

Calendar No. 607

116TH CONGRESS
2D SESSION

S. 790

[Report No. 116–307]

To clarify certain provisions of Public Law 103–116, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 13, 2019

Mr. GRAHAM (for himself, Mr. BURR, and Mr. TILLIS) introduced the following bill; which was read twice and referred to the Committee on Indian Affairs

DECEMBER 9, 2020

Reported by Mr. HOEVEN, with an amendment

[Strike out all after the enacting clause and insert the part printed in *italic*]

A BILL

To clarify certain provisions of Public Law 103–116, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. GAMING FACILITY AUTHORIZED.**

2 (a) ~~GAMING FACILITY AUTHORIZED.~~—The Catawba
3 Indian Nation (formerly the Catawba Indian Tribe of
4 South Carolina) is authorized to own and operate a gam-
5 ing facility on the land described in section 2 of this Act,
6 in Cleveland County, North Carolina.

7 (b) ~~INDIAN GAMING REGULATORY ACT.~~—The facility
8 described in subsection (a) shall operate in accordance
9 with the Indian Gaming Regulatory Act (25 U.S.C. 2701
10 et seq.); except that section 20 of the Indian Gaming Reg-
11 ulatory Act (25 U.S.C. 2719) shall not apply to the land
12 described in section 2.

13 (c) ~~LAND IN TRUST.~~—The Secretary of the Interior
14 is hereby authorized to take the land described in section
15 2 into trust for the purpose of conducting gaming, on be-
16 half of the Catawba Indian Nation.

17 (d) ~~RIGHTS PRESERVED.~~—Except as otherwise ex-
18 pressly provided in this Act, nothing in this Act shall pre-
19 vent any party from enforcing all rights, privileges, or pro-
20 hibitions as contained within the Catawba Indian Tribe
21 of South Carolina Land Claims Settlement Act of 1993
22 (Public Law 103–116).

23 **SEC. 2. LEGAL DESCRIPTION OF LAND.**

24 The land subject to this Act is described as follows:
25 Real property in Cleveland County, North Carolina, begin-
26 ning on a concrete right of way monument having NAD83

1 NC State Plane Grid Coordinates N: 536550.60 USFT
 2 and E: 1292093.25 USFT and being located N 11-18-
 3 59 W 637.68' (Horizontal Ground Distance) from NCGS
 4 "Dixon" having NAD83 NC State Plane Grid Coordinates
 5 N: 535925.42 USFT and E: 1292218.36 USFT; running
 6 thence S 35-20-37 W 83.44' to a concrete right of way
 7 monument; thence along an arc of curve to the left having
 8 a radius of 906.51', an arc length of 357.87', a chord
 9 bearing S 68-52-34 W and a chord length of 355.55' to
 10 a 5/8" Rebar Set; thence S 57-19-29 W 498.70' to a 5/
 11 8" Rebar Set; thence along an arc of curve to the right
 12 having a radius of 1344.39', an arc length of 113.61', a
 13 chord bearing S 59-44-45 W and a chord length of
 14 113.58' to a 5/8" Rebar Set; thence a new line N 23-
 15 34-25 W 751.26' to a 5/8" Rebar Set; thence a new line
 16 N 66-25-35 E 1026.64' to a 5/8" Rebar Set in the West-
 17 ern Right of Way Line of State Project 8.2800802; thence
 18 with the western right of way line N 66-25-35 E 43.71'
 19 to a 5/8" Rebar Set; thence S 23-18-33 E 151.15' to
 20 a 1/2" Rebar Found; thence S 23-18-33 E 93.85' to a
 21 5/8" Rebar Set; thence S 67-29-04 W 19.83' to a 5/8"
 22 Rebar Set; thence S 23-18-56 E 237.04' to a 5/8" Rebar
 23 Set; thence S 17-18-46 E 150.51' to the point and place
 24 of beginning and containing 16.573 Acres +/- and shown
 25 as Lot 1 according to a survey by TGS Engineers dated

1 September 17, 2018. The above described lot contains a
 2 portion of the land described in DB 1210 PG 167 Tract
 3 H, DB 1210 PG 174 Tract H and DB 1210 PG 174
 4 Tract H as owned by Roadside Truck Plaza, Inc.

5 **SECTION 1. SHORT TITLE.**

6 *This Act may be cited as the “Catawba Indian Nation*
 7 *Lands Act”.*

8 **SEC. 2. APPLICATION OF CURRENT LAW.**

9 *(a) LAND IN SOUTH CAROLINA.—Section 14 of the Ca-*
 10 *tawba Indian Tribe of South Carolina Claims Settlement*
 11 *Act of 1993 (Public Law 103–116; 107 Stat. 1136) shall*
 12 *only apply to gaming conducted by the Catawba Indian*
 13 *Nation on land located in the State of South Carolina.*

14 *(b) LAND IN STATES OTHER THAN SOUTH CARO-*
 15 *LINA.—Gaming conducted by the Catawba Indian Nation*
 16 *on land located in States other than the State of South*
 17 *Carolina shall be subject to—*

18 *(1) the Indian Gaming Regulatory Act (25*
 19 *U.S.C. 2701 et seq.); and*

20 *(2) sections 1166 through 1168 of title 18,*
 21 *United States Code.*

22 **SEC. 3. REAFFIRMATION OF STATUS AND ACTIONS.**

23 *(a) RATIFICATION OF TRUST STATUS.—The action*
 24 *taken by the Secretary of the Interior on July 10, 2020,*
 25 *to place approximately 17 acres of land located in Cleve-*

1 *land County, North Carolina, into trust for the benefit of*
 2 *the Catawba Indian Nation is hereby ratified and con-*
 3 *firmed as if that action had been taken under a Federal*
 4 *law specifically authorizing or directing that action.*

5 *(b) ADMINISTRATION.—The land placed into trust for*
 6 *the benefit of the Catawba Indian Nation by the Secretary*
 7 *of the Interior on July 10, 2020, shall be—*

8 *(1) part of the Catawba Reservation and admin-*
 9 *istered in accordance with the laws and regulations*
 10 *generally applicable to land held in trust by the*
 11 *United States for the benefit of an Indian Tribe; and*

12 *(2) deemed to have been acquired and taken into*
 13 *trust as part of the restoration of land for an Indian*
 14 *Tribe that is restored to Federal recognition pursuant*
 15 *to section 20(b)(1)(B)(iii) of the Indian Gaming Reg-*
 16 *ulatory Act (25 U.S.C. 2719(b)(1)(B)(iii)).*

17 *(c) EFFECT.—Nothing in this Act shall—*

18 *(1) enlarge, impair, or otherwise affect any right*
 19 *or claim of the Catawba Indian Nation to any land*
 20 *or interest in land in existence before the date of en-*
 21 *actment of this Act;*

22 *(2) affect any water right of the Catawba Indian*
 23 *Nation in existence before the date of enactment of*
 24 *this Act;*

1 (3) *terminate or limit any access in any way to*
2 *any right-of-way or right-of-use issued, granted, or*
3 *permitted before the date of enactment of this Act; or*
4 (4) *alter or diminish the right of the Catawba*
5 *Indian Nation to seek to have additional land taken*
6 *into trust by the United States for the benefit of the*
7 *Catawba Indian Nation.*

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