

## SHORT TITLE

Pub. L. 101-477, title I, §101, Oct. 30, 1990, 104 Stat. 1153, provided that: "This title [enacting this chapter] may be cited as the 'Native American Languages Act'."

**§ 2902. Definitions**

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 7491(3) of title 20.

(3) The term "Native Hawaiian" has the meaning given to such term by section 7517 of title 20.

(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 5304 of this title.

(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 1452 of this title.

(Pub. L. 101-477, title I, §103, Oct. 30, 1990, 104 Stat. 1154; Pub. L. 104-109, §11, Feb. 12, 1996, 110 Stat. 765; Pub. L. 107-110, title VII, §702(f), Jan. 8, 2002, 115 Stat. 1947; Pub. L. 114-95, title IX, §9215(iii), Dec. 10, 2015, 129 Stat. 2187.)

**Editorial Notes**

## AMENDMENTS

2015—Par. (2). Pub. L. 114-95, §9215(iii)(1), made technical amendment to reference in original act which appears in text as reference to section 7491(3) of title 20.

Par. (3). Pub. L. 114-95, §9215(iii)(2), made technical amendment to reference in original act which appears in text as reference to section 7517 of title 20.

2002—Par. (2). Pub. L. 107-110, §702(f)(1), substituted "section 7491(3) of title 20" for "section 7881(4) of title 20".

Par. (3). Pub. L. 107-110, §702(f)(2), substituted "section 7517 of title 20" for "section 7912(1) of title 20".

1996—Par. (2). Pub. L. 104-109, §11(1), substituted "section 7881(4) of title 20" for "section 2651(4) of this title".

Par. (3). Pub. L. 104-109, §11(2), substituted "section 7912(1) of title 20" for "section 4909 of title 20".

**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 Title 20, Education.

## EFFECTIVE DATE OF 2002 AMENDMENT

Amendment by Pub. L. 107-110 effective Jan. 8, 2002, except with respect to certain noncompetitive programs and competitive programs, see section 5 of Pub. L. 107-110, set out as an Effective Date note under section 6301 of Title 20, Education.

**§ 2903. Declaration of policy**

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,

(C) 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.

(Pub. L. 101-477, title I, §104, Oct. 30, 1990, 104 Stat. 1155.)

**§ 2904. No restrictions**

The right of Native Americans to express themselves through the use of Native American languages shall not be restricted in any public proceeding, including publicly supported education programs.

(Pub. L. 101-477, title I, §105, Oct. 30, 1990, 104 Stat. 1155.)

### § 2905. Evaluations

(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 chapter;

(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 chapter; 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 chapter.

(b) By no later than the date that is 1 year after October 30, 1990, 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 chapter.

#### (c) Evaluation; report

Not later than 1 year after January 5, 2023, 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 chapter;

(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.

(Pub. L. 101-477, title I, §106, Oct. 30, 1990, 104 Stat. 1156; Pub. L. 117-337, §2(a), Jan. 5, 2023, 136 Stat. 6153.)

#### Editorial Notes

##### REFERENCES IN TEXT

This chapter, referred to in subsec. (c)(2)(B)(i), was in the original “this Act” and was translated as reading

“this title”, meaning title I of Pub. L. 101-477, known as the Native American Languages Act, which is classified generally to this chapter, to reflect the probable intent of Congress.

#### AMENDMENTS

2023—Subsec. (c). Pub. L. 117-337 added subsec. (c).

### § 2906. Use of English

Nothing in this chapter shall be construed as precluding the use of Federal funds to teach English to Native Americans.

(Pub. L. 101-477, title I, §107, Oct. 30, 1990, 104 Stat. 1156.)

### § 2907. Survey on Native American languages

#### (a) In general

Not later than 18 months after January 5, 2023, 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.