



October 5, 2020

Hon. Raúl M. Grijalva
House Committee on Natural Resources
Subcommittee for Indigenous Peoples
Washington, DC 20515

Dear Chairman Grijalva,

I wanted to thank the Committee for allowing me to participate in the hearing regarding H.R. 8255, the Catawba Indian Nation Lands Act. I especially appreciate you allowing me to submit my written testimony in support of the bill. During the hearing there were some comments made to which I would like to respond for the record.

I enjoyed hearing Ranking Member Cook's opening comments. I was especially struck with his fondness of the Cherokee ceremonial events he experienced while visiting the Eastern Band of Cherokee Indians reservation in person. They certainly have a rich culture that deserves to be celebrated. It has been documented that since the Cherokee opened their gaming complex, they have been able to exponentially increase their financial contributions in support of the protection of their culture, including providing for the creation of the Cherokee School. Integral to this effort is the teaching of the Cherokee language so it can live on, something that would have been impossible before gaming. My question to Congressman Cook would be "don't the Catawba's deserve the same opportunity to preserve their culture?"

Also, contrary to the statement from Congressman Cook, there has been no infighting between tribes. The Catawba's have offered the olive branch to the Cherokee many times, only to be ignored or scorned every single time. Even during the recent ground-breaking in Kings Mountain, it surprised me that Chief Harris once again expressed the willingness to work with the Cherokee. This does not suggest infighting, but rather a desire by one party to move forward, under a law that recognizes the unique needs of tribes that have had their federal recognition restored, while the other party objects in an effort to protect a geographic monopoly that has neither been provided to them under past treaties nor negotiated for under their current Class III gaming compact with North Carolina.

The other concern that was brought up by Congressman Cook was about the two states fighting it out. I have not observed any of that, as elected officials from both states have supported the righting of the wrong perpetrated with the adoption of the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993. Senators Tillis and Burr from North Carolina and Graham from South Carolina sponsored a bill awarding the land into trust. Additionally, members of House from both states and from both parties have come together to introduce a bill to address this project. It is the Cherokee that insist on Catawba as being only a South Carolina tribe, but as history demonstrates, the Catawba were in the King's Mountain area (and several other areas within North Carolina) long before any lines were drawn to identify our states, and have remained here ever since.

It was also reported by Chief Sneed that over 35 NC Senators signed a resolution against the acquisition of the federal lands for the Catawba. Our Senator reported to me that the Senators were presented with this resolution during a committee meeting and instructed to sign, sight unseen. Thankfully our senator said he had to read it first, before signing, and to my knowledge has not signed it. In fact, I am certain there were a number of senators who opposed the Cherokee's casinos before they existed as well. Let's be frank – states have never wanted to empower the rights of tribes and our founding fathers knew this. That is exactly why the federal government, and Congress specifically, enjoys the Constitutional responsibility over matters involving tribal governments and not state legislatures.

These strong-arm techniques exercised by the Cherokee have even been executed in county governments in western North Carolina as well. Pitting one region of our state against another as each of them have adopted resolutions against this economic project of the Catawbas.

Meanwhile, I represent a community with 19% poverty in the need of economic prosperity, that this project can produce. To be accused of being a part of this project to benefit myself, as Congressman Mark Walker attempted to do, offends me as it has always been my mission to advance my community first and always! I have not ever been financially a part of this development project. Secondly, I am trying to help the Catawbas get the same benefits afforded the Cherokee so they can perpetuate their valuable culture. It is unfortunate that Congressman Walker would allow himself to be used by those who oppose this effort in our community only to protect the gambling interests and monopolistic behavior of a competing region. It would be better if he kept the interests of the state as whole ahead of the interests of a few.

So why do the Cherokee want to be the only indigenous people to benefit from gaming? It must be financial. While it may reduce the financial gain of the Cherokee, the net gain of jobs in our state would grow tremendously. Brian Saunooke of Harrah's said, while one-third of the casino's customers are closer to the Kings Mountain site than to Harrah's, a significant portion of them would likely travel to Cherokee anyway. "When we talk about our customers, it's not a one-size-fits-all category,".

It's like McDonalds and Burger King. A market economy gives its consumers a choice. Economic Development for our state doesn't say we don't want Burger King because it will hurt Mc Donald's! In fact, twice the burgers are sold creating more jobs, sales and prosperity for all!

In conclusion, what we have here is a tribe that wants to dominate an area that is occupied by both tribes and refuses to acknowledge the Catawba's rightful place in North American history. By giving them the means to prosper it gives the Catawba people the same opportunity that was afforded the Cherokee in the past.

Thank you for your time and I urge the committee to pass HB 8255 and refer it to the full house for passage.

Sincerely,

A handwritten signature in cursive script that reads "Scott Neisler".

Scott Neisler

Mayor of the City of Kings Mountain