

**Testimony of the Principal Chief of the Eastern Band of Cherokee Indians, Michell Hicks,  
Before the House Appropriations Subcommittee on Interior, Environment, and Related  
Agencies**

**February 18, 2025**

**Appropriations for tribal programs impacting the Eastern Band of Cherokee Indians**

Siyo, Chairman Simpson, Ranking Member Pingree, and Members of the Subcommittee. My name is Michell Hicks, Principal Chief of the Eastern Band of Cherokee Indians based in Western North Carolina. The Eastern Band of Cherokee Indians is comprised of the descendants of Cherokees that avoided the Trail of Tears in the Great Smoky Mountains or walked to the Indian Territory and walked back to the Cherokee homeland. Thank you for holding these hearings and for your commitment to providing critical funding to Indian country. The Eastern Band asks that you prioritize funding for the Bureau of Indian Education (BIE), Indian Health Service (IHS), Environmental Protection Agency (EPA), and National Park Service (NPS).

The Eastern Band provides critical governmental services to more than 16,000 Tribal members, approximately half of whom reside on the 56,600-acre Qualla Boundary, or Eastern Band Cherokee Reservation, that covers five counties in western North Carolina.

It is imperative that the Subcommittee, and all aspects of the federal government, understand that federal funding appropriated for services to tribal nations is not discretionary and is not a matter of diversity, equity, and inclusion. It is a right owed to sovereign, federally recognized Indian tribes by virtue of their political status and their trust and treaty relations with the United States. Any diminishment in this funding would breach the United States' trust obligation to tribal nations, including the Eastern Band, and would result in devastating consequences to our already struggling communities. As Indian people, we face unique hardships as a result of historical federal actions including forced assimilation and abuses endured by generations of our people at Indian boarding schools, the loss of traditional homelands, and the attempted eradication of our languages and cultures. We are now in a time of hope for the future—hope for our youth, hope for improved education, safety, and healthcare, hope for better stewardship of our traditional lands, and hope for the prosperity of our people. Much of this hope comes from tribal programs and services that provide immense benefits to our communities. But these programs and services cannot continue to operate if their funding is arbitrarily slashed for the sake of decreasing federal expenditures. The United States must continue to fulfill its treaty and trust obligations to tribal nations by appropriating sufficient funds to key agencies that enable these programs and services to our members.

**I. Bureau of Indian Education**

The Eastern Band operates Tribally-controlled Schools (Cherokee Central Schools) from grades Pre-Kindergarten to 12, funded in crucial part by grants from the BIE. Our schools currently enroll 1,417 students, 93% of whom are enrolled Tribal members or first descendants. In 2024,

our schools employed 395 full-time employees. Central Cherokee Schools is a Cognia-accredited school (an accreditation based on rigorous research-based standards and evidence-based criteria) with a 330.81 Index of Education Quality Score, indicating that our schools meet or exceed rigorous standards of educational quality and effectiveness. Without the teaching staff and facilities supported by BIE funding, we would not be able to maintain this standard of excellence.

The Cherokee Central Schools system, which is comprised of an elementary school, a middle school, and a high school, is vital to the welfare of our youth. Our inclusion of Cherokee culture into our education curriculum has resulted in demonstrable benefits to the mental health of our students, which in turn results in improvements in academic performance. Without adequate BIE funding, we would be unable to provide the well-rounded education, rich in our own heritage, that allows our students to blossom into successful, healthy adults that contribute to our community.

Although the Eastern Band contributes significant financial resources to the operation of these schools, the funding provided by the federal government is vital to the Central Cherokee Schools system's success. We could not provide the high caliber education and school facilities we do for our students without the treaty- and trust-mandated financial contributions from our federal partner. The federal government has a trust responsibility to provide education to tribal citizens. This responsibility cannot and must not be shirked in the name of "eliminating wastefulness" or "efficiency"— it is a solemn obligation the United States has to the Eastern Band as a sovereign nation with treaty and trust relations with the United States. Moreover, BIE's expenditures on our Tribally-controlled Schools cannot, in good conscience, be deemed "wasteful" or "inefficient" because they are necessary contributions to safeguard the education and opportunities for our youth. A decrease in funding would significantly diminish the quality of education of Cherokee students and jeopardize our Cognia accreditation. It is imperative that the United States continue to fulfill its obligation to the Eastern Band by maintaining its funding commitments to our Cherokee Central Schools.

## **II. Indian Health Service**

The Eastern Band opened the Cherokee Indian Hospital Authority ("CIHA") in 2015. CIHA provides critical care to Eastern Band members, non-members, and non-Indians. The hospital is a model for tribal hospitals for its integration of Cherokee culture and traditional healing into modern medical practices. The advanced and mandatory appropriations to IHS have provided our hospital and IHS facilities across the country with stability and the capacity to provide critical services to our communities and must continue throughout this administration.

Our commitment to the health of our Eastern Band members and others in our community cannot be fulfilled without adequate funding from IHS. Like education, healthcare is a treaty right for many tribal nations. Moreover, like education, the United States has a trust responsibility to fund healthcare for federally recognized tribal nations. Yet IHS is chronically underfunded compared to other healthcare systems in the United States. In part as a result of

this underfunding and sub-standard healthcare, tribal communities face significant health disparities compared to the American public. American Indians and Alaska Natives born today have an average life expectancy that is 10.9 years shorter than that of the general U.S. population. Our life expectancy dropped from an estimated 71.8 years in 2019 to 65.2 years in 2021, a life expectancy comparable to that of the general U.S. population in 1944. This statistic alone is appalling. American Indians and Alaska Natives have well above-average rates of mortality from most major health issues and rates of colorectal, kidney, liver, lung, and stomach cancers. Our vulnerable populations must not be overlooked or undervalued in the federal appropriations process. Funding Indian healthcare is not discretionary; rather, it is a duty the United States owes to tribes by virtue of treaty and trust relations.

### **III. Environment Protection Agency**

Like BIE and IHS, the EPA provides much needed funding to the Eastern Band to protect and provide for our members. For example, the EPA is awarding significant funds to the Eastern Band to develop sustainable energy infrastructure to provide cleaner transportation options, increase climate resiliency, and promote learning in the Eastern Band community. These funds will be used to:

- Purchase and deploy 15 electric school buses and one Class 8 heavy-duty electric truck.
- Develop a 400-kilowatt solar microgrid and 80-kilowatt diesel energy storage system to help power eight fast charging stations to support the electric school bus fleet.
- Construct a 52-kilowatt solar array on the Tribal Council House Complex and a 121-kilowatt solar array on the New Kituwah Academy rooftop.
- Install 20 publicly accessible Level 2 EV public charging stations.
- Enhance energy affordability and equity by providing access to clean, affordable energy options.

Through these activities, EPA funding will provide significant benefits to our communities and our schools while furthering our efforts to protect the environment on our sacred homelands.

Through partnerships with the EPA, the Eastern Band has had the opportunity to engage in a multitude of activities to address our air, water, and land quality priorities. We are proud to have achieved treatment in a manner similar to a state (TAS) for Clean Water Act purposes in 2015, a status we continue to hold. Without EPA funding, we could not continue to protect our air, water, and homelands.

### **IV. National Park Service**

The Eastern Band's Qualla Boundary is located immediately south of the Great Smoky Mountains National Park, and the Eastern Band works closely with NPS to protect and preserve cultural and natural resources. Through NPS' Tribal Preservation Grants, the Eastern Band has and will continue to protect and preserve our unique culture and history for generations. This

work is vital to the preservation of our identity and culture as Cherokee people, and it cannot be done without the financial support of NPS. For instance:

- CFR Rule 36 has enabled the Tribe to co-steward with the NPS for harvesting native plants that have gone through western science protocols that prove our indigenous plant knowledge and harvesting methods have minimal impact on sustainable populations of certain plant species.
- Consistent road access into NPS lands that allows our Cherokee people to harvest such plants under the criterion of the permit process as outlined in Rule 36.
- Tribal leadership has directed the EBCI Natural Resource Dept. to work with the NPS to establish food plots on Tribal trust lands that support the introduction of the Rocky Mountain Elk program in the Great Smoky Mountains National Park to secure public safety for tribal emergency response personnel.
- U.S. Highway 441 must remain open to support and sustain the Tribe, Western NC and eastern TN's economic interests, and high school events that require use of U.S. Hwy 441 to assure the participation in athletic activities from communities on both sides of the state line which runs thru the GSMNP and Tribal trust lands.

I appreciate the opportunity to share these points of concern.

Sgi!  
(Thank you)