



NATIONAL CONGRESS OF AMERICAN INDIANS

The National Congress of American Indians Resolution #AK-21-026

EXECUTIVE COMMITTEE

PRESIDENT
Fawn R. Sharp
Quinault Indian Nation

1ST VICE PRESIDENT
Aaron Payment
Sault Ste. Marie Tribe of Chippewa Indians

RECORDING SECRETARY
Juana Majel-Dixon
Pauma Band of Luiseño Indians

TREASURER
Shannon Holsey
Stockbridge-Munsee Band of Mohican Indians

REGIONAL VICE PRESIDENTS

ALASKA
Rob Sanderson, Jr.
Tlingit & Haida Indian Tribes of Alaska

EASTERN OKLAHOMA
Norman Hildebrand
Wyandotte Nation

GREAT PLAINS
Larry Wright, Jr.
Ponca Tribe of Nebraska

MIDWEST
Rebecca Crooms-Stratton
Shakopee Mdewakanton Sioux Community

NORTHEAST
Tina Abrams
Seneca Nation of Indians

NORTHWEST
Leonard Forsman
Suquamish Tribe

PACIFIC
Erica Rae Macias
Cahuilla Band of Indians

ROCKY MOUNTAIN
Mark Pollock
Blackfeet Nation

SOUTHEAST
Nancy Carnley
Ma-Chis Lower Creek Indian Tribe of Alabama

SOUTHERN PLAINS
Robert Tippeconnie
Comanche Nation

SOUTHWEST
Joe Garcia
Ohkay Owingeh Pueblo

WESTERN
Amber Torres
Walker River Paiute Tribe

CHIEF EXECUTIVE OFFICER
Dante Desiderio
Sappony

NCAI HEADQUARTERS

1516 P Street, N.W.
Washington, DC 20005
202.466.7767
202.466.7797 fax
www.ncai.org

TITLE: Declaring Native American Languages in a State of Emergency and Support for an Executive Order on Native American Language Revitalization

WHEREAS, we, the members of the National Congress of American Indians of the United States, invoking the divine blessing of the Creator upon our efforts and purposes, in order to preserve for ourselves and our descendants the inherent sovereign rights of our Indian nations, rights secured under Indian treaties and agreements with the United States, and all other rights and benefits to which we are entitled under the laws and Constitution of the United States and the United Nations Declaration on the Rights of Indigenous Peoples, to enlighten the public toward a better understanding of the Indian people, to preserve Indian cultural values, and otherwise promote the health, safety and welfare of the Indian people, do hereby establish and submit the following resolution; and

WHEREAS; NCAI has deemed the cultural and spiritual wellbeing of American Indian , Alaska Native and Native Hawaiian peoples as a high priority, and; and

WHEREAS, NCAI has supported Native Language Revitalization efforts including the legislative enactment of Native American Languages Act, Esther Martinez Native American Languages Preservation Act, Native American Code Talker Recognition Act, and Native American and Alaska Native Language Immersion Schools and Programs (Every Student Succeeds Act); and

WHEREAS, NCAI believes that Native Languages are irreplaceable part of tribal religions, ceremonial practices, and cultural heritage of Indian Nations. Native Languages as well are inextricably linked to Americas unique national character and cultural heritage; and

WHEREAS, NCAI acknowledges that Native Languages are in a State of Emergency, for the first time in the long history of Tribal Nations the vast majority of the Tribal Nations no longer have active language communities. All existing Native Languages need immediate support at the local tribal, state, and national levels; and

WHEREAS, the NCAI Native Language Task Force, National Alliance to Save Native Languages, National Coalition of Native American Language Schools and Programs, and National Indian Education Association have collaborated to draft a proposed Executive Order on Revitalizing Native Languages and are advocating for White House endorsement of the proposed Executive Order (EO); and

WHEREAS, the proposed Executive Order honors President Biden's commitment to strengthen Nation-to-Nation relationship with Tribal Nations, fulfillment of Trust and Treaty obligations and promise to promote tribal language and culture in education systems impacting Native learners; and

WHEREAS, the draft Executive Order on Native Language Revitalization includes the following provisions: (1) Policy Statement; (2) Mobilization of Executive Agencies to coordinate federal resources to revitalize and protect Native American Languages; (3) Establish an Interagency Working Group on Native Language Revitalization; (4) Appointment of a Presidential Board of Advisors on Native American Languages; (5) Creation of a White House Initiative on Native American Language Revitalization to coordinate these activities; and, (6) Convening a White House Conference on Native Language Revitalization.

NOW THEREFORE BE IT RESOLVED, that the National Congress of American Indians (NCAI) does hereby support and endorse the "Draft" Executive Order on Native American Language Revitalization produced by the NCAI Native Language Task Force; and

BE IT FURTHER RESOLVED, that NCAI does declare Native Languages in a State of Emergency and urges the White House to adopt this proposed Executive Order, NCAI will additionally issue a Statement and Call to Action declaring Native Languages in a State of Emergency; and

BE IT FINALLY RESOLVED, that this resolution shall be the policy of NCAI until it is withdrawn or modified by subsequent resolution.

CERTIFICATION

The foregoing resolution was adopted by the General Assembly at the 2021 Mid Year Conference of the National Congress of American Indians, held June 20, 2021 - June 24, 2021, with a quorum present.



Fawn Sharp, President

ATTEST:



Juana Majel Dixon, Recording Secretary

EXECUTIVE ORDER

WHITE HOUSE INITIATIVE ON NATIVE AMERICAN LANGUAGE REVITALIZATION

By the authority vested in me as President by the Constitution and laws of the United States of America—including, but not limited to the Native American Languages Act of 1990 (P.L. 102-524) the Esther Martinez Native American Languages Preservation Act of 2006 (P.L. 109-394), and the Esther Martinez Native American Languages Programs Reauthorization Action (P.L. 116-11), and the American Indian Religious Freedom Act (P.L. 95-341),—in order to revitalize, protect, and maintain Native American languages, it is hereby ordered:

Section 1. Statement of Policy. It is the policy of the federal government to revitalize, protect, and maintain the rights and freedom of Native Americans to use, practice, and develop Native American languages to ensure their survival. The federal government shall recognize Native American languages as irreplaceable and integral to the national character. Native languages fulfill a vital role in maintaining cultural traditions and values, family protocols, social cohesion, sacred knowledge, environmental knowledge, and spiritual continuity. Revitalizing Native languages aids Native peoples to address the vast social needs resulting from past federal policies which have led to the disenfranchisement and dire economic circumstance of Native peoples in America, and the death of scores of Native American languages.

All surviving Native American languages are severely endangered. Of the 115 Indigenous languages spoken in the U.S. today, two are healthy, 34 are in danger, and 79 will go extinct within a generation without serious intervention. This loss has been exacerbated by the 2019 novel coronavirus (COVID-19) which has had a devastating toll on the lives of our Native elders. In addition, COVID-19 has forced isolation on community members, prevented Native cultural events that keep languages alive, and undermines the slow progress of language stewardship.

It is therefore critical that the federal government strengthen the ability of Native peoples to effectively engage in Native language revitalization. This Administration is committed to revitalizing, protecting, and maintaining the use of Native American languages, and shall promote inter-governmental cooperation and partnerships for the revitalization of all Native American languages. Additionally, this administration is committed to tribal consultation to strengthen regulations that guides research protections for studies with human subjects funded by certain federal agencies to protect Native intellectual property

Sec. 2. Executive Agencies, to the extent permitted by law and consistent with their missions and resources, shall coordinate federal plans, functions, programs, and resources to maintain, revitalize, and protect Native American languages.

- (a) All federal agencies, within 120 days of issuance of this Order, shall identify all laws, regulations, directives, and practices that conflict with Sec. 104 of the Native American Languages Act of 1990 and, together with a Native American Languages Board of Advisors, report changes and proposed changes to ensure compliance and submit them to the White House within six months from issuance of this Order, with particular attention to be focused on conflicts with education law.

- (b) The Federal agencies shall identify legislation that affects Native American peoples where one or more Native American languages have been recognized as “official” in accordance with Sec. 104 of NALA 1990, and develop: (1) broad language that will allow the use of Native American languages in fulfilling such legislation (e.g., for signage and delivery of services); and, (2) broad subpart language that would allow special funding to integrate support for a Native American language in such legislation (e.g., resources for the translations of signs and terminology relative to the activity.)
- (c) Federal agencies shall develop plans to bring increased efficiencies to existing authorized programs with goals that are supportive of the revitalization and protection of Native American languages.
 - (1) Identify existing programs and plans that give the authority to fulfill the federal trust responsibility related to language revitalization and offer assistance and resources to tribal communities involved in revitalizing their languages.
 - (2) Identify all technical tools, including those developed for purposes other than language instruction, documentation, and preservation, which could serve language revitalization programs, and make such tools available to those programs.
 - (3) Provide access to existing scientific data and information to the extent permitted by law and consistent with the agencies’ mission and resources.

Sec. 3. Establishment of an Interagency Working Group. There is hereby established the Interagency Working Group on Native American Language Revitalization . The Working Group will provide direction to execute and implement the mandates and plans of Executive Agencies. The Working Group shall have three chairs: the Secretaries of the Department of Health and Human Services, the Department of the Interior, and the Department of Education.

- (a) The Working Group members, or their designees at the Assistant Secretary level or equivalent, are: (1) the Secretary of Defense; (2) the Attorney General; (3) the Secretary of the Interior; (4) the Secretary of Agriculture; (5) the Secretary of Commerce; (6) the Secretary of Housing and Urban Development (7) the Secretary of Transportation; (8) the Secretary of Energy; (9) the Secretary of Health and Human Services; (10) the Chairperson of the National Endowment for the Arts; (11) the Chairperson of the National Endowment for the Humanities; (12) the Chairperson of the National Science Foundation; (13) the Director of the National Museum of the American Indian; (14) the Director of the National Park Service; and (15) the Administrator for the Environmental Protection Agency.
- (b) The Working Group shall: periodically review the actions of agencies in support of the White House Initiative on Native American Languages.

- (c) Report to the President on the progress, accomplishments, and effectiveness of the White House Initiative on Native American Languages.
- (d) Perform other duties as directed by the chairs of the Working Group and develop a federal interagency plan within 90 days of the issuance of this Order that recommends initiatives, strategies, and ideas for future interagency action that are directed by this Order.

Sec. 4. Responsibilities of the Working Group. The Working Group shall ensure the implementation of the policies and purposes of this initiative and institute procedures to assure that federal plans and programs contribute to the revitalization of Native American Languages.

Sec. 5. Board of Advisors.

- (a) Establishment. There shall be established in the Department of Health and Human Services a Presidential Board of Advisors on Native Languages (the “Board”).
- (b) Membership. The Board shall consist of not more than 20 members who shall be appointed by the President, one of whom shall be designated by the President as Chair. The Board shall include representatives of Native American language communities in language immersion schools, early education, and elementary, secondary and higher education; leaders of private foundations, philanthropies, and business and financial institutions; and Native language speakers, tribal and traditional leaders, and such other persons as the President deems appropriate. The members shall be persons with expertise and experience in fields related to this initiative.
- (c) Members of the Board shall serve for terms of 3 years, and may continue to serve after the expiration of their terms until the President appoints a successor. Members shall be eligible for reappointment and serve at the pleasure of the President during their terms.
- (d) Functions. The Board shall provide advice regarding the progress made by federal agencies toward fulfilling the purposes and objectives of this Order. The Board shall provide recommendations to the President, through the Working Group on ways the federal government can help revitalize Native languages, including:
 - (1) Develop community capacity through both federal and private sector resources, technical assistance, and technology to advance the goals and objectives of this order.
 - (2) Enhance facilities for language instruction and repository building.
 - (3) Improve long-term development, endowment building, resource enhancement, and private sector funding to ensure sustainable language efforts.
 - (4) Identify and recommend legislative action that would advance the goals of this Order.

- (5) Identify barriers tribal communities face in revitalizing, protecting, and maintaining the use of Native American languages.

(e) Meetings. The Board shall meet annually in person, and quarterly via telephone conference call, to provide advice and consultation on language efforts surrounding this order, present recommendations, and transmit reports.

Sec. 6. White House Initiative on Native American Language Revitalization. There shall be established in the Office of the Secretary of the Department of Education, the White House Initiative on Native American Language Revitalization. The Initiative shall:

- (a) Provide staff support for the Board;
- (b) Assist the Secretary and the Working Group in the role of liaison between the executive branch and Native American language communities.
- (c) Serve the Working Group Chairs in carrying out their responsibilities under this order.

Sec. 7. Administrative Support. The Department of Education shall provide appropriate administrative services and staff support for the Board and the White House Initiative on Native American Language Revitalization. Other agencies participating in the Initiative shall provide administrative support to the initiative consistent with existing authority. The Board and Initiative each shall have staff and shall be supported at appropriate levels commensurate with that of other White House initiatives.

Sec. 8. White House Conference on Native American Language Revitalization. The Secretary of the Interior, the Secretary of Health and Human Services, and the Secretary of Education, in collaboration with the Working Group, Native language stakeholders, including language immersion schools and tribal governments, universities, and colleges, shall jointly convene a White House Conference on Native American Language Revitalization to identify means to enhance Native language revitalization initiatives and to improve federal and tribal partnerships, communication, collaboration, research, and cooperative strategies to improve revitalization outcomes.

(Add no right of action disclaimer.)

2021