

LSA Report on Senate Hearing on Native American Languages Acts

Introduction

This report describes the US Senate Committee on Indian Affairs Business Meeting that took place on May 29th, 2021, and possible follow-up steps by the LSA. The hearing was attended virtually by the LSA summer 2021 intern Sonya Trawick. The meeting discussed two proposed acts related to the preservation and revitalization of Native American languages, as well as impacts of COVID-19 on Native American communities and educational endeavors. Detailed meeting notes are included below.

Executive Summary

[*Act S. 989, Native American Language Resource Center Act of 2021*](#) is a bill that will amend the 1965 Higher Education Act and authorize the Department of Education to work with separate entities (e.g., Native American organizations, bodies of the federal government) to create and staff a Native American language resource and training center, with the goals of aiding in and encouraging the teaching and learning of Native American languages.

[*Act S. 1402, Durbin Feeling Native American Languages Act of 2021*](#) adds a section to the 1990 Native American Languages Act, asking for the president to require the heads of various federal organizations to carry out and report to Congress on a survey regarding Native American languages (e.g., the number of speakers per language, unmet needs, relevant statistics). The purpose of the survey would be to provide metrics to evaluate how successful previous relevant legislation has been, as well as an opportunity to collect recommendations from various federal organizations and Native American communities regarding what would help make these existing federal laws more successful, what would improve interagency coordination for goals regarding Native American language learning and teaching, and what would reduce inefficiencies and barriers that these communities face in accessing the federal programs designed to help them. S. 1402 also includes the following:

- The survey would be conducted within 18 months of the act's enactment, and then every 5 years thereafter
- After the initial survey, subsequent surveys would be updated with consultation of Native American communities.
- The Census Bureau may be involved in this effort.
- Participation in the survey on an individual or community level would be voluntary.
- S. 1402 asks for 1.5 million dollars for each year the survey takes place, as well as for each year preceding the year in which the survey will take place.

The witnesses testified that both acts would play a role in the preservation of languages, as well as in the recovery of setbacks created by COVID-19. The setbacks were discussed both in terms of the number of speakers lost (in some cases a serious percentage of the total speakers, and often the elders who are critical keepers of linguistic and cultural knowledge), and in terms of disruption of language instruction (as instructors had to learn how to use new technologies, or, e.g., in the case of Alaska, to struggle with poor internet access). As the Language Center (S.

989) would allow for a sharing of resources, best practices, and innovations in indigenous learning, it would relieve the burden from individuals and especially small communities who have had to create, maintain, and innovate practices and materials from scratch, without external pedagogical guidance or aid. Instructors would be able to build upon knowledge and successes of other communities while still being able to cater materials to their community's unique needs. Meanwhile, periodic surveys (S. 1402) would highlight the varied needs of each community to update and reorient efforts at the federal level to increase efficiency of, access to, and success of existing legislation.

Link to recorded meeting: <https://www.indian.senate.gov/hearing/business-meeting-consider-s-1471-oversight-hearing-examining-covid-19-response-native>

Meeting Notes

Present:

Chairman Senator Schatz (HI), Vice Chairman Senator Murkowski (AK), Senator Smith (MN), Senator Hoeven (ND)

Witnesses:

- Michelle Sauve – Acting Commissioner for the Administration for Native Americans (ANA), Dept of Health and Human Services
- The Honorable Chuck Hoskin, Jr. – Principal Chief of the Cherokee Nation
- Leslie Harper – President of the National Coalition of Native American Language Schools and Programs
- Ka'iulani Laeha – CEO of Aha Punana Leo (Hawai'ian Language Preservation and Education Organization)
- Bernadette “Yaayuk” Alvanna-Stimpfle – Chair of the Alaska Native Language Preservation and Advisory Council

Proceedings:

1. Introduction from Chairman Schatz and Vice Chairman Murkowski
2. Witness testimony from each of the panelists
3. Questions from the Senators for the Witnesses

Introduction:

Summary of Schatz's introduction: The 1990 introduction of the Native American Languages Act (NALA), aiming to preserve, protect and promote the languages of Native Americans was a milestone, but work on this endeavor continues. Other relevant acts include the 2006 Esther Martinez Native American Languages Preservation Act. The most important work has been done by the communities themselves. And now they are dealing with COVID-19, which has resulted in suspension of Native language schools, the loss of many speakers to the virus, and \$20M has been sent from congress to address these issues, but more needs to be done.

Summary of Murkowski's introduction: Murkowski used her introduction to stress the dire situation of Native languages, mentioning that though some parts of the country have seen a resurgence of Native languages, others have not, for example, from her state of Alaska, she mentioned that, of the 23 Native languages spoken, only 1 is stable, 2 are no longer spoken, and over half have less than 20 remaining speakers.

Input from the Witnesses and Q&As directed to them:

Michelle Sauve – Acting Commissioner for the Administration for Native Americans (ANA), Dept of Health and Human Services

As part of the ANA, which has projects supporting 27 tribes, 22 organizations, 47 languages across 18 states, Sauve was able to give a big picture description of the efforts to preserve Native languages, as well as the result of COVID-19. Just about every community has seen a decrease in their number of speakers, with over 200 tribal communities without speakers of their mother tongue. Like the other witnesses, Sauve mentioned the research-based evidence from their grantees that language revitalization gives tribal communities a sense of pride and hopefulness, community cohesiveness, and is correlated to the prevention of health problems in these communities. COVID-19 has threatened this through the loss of elders, who are integral to language vitality, the shutting down of ANA-funded projects, the movement of pedagogical material to virtual mediums with which elders are not necessarily familiar, etc. There are current plans for emergency funding for these efforts, which will be announced this week.

- Schatz asked Sauve to describe how many grants the ANA received had to be turned down because of a lack of funding, and what dollar amount would represent the unmet need. Sauve said that this year there were between 60-75 applications for both of their funding competitions, but they have only been able to fund 11 this year, which has been similar in recent years. The dollar amount was sent for the record at a later time.
- Hoeven asked how each of the two bills would help to preserve Native languages, and what was the most important thing the committee could do to help. Sauve mainly deferred to other witnesses, but commented on the importance of maintaining peer-to-peer learning.
- Schatz asked Sauve a question about copyright about the pedagogical materials that could in theory be shared through the Language Center, and Sauve mentioned that she has received mixed suggestions from various tribes. More information will be provided for the record in order for the senators to better understand the problem and what congress could do about it.
- Murkowski asked Sauve about the issue of capacity, in terms of the capacity of smaller tribes when it comes to writing or navigating complex federal grants to support language programs, and about what the ANA has done to alleviate administrative requirements that compound the challenges. Sauve answered that there has been an emphasis on flexibility, requests for extensions, continued and streamlined funding requests, etc., as well as a streamlined application for the aforementioned emergency award.

The Honorable **Chuck Hoskin, Jr.** – Principal Chief of the Cherokee Nation

The Cherokee Nation has 392,000 citizens, but only 2,000 fluent speakers (less than 1% of the population), showing that even large community numbers do not automatically alleviate the difficulties of preserving a language. The average age of these speakers is 70, with on average 15 speakers passing away a month. More than 50 fluent speakers have died of COVID-19.

However, their own efforts to survey the Nation, similar the goals of the Feeling act, and their own efforts to create a Language Center, have been successful and have integrated a variety of members of the community (e.g., housing for elders and fluent speakers was created near an immersion school to create a campus where students could interact with elders). A major focus of educators is to not just create a supply of Cherokee speakers, but also a demand for them.

- Hoeven asked how each of the two bills would help to preserve Native languages, and what was the most important thing the committee could do to help. Hoskin replied that the bills should help all of Indian country, as, though opportunities and needs vary by nation, anything that can help support speakers to make a living (arts, teaching language, etc.) and keep their language relevant is crucial. Funding from the government should help this endeavor.
- Schatz asked why the Cherokee nation completed their own survey, and what benefits could come from a national survey with other communities. Hoskin explained ways in which their own survey has helped them. One powerful example for the Cherokee Nation's survey was their ability to understand their special and unique place in the world, by memorializing their existence, identifying other areas where members of the Nation live in which to invest, etc. Another example was that the survey data helped them identify fluent speaker members of the Nation to help them get vaccinated (they now have a ~70% vaccination rate). This evidence suggests there could be more ways to improve the lives of speakers.

Leslie Harper – President of the National Coalition of Native American Language Schools and Programs

Harper's organization is a volunteer group that advocates for the use of Native American languages as the primary language of instruction across all subjects and types of schools, operating in 18 states and U.S. territories. Many of these initiatives, however, have been disrupted as these communities have seen more speakers pass away than usual and instruction has been halted or displaced. A wide range of revitalization strategies need to be considered, as well as various considerations regarding wellness measures (language vitality, infrastructure, jobs, etc.) that need support. While Congress has funded multiple university language centers for foreign languages, the Native languages of the country have been overlooked, and the two acts should help to fulfill the responsibility left by this gap. A more detailed testimony was sent for the record.

- Smith asked Harper to discuss the role of Native elders, who have been hit particularly hard by the pandemic, in language revitalization and preservation and how it has changed due to COVID-19. Harper shared that the number of elderly speakers has been reduced drastically over the last decade, and that it is crucial to train newcomers to honor the

legacy of the elders by continuing education of and in these languages with younger generations.

- Smith asked Harper, in addition to immersion programs, how her coalition was reaching out to adults, especially those who are not speakers of the language or for whom language learning is associated with trauma. Harper explained that it would be important to reach out to other programs to see how they are working through losses and pains, because this work requires intentional practices that need to be intentionally considered and designed, as well as implemented by a larger effort rather than just one revitalization linguist.
- Hoeven asked how each of the two bills would help to preserve Native languages, and what was the most important thing the committee could do to help. Harper replied that it takes a large number of people, doing multiple layers of work, to develop curriculum for all age levels and for the philosophies of tribal and local governments. With smaller schools or communities, they are invisible and if they don't have an entire school operating (which is a very effortful endeavor), they are left out of evaluations about Native speakers, etc. The Feeling Act should provide better representation for these organizations and communities.
- Schatz asked Harper about problems in regards to the development of immersion materials, and Harper explained that this is consistent across schools: language educators are making and creating materials because these individuals are the experts, and there are no outside sources to go to for resources to develop for the given community.

Ka'iulani Laaha – CEO of Aha Punana Leo (Hawai'ian Language Preservation and Education Organization)

As the CEO of the longest-standing Native language program in the US (a non-profit organization), which has resulted in notable language resurgence, Laaha has insight into some of the successes of such work, as well as the steps needed for progress. Aha Punana Leo has wanted a center like the one proposed in S. 989 for years, as the Native American Languages Act (NALA) of 1990 hasn't necessarily provided all of the desired benefits to Native languages. NALA will only be successful and possible if congress ensures effective implementations of it. Ideally, Laaha says, the center would act like a consortium across Hawaiian, Alaskan, and Native American communities where coordinated support for developing programs could reach each Native community and remove some of the burden from the grassroots organizations and individual teachers who have had to create materials from scratch and advocate for themselves. Laaha suggested that the American Families Plan address this. These programs cannot succeed as one-size-fits-all, but should be able to help each other.

- Schatz asked Laaha what the challenges were in one-size-fits-all approaches, as well as for recommendations. Laaha responded that along with standardization could come barriers, for example, definitions of quality come from accreditations aligned with English language schools, and not ones that consider indigenous languages or the revitalization aspect of language teaching. Laaha suggested using qualifications that focus on proficiency and cultural instruction for revitalization-based measurements of quality, as well as targeted and regular funding.

- Schatz asked Laeha to expand upon the value of sharing Best Practices in regards to teaching, considering the burden on small communities to develop materials from scratch. Laeha recognized that each community is unique, but gave testimony to the success of sharing with programs that have reached out to the Aha Punana Leo.
- Murkowski asked Laeha about the idea of the consortia of Hawaiian, Alaskan, and Native American language initiatives, and what more the DOI (Department of Interior) and ANA programs could do to support development of preservation and partnership. Laeha responded that many communities face similar issues in terms of the resources that they have access to and what is required of staff, as well as the way in which the needs of each community are defined.
- Additionally, she asked her to comment on the extent to which this work could be virtual or would benefit from being in person. Laeha answered that, while communities have learned a lot about working remotely, it may be more effective to meet in person, as being in the presence of this effort better demonstrates to the learners what is possible.

Bernadette “Yaayuk” Alvanna-Stimpfle – Chair of the Alaska Native Language Preservation and Advisory Council

Alyanna-Stimpfle commented on the need for increased budget allocations, with attention to small tribes who don't have the capacity to write or navigate complex grants. Because of COVID-19, her communities have struggled with loss of speakers, as well as with the difficulty of maintaining classes considering there is limited bandwidth and high internet costs. Further, many are not familiar with online teaching. Though the state of Alaska declared a linguistic emergency in the state in 2018, at the state level nothing has happened except for budget cuts at the University of Alaska, leaving things worse than they were when the emergency was declared. What is needed now is focus on indigenous language teacher preparation, the development of materials, the normalization of language, and education reform that focuses on inclusion. Alvanna-Stimpfle's organization is working with both Hawai'i and New Zealand to work towards a college of Alaska Native Languages with the University of Alaska for teacher certification and licensure processes to increase in language documentation and access. For this they need federal and state funding, including for an initiative to make everything Open Access so that Alaskans don't have to pay to learn their own Native languages.

- Murkowski asked Alyanna-Stimpfle whether having access to the information provided by the Feeling Act would help inform the collection and programming for the work that is done within the Council, considering the difference between the information being collected on a national level versus a more organic approach. Alyanna-Stimpfle responded that young people in these communities have done important surveying already, but that they need to continue working with elders as mentors. The statistics that could be provided by the Act could be important in identifying mentors.
- Murkowski asked whether efforts should be focused on early learners (children) or those in higher education, or both. Alyanna-Stimpfle responded that young people need to learn and pass the language onto their children, growing into speakers from an early age. Older speakers have a different perspective, as many are traumatized and want things spoken a

certain way. Young speakers should have a safe space to learn and interact with older speakers.