

DISCUSSION DRAFT

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) and the Esther Martinez Native American Languages Preservation Act of 2006 (P.L. 109-394)—in order to revitalize and protect Native American languages, it is hereby ordered:

Section 1. Statement of Policy. It is the policy of the federal government to revitalize, and protect 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, and spiritual continuity. Revitalizing Native languages helps 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 to the death of scores of Native American languages.

All surviving Native American languages are severely endangered, with more than 90 percent of Native languages at risk of becoming extinct by 2050. Fully 70 Native languages—among 139 remaining—could fall silent within 5 years (by 2015). 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 and protecting the use of Native American languages, and shall promote inter-governmental cooperation and partnerships for the revitalization of all Native American languages.

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 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 them the authority to offer assistance to language 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.
- (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 Education 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 from 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.

(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 and 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

Sec. 9. General Provisions. This order is intended only to improve the internal management of the executive branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person. This Order is not intended to preclude, supersede, replace, or otherwise dilute any other Executive Order relating to Native American education.

2010

Drafted by the National Indian Education Association's White House Native Languages Working Group:

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