



Native American Finance Officers Association

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## **ELOUISE COBELL TO BE KEYNOTE SPEAKER AT THE NAFOA 26<sup>TH</sup> ANNUAL CONFERENCE**

Ms. Elouise Cobell will deliver a keynote speech at NAFOA's 26<sup>th</sup> Annual Finance Conference to inform Indian Country about the outcome of **COBELL VS. KEMPTHORNE**. We invite you to attend the conference to be held in Chicago on September 3-4 at the Palmer House Hilton. To learn more, please visit [www.nafoa.org](http://www.nafoa.org).

## **INJUSTICE CONTINUES IN THE COBELL CASE**

As president of the Native American Finance Officers Association (NAFOA), I have followed the Cobell Case closely and was flabbergasted by the decision given by Judge Robertson of the Federal Court on August 7<sup>th</sup> which awarded Native American plaintiffs \$455 million, less than 1% of the \$47 billion they were seeking.

Elouise Cobell has championed the cause of ordinary Native Americans in her 12-year battle against the U.S. Department of the Interior and Department of the Treasury. This is one of the largest class-action lawsuits against the U.S. government in history. She sought to end 120 years of mismanagement by forcing the government to provide a complete accounting of all Individual Indian monies and force them to return funds rightfully owed to Native people with interest legally due.

The U.S. Department of the Interior and Bureau of Indian Affairs, as the trustees of Indian Lands, have a fiduciary duty to ensure that monies collected from oil and mineral leasing, grazing and timber operations on Indian lands goes to the rightful Native American beneficiaries.

Ms. Cobell brought to attention the fact that the Department of the Interior has not honored its trustee responsibilities and has failed to provide accurate accounting records. Leases went unrecorded and monies were not properly paid. Decades passed with no accounting records.

## **EFFECTS ON ALL TRIBES**

Judge Robertson completely undermined the U.S. trust relationship with tribes by ruling that trust law does not apply to the federal government when it comes to Indian people, as it does for any other person in this country. According to Robertson, when it comes to Indian people, "the application of familiar equitable principles will have to be made fairly to fit the special character of this case..." In other words, normal equitable principles don't apply if you are a Native American. This ruling is simply a continuation of the legacy of broken promises and injustice that Indian people have faced for far too long.

## **WE MUST SUPPORT THE COBELL APPEAL**

The appeal of the Cobell case will undoubtedly be expensive but the cost of allowing the courts to treat Native Americans inequitably is far too high. I urge Tribes and individual Tribal members to support Ms. Cobell in her effort by making a donation at [www.indiantrust.com](http://www.indiantrust.com). Lobbyist groups can express support of the issue through media outlets and by taking political steps to inform Congress of the importance of this issue. I hope you will join us in supporting this important cause.

Respectfully,

Bill Lomax  
President  
Native American Finance Officers Association