

Memorandum of Agreement  
on  
Native Languages  
among the  
U.S. Department of the Interior,  
U.S. Department of Health and Human Services,  
the U.S. Department of Agriculture, and the  
U.S. Department of Education,  
with the U.S. Institute of Museum and Library  
Services, Library of Congress, National  
Endowment for the Arts, National Endowment  
for the Humanities, and support from U.S.  
Department of Transportation,  
U.S. Department of Veterans Affairs, the  
Advisory Council on Historic Preservation, the  
U.S. Department of Homeland Security, the  
U.S. Department of Labor, the U.S. Department  
of State, AmeriCorps, the White House Office  
of Personnel Management, the Social Security  
Administration, the White House Council on  
Environmental Quality, the White House Office  
of Management and Budget, the U.S.  
Department of Commerce, the Small Business  
Administration, the Environmental Protection  
Agency, and the United States Agency for  
International Development

I. OVERVIEW

This Memorandum of Agreement (MOA) is entered into and by and between the U.S. Department of Education (ED), the U.S. Department of Health and Human Services (HHS), and the U.S. Department of the Interior (DOI), the U.S. Department of Agriculture (USDA) (collectively, the "Lead Agencies"), and additional federal agencies, including the U.S. Institute of Museum and Library Services, Library of Congress, National Endowment for the Arts, and National Endowment for the Humanities (the "Participating Agencies"), and the U.S. Department of Transportation and U.S. Department of Veteran Affairs (the "Supporting Agency[ies]") (the Lead Agencies, the Participating Agencies, and the Supporting Agency[ies] together, the "Federal Agencies") and constitutes a nonbinding expression of intent between the ED, HHS, DOI, and the participating Agencies to work together and encourage programs and projects to include instruction in and preservation of Native languages.

II. BACKGROUND

A. Overarching Legal Authority.

The Native American Languages Act, 25 U.S.C. §§2901-2906 (1990) declares that it is the

policy of the United States to preserve, protect, and promote the rights and freedom of Native Americans to use, practice, and develop Native American languages.

Additionally, each party to this agreement has express legislative authority to provide funding or technical assistance and/or to conduct research in the area of Native language preservation, maintenance, or instruction, including through the arts, humanities, museums, and libraries. See, e.g., the Native American Languages Act, 42 U.S.C. §2991b- 3, Section 6005 of Public Law 114-95, the Every Student Succeeds Act of 2016, REPORT ON NATIVE AMERICAN LANGUAGE MEDIUM EDUCATION, the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act, Title VI, Part A, subpart I, and section 6133, 20 U.S.C. § 7453, and section 3127 of Subpart 2 of Part A of Title III 20 U.S.C. 6848 and Title 25 Part 39 Subpart B §39.130-137 "Indian School Equalization Program, Language Development Programs"; the National Foundation on the Arts and the Humanities Act (20 U.S.C. § 951 *et seq*); and the Museum and Library Services Act (20 U.S.C. § 9101 *et seq*).

#### B. Tribal Consultation.

The Federal Agencies have heard through Tribal consultations, listening and learning sessions, and grantee feedback that successful implementation of Native language programs, across the continuum of language learning settings from birth to college, faces the following barriers:

1. Lack of instructional materials and curricula in the Native language(s) of the communities being served;
2. Limited numbers of certified teachers fluent in Native languages;
3. Lack of support by school leadership, including inadequate time to work with students and professional development opportunities.

Additionally, Tribal consultation participants identified:

4. Challenges in coordinating programs within a community, such as when Native languages are not taught throughout the education continuum or are not of sufficient duration and intensity to produce fluent speakers.
5. Challenges in engaging in consultation with the federal government in a coordinated manner on cross-agency issues such as Native languages.

The Federal Agencies have also heard concerns regarding the need for:

6. Wide-scale, scientifically valid research that informs institutions serving American Indians, Alaska Natives, Native Hawaiians, and Pacific Islanders on how best to structure and implement programs for maximum effectiveness and efficiency.
7. Knowledge of and greater access to archival materials and contemporary

Native language resources, such as recorded songs or stories, held by the Federal government.

8. Cultural sensitivity to the needs of communities of origin to control their cultural narratives, sacred knowledge, and sacred objects.

#### C. ED.

The ED's mission is to promote student achievement and preparation for global competitiveness by fostering educational excellence and ensuring equal access to a high-quality education. The ED administers several key formula and discretionary grant programs focused on building the capacity of state and local educational agencies, Tribes, and schools to create high-quality language programs that promote the preservation of Native languages. The primary programs are housed within the Office of English Language Acquisition, Language Enhancement, and Academic Achievement for Limited English Proficient Students (OELA); and the Office of Elementary and Secondary Education's Office of Indian Education (OIE); and Institute of Education Sciences (IES).

Executive Order No. 13592 established the White House Initiative on American Indian and Alaska Native Education, and it is charged with helping to expand educational opportunities and improve educational outcomes for all American Indian and Alaska Native students, including opportunities to learn their Native languages, cultures, and histories, and receive a high-quality education that prepares them for college, careers, and productive and satisfying lives.

#### D. HHS.

The Administration for Children and Families (ACF) within HHS is responsible for Federal programs that promote the economic and social well-being of families, children, individuals, and communities. Several offices provide grants directly to Tribes or Tribal organizations, such as the Office of Child Care (OCC), the Office of Head Start (OHS), and the Administration for Native Americans (ANA).

The OCC supports low-income working families through childcare financial assistance and promotes children's learning by improving the quality of early care and education and after-school programs. OCC partners with Tribes to administer the Child Care and Development Fund, which provides funding to 265 Tribal grantees, serving over 530 Tribes and Tribal organizations. Tribes have the flexibility to incorporate culturally significant elements into their childcare programs.

Head Start is a national program that promotes school readiness by enhancing the social and cognitive development of children through the provision of educational, health, nutritional, social, and other services to enrolled children and families. Region XI awards direct grants to 154 American Indian and Alaska Native agencies to provide Head Start and Early Head Start services to over 24,000 children across 26 states, an almost equal number of children identified as American Indian, and Alaska Native are served in non-Tribal programs. OHS provides technical assistance support to grantees in the form of direct funding to American Indian and Alaska Native programs to secure training and technical assistance in their local communities in addition

to OHS funding of a contract for the Region XI Training and Technical Assistance Center and cooperative agreements to six National Centers for the purpose of providing research-based information, practices, and strategies in support of identified grantee needs.

The goal of ANA is to promote the social and economic self-sufficiency of American Indians, Alaska Natives, Native Hawaiians, and other Native American Pacific Islanders by providing community-based project funding to improve the lives of Native American children and families. Part of ANA's mission is to promote, and provide funding for, language preservation and maintenance and language immersion activities.

#### E. DOI and the Bureau of Indian Education (BIE).

The DOI, through its BIE, directly operates, or provides grants to Tribes to operate, an extensive primary, secondary, and college-level school system for American Indian and Alaska Native children and young adults. The BIE's mission is to provide high quality education opportunities from early childhood through adulthood in accordance with a Tribe's needs for cultural and economic well-being, and in keeping with the wide diversity of Indian Tribes as distinct cultural and governmental entities. Currently, BIE provides funding to seventeen (17) BIE-funded, K-12 schools to support their Native Language Immersion and Preservation efforts. These efforts range from providing direct classroom language classes to preserving Native languages through the use of digital platforms.

Further, the BIE is to manifest consideration of the whole person by taking into account the spiritual, mental, physical, and cultural aspects of an individual within his or her family and Tribal context. The BIE also has particular expertise in Indian education and specific experience with federally funded education programs. In addition, the BIE plays a key part in fulfilling the government's trust responsibility to Indian Tribes regarding education.

The BIE also operates the Family and Child Education (FACE) program, an integrated model for American Indian early childhood education and parental involvement. Operating in 49 BIE-funded schools, the FACE program primarily serves families with children prenatal to 5 years of age by providing early childhood education, adult education, and parenting services. Overall, the BIE provides services for about eight percent of American Indian and Alaska Native children nationwide.

#### F. USDA

The USDA, through the National Institute of Food and Agriculture (NIFA), provides federal formula funding to Tribal Colleges and Universities (TCU) designated as land grant institutions in addition to competitive grant funding to TCUs, Tribal governments, and organizations. The formula funding provides resources that assist TCUs in supporting community education and learning. Programs are designed at the community level and often reinforce Native American languages and language and cultural preservation.

#### G. Participating Agencies

The Participating Agencies, listed below, have authority to support Native American language preservation, maintenance, or instruction, and agree to participate in this MOA. These agencies have existing programs and activities serving Native American communities, including grantmaking, education, and preservation programs.

#### The Institute of Museum and Library Services

The Institute of Museum and Library Services (IMLS) is an independent federal agency charged by law with advancing museum, library, and information services to meet the essential information, education, research, economic, cultural, and civic needs of the people of the United States. IMLS's programs of support for Tribal libraries, archives, museums and cultural centers, help Native American Tribes preserve and maintain their cultural traditions, revitalize their native languages, and provide critical services to their communities.

#### The Library of Congress

The Library of Congress, as the world's largest library, has multiple collections that include Native American materials, including historic wax cylinders and other recordings of native languages, ceremonies, and music. It presents Native American cultural programming and creates publications such as U.S. Poet Laureate Joy Harjo's multilingual anthology of contemporary Native poetry, Living Nations, Living Words. The Library also has an outreach grant program that includes Tribal communities and a grants program on teaching with primary sources. The Library closely collaborates with Native communities of origin on its collections and programming.

#### The National Endowment for the Arts

The National Endowment for the Arts (NEA) is an independent federal agency dedicated to supporting and promoting the arts in America. The NEA is charged by statute with supporting endeavors that honor and preserve this nation's multicultural and artistic heritage. For over forty years, the NEA has supported projects at the intersection of the arts and Native language-learning. NEA also administers the National Heritage Fellowships, the nation's highest honor in the Folk and Traditional Arts which has honored several Native language advocates.

#### The National Endowment for the Humanities

The National Endowment for the Humanities (NEH) supports research and learning in history, literature, philosophy, and other areas of the humanities by funding selected, peer-reviewed proposals from around the nation. The agency's mission includes supporting programs and research in language studies, linguistics, literature, and the application of the humanities to the human environment, among other fields, including programs that reach, or reflect the diversity and richness of the culture of, Tribal communities.

The agency administers a number of grant programs specifically intended to serve Tribal Nations and Native communities, including the Awards for Faculty at Tribal Colleges and Universities

program and the Humanities Initiatives at Tribal Colleges and Universities program. Likewise, the agency's Documenting Endangered Languages programs, which NEH administers in cooperation with the National Science Foundation, support projects that document and preserve endangered languages.

#### H. Supporting Agencies.

Agencies signing as Supporting Agencies are those agencies that may not have express legislative authority, programs, or activities related to Native language preservation, maintenance, or instruction, but agree to support this MOA by recognizing and promoting the use of Native American languages, to the extent practicable. The Supporting Agencies are listed below:

##### U.S. Department of Transportation

The U.S. Department of Transportation (DOT) plays a crucial role in maintaining and upgrading the infrastructure that powers our economy and keeps us moving. From roads and bridges, to transit and trains, to ports and airports, everyone in America relies on our transportation system every day. DOT affirms treaty and trust responsibilities and works to strengthen the Nation-to-Nation relationship with Tribal Nations. As an executive agency, DOT has a responsibility and is committed to working with Tribal governments in this unique relationship, respecting Tribal sovereignty and self-determination.

The U.S. Department of Transportation provides grants to fund programs and projects to help build up and maintain a fast, safe, efficient, accessible, and convenient transportation system for the American people today and into the future. DOT strives to foster meaningful government-to-government relations, improve existing Tribal programs, ensure meaningful Tribal input into future Tribal transportation programs, and ensure uniform and effective delivery of Tribal programs throughout the country. The agency also aims to assist in implementing Tribal infrastructure projects, assist Tribal members in developing transportation capacities, and assist efforts to coordinate national Tribal infrastructure policy and programs within the Federal government.

##### U.S. Department of Veterans Affairs

The U.S. Department of Veterans Affairs (VA) delivers programs benefiting eligible Veterans and members of their families and caregivers. It offers educational opportunities, rehabilitation services, and provides compensation payments for disabilities or death related to military service, home loan guaranties, pensions, burials, and health care that includes the services of nursing homes, clinics, and medical centers. The VA affirms treaty and trust responsibilities and works to strengthen the Nation-to-Nation relationship with Tribal Nations. As an executive agency, VA has a responsibility and is committed to working with Tribal governments in this unique relationship, respecting Tribal sovereignty and self-determination. The VA strives to foster meaningful government-to-government relations, improve existing Tribal programs, ensure meaningful tribal input into future programs affecting American Indian/Alaska Native Veterans, and ensure uniform and effective delivery of tribal programs throughout the country.



### Advisory Council on Historic Preservation

The Advisory Council on Historic Preservation (ACHP) is an independent federal agency that promotes the preservation, enhancement, and productive use of our nation's diverse historic resources. The National Historic Preservation Act (NHPA), which established the ACHP in 1966, directs federal agencies to act as responsible stewards of historic properties, including those of religious and cultural significance to Indian Tribes and Native Hawaiian organizations, and take into account the effects of projects they carry out, license, or assist on them under Section 106 of the NHPA. The ACHP oversees the Section 106 review process and serves as the federal policy advisor to the President and Congress on historic preservation matters.

The ACHP is guided by principles of respect for Indian Tribes and their sovereign authority and acknowledges that federal-Tribal consultation is a bilateral process of discussion and cooperation. Part of the ACHP's trust responsibility is to ensure that the regulations implementing Section 106 incorporate the procedural requirement that federal agencies consult with Indian Tribes. The ACHP views its trust responsibility as encompassing all aspects of historic properties including their intangible values and is committed to supporting Indian Tribes in the Section 106 process.

### U.S. Department of Homeland Security

In accordance with Executive Order 13175, *Consultation and Coordination with Indian Tribal Governments*, 65 FR 67249, pp. 67249-67252, (November 6, 2000) and the *White House Memorandum on Tribal Consultation and Strengthening Nation-to-Nation Relationships*, DCPD- 2021 [0009] [January 26, 2021], the U.S. Department of Homeland Security (DHS) is actively working to identify and remove barriers that impede the access of Tribal Nations and Alaska Native Villages to border-crossing and immigration rights and benefits that are needed to revitalize, strengthen, and sustain their familial, tribal, Native language, cultural, and religious & spiritual ties with their tribal and cultural counterparts in Canada, Mexico, and Russia. The primary objective of these efforts is to achieve "Reciprocal Indigenous Mobility" for Tribal Nations and Native Alaska Villages and their tribal and cultural counterparts residing across U.S. international borders. A key effort in this regard is to seek legislative amendments to section 289 of the Immigration and Nationality Act (INA 289) [8 USC 1359] that will strike the current statute's problematic "blood quantum" requirement. Relatedly, DHS and the Department of State are also engaging with the Canadian government in an effort to obtain comparable, reciprocal border-crossing rights for United States Indians to enter Canada. DHS and the Department of State are also engaging with the Mexican government to explore ways that the United States and Mexico can work cooperatively to help address the border-crossing and immigration concerns of southern border Tribal Nations and their Mexican counterparts. Achieving Reciprocal Indigenous Mobility will directly support the aims of the Memorandum of Agreement on Native Languages (Native Language MOA) and the White House National Plan for Native Language Revitalization.

DHS also recognizes the importance of providing language access to indigenous migrant communities to its programs, services, and operations consistent with Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000). DHS is developing a plan, in consultation with indigenous migrant communities, to strengthen the provision of language services for indigenous migrant communities throughout DHS mission areas. In so doing, DHS will not only advance civil rights but honor and respect the rich linguistic and cultural heritage of these indigenous communities.

## U.S. Department of Labor

The U.S. Department of Labor (DOL) works to foster, promote, and develop the welfare of the wage earners, job seekers, and retirees of the United States; improve working conditions; advance opportunities for profitable employment; and assure work-related benefits and rights. DOL affirms treaty and trust responsibilities and works to strengthen the Nation-to-Nation relationship with Tribal Nations. As an executive agency, DOL has a responsibility for and is committed to working with Tribal governments in this unique relationship, respecting Tribal sovereignty and self-determination.

DOL funds grant programs that provide quality employment and training services to tribes, tribal organizations, Alaska Native entities, and Indian controlled organizations serving underemployed and low-income American Indian and Alaska Natives. These grant programs provide services to adults and youth through a network of 165 tribes and Indian and Native American organizations. These grantees provide a range of activities, including assistance with tuition and books; resume writing and interviewing techniques; job referrals; assistance with work-related expenses such as necessary tools or uniforms; transportation assistance; payment for professional and licensing fees; and work-based learning such as on-the-job training.

DOL also protects retirement and healthcare benefits for workers; advances awareness of employment rights and job opportunities for American Indian and Alaska Natives who work for or seek employment with federal contractors; provides tools and training to ensure military members and their spouses are prepared for life after the military; recognizes the importance of engaging Tribal governments in regulatory and sub-regulatory processes; ensures safe and healthful working conditions for workers and miners; and champions policies and standards that safeguard the interests of working women. DOL strives to foster meaningful tribal input into future programs affecting American Indians and Alaska Natives and ensure uniform and effective delivery of tribal programs throughout the country

## AmeriCorps

AmeriCorps, the federal agency for national service and volunteering, provides opportunities for Americans to serve their country domestically and address some of the nation's most pressing challenges, improve lives and communities, and strengthen civic engagement. Each year, the agency invests millions in grants for local nonprofit, community, tribal, and state organizations.

Through national service, AmeriCorps provides opportunities for Indigenous communities to address their unique priorities. AmeriCorps is committed to honoring its obligation to the federal trust responsibility and strengthening its nation-to-nation relationships. Across AmeriCorps programs, Indigenous partners have emphasized language and culture as a core component in their programming.

## DOS

The Department of State is an executive department of the U.S. federal government responsible for the nation's foreign policy and foreign relations. Among other responsibilities, it advises the U.S. President, maintains diplomatic missions, negotiates international agreements, and represents the United States at the United Nations. State has developed a plan of action to implement Executive Order 13175 Consultation and Coordination with Indian Tribal Governments when it is implicated by these activities.



Through its Bureau of Educational and Cultural Affairs (ECA), State seeks to increase mutual understanding between the people of the United States and the people of other countries by means of educational and cultural exchange that assist in the development of peaceful relations. In an effort to reflect the diversity of the United States and global society, ECA programs, funding, and other activities encourage the involvement of American and international participants from traditionally underrepresented groups, including women, racial and ethnic minorities, and people with disabilities.

In the Arctic Council, the Department of State has facilitated Alaska-based Indigenous participation in the work of the Arctic Council through various funding vehicles for more than a decade and, during our chairmanship, included traditional openings for the meetings. In addition, the Department has supported Arctic Council prioritization of the preservation of Indigenous languages in high level Arctic Council policy documents, including the 2021-30 Arctic Council strategic plan.

### OPM

The U.S. Office of Personnel Management serves as the chief human resources agency and personnel policy manager for the Federal Government. OPM is committed to ensuring that the Federal government has the workforce needed to do important work behalf of the American people. OPM serves Indian country through the administration of Tribal access to the Federal Employee Health Benefits Program (FEHBP), as well as helping agencies utilize important hiring authorities, such as Indian Preference. Further, OPM is committed to ensuring that the federal workforce has the training it needs to perform tribal consultation in alignment with the Federal government's nation-to-nation relationship and responsibilities with Tribal governments. As a supporting agency under this MOA, OPM will support the Federal government's work with Native people toward the preservation, maintenance, and instruction of Native languages.

### SSA

Social Security Administration's programs support Tribal communities through retirement, disability, and survivors' benefits, providing a safety net for workers and their families. The agency also administers Supplemental Security Income (SSI), a needs-based program that provides monthly payments to adults and children with a disability or blindness, or to people age 65 or older. To provide these benefits, the agency assigns Social Security Numbers. Our mission is to ensure equity and accessibility in delivering Social Security services by improving the customer experience and addressing systemic barriers to participation in our programs. Our vision is to provide income security for the diverse population we serve.

While respecting Tribal sovereignty and self-determination, we plan to improve service delivery and reduce service barriers for Tribal communities, increase Tribal outreach and educational efforts, promote hiring and retention of native students, and conduct data collection and analysis. Our new Office for Native American Partnerships will work to improve our relationship with Tribes, strengthen Tribal consultation, increase our Tribal outreach through summits and listening sessions, and explore how our employees who are fluent native speakers can support these efforts and tribal communities who need our services.

The Office for Native American Partnerships will collaborate with experts across the agency to reduce service barriers, such as using Tribal listening sessions and data analysis to help ensure our programs are

equitably serving applicants and beneficiaries and supporting unrepresented claimants in the disability application process. These continued efforts support our commitment to Executive Order 13175, under which we established a formal consultation process for Tribal governments to discuss concerns and to collaborate on solutions on issues that have Tribal implications. For example, these discussions provide an opportunity to increase understanding of our programs by translating informative articles for Tribal newspapers in native languages and seek guidance that would be helpful in native languages from Tribal nations. Finally, we will explore interagency collaboration to coordinate efforts to meet the goals in the Native Language MOA.

## WH CEQ

Congress established the Council on Environmental Quality (CEQ) in 1970 through the National Environmental Policy Act (NEPA) (42 U.S.C. 4371, et seq.). In enacting NEPA, Congress recognized the profound impact that human activities have on our environment and directed that Federal agencies consider the effects of their proposed actions on the quality of the human environment. Under the authority of NEPA, other statutes, Executive Orders, and Presidential Memoranda, CEQ works to balance the nation's environmental, economic, and social objectives; advises and assists the President in the development of environmental policies and proposals for legislation; identifies, assesses and reports on trends in environmental quality and recommends appropriate response strategies; provides support and leadership in the coordination of activities of the Federal agencies and departments; fosters cooperation among Federal, State, Tribal, and local governments, the private sector and citizens; and interprets NEPA and the CEQ regulations that implement NEPA. Specific NEPA responsibilities include reviewing and approving agency NEPA procedures; working with agencies to develop guidance to address systemic, localized, or project-specific problems; overseeing Federal agency implementation of the environmental impact assessment process; and mediating disputes regarding the adequacy of final environmental impact statements if they are referred to CEQ by another Federal agency.

CEQ respects the sovereign authority of Tribal Nations, and acknowledges that Federal-Tribal consultation is a Nation-to-Nation process of discussion and cooperation. CEQ has a Tribal consultation plan and consults with Tribal Nations on policies with Tribal implications. CEQ's regulations also require Federal agencies to coordinate with Tribal Nations and invite the participation of Tribal agencies with jurisdiction or special expertise to participate in the environmental review process. Meaningful coordination with Tribal Nations and indigenous communities, and analysis of a proposed action's potential effect on Tribal and indigenous lands, resources, or areas of historic significance, are important parts of Federal agency decision making. CEQ has also issued guidance to Federal agencies on the consideration of Indigenous Knowledge in Federal agency decision-making, and plans to continue to work with Tribal Nations and indigenous communities to refine and further develop its guidance to Federal agencies.

## EPA

EPA works to protect human health and the environment of federally recognized tribes by supporting implementation of federal environmental laws, with a special emphasis on helping tribes administer their own environmental programs. These efforts are consistent with the federal trust responsibility, the government-to-government relationship, and EPA's 1984 Indian Policy.

EPA is committed to carrying out its programs and activities in a nondiscriminatory manner and

improving the accessibility of its programs and activities to ensure meaningful access for persons with disabilities and persons with limited English proficiency (LEP). EPA has in place an EPA Order, policies, and procedures for ensuring meaningful access for persons in the public with LEP to EPA programs, services, and activities. This includes an EPA-wide contract for providing translation of documents as well as interpreter services to ensure effective communication and participation by persons with LEP, including services in native languages.

The MOA goals include coordinating Tribal consultation efforts on the topic of Native languages, including where invited by MOA signatories to participate in a combined consultation and to share Tribal consultation summaries that relate to Native languages. In support of this goal, EPA is committed to following our Policy on Consultation and Coordination with Indian Tribes, which establishes clear EPA standards for the consultation process.

## USAID

USAID leads international development and humanitarian efforts to save lives, reduce poverty, strengthen democratic governance and help people progress beyond assistance. USAID recognizes that learning in a child's first language helps children's development and education. USAID will continue to promote linguistic and cultural diversity and bring attention to the need to preserve native language of instruction in relevant global contexts and foundational learning programs, as appropriate and in coordination with partner-country governments. USAID recognizes the importance of multicultural and multilingual sharing of information for accessing services to civic participation. USAID will work to disseminate information in appropriate languages within the local context of specific projects and to reduce barriers to services. USAID is also working to implement Executive Order 13175 Consultation and Coordination with Indian Tribal Governments when it is implicated by the above activities.

## III. PURPOSE AND GOALS

### A. Purpose.

In response to input obtained through Tribal consultations, and in furtherance of their statutory missions, the Federal Agencies enter into this MOA for the purposes of:

1. Acknowledging that the Federal Agencies share a mutual interest in preserving, protecting, and promoting the rights and freedom of Native Americans to use, practice, and develop Native languages;
2. Establishing that the Federal Agencies intend to promote this mutual interest by coordinating efforts of existing interagency working groups and Tribal advisory committees to implement this MOA and further the goals of the Native American Languages Act;
3. Identifying levers and best practices that will help the Federal Agencies further the goals described in paragraph (B); and working to identify ways that these findings can be used by the Federal Agencies to replicate successful programs, implement quality improvement efforts, and disseminate information and provide

technical assistance to Federal, State, and Tribal governments; schools; or other entities carrying out Native language activities;

4. Planning, in collaboration with Native American communities, to co-sponsor a summit on the preservation and acquisition of Native languages; and
5. Sharing expertise and advice and collaborating on such other projects as may be mutually agreed upon by the Federal Agencies, recognizing that their combined efforts, knowledge, and resources can better help the Federal Agencies achieve their common goals.

## B. Goals.

This MOA sets forth the following mutual goals:

- I. Identify statutory or regulatory barriers that impede collaboration and result in duplication of efforts and/or minimize the impact of efforts on the part of Federal, State, or Tribal governments, schools, or other entities to effectively implement Native language activities;
2. Identify research that explores educational attainment and Native language retention and/or revitalization;
3. Explore ways to gather data about effective and/or exemplary Native language instruction, both in terms of the administration of funds and programs and in terms of program impact on educational achievement; disseminate information on best practices across the Federal Agencies regarding program design, instructional strategies, and institutional support for Native language instruction for Native populations;
4. Review Federal funding mechanisms, explore means for coordinating funding opportunities to remove barriers, and simplify the process for potential grantees seeking to integrate Native language instruction and language and other cultural activities into educational settings, including libraries, museums, cultural and historic preservation programs, and in the arts;
5. Review current training and technical assistance provided by Federal agencies related to Native language preservation and maintenance efforts; assess needs and identify means for enhancing the quality of this training and technical assistance, both to assist existing grantees and potential grantees; and identify opportunities to provide joint technical assistance;
6. Ensure, to the extent practicable, that programs funded by the Federal Agencies to provide Native language instruction are coordinated and evidence-based, demonstrate accountability through assessments of student achievement, and further the goals of the Native American Languages Act;

7. Identify additional departments and agencies interested in or important to the implementation of the goals of this MOA, including the goals of the Native American Languages Act;
8. Cohost an annual language summit, as funds allow, and encourage all Federally funded Native language-related programs and activities to participate;
9. Develop an action plan based on the above goals for review and approval by the chairs of the Native Language Workgroup; and
10. Collaborate, combine, or otherwise coordinate Tribal consultation efforts on the topic of Native languages, including by inviting MOA signatories to co-host or otherwise participate in a combined consultation and to share Tribal consultation summaries that relate to Native languages.

C. Native Language Workgroup (NLW).

To further the goals of this MOA, a Native Language Workgroup (NLW) will be established and will be comprised of senior officials from the ED, HHS, and the BIE. Representatives of other Federal Agencies may participate in the NLW. The Executive Director of the White House Initiative on American Indian and Alaska Native Education, the Commissioner of the Administration for Native Americans, and the Director of the Bureau of Indian Education shall serve as chairs of the NLW. The NLW will meet on a semi-annual basis to further the goals of this MOA.

IV. REPORT

The Lead Agencies to the MOA, with support from the Participating Agencies and Supporting Agencies, will develop an annual report on progress and accomplishments to strengthen and support Native Languages and cultures and will present the Report to the White House Council on Native American Affairs, at the Tribal Nations Summit, the National Native American Languages Summit, and through other means as appropriate.

V. BRANDING

All parties to this agreement agree and permit, consistent with existing law and policy, the mutual use of agency names, trademarks, logos, slogans, branding and other identifiers (collectively, "Branding") in connection with activities conducted pursuant to this agreement. Individual agencies will identify and disseminate any restrictions or guidelines related to that agency's Branding in advance of any such use. No agency Branding will be used to create the appearance of the endorsement of any private entity.

V. ANNUAL REVIEW OF AGREEMENT

The ED, HHS, and DOI BIE will review this MOA and any subsequent MOAs annually, in

consultation with the Participating Agencies, to determine whether their terms and provisions are appropriate and current.

#### VI. FINANCIAL RESPONSIBILITY

No exchange of funds will occur under this MOA. Support for specific activities contemplated under this MOA will be subject to the availability of resources.

#### VII. TERMINATION

Any party can terminate its participation upon issuance of written notice not less than 30 days before the proposed termination date. The 30 days' notice may be waived by mutual written consent of all parties to this MOA.

The individuals whose signatures appear below attest to having the right, power, and authority to enter into this MOA on behalf of their respective Federal agencies and agree that this MOA shall become effective upon signature. This MOA supersedes the MOA signed on September 13, 2018.



VIII. SIGNATORIES OF LEAD AGENCIES ON THE MOA ON NATIVE LANGUAGES



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Secretary  
U.S. Department of Interior

Date: NOV 09 2021



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Secretary  
U.S. Department of the Agriculture

Date: November 2021



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Secretary  
U.S. Health and Human Services

Date: 11/10/21



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Secretary  
U.S. Department of the Education

Date: 11/8/21

IX. SIGNATORIES OF PARTICIPATING AGENCIES ON THE MOA ON NATIVE LANGUAGES.

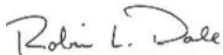
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Date: November 3, 2021

Director  
Director of the Institute of Museum and Library Services  
Crosby Kemper



Deputy Librarian of Congress  
for Library Collections and Services Group  
Robin L. Dale

Date: November 5, 2021

ANN EILERS

Digitally signed by ANN EILERS  
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Date:

Acting Chairman  
National Endowment for the Arts  
Ann Eilers

<Adam Wolfson>

Acting Chairman  
National Endowment for the Humanities  
Adam Wolfson

Date: 11/3/2021



Brenda Mallory  
Chair  
White House Council on Environmental Quality

November 9, 2021

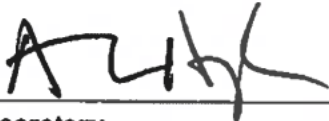
X. SIGNATORIES OF SUPPORTING AGENCIES ON THE MOA ON NATIVE LANGUAGES



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Secretary  
U.S. Department of the Transportation

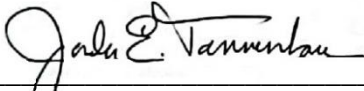
Date: November 10, 2021



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Secretary  
U.S. Department of Veterans Affairs

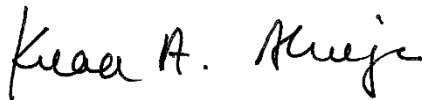
*May 11, 2022*  
Date: May XX, 2022



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Vice Chairman  
Advisory Council on Historic Preservation

Date: September 28, 2022



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Director  
U.S. Office of Personnel Management

Date: October 5, 2022

*Ki Lolo Kijakazi*

\_\_\_\_\_  
Social Security Administration

Date: 2022

*Shalanda D. Young*

\_\_\_\_\_  
Director  
Office of Management and Budget

Date: September 30, 2022

*Aljando N. Maypa*

\_\_\_\_\_  
Secretary  
U.S. Department of Homeland Security

NOV 08 2022

Date:

*Gin Linton*

\_\_\_\_\_  
Secretary  
U.S. Department of Commerce

Date: October 14, 2022

*Michelle Wan*

\_\_\_\_\_  
Secretary  
U.S. Department of Labor

Date: October 24, 2022

Phil P. McKeon

Date: 10/5/2022

Deputy Secretary of State for Management  
and Resources  
U.S. Department of State

Charabell Hays

Date: August 23, 2022

Administrator  
U.S. Department of Veterans Affairs

Michael Smith

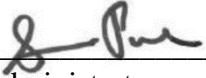
Date: February 24, 2023

Chief Executive Officer  
AmeriCorps

Michael S. Regan

Date: OCT 14 2022

Administrator  
U.S. Environmental Protection Agency



\_\_\_\_\_  
Administrator  
U.S. Agency for International Development

Date: March 04, 2024