

## Congress ends EBCI challenge to Catawba casino

Written by Administrator

Wednesday, 22 December 2021 08:57 -

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The Eastern Band of Cherokee Indians' last hope for stopping the Catawba Indian Nation from building a casino in North Carolina is dead following passage of a [bill](#) affirming the U.S. Department of Interior's [decision](#) to take 17 acres in Cleveland County into trust for the tribe.

“Passage of this legislation marks the first time Congress has ever directly approved an off-reservation casino, an act which we continue to believe will have profound consequences for communities and tribes across the country,” said EBCI Principal Chief Richard Sneed. “The courts have been reviewing the legality of the Catawba casino, but this legislation will end that process. We are disappointed to not be granted the ability to defend our position in the courtroom.”

### A lengthy saga

For the past decade, the Catawba — whose reservation is located in Rock Hill, South Carolina — have been trying to get the Kings Mountain property taken into trust in order to build a casino there, but their [initial efforts](#) were unsuccessful. The tribe first applied for trust status in August 2013 under the mandatory acquisition process, and a March 2018 decision denied that request. But the Catawba immediately filed another application, this time under the discretionary process, and in September 2018 the DOI [approved](#) it.

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### ~~FILED FROM THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH CAROLINA, CLAY COUNTY, NORTH CAROLINA, IN AND TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NORTH CAROLINA, CLAY COUNTY, NORTH CAROLINA, BY~~ Path through Congress

First introduced in March as the [Catawba Nation Indian Lands Act](#) , the recently passed law states that the decision to take the Cleveland County property into trust is “hereby ratified and confirmed as if that action had been taken under a Federal law specifically authorizing or directing that action.” It passed the House 361-55 on Nov. 1 and was then incorporated into the larger [National Defense Authorization Act](#) , which passed the House on Dec. 7 by a vote of 363-70 and the Senate 89-10 Dec. 15.

In a press release, the Catawba thanked North Carolina Sens. Richard Burr and Thom Tillis for their support. Rep. Madison Cawthorn, however, voted against the standalone bill Nov. 1, though he did support the larger National Defense Authorization Act Dec. 7. Cawthorn, who currently represents the N.C. 11 District that includes EBCI lands, has announced a 2022 run for the newly created N.C. 13, which includes Cleveland County.

“Congressman Cawthorn did not support the initial Catawba Indian Nation Lands Act,” said Cawthorn spokesman Luke Ball. “While there were some portions of the NDAA he did not support (since it is traditionally a large yet historically bipartisan piece of legislation), he voted for final passage because it funds our military, gives troops a raise, bans dishonorable discharges over vaccine mandates, and has no red flag law language, no draft our daughters language, and no funding for purging patriots in the military.”

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The Dec. 7 vote gives the Catawba the go-ahead to pursue development of a permanent casino facility on the property. While the tribe [broke ground](#) for the Catawba Two Kings Casino Resort in July 2020, it delayed starting construction as the legal dispute with the EBCI dragged on.

On July 1 of this year, the Catawba opened a temporary facility with 500 gaming machines, an endeavor that proved an “immediate success,” spurring the tribe to start site work in September to add another 500 machines, according to a Dec. 15 press release. That expansion opened Dec. 15 — the modular buildings housing the temporary facility now hold 954 slot machines and 46 positions at four automated electronic table game pods in a stadium setup. The expansion also includes a dedicated high-limit room, with onsite beer and wine service to start soon.

Now, the Catawba and their consultants are actively planning construction of the permanent facility, with more information to be announced later.

The Kings Mountain casino is expected to have a significant economic impact on both Cleveland County and the Catawba Nation, but the EBCI — along with local [governments](#) across the mountain region — worries about how it could affect the bottom line of its casinos in Cherokee and Murphy.

The EBCI’s casino enterprise has seen [unprecedented success](#) during its more than two decades of operation, in part because there are no competing casinos within an easy day’s drive, and it’s a major economic driver for the entire mountain region. The EBCI estimates that the Kings Mountain casino could siphon away \$100 million in annual business from its existing operations.

**Read more** <https://smokymountainnews.com/news/item/32771-congress-ends-ebci-challenge-to-catawba-casino>