

01-1375 UNITED STATES v. NAVAJO NATION

Ruling below: CA Fed, 263 F.3d 1325.

QUESTION PRESENTED

The Indian Mineral Leasing Act of 1938 (IMLA), 25 U.S.C. 396a et seq., and regulations thereunder, authorize an Indian Tribe, with the approval of the Secretary of the Interior (Secretary), to lease tribal lands for mining purposes.

The question presented is: Whether the court of appeals properly held that the United States is liable to the Navajo Nation for up to \$600 million in damages for breach of fiduciary duty in connection with the Secretary's actions concerning an Indian mineral lease, without finding that the Secretary had violated any specific statutory or regulatory duty established pursuant to the IMLA.

CERT. GRANTED: 6/3/02

Set for oral argument in tandem with No. 01-1067, U.S. v. White Mountain Apache Tribe.