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CHEROKEE NATION™
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Chad "Comtassel" Smith
Principal Chief
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Joe Grayson, Jr.
Deputy Principal Chief

May 7, 1010

Honorable John Barrasso
Vice Chairman
U.S. Senate Committee on Indian Affairs
Hart Senate Office Building
Washington, D.C. 20510

RE: Follow-up Letter to Proposed Amendments to Cobell v. Salazar Settlement Agreement Comments

Dear Vice Chairman Barrasso,

As a follow-up to my letter dated May 2, 2010; and my comments on the proposed amendments to the December 7, 2009 version of the proposed settlement agreement in Cobell v. Salazar; please accept on behalf of the Cherokee Nation these additional comments clarifying the Nation's intent on our submittal. Again, I appreciate your April 27, 2010 letter inviting tribal comments on the proposed amendments seeking an equitable resolution in Indian Country on this important matter.

The Cherokee Nation understands that section B.2 of the settlement agreement provides that if the final approving legislation modifies the draft legislation attached to the agreement in any material way, the agreement will be null and void in its entirety. The Nation does not support any unilateral changes to the legislation that would effectively invalidate the settlement agreement. In writing the previous letter, we hoped that the parties would ensure that all Cherokee citizens are included through the Court process and this would result in a successful outcome for all. As noted in our letter, we do have concerns regarding full inclusion of our members in the settlement, and believe those can be addressed by the court.

I trust these additional comments clarify the Nation's position and are helpful to you and the Committee, and that the Cobell case will reach a fair and complete conclusion as a result of the settlement and settlement legislation.

Thank you for the opportunity to submit these additional written concerns and comments for the record. Please contact Joseph Swimmer, Sr. Legislative Officer, in our Cherokee Nation Washington Office located at 126 C Street, NW, Washington, D.C., 20001, (202) 393-7007, or joe-swimmer@cherokee.org should you have any questions or need additional information.

Sincerely,

Chad Smith
Principal Chief
Cherokee Nation