

WASHINGTON – The Obama administration announced April 11 its intent to resolve 41 long-standing disputes with Indian tribal governments over the federal mismanagement of trust funds and resources.

Ignacia Moreno, assistant attorney general at the U.S. Department of Justice, said the settlements will amount to a combined total of \$1.023 billion to the 41 tribes for past federal mismanagement.

Beyond money, the settlements also set forth a framework for promoting tribal sovereignty and improving nation-to-nation federal-tribal relations, while trying to avoid future litigation through improved communication, Moreno said.

Wyn Hornbuckle, a spokesman for the Justice Department, told Indian Country Today Media Network that the Obama administration is choosing not to announce a breakdown of monies to each tribe, “leaving it at discretion of the tribes.” He said that the decision was made “in deference to the tribes” out of “respect for their confidentiality.” Some of the settlements – about 35 – are available with the D.C. district court, Hornbuckle said, but the others are filed as “dismissed,” so they are not public record.

Hornbuckle said that the money for the settlements does not have to be approved by Congress; rather, it comes out of the United States’ Judgment Fund.

The announcement was made at a White House ceremony, with Attorney General Eric Holder, Secretary of the Interior Ken Salazar, Senior Advisor to the President Valerie Jarrett, and other senior members of the Obama administration joining tribal leaders in attendance.

“May we walk together toward a brighter future, built on trust, and not acrimony,” said Hilary Tompkins, Solicitor General of the Interior Department, at the event. “And when I say the word trust, I don’t mean the legal definition of that word, I mean the dictionary’s definition of that word—assured reliance on the integrity, veracity, justice, friendship, or other sound principle of a person or thing....”

Tompkins is a Navajo Nation citizen, and she personally helped sort out the legal parameters of the deals.

“I know it hasn’t been easy to get to this point,” Holder later added, thanking tribal leaders and agency officials for their negotiation efforts. He said the settlements represented “a model for fairness and success.” The negotiations took 22 months, according to the White House.

Salazar called the settlements a “deliverance” on the promise Obama made to Indians when campaigning for president in 2008. He added that some in his orbit had advocated continuing fighting lawsuits against the tribes, but advocates within the administration decided that settlement was the better and right route.

Charlie Galbraith, an associate director in the White House Office of Intergovernmental Affairs, called the development “a significant step forward in the resolution of tribal trust cases pending against the United States,” in a blog post on the White House website.

“Many of the cases include claims by the tribes that go back over 100 years,” Galbraith said, adding that the deal represented “good-faith cooperation and hard work of the administration and 41 American Indian tribes in working out fair and honorable resolutions of the tribes’ claims.”

The announcement is one of several settlements the Obama administration has announced with individual Indians and tribes since 2009.

In 2010, the administration settled the \$760 million Keepseagle case brought by Native American farmers and ranchers against the U.S. Department of Agriculture. They alleged discrimination by the agency in its administration of loan programs.

President Barack Obama also signed into law the Claims Resolution Act in December 2010, which included the \$3.4 billion Cobell settlement agreement that aims to resolve a lawsuit over the management and accounting of more than 300,000 individual American Indian trust accounts. That settlement is still on appeal in

federal court. It was first announced by the administration in December 2009.

The Claims Resolution Act also included four water rights settlements, meant to benefit seven tribes in Arizona, Montana, and New Mexico.

In October 2011, the Obama administration reached a \$380 million settlement with the Osage Nation over the tribe's long-standing lawsuit involving the federal government's mismanagement of trust funds and trust resources. That settlement featured measures designed to improve the trust relationship between the tribe and the United States.

Chief James Allan, Coeur d'Alene tribal chairman, said at the event that he believes Obama has done more for tribes than the last five presidents combined.

Gary Hayes, chairman of the Ute Mountain Tribe, thanked the U.S. agencies for moving to settle the lawsuits that have already proven costly to tribes as they have carried out their legal challenges for years. He also thanked the Native American Rights Fund for its role in assisting tribes on the deals.

"The seeds that we plant today will profit us in the future," Hayes said. "These agreements mark a new beginning, one of just reconciliation, better communication...and strengthened management...."

The tribes affected by the settlements, as listed by the White House, are:

1. Assiniboine and Sioux Tribes of the Fort Peck Reservation
2. Bad River Band of Lake Superior Chippewa Indians
3. Blackfeet Tribe
4. Bois Forte Band of Chippewa Indians
5. Cachil Dehe Band of Wintun Indians of Colusa Rancheria

6. Coeur d'Alene Tribe
7. Chippewa Cree Tribe of the Rocky Boy's Reservation
8. Confederated Tribes of the Colville Reservation
9. Confederated Salish and Kootenai Tribes
10. Confederated Tribes of the Siletz Reservation
11. Hualapai Tribe
12. Kaibab Band of Paiute Indians of Arizona
13. Kickapoo Tribe of Kansas
14. Lac du Flambeau Band of Lake Superior Chippewa Indians
15. Leech Lake Band of Ojibwe Indians
16. Makah Tribe of the Makah Reservation
17. Mescalero Apache Nation
18. Minnesota Chippewa Tribe
19. Nez Perce Tribe
20. Nooksack Tribe
21. Northern Cheyenne Tribe
22. Passamaquoddy Tribe of Maine
23. Pawnee Nation
24. Pueblo of Zia
25. Quechan Indian Tribe of the Fort Yuma Reservation

26. Rincon Luiseño Band of Indians
27. Round Valley Tribes
28. Salt River Pima-Maricopa Indian Community
29. Santee Sioux Tribe
30. Shoshone-Bannock Tribes of the Fort Hall Reservation
31. Soboba Band of Luiseño Indians
32. Spirit Lake Dakotah Nation
33. Spokane Tribe
34. Standing Rock Sioux Tribe of the Fort Yates Reservation
35. Swinomish Tribal Indian Community
36. Te-Moak Tribe of Western Shoshone Indians
37. Tohono O'odham Nation
38. Tulalip Tribe
39. Tule River Tribe
40. Ute Mountain Ute Tribe
41. Ute Tribe of the Uintah and Ouray Reservation

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