

To Native American Farmers or Ranchers or the heir of one who was denied a USDA farm loan or loan servicing between 1981 and late 1999

Some funds paid in settlement of *Keepseagle v. Vilsack* remain unclaimed and will be distributed in accordance with a process established by the Court. The case claimed that USDA discriminated against Native Americans who applied for or tried to apply for farm loans or loan servicing. The Court seeks input from class members about how the remaining funds should be distributed. Of the \$680 million paid to settle the case, approximately \$380 million remains. The Settlement Agreement approved by the Court directs that unclaimed funds be given to non-profit organizations to serve Native American farmers and ranchers.

The deadline to file a claim has passed. **There is no new claims process.**

Who is included?

The Class *includes* all Native American farmers and ranchers who:

- Farmed or ranched or attempted to do so between January 1, 1981 and November 24, 1999;
- Tried to get a farm loan or loan servicing from the USDA during that period; and
- Complained about discrimination to the USDA either on their own or through a representative during the time period.

The class *does not include* individuals who:

- Experienced discrimination only between January 1 and November 23 1997; or
- Complained of discrimination only between July 1 and November 23, 1997.

Proposed use of the Funds

There are several competing options for how to distribute the funds.

First, Plaintiffs propose to modify the Settlement Agreement, subject to Court approval, to distribute the funds as follows:

- \$342 million distributed by a Trust, overseen by Native American leaders, to non-profit groups to serve Native farmers & ranchers over a 20 year period.
- \$38 million be distributed quickly to non-profit organizations serving Native farmers & ranchers, identified by Class Counsel and approved by the Court.

The Trust would make grants to organizations providing business assistance, agricultural education, technical support, or advocacy services to Native American farmers and ranchers, including those seeking to become farmers or ranchers, to support and promote their continued engagement in agriculture. The USDA has agreed with this proposal.

Second, Marilyn Keepseagle proposes to distribute all remaining funds as additional damages paid to successful Track A claimants alone. The USDA opposes this proposal.

Third, other class members have asked to use the funds to pay claims that were initially denied or to permit new claims to be filed.

Fourth, the Choctaw Nation has argued that no changes should be made.

How can I share my views?

If you want to tell the Court of your support of or opposition to any proposal for use of the remaining funds, you may submit written comments, postmarked no later than **June 15, 2015**, to:

Chambers of the Honorable Emmet G. Sullivan
U.S. District Court for the District of Columbia
333 Constitution Avenue N.W.
Washington, DC 20001

The Court will hold a hearing on **June 29, 2015 at 9:00 AM EDT** in Courtroom 24A at the address above. If you want to speak to the Court in person, you may attend the hearing. Your written comments will be considered by the Court even if you do not attend the hearing.

**For more detailed information call 1-888-233-5506 or see
www.IndianFarmClass.com**