

**WRITTEN STATEMENT  
ON  
S.575, A BILL TO AMEND  
THE NATIVE AMERICAN LANGUAGES ACT  
BEFORE THE  
SENATE INDIAN AFFAIRS COMMITTEE**

**Submitted By  
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**D**uring various periods in the history of this country, there have been efforts to eliminate Native languages. Rarely has the use of these languages been supported or even encouraged by the Federal government. Since Native languages are closely related to the cultural identity of the tribal groups that speak them, the failure to support retention of these languages also means a lack of support for the cultural identity of numerous indigenous populations. The ill-conceived efforts to eliminate the language and culture of all of America's indigenous populations is one of the darkest periods in the history of this country.

Native languages are one of the treasures of this country's heritage, as well as treasures of the tribal groups themselves. During World War II, several Indian Nations utilized their native language to help America win the war. Even as World War II came to an end, Indian languages here at home were under attack in Indian schools as termination advocates sought to remove language and culture from Indian students. Fifty years later, however, the Navajo Code Talkers were honored for their skilled and courageous use of their language in WWII. This was one of the few times when the value of Native languages was acknowledged and honored. Recently, proponents of the "English only" movement have sought to mainstream the English language in America even though today's minorities will become tomorrow's majority.

To American Indians, Alaska Natives and Native Hawaiians, our languages are synonymous with cultural identity. Without language there is no effective way to communicate and pass on the values and teachings from elders to tribal youth. Sadly, many tribal groups have already lost their languages. In 1992 when the Native

Languages Act was first considered by Congress, only 150 Indian languages were still being used out of an estimated several hundred.

Native American communities are acutely aware that their languages, and hence generations of cultural knowledge, are quickly disappearing. According to the 2000 U.S. census, out of a population of 4.1 million American Indians and Native Alaskans, only 32.3% report speaking a language other than English at home. Until recently, indigenous languages were small islands in danger of being swamped by economic and social pressures to speak English. Now a national and international movement is underway to revitalize these languages. It is understood by linguists, educators, politicians, and indigenous peoples worldwide that language preservation is not only key to preserving cultures but also to preserving biodiversity, ecosystems, and societal health and well being.

There is a wide disparity in educational achievement between American Indian students and their non-Indian peers. Indian students have the highest dropout rate of any racial or ethnic group and the lowest high school completion and college attendance rates of any minority group. Between forty and sixty percent of American Indian students are leaving high school between their freshman and senior years. For example, between 1995-1996 and 1998-1999, Montana Indian students had a graduation rate of only fifty percent (NIEA, 1999). The 1990 census shows that only 11.5% of the total American Indian population had four or more years of college, compared with twenty eight percent of the total U.S. population. Most tribes have between twenty five and seventy percent unemployment rates. In 2000, 25.9% of American Indians fell below the poverty line and 26.8% did not have health insurance.

The Native American Languages Act of 1990 recognizes that “there is convincing evidence that student achievement and performance, community and school pride, and educational opportunity is clearly and directly tied to respect for, and support of, the first language of the child or student.” Research has shown that Native American children fare better academically when taught their native language. For instance, three studies have concluded that language and culture programs improve academic performance and arrest American Indian student dropout rates (Vadas 1995, Stiles 1997, Yagi 1985). Studies also show that schools nurturing bilingual and bicultural perspectives have shown improvements in learning environments and academic success (McLaughlin, 1992). Also, by learning how to provide place- and community-based curriculum and instruction, teachers can provide students with a relevant, practical, and motivating education where indigenous learners can actively participate in shaping their own education (Corson, 1998). Improved academic performance leads to increased graduation rates, better employment opportunities for students, and increased tribal self-sufficiency. With greater access to language programs, tribal communities will be able to build stronger cultural foundations.

It is not known how many Native American language programs exist or how many language teachers are currently involved in language programs. Studies such as the Indigenous Language Institute’s Field Survey Project will provide valuable data on the

numbers, ages, and language proficiency levels of students and teachers in the fifty four communities currently participating in the survey. However, this study represents only a small segment of Native learners and educators. A consistent theme raised in conferences around the country is the need for more information on language program resources and training opportunities for language speakers. Up to eighty five percent of Native students are enrolled in the public school system. The issue becomes exasperated since few public schools offer any form of language program at all for these students.

In New Mexico, for example, in the 2001-2002 school year there were 33,365 Indian students enrolled in the public schools that received Title VII funds (formerly Title IX) in twenty three school districts. According to the Language & Cultural Equity Department of the Albuquerque Public School system (4,000 Indian students), there are language programs offered in only one native language (Navajo) and every year fewer state funds are allocated to bilingual education programs due to lack of certified teachers. There is an eleven percent dropout rate for American Indian students in Albuquerque public schools and thirty nine percent statewide. To address these problems, the state New Mexico State Legislature passed an Indian Education Act that would allocate \$2.1 million for teacher training and \$500,000 for development of language and culture curriculum. Similar needs for greater funding and training exist in every state.

It has been determined that many grassroots language initiatives exist, however, language advocates and community language practitioners lack sufficient means to communicate with other communities and linguists and to access academic research pertinent to language acquisition methods. Additional barriers to compiling data and implementing language initiatives include federal teaching standard requirements that are inconsistent with Native teaching methods and language skill recognition. Federally mandated yearly student academic assessments deny educators' ability to develop linguistically and culturally appropriate assessment standards for Native students. Additionally, requirements to comply with bilingual education standards divert human and material resources away from direct and authentic use and teaching of Native American languages in schools. *(Please see the attached NIEA Resolution 02-010)*

Today's hearing focuses on S.575, Native American Languages Amendments Act of 2003, which amends Public Law 102-524, the Native American Languages Act of 1992. Currently, the Native American Languages Act, is administered through the Department of Health and Human Services by the Administration for Native Americans. The annual budget allocation for the program is a mere \$2 million per year.

For American Indian tribes and Native Hawaiians, S.575 has the potential to fill in a gap that the No Child Left Behind Act (NCLB) fails to address. While NCLB addresses the academic failings being experienced in today's schools, it fails to place any value in languages other than English. This is even more remarkable as the country finds itself involved in foreign and domestic ventures for which its lack of knowledge of other languages and cultures leaves it vulnerable. In 2001, when the NCLB was first being implemented, the Department of Education's Office of Indian Education (OIE) began

changing the direction of its programs. This caused great concern among OIE grantees because it changed the focus of the program from meeting the unique cultural needs of Indian students to strictly increasing student achievement. While non-Indians may see value in becoming proficient in reading and math, Native populations tend to also place a higher priority on tradition and culture.

S.575 is a modest step in the process of supporting revitalization of the Native languages of America. It would put existing language immersion programs on a firmer financial footing and provide some encouragement for others to begin. It plants a seed that hopefully can grow into a larger effort to slow down, and perhaps in some cases, reverse the march toward the loss of American Indian languages and culture. The concept of language survival schools is not new to Native Hawaiians who are making great strides in their Aha Punana Leo school system where total language immersion programs are operated. Several American Indian tribes are creating their own language programs as well; including the Blackfeet, the Cherokee, the Navajo and many others are at varying stages of development.

Specifically, the bill would support the development of Native American Language Survival Schools to educate students in both American Indian languages and English. It would also authorize the creation of Native American Language Nests, which are language immersion programs for children aged six and under. The bill would authorize the following activities: curriculum development; teacher, staff, and community resource development; rental, lease, purchase, construction, and repair of facilities. Additionally, the bill would authorize the establishment of Native American Language School support centers. One is located at the Native Language College at the University of Hawaii and the Peigon Institute in Browning, MT; and the another is located at the Alaska Native Language Center at the University of Alaska.

This concept is being implemented in other countries as well where the need to revitalize the primary language becomes important. A language survival school requires that the language be used regularly the whole school year long with efforts to include it at all other levels of the community. This approach makes it different than other programs and becomes even more critical in the case of American Indian tribes and Native Hawaiians as their traditional speakers become fewer with each passing year.

We have identified changes and/or refinements that we recommend be made to the bill:

1. The NCLB certification requirements of teachers for Native American language and culture courses in regular non-Native Language Survival Schools are also incompatible with NALA. Many Native communities depend on elders to teach their languages in local high schools and elementary schools. These individuals frequently lack State certification and may even lack a high school diploma. Allowances or waivers need to be made to accommodate this situation as the pool of traditional speakers grows smaller. Perhaps a provision could be added to create a

national Native language certification that would apply to any Indigenous group in the U.S.

2. We recommend that the Secretary of Education develop a plan for approving Native American Language Survival School evaluation and teacher education plans. In the event the Secretary is unable or unwilling to carry out such an initiative we recommend that selected tribal colleges and Native Hawaiian universities be allowed to develop an alternative certification route. Ideally, Native groups should indeed develop their own certification plans, but an endorsement by the Secretary of Education is needed to garner the status required under NCLB.
3. Under Title III of NCLB there are provisions that recognize the use of Native American languages in schools (Sec. 3125, 3128, 3216), but this use is limited to a student's first three years in school. The use of language other than English are not included elsewhere and thus schools taught through the medium of tribal languages are subject to exclusion from financial support from NCLB if they are not taught in English. Due to a lack of clarity on this issue a provision is needed to allow such schools to participate under NCLB and obtain other support through their own state.
4. Section 103(6) has omitted "Alaskan Natives" from the definition of Native American. This seems to be an oversight since the Alaskans are one of the possible recipients of a demonstration project.
5. Sections 108 and 109 Eligibility for the Native American Language Nests and Native American Survival Schools seems confusing. For example:
  - A. It is required that Language Nests must provide "compulsory" classes for parents and "compulsory" monthly meetings for parents. This suggests that all parents will somehow be coerced into attending these classes and meetings. The language may need to be changed from "compulsory" to "encouraged to participate."
  - B. Eligibility for "survival schools" include 3 years of operating a survival school, language nest, or "any other educational program in which instruction is conducted in a native American language." This last category would seem to open the program to schools or programs within a school that were not implementing a rigorous Native language program.
6. We recommend an authorization of an actual dollar amount based on the funding for the three demonstration projects and an estimated number of Native American Language Nests and Survival Schools.

Conclusion: In closing, I would like to thank the Indian Affairs Committee for its unwavering support for the concerns of all Native People and for holding today's hearing. Tribal languages, as with tribal sovereignty, can only be maintained when committed Native peoples work in concert with the Congress to ensure their existence. To this end, we ask the committee to recommend support for this legislation and its potential impact on future Indian generations. I would be happy to answer any questions the committee may have.