Indian Affairs - Office of Public Affairs

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WASHINGTON, D.C. – Attorney General Eric Holder and Secretary of the Interior Sally Jewell today announced the settlement of a lawsuit filed by the Navajo Nation regarding the U.S. government's management of funds and natural resources that it holds in trust for the Navajo Nation. The settlement resolves a long-standing dispute, with some of the claims dating back more than 50 years, and brings to an end protracted litigation that has burdened both the Navajo Nation and the United States.

Secretary Jewell joined Navajo Nation President Ben Shelly, Assistant Secretary of Indian Affairs Kevin Washburn, Acting Assistant Attorney General for the Justice Department's Environment and Natural Resource Division Sam Hirsch, and numerous tribal officials at a commemorative signing ceremony held in Window Rock, Arizona today.

"This settlement reflects our continuing commitment to upholding the federal trust responsibility to Indian Country and to building strong, prosperous and resilient tribal communities," said Secretary Jewell. "The historic agreement strengthens the government-to-government relationship between the United States and the Navajo Nation, helps restore a positive working relationship with the Nation's leaders and empowers Navajo communities. The landmark Cobell settlement and resolution of 80 other tribal trust management lawsuits under President Obama has opened a new chapter in federal trust relations with tribes and individual Indian beneficiaries."

"This historic agreement resolves a longstanding dispute between the United States and the Navajo Nation, including some claims that have been sources of tension for generations," said Attorney General Holder. "The Department of Justice has made it a top priority to honor and foster the trust relationship between the United States and American Indian tribes. This landmark resolution ends protracted and burdensome litigation. It will provide important resources to the Navajo Nation. And it fairly and honorably resolves a legal conflict over the accounting and management of tribal resources. This demonstrates the Justice Department's firm commitment to strengthening our partnerships with tribal nations -- so we can expand cooperation, empower sovereign tribes, and keep moving forward together with mutual respect and shared purpose."

"This historic settlement demonstrates how President Obama and his administration remain deeply committed to the federal trust relationship and improving the United States' relationship with the tribes," said Assistant Secretary Kevin K. Washburn. "The Bureau of Indian Affairs will work even more closely with the Navajo Nation through improved cooperation, consultation and communication to ensure proper management and protection of its trust funds and resources."

The Navajo Nation is the largest Indian tribe in the United States, with over 300,000 members. The Nation has the largest reservation in the United States, encompassing over 27,000 square miles of land in the states of Arizona, New Mexico and Utah. The reservation includes more than 14 million acres of trust lands, which are leased for various productive uses, including farming; grazing; oil, gas, and other mineral development; businesses; rights-of-way; timber harvesting; and housing. The Navajo Nation also owns or has ownership interests in over 100 trust accounts.

Under the agreement, the United States will pay the Navajo Nation $554 million in settlement of its claims. In return, the Navajo Nation will dismiss its current lawsuit and forego further litigation regarding the United States' historic management or accounting of Navajo funds or resources held in the trust by the United States. The Navajo Nation and the United States will undertake prospectively information-sharing procedures that will lead to improved communication concerning the management of Navajo's trust funds and resources, and also the parties will abide by alternative dispute resolution procedures to reduce the likelihood of future litigation.

In addition to the negotiations that led to this historic settlement with the Navajo Nation, the Departments of Justice, the Interior, and the Treasury have been diligently engaged in settlement conversations involving other litigating tribes. On April 11, 2012, the United States announced settlements with 41 tribes for about $1 billion. Since that time, the federal government has focused considerable dedicated effort on the remaining tribal trust accounting and trust mismanagement cases and has been able to resolve "breach of trust" claims, without the need for further extended litigation, of almost 40 additional tribes, for over $1.5 billion.

The United States will continue settlement discussions in numerous other cases that are still pending and is committed to resolving the litigating tribes' trust accounting and trust mismanagement claims in a manner that is fair and reasonable to the tribes and the United States.

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