

109<sup>TH</sup> CONGRESS  
2<sup>D</sup> SESSION

# H. R. 4766

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IN THE SENATE OF THE UNITED STATES

SEPTEMBER 28, 2006

Received

NOVEMBER 13, 2006

Read twice and referred to the Committee on Indian Affairs

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## AN ACT

To amend the Native American Programs Act of 1974 to provide for the revitalization of Native American languages through Native American language immersion programs; and for other purposes.

1        *Be it enacted by the Senate and House of Representa-*  
2        *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Esther Martinez Na-  
3 tive American Languages Preservation Act of 2006”.

4 **SEC. 2. EXPANSION OF PROGRAM TO ENSURE THE SUR-  
5 VIVAL AND CONTINUING VITALITY OF NA-  
6 TIVE AMERICAN LANGUAGES.**

7 Section 803C of the Native American Programs Act  
8 of 1974 (42 U.S.C. 2991b-3) is amended—

9 (1) in subsection (b)—

10 (A) in paragraph (5) by striking “and” at  
11 the end,

12 (B) in paragraph (6) by striking the period  
13 at the end and inserting “; and”, and

14 (C) by adding at the end the following:

15 “(7)(A) Native American language nests, which  
16 are site-based educational programs that—

17 “(i) provide instruction and child care  
18 through the use of a Native American language  
19 for at least 10 children under the age of 7 for  
20 an average of at least 500 hours per year per  
21 student;

22 “(ii) provide classes in a Native American  
23 language for parents (or legal guardians) of  
24 students enrolled in a Native American lan-  
25 guage nest (including Native American lan-  
26 guage-speaking parents); and

1           “(iii) ensure that a Native American lan-  
2           guage is the dominant medium of instruction in  
3           the Native American language nest;

4           “(B) Native American language survival  
5           schools, which are site-based educational programs  
6           for school-age students that—

7           “(i) provide an average of at least 500  
8           hours of instruction through the use of 1 or  
9           more Native American languages for at least 15  
10          students for whom a Native American language  
11          survival school is their principal place of in-  
12          struction;

13          “(ii) develop instructional courses and ma-  
14          terials for learning Native American languages  
15          and for instruction through the use of Native  
16          American languages;

17          “(iii) provide for teacher training;

18          “(iv) work toward a goal of all students  
19          achieving—

20                 “(I) fluency in a Native American lan-  
21                 guage; and

22                 “(II) academic proficiency in mathe-  
23                 matics, reading (or language arts), and  
24                 science; and

1           “(v) are located in areas that have high  
2           numbers or percentages of Native American  
3           students; and

4           “(C) Native American language restoration pro-  
5           grams, which are educational programs that—

6           “(i) operate at least 1 Native American  
7           language program for the community in which  
8           it serves;

9           “(ii) provide training programs for teach-  
10          ers of Native American languages;

11          “(iii) develop instructional materials for  
12          the programs;

13          “(iv) work toward a goal of increasing pro-  
14          ficiency and fluency in at least 1 Native Amer-  
15          ican language;

16          “(v) provide instruction in at least 1 Na-  
17          tive American language; and

18          “(vi) may use funds received under this  
19          section for—

20                 “(I) Native American language pro-  
21                 grams, such as Native American language  
22                 immersion programs, Native American lan-  
23                 guage and culture camps, Native American  
24                 language programs provided in coordina-  
25                 tion and cooperation with educational enti-

1 ties, Native American language programs  
2 provided in coordination and cooperation  
3 with local universities and colleges, Native  
4 American language programs that use a  
5 master-apprentice model of learning lan-  
6 guages, and Native American language  
7 programs provided through a regional pro-  
8 gram to better serve geographically dis-  
9 persed students;

10 “(II) Native American language  
11 teacher training programs, such as train-  
12 ing programs in Native American language  
13 translation for fluent speakers, training  
14 programs for Native American language  
15 teachers, training programs for teachers in  
16 schools to utilize Native American lan-  
17 guage materials, tools, and interactive  
18 media to teach Native American language;  
19 and

20 “(III) the development of Native  
21 American language materials, such as  
22 books, audio and visual tools, and inter-  
23 active media programs.”,

24 (2) in subsection (c)—

1 (A) in paragraph (5) by striking “and” at  
2 the end,

3 (B) in paragraph (6) by striking the period  
4 at the end and inserting “; and”, and

5 (C) by adding at the end the following:

6 “(7) in the case of an application for a grant  
7 to carry out any purpose specified in subsection  
8 (b)(7)(B), a certification by the applicant that the  
9 applicant has not less than 3 years of experience in  
10 operating and administering a Native American lan-  
11 guage survival school, a Native American language  
12 nest, or any other educational program in which in-  
13 struction is conducted in a Native American lan-  
14 guage.”, and

15 (3) in subsection (e)(2) by inserting before the  
16 period the following: “, except that grants made  
17 under such subsection for any purpose specified in  
18 subsection (b)(7) may be made only on a 3-year  
19 basis”.

20 **SEC. 3. DEFINITION.**

21 Section 815 of the Native American Programs Act  
22 of 1974 (42 U.S.C. 2992c) is amended—

23 (1) by redesignating paragraphs (1) through  
24 (6) as paragraphs (2) through (7), respectively, and

1           (2) by inserting before paragraph (2), as so re-  
2 designated, the following:

3           “(1) ‘average’ means the aggregate number of  
4 hours of instruction through the use of a Native  
5 American language to all students enrolled in a na-  
6 tive language immersion program during a school  
7 year divided by the total number of students enrolled  
8 in the immersion program;”.

9 **SEC. 4. AUTHORIZATION OF APPROPRIATIONS FOR PRO-**  
10 **GRAM TO ENSURE THE SURVIVAL AND CON-**  
11 **TINUING VITALITY OF NATIVE AMERICAN**  
12 **LANGUAGES.**

13           Section 816(e) of the Native American Programs Act  
14 of 1974 (42 U.S.C. 2992d(e)) is amended by striking  
15 “1999, 2000, 2001, and 2002” and inserting “2008,  
16 2009, 2010, 2011, and 2012”.

          Passed the House of Representatives September 27,  
2006.

Attest:

KAREN L. HAAS,

*Clerk.*