

(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.

**(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 January 5, 2023, 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.

(Pub. L. 101-477, title I, §108, as added Pub. L. 117-337, §2(b), Jan. 5, 2023, 136 Stat. 6153.)

**Statutory Notes and Related Subsidiaries**

## CHANGE OF NAME

Committee on Education and Labor of House of Representatives changed to Committee on Education and the Workforce of House of Representatives by House Resolution No. 5, One Hundred Eighteenth Congress, Jan. 9, 2023.

**CHAPTER 32—NATIVE AMERICAN GRAVES PROTECTION AND REPATRIATION**

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**§ 3001. Definitions**

For purposes of this chapter, the term—

(1) “burial site” means any natural or prepared physical location, whether originally below, on, or above the surface of the earth, into which as a part of the death rite or ceremony of a culture, individual human remains are deposited.

(2) “cultural affiliation” means that there is a relationship of shared group identity which can be reasonably traced historically or prehistorically between a present day Indian tribe or Native Hawaiian organization and an identifiable earlier group.

(3) “cultural items” means human remains and—

(A) “associated funerary objects” which shall mean objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time of death or later, and both the human remains and associated funerary objects are presently in the possession or control of a Federal agency or museum, except that other items exclusively made for burial purposes or to contain human remains shall be considered as associated funerary objects.<sup>1</sup>

(B) “unassociated funerary objects” which shall mean objects that, as a part of the death rite or ceremony of a culture, are reasonably believed to have been placed with individual human remains either at the time

<sup>1</sup> So in original. The period probably should be a comma.