



## Notes from the Chief

*What I'm working on for You*

Osiyo -

The Cherokee Nation recently filed a lawsuit against the federal government to uncover details about how the United States throughout history managed the tribe's trust fund, which includes money, property and other resources. The claim was filed in federal court in the Western District of Oklahoma on the 231st anniversary of the Treaty of Hopewell, the first treaty between the Cherokee Nation and the United States government. In the Treaty of Hopewell, the United States agreed its actions would be for "the benefit and comfort" of the Cherokee Nation. Sadly, the United States violated this treaty and every other treaty signed with the Cherokee Nation's government.

This current lawsuit is about holding the federal government accountable; it is about making sure there is an accurate accounting of the vast Cherokee trust fund, the money and natural resources, including the land, coal, timber, water, grazing, and oil and gas, that the federal government agreed to hold in trust for the benefit of the Cherokee Nation.

As a trustee, the federal government managed the Cherokee trust fund, handling the money earned off the land and resources. The federal government's reports state that Indian trust funds were handled with a "pitchfork." As a result, many of the recorded transactions are lost or scattered across the country in epically disorganized accounting books. Our hope and desire are to address the information and management gap at the core of the federal government's mishandling.

At different times throughout history, Cherokee lands in Indian Territory were taken, sold or leased by the federal government, the most powerful and sophisticated government in the world. Yet, because of the federal government's management, we cannot get an accurate accounting of what it did with the revenue from our natural resources. The resources relate to the treaty lands of the Cherokee Nation, including the current 14-county jurisdiction of our tribe.

The federal government can't tell us what it did with our trust fund resources; it can't tell us what profit was realized from the sale of those resources; it can't tell us where the money went or whether it was fairly and justly allocated to the tribe as negotiated and agreed upon. We believe the United States government should live up to its word, and we think most Americans feel the same way.

This is a tremendous opportunity for the United States to reconcile its management of the Cherokee trust fund over the centuries and to finally account for the resources that it was legally obligated to manage for the benefit of the Cherokee people. We believe the Cherokee Nation is in a position of strength in this litigation and that the Nation is able to pursue its legal interests to hold the federal government accountable.

Yes, lawsuits by nature are adversarial, but this is a chance for the government of the United States to do what is right. This can chart a path of healing and of stronger cooperation between our governments going forward.

The United States has a trust responsibility to the Cherokee Nation, and similar duties to other tribes nationwide. In the recent past, the United States was sued by other tribes seeking an accounting like the Cherokee Nation seeks in this lawsuit. The United States, ultimately, never provided any accountings in those other cases, but instead it has paid other tribes the values of the trust funds for which it cannot account. To date, there have been dozens of such settlements spanning the Clinton, Bush and Obama administrations.

Without a doubt, this lawsuit is overdue, and as Principal Chief it is essential for me to hold the United States accountable for the promises made. As a leader among tribal governments, we hope Cherokee Nation's lawsuit helps all of Indian Country move forward. We have very strong claims, and we are hopeful for a positive outcome in the courtroom. This suit will mean a brighter future for the Cherokee Nation.

Learn more at [www.brokentreaties.com](http://www.brokentreaties.com)

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Bill John Baker



17675 S. Huskoge Ave.  
Tahlequah, OK 74465  
918-453-5000

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Cherokee Nation P.O. Box 948 Tahlequah, OK 74465