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## **Eastern Band of Cherokee Indians Files Amended Complaint Against Department of the Interior**

### ***Momentum Grows Against DOI's Illegal Attempt to Force NC Site for Out of State Casino***

**(Cherokee, NC)** – The Eastern Band of Cherokee Indians (EBCI) has filed an amended complaint in its federal lawsuit against the unlawful decision of the U.S. Department of the Interior (DOI) to take historic Cherokee land in North Carolina into trust for the Catawba Indian Nation of South Carolina to build a casino. The decision by the DOI will allow the South Carolina tribe to ump across state lines and build a casino near Kings Mountain, North Carolina, without the required consultation with the EBCI and without approval by North Carolina lawmakers or the people of North Carolina. A combination of federal and state laws – which the Catawba Indian Nation agreed to in 1993 – prohibits the Catawba tribe from building and operating a casino in South Carolina. Now it wants to jump state lines and open a casino in North Carolina. The facts and the law demonstrate that the DOI's decision to allow this is unlawful.

The plaintiffs in the lawsuit are the EBCI and twelve of its members who live near the Kings Mountain site. Additionally, the Cherokee Nation based in Tahlequah, Oklahoma, filed its own amended complaint, seeking to protect cultural artifacts on their ancestral land where the illegal casino is planned.

Commenting on the filing, Richard G. Sneed, Principal Chief of the EBCI, said ***“We welcome the growing coalition that is fighting against the DOI's decision. The decision is an egregious violation of federal law, and our amended complaint will establish for the court that there is no legitimate, legal basis for the decision.”***

Among other things, the amended complaint reveals the following:

- The driving force behind the DOI's acquisition of land is unsavory but well-connected casino developer in South Carolina, Wallace Cheves, who has prevailed upon the Catawba Indian Nation of South Carolina to lend its name to the scheme and has deployed his influence to reverse the DOI's long-held position that this type of land-into-trust acquisition is illegal.
- In 2007, two Catawba-connected businessmen pleaded guilty to a scheme to unlawfully funnel Catawba Indian Nation funds to political candidates to reverse South Carolina's ban on gaming by the Catawba. On the heels of those convictions, Wallace Cheves—who has a history of criminal and civil enforcement actions against him and his

companies for illegal gambling—prevailed on the Catawba to try its luck in North Carolina.

- The controlling statutes – enacted at the behest of the Catawba Indian Nation in 1993 - require that a specific process be used for acquiring trust land for the Catawba Indian Nation and that trust land has to be in South Carolina - and until Congress changes the law the DOI's decision giving North Carolina land, particularly historic Cherokee land, is null and void.
- The DOI clearly violated other legal requirements including early consultation with the EBCI to identify and protect Cherokee cultural resources located at the Kings Mountain site, and producing a “hard look” environmental impact statement, which was never conducted.
- All told, the DOI unequivocally violated the law in their hastily rendered decision to take this land into trust for the Catawba casino project in Kings Mountain, North Carolina.

Principal Chief Sneed said, “***Despite political contributions and questionable lobbying campaigns conducted by Mr. Cheves, the facts and the law are clearly on the side of the Eastern Band of Cherokee Indians and our fellow plaintiffs. We feel confident we will be vindicated by the court.***”

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