



USET

SOVEREIGNTY PROTECTION FUND

1730 Rhode Island
Avenue, NW
Suite 210
Washington, DC 20036
P: (615) 872-7900
F: (615) 872-7417
www.usetinc.org

*Transmitted Electronically
To TribalConsultation@ed.gov*

February 10, 2023

Julian Guerrero, Jr.
Director
Office of Indian Education
U.S. Department of Education
400 Maryland Avenue SW
Washington, DC 20202

Dear Director Guerrero, Jr.,

On behalf of the United South and Eastern Tribes Sovereignty Protection Fund (USET SPF), we submit these comments in response to the Tribal consultation held on January 10, 2023 on the development of a National Native American Language Resource Center (NNALRC). This initiative is mandated by the Native American Language Resource Center Act of 2022 (P.L. 117-335) and directs the Secretary of Education to make a grant to, or enter into a contractual agreement with, eligible entities to establish, operate, and staff an NNALRC. Native language revitalization and preservation is highly important to USET SPF's member Tribal Nations, especially since we were the first to contend with the harmful and disastrous effects of assimilation and other attempts to destroy our cultures and languages. We strongly believe that in establishing a NNALRC, the Department of Education must prioritize funding through contractual agreements and ensure funding coordinates language revitalization, preservation, and retention through a regional focus.

USET Sovereignty Protection Fund (USET SPF) is a non-profit, inter-tribal organization advocating on behalf of thirty-three (33) federally recognized Tribal Nations from the Northeastern Woodlands to the Everglades and across the Gulf of Mexico.¹ USET SPF is dedicated to promoting, protecting, and advancing the inherent sovereign rights and authorities of Tribal Nations and in assisting its membership in dealing effectively with public policy issues.

^[1] USET SPF member Tribal Nations include: Alabama-Coushatta Tribe of Texas (TX), Catawba Indian Nation (SC), Cayuga Nation (NY), Chickahominy Indian Tribe (VA), Chickahominy Indian Tribe–Eastern Division (VA), Chitimacha Tribe of Louisiana (LA), Coushatta Tribe of Louisiana (LA), Eastern Band of Cherokee Indians (NC), Houlton Band of Maliseet Indians (ME), Jena Band of Choctaw Indians (LA), Mashantucket Pequot Indian Tribe (CT), Mashpee Wampanoag Tribe (MA), Miccosukee Tribe of Indians of Florida (FL), Mi'kmaq Nation (ME), Mississippi Band of Choctaw Indians (MS), Mohegan Tribe of Indians of Connecticut (CT), Monacan Indian Nation (VA), Nansemond Indian Nation (VA), Narragansett Indian Tribe (RI), Oneida Indian Nation (NY), Pamunkey Indian Tribe (VA), Passamaquoddy Tribe at Indian Township (ME), Passamaquoddy Tribe at Pleasant Point (ME), Penobscot Indian Nation (ME), Poarch Band of Creek Indians (AL), Rappahannock Tribe (VA), Saint Regis Mohawk Tribe (NY), Seminole Tribe of Florida (FL), Seneca Nation of Indians (NY), Shinnecock Indian Nation (NY), Tunica-Biloxi Tribe of Louisiana (LA), Upper Mattaponi Indian Tribe (VA) and the Wampanoag Tribe of Gay Head (Aquinnah) (MA).

Because there is Strength in Unity

Establishing a National Native American Language Resource Center

During the January 10, 2023 Tribal consultation, the Department of Education posed a series of questions regarding the establishment of the NNALRC. Among these inquiries was whether the Department should use a competitive grant or contractual agreement process for establishing the NNALRC to support the teaching and learning of Native languages since both options were authorized under P.L. 117-335. We applaud the Department of Education for consulting Tribal Nations prior to deciding how it will establish the NNALRC, especially since it was not required to consult under P.L. 117-335. In establishing the NNALRC, USET SPF is not opposed to having non-profit entities compete for funding to staff and operate the Center. However, once the NNALRC is established, we recommend that further allocation of federal funds to Tribal Nations for the purposes of developing Native language programs utilize a P.L. 93-638 contractual agreement process. USET SPF does not support using a competitive grant process to allocate federal funds to Tribal Nations since this practice does not uphold trust and treaty obligations and undermines the efforts of supporting Native language revitalization and preservation.

Furthermore, since the law only authorized an annual appropriation of \$3 million to establish the NNALRC, we recommend that once the NNALRC is established federal funds for Tribal Nations to establish and sustain Native language programs should be allocated on an equitable, regional basis to ensure that the NNALRC is addressing the Native language revitalization and preservation priorities of all Tribal Nations. This will ensure that the NNALRC prioritizes its mandates under P.L. 117-335 to improve Tribal Nation capacity to hire staff, develop curriculum, and establish online and distance learning tools to reawaken, preserve, and teach our languages to our citizens. We also recommend that the Department continue consultation efforts with Tribal Nations at the regional level so the Department can also identify opportunities to collaborate with us to develop Native language programs that meet the specific priorities of our communities. This may include encouraging collaborative efforts to develop Native language programs that accommodate Tribal Nations whose dialects come from a similar language family tree.

Ensure Tribal Nations are Leading the Development of Online Tools, Curriculum, and Other Resources

It is important that the Department of Education and the NNALRC understand that opportunities to reawaken, revitalize, and sustain Native languages must take a holistic approach. This includes ensuring that *all* Tribal Nations—regardless of population size, geographical location, and levels of fluency—are provided opportunities to develop language programs. Focus should also be made specifically to Tribal Nations pursuing efforts to reawaken languages that have lost their voice due to centuries of assimilationist actions and policies. In awarding funds to develop Native language programs, the Department of Education and the NNALRC must ensure that funds are appropriately targeted to Tribal Nations pursuing these efforts and not just the typical, ‘well known’ Tribal Nations.

Throughout P.L. 117-335, the NNALRC is charged with supporting these efforts by Tribal Nations to revitalize and reclaim our languages. This includes supporting Tribal-state partnerships for the use of Native languages in higher education programs in the same manner as other world languages. Although we do not oppose this practice, the Department of Education and the NNALRC must ensure that federal funds are not allocated in these instances without established agreements between a Tribal Nation, or consortium of Tribal Nations, to develop such partnerships for the instruction of Native languages at institutions of higher education. Furthermore, the Department must ensure that Tribal Nations are empowered to set the parameters of these agreements, especially in the use of online tools, libraries, dictionaries, and other language materials that may be developed and stored in both physical and cloud-based locations.

The Department should also prioritize efforts to revive Native languages by supporting research efforts by Tribal Nation citizens to develop dictionaries, curriculum, and other language materials to further efforts to teach these languages in our communities. The USET SPF region would benefit greatly from this effort since our member Tribal Nations were the first to be targeted and tested by assimilationist policies to eradicate our languages. As a matter of Nation rebuilding, many of our member Tribal Nations are exercising their sovereignty and self-determination to reawaken our languages and pursue renewed efforts to teach these languages to our youth and adult citizens alike.

Conclusion

The federal government has an obligation to protect the cultural heritage of Tribal Nations, which includes the revitalization and preservation of Native languages. For centuries, Tribal Nations have persevered through horrible actions and policies that sought to assimilate our citizens by outlawing and banning the use of our languages and cultural practices. USET SPF's diverse membership includes Tribal Nations working to retain, restore, and reawaken our languages, after centuries of attempts at termination and assimilation. Language is a foundational and integral aspect of who we are as a people. It is an undeniable cornerstone of our cultural identities because of its use in oral storytelling, ceremony, and often exemplifies our spiritual connection to our homelands and natural surroundings. Our languages are unique because they are place-based and are not spoken anywhere else in the world, which necessitates the urgency to revitalize and preserve these languages for future generations. In developing the NNALRC, the federal government has a moral and legal obligation to assist Tribal Nations in our efforts to reclaim, revitalize, and restore our languages. We urge the Department to uphold these obligations by fully funding these efforts and we look forward to working with the Department and the NNALRC to accomplish these priorities. Should you have any questions or require further information, please contact Ms. Liz Malerba, USET SPF Director of Policy and Legislative Affairs, at LMalerba@usetinc.org or 615-838-5906.

Sincerely,



Kirk Francis
President



Kitcki A. Carroll
Executive Director