

In 1887, the United States Congress passed the General Allotment Act, also known as the Dawes Act. Indian lands and territories, including areas promised to the Cherokee Nation in prior treaties, were allotted to individual Indians while remaining land, called surplus land, was sold to non-Indians. The effect of this policy was near-destruction of the Cherokee Nation, loss of over 99% of Cherokee land, and a long period in which Cherokee citizens were relegated to second-class status.

Fortunately, in 1971, a period of revitalization for the Cherokee Nation government began. The United States once again recognized the authority of the Cherokee people to choose their own Principal Chief. Since 1971, a resurgence of culturally-relevant governance, economic entities and education programs, like language revitalization, have emerged from Cherokee citizens in northeastern Oklahoma. The Nation strives to maintain our distinct cultural identity and autonomous government as we recognize that the principles of self-determination and self-governance have enabled us to prevail over the destructive policies of the past as well as the current federal policies that still fall short of respecting the inherent human rights of Indigenous peoples.

A central theme of the UN *Declaration* is the right of Indigenous Peoples to make the decisions that will shape their cultures, traditions, governments, and future generations. The domestic policy of the United States should support the ability of Tribal Nations to make the decisions that are best suited for their own unique needs. The history of the Cherokee Nation indicates that tribal governments, when allowed to freely govern, are better suited to meet the needs of their citizens than the bureaucracy of federal agencies. As is evident in the rest of my testimony, the Cherokee Nation flourishes when the federal government honors its duties and obligations. The treaties and agreements already ratified by the United States are further clarified by the *Declaration*. I ask that this Committee wholeheartedly supports the President's endorsement of the UN *Declaration* to ensure that the human rights of America's indigenous peoples are respected, protected and fulfilled. I would like to offer the committee some positive examples of the Cherokee Nation's exercising its human rights of self-determination.

Self-Reliance and Economic Improvement: As prescribed in *Article 21* of the *UNDRIP*, "Indigenous peoples have the right...to the improvement of their economic and social conditions." We ask that the federal government uphold this provision and create and sustain policy and an environment that is conducive to the economic self-reliance of tribes across the United States. Cherokee Nation has created entities, like Cherokee Nation Businesses, that have helped protect our autonomy and self-determination and these businesses and supporting programs must also be protected by the federal government.

Cherokee Nation Businesses (CNB): CNB is the company that develops and manages the Cherokee Nation's diverse business portfolio, including many small businesses. These companies generate revenue for the Cherokee Nation and form beneficial partnerships with local communities while developing long-term strategies for workforce and economic development. The Cherokee Nation uses revenue earned from these business activities to supplement federal government funding for many Cherokee programs and services. For example, we operate the largest tribal health system in the United States, including a hospital, eight outpatient medical facilities with medical, dental and vision care, as well as multiple other health-care programs.

It is extremely important to note that not only do these profits fund programs and services, but they are also used to capitalize additional businesses, many of which are 8(a) certified or pending certification. These businesses create new employment opportunities in often economic-distressed communities and allow Cherokee entrepreneurs to run businesses, which in turn, makes a significant impact within the Cherokee Nation's 14-county jurisdiction. Therefore, we also ask the Committee to ensure that 8(a) programs continue unencumbered and free from any new regulations while the current reforms are allowed to alleviate past problems with the program

Because of CNB's successes during the last decade, more than 5,000 jobs have been created in rural northeastern Oklahoma. These jobs have had a positive economic impact on the communities where they operate, which historically receive little to no economic development aid from outside sources. Job creation has not only increased economic revenue for the rural towns, but it has allowed citizens to stay in their communities instead of seeking employment elsewhere, thereby solidifying community ties and creating economic improvement and self reliance.

Revitalization of Culture and Language: The primary purpose of several articles of the *Declaration*, most prominent being *Article 13*, is the revitalization of Indigenous culture. Presently, the Cherokee Nation has invested numerous resources and much effort into the "Right to revitalize, use, develop and transmit to future generations [our] history, language" and our cultural traditions and we ask this Committee ensure and protect our rights and the programs, like our Immersion and Sequoyah School System, which accomplish this revival.

Cherokee Language Immersion School: As affirmed by *Article 14* of the Declaration, the Cherokee Nation is very proud of our Language Immersion School. The Immersion School currently serves 100 students annually and expects to increase enrollment in the coming years. The program immerses students from kindergarten through fifth grade in the Cherokee language for an entire school day. The school will also add another grade each subsequent school year to accommodate matriculation. Children learn math, science, writing and other core subjects, much like their school age counterparts in public schools, but the language of instruction is Cherokee. All teachers are fluent in Cherokee and are certified by the State of Oklahoma. By age 4, children are able to read in Cherokee and by kindergarten they begin to address Oklahoma State Priority Academic Student Skills (PASS) standards in Cherokee.

A highlight of the education system is the relationship with Apple in which Cherokee Nation has worked closely to develop Cherokee language software for Mac operating systems, iPhone, iPod, and iPad. A person can download the Cherokee language application and syllabary on iTunes and in the Application Store simply by searching "Cherokee language". Furthermore, students work on Mac laptops; the Macintosh operating system has supported Cherokee language since 2003 and features a keypad overlay with Cherokee's 85 characters. One notable use of the technology is that it has enabled our students to chat online in Cherokee with students from the Eastern Band of Cherokee's immersion program.

The School serves as a national model for teaching native languages and has been featured among the nation's most promising practices for native language preservation. Immersion students consistently perform at a higher level than their mono-lingual counterparts on state standardized tests. The success of the Cherokee Language Immersion School has inspired several other tribal education departments to create similar programs across the country. Additionally, educators have modified the Cherokee model to teach native languages to adult students.

Because the Immersion School is tribally funded and is, therefore, limited to a small number of students, additional funding is needed to enable Cherokee Nation to engage in meaningful preservation efforts in public schools. The Committee should recognize the barriers Indian nations face in implementing language programs in state school systems and the overwhelming need to provide assistance to any tribal nation working to preserve native language through public school instruction. This one area (in support of *Article 14*) could begin to correct some of the damage done to the native languages and cultures as a result of past federal policies of forced assimilation. (See also *Article 8*)

Sequoyah Schools: Sequoyah Schools is a former BIA boarding school, which was turned over to the Nation in 1985. Today the Campus covers over 90 acres and houses more than 400 students in grades 7-12 representing 42 Tribes. The majority of students are Cherokee tribal citizens. The School is regionally and state accredited and has consistently met Adequate Yearly Progress (AYP). Sequoyah Schools

receives funding from Bureau of Indian Education grants and the Cherokee Nation motor vehicle tag funds.

Sequoyah Schools was not performing well when the Nation took over its management in 1985. Today, it is the school of choice for college-bound students. Last year graduating students received \$3.5 million in scholarships and therefore, admission to Sequoyah Schools is highly competitive. The School offers Advanced Placement classes, concurrent enrollment in local colleges and universities, technology-focused classes like robotics, fine arts and performing arts classes.

In addition, Sequoyah Schools' success has been driven by local tribally-led initiatives to identify problems and is committed to use tribal resources to solve them. Sequoyah Schools developed a long-range facility plan addressing infrastructure issues, including the need for new dormitory space and library renovations. Cherokee Nation's ultimate goal is to create an academic environment at Sequoyah Schools that mirrors other college preparatory schools in the country. Sequoyah Schools is in the process of developing advanced curriculum and data software to track student's academic performance and achievement. With better data, the Nation hopes to improve academic and extracurricular programming to better serve and support students.

Cherokee Language in the Public Schools: The Nation and local public school superintendents are also working together to establish Cherokee language instruction in the schools. The Northeastern State University degree in Cherokee Language Education and the Cherokee certification test are important steps in this process. Oklahoma requires students to complete two years of coursework in a foreign language, and since Cherokee is considered a world language, it is now being taught to youth in Oklahoma schools.

Protection of Health Practices: As described in *Article 24*, "Indigenous peoples have the right to traditional medicines and to maintain [our] health practices...and right to access, without any discrimination, to all social and health services." We ask the Committee to uphold our sovereign right to protect our peoples from illness and maladies and provide healthcare services to our Tribal Citizens.

Cherokee Nation Health Services: Presently, the Nation operates a sophisticated network of eight rural outpatient health centers that provide Indians with primary medical care, dental service, optometry, radiology, mammography, behavioral health promotion and disease prevention and a public health nursing program. In addition to these services, the Cherokee Nation also operates WW Hastings Indian Hospital in Tahlequah, Oklahoma. Hastings is a 60-bed facility offering outpatient and ancillary services with over 300,000 outpatient visits each year and more than 335,000 prescriptions filled annually. We also have inpatient and outpatient programs for management of specialty care throughout our 14-county jurisdiction, therefore adequate support for the fulfillment of *Article 24* and cooperation between tribal nations and federal agencies is crucial to ensure the well being of our people and other indigenous peoples across the country.

CONCLUSION: As Secretary of State and on behalf of the Cherokee Nation, I respectfully request that the United States respects, protects and fulfills the provisions of the *UN Declaration on the Rights of Indigenous Peoples*. It is essential that all levels of government are informed of the human rights obligations of the federal government as a means of ensuring that the human rights of Indigenous peoples are upheld and respected.

Cherokee Nation wants to give our Tribal citizens and surrounding communities the ability to accomplish the goal of building "Jobs, Community, and Language." We want to work with all entities that play a role in bettering the future of our Tribe. Ultimately, the Nation wants its citizens and government to be versed in the skills and technology of today and rooted in the language and traditional life ways of the Cherokee culture. Federal support of the *Declaration* ensures that we may continue to enhance our services, self-

reliance and cohesive tribal development in the region. It is crucial that this body maintains its fiduciary relationship and upholds the promise of President Obama to protect government-to-government relations as prescribed in his full endorsement of the UN *Declaration* and its Articles that furthers the rights of Indigenous peoples.

Once again, the Cherokee Nation thanks the Chairman, Vice Chairman and the Members of the Committee for their time and should you have any additional questions, please contact our Cherokee Nation Washington Office at (202) 393-7007.