

**Testimony of William Harris
Chief, Catawba Indian Nation
Before the
House Interior Appropriations Subcommittee
FY 2017 Federal Indian Programs Budget
Thursday, March 17, 2016**

“I am one of the lingering survivors of an almost extinguished race. Our graves will soon be our only habitations. I am one of the few stalks which still remain in the field after the tempest of the Revolution has passed. I fought the British for your sake. The British have disappeared nor have I gained by their defeat. I pursued the deer for subsistence; the deer are disappearing and I must starve. God ordained me for the forest, and my ambition is the shade; but the strength of my arm decays, and my feet fail me in the chase. The hand which fought the British for your liberties is now open for your relief. In my youth I bled in battle that you might be independent; let not my heart in my old age bleed for the want of your commiseration.”

Catawba Chief Peter Harris, Petition to the South Carolina Legislature

Catawba Recommended Funding Levels:

TPA - Community and Economic Development

Subactivity - Job Placement and Training - \$12,504,000

Subactivity - Economic Development - \$5,000,000

Subactivity - Community Development Oversight - \$7,000,000

Introduction. On behalf of the Catawba Indian Nation, a federally recognized tribe located in South Carolina and North Carolina, thank you for this opportunity to testify before the House Interior Appropriations Subcommittee. My name is William Harris. I am the Chief of the Catawba Indian Nation. In the past, this Subcommittee has offered my tribe support in addressing budget and audit issues with the Bureau of Indian Affairs. Your support means a great deal to the Catawba people and on their behalf you have our heartfelt “thank you!”

Support for Economic Development for Smaller Tribes. I would ask that this Committee look at ways to support economic development initiatives for smaller tribes that have not benefitted significantly from gaming. Only through economic development can we lift our communities out of poverty and have the hope that the next generation of Catawbans will know a more prosperous life than this generation. I have listed above particularly relevant programs of the Bureau of Indian Affairs, along with proposed funding levels that are relatively small, but approximately twice current funding.

Achieving Self-Sufficiency. It is the goal of the Catawba Indian Nation to achieve economic self-sufficiency and to lift our people fully out of poverty. The most recent Census data shows that 24.3% of all Catawba families live in poverty; even worse, 57.6% of female-led households with children are in poverty. The overall unemployment rate among the reservation population is 13.6%, nearly three times the national average.

Our Settlement Act specifically refers to the “policy of the United States to promote tribal self-determination and economic self-sufficiency” and it is about fulfilling this promise of support for economic self-sufficiency that I appear before you today. The limitations in our Settlement Act significantly inhibit our ability to achieve economic self-sufficiency. We do not have the same gaming rights that other tribes have. As a result, we cannot lift ourselves out of poverty by taking one or two simple measures. Rather, we have to build an economy with a comprehensive approach from the ground up, which means not only creating tribally owned businesses, but also encouraging private entrepreneurship. It also means providing everything from loans and grants to our members to providing transportation so people can get to work. The Tribe maintains a transportation program to get tribal members to work centers and has had a summer program for tribal youth in which they get training in life and job skills. The Tribe also seeks to continue a job training and placement program to assist Indian people to acquire the job skills necessary for full time satisfactory employment. Within that framework, the program provides testing, vocational counseling or guidance to assist program participants to make career choices relating personal assets to training options and availability of jobs in the labor market. This Federal program includes vocational counseling and employment services both on-reservation as well as in communities near reservations.

Land Acquisition Funding. The Catawba Indian Nation is seeking to make additional land purchases, where we can and when we can afford them. In this regard, it would be helpful if the Committee supported funding for land acquisitions for smaller tribes.

History of the Catawba. Since time immemorial the Catawba have lived in the Piedmont generally and along and upon the Catawba River specifically. In ancient times, the Catawba lived off the land and the river, hunting for game, fishing for shad, eels and other fresh water species, and farming corn, beans and squash. The tradition of pottery making among the Catawba, unchanged since before recorded history, links the lives of modern Catawba to our ancestors and symbolizes our connection to the earth and to the land and river we love. No less today, the sovereignty of the Catawba Indian Nation and our survival as a distinct people upon the earth is tied to our lands and the river. Like our pottery, the Catawba people have been created from the earth, and have been shaped and fired over time and so have survived many hardships to provide a living testament to our ancestors and to this place we call home.

The Catawba world was transformed by contact with European explorers and colonists. The Catawba's first encounter with Europeans was with the Spanish explorer Hernando de Soto, in 1540, and then with Juan Pardo in 1566. The Europeans brought guns, which made hunting easier, but they also brought disease, including small pox, which repeatedly

decimated the tribe. Encroachment by settlers reduced Catawba lands. In 1760, the Catawbas entered into the Treaty of Pine Hill with the British authorities, which established a 15-mile square reservation in South Carolina. Although the Catawba honored the treaty, the Government of South Carolina and white settlers did not, encroaching further upon Catawba land such that by 1826 only a small number of Catawbas remained, occupying one square mile.

Notably, during the Revolutionary War, the Catawba Indian Nation stood with the American colonists in their struggle for independence from the dictatorial mandates of King George III. Catawba scouts accompanied then-General George Washington on many of his campaigns. Ever since, the Catawbas have always answered the call of country, living up to their half of the Tribe's government-to-government relationship with the United States - and we will continue to do so.

Regrettably, in 1959, the Congress enacted the Catawba Tribe of South Carolina Division of Assets Act which terminated the tribe's Federal recognition and liquidated the tribe's 3,434 acre reservation.

After a long struggle, and only after the tribe threatened to invoke its treaty rights to 225 square miles of South Carolina, did Congress act in 1993 by passing the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, which restored the trust relationship between the Catawba Indian Nation and the United States. This law also had the effect of settling treaty-based Catawba land claims and other treaty-based rights on terms highly favorable to the State of South Carolina and the State of North Carolina.

Today, the Catawba Indian Nation is one of a handful of federally recognized tribes that do not enjoy the range of sovereign powers possessed by most federally recognized Indian nations. Under the terms of our Settlement Act we possess what I would term "second class tribal sovereignty." The state government has enormous civil and criminal jurisdiction on our lands, far in excess of that commonly accorded to states over other tribes. In the area of gaming, we are not authorized to establish gaming operations pursuant to the Indian Gaming Regulatory Act. Instead, we are limited to two bingo halls (after an 8-year hiatus we will re-open one bingo hall in the next month or so) and electronic play devices on our reservation, if the state "authorizes" them anywhere else. Since the State authorizes casino cruise ships, we believe that we can have similar games on our reservation; however, the South Carolina Supreme Court ruled that although the State exercises extraordinary authority over the casino cruise industry, with boats operating out of South Carolina ports, and various taxes and regulations imposed, that is not the same as "authorizing" the games. There is a pattern in the South Carolina courts: Catawba always loses.

That pattern is evident at a larger level, as well. We settled a large land claim with the State of South Carolina, and gave up treaty-based rights in both North Carolina and South Carolina for the promise of a reservation of up to 4,200 acres. Twenty years later, our reservation is only 1,006 acres and our ability to add further lands has largely been

thwarted by a combination of state and local action, as well as private party action that greatly inhibits the Tribe from acquiring lands or from acquiring it at a reasonable price.

Conclusion. I thank you for this opportunity to talk about the needs of the Catawba Indian Nation. Your support for our people and, indeed, for all Native peoples is greatly appreciated and truly in the best traditions of the government-to-government relationship.