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Caverns Hold Key to Indian Trust Funds

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SCOTT SIMON, host: Ten years ago today a group of Native Americans sued the U.S. federal government, charging that they had been systematically robbed of their land. A judge ordered the interior department to launch a massive accounting investigation to track down billions of dollars that have coursed through the Indian trust funds over nearly a century.

As Frank Morris of member station KCUR reports, the enormous accounting job begins in a sprawling, well-guarded cavern under the Kansas prairie.

FRANK MORRIS reporting:

It used to be that federal Indian trust documents were scattered throughout all 50 states, some in federal facilities, others jammed haphazardly into barns, attics and storage sheds. Nobody was even sure what was out there.

But then a judge ordered the Interior Department to collect boxes full of Indian records, old photos, school projects, leases and check ledgers from across the country. They trucked them here to this loading dock in Lenexa, Kansas.

(Soundbite of loading dock)

MORRIS: The boxes are sorted and driven down into a dusty old limestone mine 100 feet below the grassy, rolling hills. Armed guards stop pens, cameras, gum, even drinks from entering the American Indian Records Repository. The National Archives runs the storage facility here and ranks it among the most advanced in the world.

Russ Swimmer, a Cherokee tribal official who President Bush appointed to oversee the trust, is visibly proud of the facility.

Mr. RUSS SWIMMER (Cherokee Tribal Official): This is a new day in Indian country. It's a new day in the Indian accounting.

MORRIS: The documents, some arriving covered with mold or mouse dung, are painstakingly salvaged by people like Gary Adams, who stands at a vacuum table gingerly brushing rumpled old papers shipped here from Arizona.

Mr. GARY ADAMS (Trust Fund Worker): It had muddy water run through it. 'Cause you can open up - and that's not mold, that's dirt.

MORRIS: A National Archives worker files uniform white boxes of documents on tall metal shelves that stretch almost endlessly into the dim light. There are 145,000 boxes here, 300 million documents with new shipments arriving each week.

Cathy Ramirez is a Pueblo Laguna Indian with the office of the special trust.

Ms. CATHY RAMIREZ (Office of the Special Trust): We're doing something that no one, I don't think, has ever done in the federal financial system.

MORRIS: Empowering subterranean rooms with white-painted, rust-stoned and cinderblock walls stretching the length of football fields, workers line up folding tables crowded with

computers and the ever-present white file boxes. Meticulously following rigid protocol, they sort or paw through the boxes looking for old check ledgers or leases.

Following one transaction from start to finish can take months and cost up to \$3,000. The total cost of the project will hit \$200 million next fiscal year. And Ross Swimmer says it's turned up very few discrepancies.

Mr. SWIMMER: We're spending a whole lot of money to do an accounting. Is it needed? I don't know. Are they entitled to it? They're beneficiaries of a trust and the court says they're entitled to have an accounting, a complete accounting of everything that came in and everything that went out.

Ms. ELOISE COBELL (Lead Plaintiff, Cobell v. Norton): They know that they can't do an accounting. It's ridiculous. It's totally ridiculous. I think the entire process just has to stop.

MORRIS: Eloise Cobell launched the class action suit against the government 10 years ago. She owns land on the Blackfeet reservation in Montana. The government manages her property and that of about 240,000 other Indians leasing the oil, timber, mining and grazing rights, collecting the money in trusts and distributing it to the owners.

Though repeated federal reports have exposed corruption and mismanagement in the system, no one's ever attempted a complete accounting. But Cobell says now it's too late.

Ms. COBELL: People destroy the records that they don't want anybody to see. And we know that that has happened in this case.

MORRIS: The government does admit that some of the documents are missing. Cobell and her lawyers contend that since the government can never produce a completely accurate accounting, the two sides should settle on a figure. Theirs tops \$27 billion.

Back down in the cavern, Russ Swimmer says he's also eager to bury the 10-year-old lawsuit. But absent evidence of wrongdoing, he encourages Congress to take a different approach.

Mr. SWIMMER: Now, we could say that this accounting is going to cost us another \$200-500 million. Well, there's a number. Let's just pay the plaintiffs.

MORRIS: For all its effort, the mammoth accounting project going on under the Kansas prairie may never accurately determine whether or not the government cheated hundreds of thousands of Indians out of money that was rightfully theirs. But one sure legacy will be an archive that Native Americans will likely draw on for generations to come.

For NPR News, I'm Frank Morris in Kansas City.

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