

Calendar No. 175

117TH CONGRESS
1ST SESSION

S. 1402

[Report No. 117-45]

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

DECEMBER 2, 2021

Reported by Mr. SCHATZ, without amendment

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”.

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

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

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

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

13 “(2) submit to Congress a report that de-
14 scribes—

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

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

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

25 “(ii) to improve interagency coordina-
26 tion for purposes of supporting revitaliza-

1 tion, maintenance, and use of Native
2 American languages; and

3 “(iii) to reduce duplication, inefficien-
4 cies, and barriers Native American lan-
5 guage communities face in accessing Fed-
6 eral programs to support efforts to revi-
7 talize, maintain, or increase the use of Na-
8 tive American languages.”.

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

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

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

20 “(b) UPDATES.—Prior to conducting each subse-
21 quent survey after the initial survey under subsection (a),
22 the Secretary shall update the survey in accordance with
23 this section.

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

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

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

7 “(d) CONTENTS.—Each survey under subsection (a)
8 shall solicit—

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

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

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

17 “(4) information on the types of Native Amer-
18 ican language maintenance and revitalization
19 projects and practices that are currently being car-
20 ried out;

21 “(5) information on any unmet Native Amer-
22 ican language resource needs of Indian tribes and
23 Native American language communities; and

24 “(6) any other information that the Secretary,
25 in consultation with Indian tribes and Native Amer-

1 ican language speakers and experts, determines to
2 be necessary.

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

7 “(f) OUTREACH AND ENGAGEMENT.—

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

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

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

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

20 “(2) GRANTS, CONTRACTS, AND COOPERATIVE
21 AGREEMENTS AUTHORIZED.—The Secretary may
22 carry out the outreach and engagement activities re-
23 quired under paragraph (1)—

24 “(A) directly;

1 “(B) in partnership with the Bureau of the
2 Census; or

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

5 “(i) Indian tribes;

6 “(ii) tribal organizations; and

7 “(iii) nonprofit organizations that
8 work with Indian tribes, Native American
9 language programs, and Native American
10 language communities.

11 “(g) LIMITATION.—Nothing in this section requires
12 an Indian tribe, Native American language community, or
13 Native American language speaker—

14 “(1) to participate in a survey under subsection
15 (a); or

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

18 “(h) AVAILABILITY OF SURVEY MATERIALS AND
19 FINDINGS.—

20 “(1) IN GENERAL.—Not later than 1 year after
21 the date of enactment of this section, and prior to
22 conducting each survey under subsection (a), the
23 Secretary shall submit to the Committee on Indian
24 Affairs of the Senate and the Committee on Natural

1 Resources of the House of Representatives, and
2 make publicly available, a description of—

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

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

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

8 “(D) how the Secretary will ensure any
9 survey enumeration efforts are culturally in-
10 formed and appropriate.

11 “(2) RESULTS.—Not later than 90 days after
12 the date on which analysis of each survey under sub-
13 section (a) is completed, the Secretary shall submit
14 to the Committee on Indian Affairs of the Senate
15 and the Committee on Natural Resources of the
16 House of Representatives, and make publicly avail-
17 able, the results of the survey.

18 “(i) AUTHORIZATION OF APPROPRIATIONS.—There is
19 authorized to be appropriated to carry out this section
20 \$1,500,000 for each fiscal year—

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

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

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