

# NATIVE TEARS

Via the Washington Post, the verdict has been rendered at long last in the *Cobell* litigation

A federal judge ruled Thursday that American Indian plaintiffs are entitled to \$455 million in a long-running trust case, a fraction of the \$47 billion they wanted.

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Robertson's final number is close to government estimates and far from the billions sought by plaintiffs in the 12-year trial. The lawsuit \_ filed on behalf of a half-million American Indians and their heirs \_ claims they were swindled out of billions of dollars in oil, gas, grazing, timber and other royalties overseen by the Interior Department since 1887.

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At issue was how much of the royalty money was withheld from the Indian plaintiffs over the years, and whether it was held in the U.S. treasury at a benefit to the government.

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Because many of the records have been lost or destroyed, it has been up to the court to decide how to best estimate how much the individual Indians, many of whom are nearing the end of their lives, should be paid.

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The government proposed paying \$7 billion partly to settle the Cobell lawsuit in March 2007, but that was rejected by the plaintiffs.

In a January decision, Robertson said the Interior Department had "unreasonably delayed" its accounting of the money owed to landholders and that the task was ultimately impossible. He called the June trial to consider

whether money was owed, and, if so, how much was owed.

The class-action suit deals with individual Indians' lands and covers about 500,000 Indians and their heirs.

This is a giant, landmark case that has been screwed up and slanted against the Native plaintiffs from the start. The US government has been dishonest, dismissive and disingenuous every inch of the way. In fact, this is so true that the original judge assigned to the case, Royce Lamberth, not necessarily a bleeding heart understand you, not only had the following to say, he literally made it part of a formal interlocutory opinion in the case. Lamberth stated that the United States Government, and it's Department of the Interior was

...a dinosaur – the morally and culturally oblivious hand-me-down of a disgracefully racist and imperialist government that should have been buried a century ago, the pathetic outpost of the indifference and anglocentrism we thought we had left behind.

For this singular demonstration of honesty and perspective, the Bush Department of Justice had Lamberth removed from the case. For more on the case of *Cobell v. Kempthorne*, see [here](#) and [here](#).

The Native Americans have been screwed once again by the white man. It is disgraceful.

UPDATE: Now would be a good time for those of you not familiar with *Cobell* to begin to ask yourselves about McCain's relationship to the Bureau of Indian Affairs, and how that relationship fits into the big picture of *Cobell*.

And then ask yourselves about the connection between *Cobell* and the demands of the idiot Republicans in Congress who are having a hissy fit about drill, drill, drilling here in the

United States.

(These very true words courtesy of Rayne in  
comments)