

South Carolina Tribe Improperly Granted Land in North Carolina to Build a Casino

Eastern Band of Cherokee Indians Promises Lawsuit to Defend Their Ancient Cultural Lands

(Cherokee, North Carolina) – The Eastern Band of Cherokee Indians is promising to sue the federal government for its illegal and corrupt decision to allow the Catawba Nation of South Carolina to take land into federal trust near Charlotte for the sole purpose of operating an off-reservation casino. The decision threatens Cherokee cultural lands, the environment, and the rule of the law.

Richard Sneed, Principal Chief of the Eastern Band of Cherokee Indians, denounced the decision by the Department of Interior to accept about 17 acres of land in Cleveland County into federal trust for the Catawba's gambling purposes:

“The federal government has no right or authority to create a new reservation for the Catawba Nation across state lines, into Cherokee historical territory, just to build a casino,” Sneed said. **“This decision creates a dangerous precedent for all federally recognized tribes that empowers corrupt developers and their lobbyists to use politicians to determine what laws and precedents are followed and which ones are ignored. This decision cannot and will not stand.”**

The Bureau of Indian Affairs (BIA) has acknowledged that there is a possibility that archaeological artifacts and resources could be discovered during construction on the site, which is located squarely within Cherokee historical territory. Still, to date, the BIA has not consulted with the Eastern Band of Cherokee Indians on cultural protection measures. Development of a casino on historic Cherokee land without consulting with the Eastern Band of Cherokee Indians on the proposal violates federal law, specifically, the National Historic Preservation Act and the National Environmental Protection Act.

Furthermore, the Department ignores federal laws related to the Catawba that prohibit the “Catawba Indian Tribe of South Carolina” from tribal government gaming under the Indian Gaming Regulatory Act, and that require application of South Carolina laws to Catawba on and off reservation lands.

The Department of Interior's decision not only violates the rights of the Eastern Band of Cherokee Indians but also the will of the people of North Carolina. The North Carolina legislature, the elected voice of the citizens of North Carolina, has repeatedly stated its opposition to the proposed Catawba casino. And federal officials circumvented laws that require consultation with North Carolina communities.

The Catawba Nation, casino developers Wallace Cheves and Gary Fears, and Delaware North have hired lobbyists to help short-circuit the normal land acquisition and casino approval process. Cheves was previously indicted with others in the U.S. District Court for the Northern District of Ohio for conspiracy to defraud the United States, among other charges.