONS

A prior section 7472, Pub. L. 89–10, title VII, § 7142, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3732, related to training for all teachers program, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6142 of Pub. L. 89–10 was classified to section 7315a of this title, prior to repeal by Pub. L. 114–95.

§ 7473. Preference for Indian applicants

In making grants and entering into contracts or cooperative agreements under subpart 2 or subpart 3 of this part, the Secretary shall give a preference to Indian tribes, organizations, and institutions of higher education under any program with respect to which Indian tribes, organizations, and institutions are eligible to apply for grants, contracts, or cooperative agreements.

(Pub. L. 89–10, title VI, § 6143, formerly title VII, § 7143, as added Pub. L. 107–110, title VII, § 701, Jan. 8, 2002, 115 Stat. 1931; renumbered title VI, § 6143, Pub. L. 114–95, title VI, § 6001(a), (b)(1), Dec. 10, 2015, 129 Stat. 2046.)

Editorial Notes

PRIOR PROVISIONS

A prior section 7473, Pub. L. 89–10, title VII, § 7143, as added Pub. L. 103–382, title I, § 101, Oct. 20, 1994, 108 Stat. 3733, related to bilingual education teachers and personnel grants, prior to the general amendment of former subchapter VII of this chapter by Pub. L. 107–110.

A prior section 6143 of Pub. L. 89–10 was classified to section 7315b of this title, prior to repeal by Pub. L. 114–95.

§ 7474. Minimum grant criteria

The Secretary may not approve an application for a grant, contract, or cooperative agreement under subpart 2 or subpart 3 of this part unless