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\$3.4B Indian lawsuit ends, disbursements to begin

By MATT VOLZ

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After nearly 17 years of courtroom arguments, congressional negotiations and Indian Country bickering, hundreds of thousands of Native Americans could see the first payments of a \$3.4 billion U.S. government settlement by the end of the year, plaintiffs' attorneys said Monday.

The settlement between American Indians across the nation and the government over more than a century's worth of squandered and mismanaged land trust royalties became final on Friday, when the appeal period expired.

One of the largest U.S. government settlements in history began with a lawsuit filed in 1996 by Elouise Cobell of Browning, Mont. The Blackfeet leader observed that those who leased Indian land made money from its natural resources, while the Indians themselves remained in poverty with no accounting of the royalties from that land that were held in trust for them by the government.

Cobell herself led the fight against the government for more than 15 years before she died of cancer last year.

"We all are happy that this settlement can finally be implemented," lead attorney Dennis Gingold said in a statement Monday. "We deeply regret that Ms. Cobell did not live to see this day."

Approximately 350,000 beneficiaries could start receiving \$1,000 checks by Christmas as the first part of the settlement goes forward, plaintiffs' attorneys said.

Interior Secretary Ken Salazar released a statement that said the settlement marks a step forward in reconciliation and a new era in how the government administers its trusts.

"With the settlement now final, we can put years of discord behind us and start a new chapter in our nation-to-nation relationship," Salazar said.

The agreement will pay out \$1.5 billion to two classes of beneficiaries. Each member of the first class would be paid \$1,000. Each member of the second class would be paid \$800 plus a share of the balance of the settlement funds as calculated by a formula based on the activity in their trust accounts.

Another \$1.9 billion would be used by the government to purchase fractionated land allotments from willing individuals and turn those consolidated allotments over to the tribe. An education scholarship for young Indians also would be established under the agreement.

Congress approved the deal in December 2010 and U.S. District Judge Thomas Hogan approved it after a June 2011 hearing. Hogan said that while the settlement may not be as much as some wished, the deal ended the legal deadlock and provided some certainty for the beneficiaries.

Cobell traveled across Indian Country to explain the deal, but there was opposition. One opponent, Kimberly Craven of Boulder, Colo., took her objections to the Supreme Court, saying the settlement did not include an actual accounting for how much money the government lost and that the deal would overcompensate a select few beneficiaries.

The Supreme Court declined to take up her petition.