

Tribes, government agree to \$1 billion settlement

Mismanaged funds, lands, other assets

By Shannon Dininny | ASSOCIATED PRESS APRIL 12, 2012

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YAKIMA, Wash. - The federal government will pay more than \$1 billion to settle a series of lawsuits brought by American Indian tribes over mismanagement of tribal money and trust lands, under a settlement announced Wednesday.

The agreement resolves claims brought by 41 tribes from across the country to reclaim money lost in mismanaged accounts and from royalties for oil, gas, grazing, and timber rights on tribal lands.

Negotiations continue on dozens of other cases.

The settlement was announced jointly by the Justice Department and the Interior Department, which manages more than 100,000 leases on tribal trust lands and about 2,500 tribal trust accounts for more than 250 federally recognized tribes.

“These settlements fairly and honorably resolve historical grievances over the accounting and management of tribal trust funds, trust lands, and other non-monetary trust resources that, for far too long, have been a source of conflict between Indian tribes and the United States,” Attorney General Eric Holder said.

Ending the long-running dispute allows the governments involved to move beyond distrust and antagonism, and empowers Indian communities going forward, Interior Secretary Ken Salazar said.

All tribes have had a dark relationship with the federal government, said Gary Hayes, chairman of the Ute Mountain Ute Tribe, whose reservation covers southwest Colorado, southeast Utah, and northern New Mexico. But the settlements will assist tribal governments in supplementing decades of inadequate funding throughout Indian Country, helping to improve public safety, infrastructure, and health care, he said.

“The seeds that we plant today will profit us in the future and continue for generations to come,” Hayes said.

The Ute Mountain Ute Tribe will receive nearly \$42.6 million.

The government did not release the dollar amounts each tribe will receive, though some were entered into US District Court record in Washington, D.C. Among those, recipients of large sums include Montana’s Confederated Salish and Kootenai Tribes at \$150 million, Idaho’s Nez Perce Tribe at nearly \$34 million, and New Mexico’s Mescalero Apache Nation at nearly \$33 million.

By comparison, the tiny Nooksack Tribe in northwest Washington state will receive \$25,000. The tribe has about 2,000 members.

Washington state’s Confederated Tribes of the Colville Reservation, also part of the settlement, had announced their \$193 million settlement in February, as did Montana’s Assiniboiné and Sioux Tribes from the Fort Peck Reservation, which settled for \$75 million.

Last year, the government announced a \$380 million settlement with the Osage Nation in Oklahoma.

A total of 114 tribal governments filed suit after Elouise Cobell, a member of the Blackfeet Tribe from Browning, Mont., brought a similar claim on behalf of thousands of individual Indians over the government’s mismanagement of their trust lands.

The government ultimately settled the Cobell case for \$3.4 billion, but it remains under appeal for various reasons by four people.

Congress delayed approval of that settlement for months. But unlike the Cobell case, money for the tribes' settlements already has been appropriated under a congressionally approved judgment fund, Interior spokesman Adam Fetcher said.

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