



National
Congress of
American
Indians

The National Congress of American Indians, founded in 1944, is the oldest, largest and most representative American Indian and Alaska Native organization serving the broad interests of tribal governments and communities. To find more about settlements and consumer protection, visit ncai.org or call 202-466-7767.

KEY SETTLEMENTS TO BE DISTRIBUTED IN INDIAN COUNTRY

There is an urgent short term need to provide financial and consumer protection information to tribes and Native individuals. By mid-2013, at least \$3 billion in individual and tribal trust fund settlements will come to Indian Country.

The *Keepseagle* settlement with the federal government started lump sum payouts to individual recipients in August 2012. The *Cobell* settlement payments may be sent as early as December 2012 after a delay for appeals to the U.S. Supreme Court. These two settlements, *Keepseagle* and *Cobell*, amount to more than \$2 billion to individual recipients. In addition, more than 50 recent trust settlements totaling an estimated \$1.0 billion to individual tribes have been settled and payouts have either already been made or are due shortly. This \$3 billion plus will come to Indian Country over the next year.

The National Congress of American Indians (NCAI) working in partnership with tribes, regional and national organizations, federal government agencies, and others is launching an effort to provide information for tribes to share with their citizens and to Native individuals directly to raise awareness. We know from past large settlements, and even regular payments Native people receive, that people are aware of these payments and may target our people for scams. This effort promotes awareness of possible scams and takes advantage of an opportunity to promote longer term financial education in Indian Country. Learn more at ncai.org/ProtectNativeMoney.

- The *Keepseagle* Settlement with the U.S. Department of Agriculture for discrimination in the USDA Farm Loan Program was settled on December 27, 2011 for \$780 million. Efforts have concluded in identifying those farmers and ranchers who qualify. Payments to the 4200 recipients in Track A were mailed August 23, 2012. Each received \$50,000. Those 170 individuals in Track B received up to \$250,000 in September 2012. The settlement also includes payment of the taxes on settlement proceeds and payment/reduction of outstanding debt. The top states with recipients are: Oklahoma, South Dakota, Montana, Arizona, North Carolina, New Mexico, and North Dakota.
- The *Cobell* Settlement payments to an estimated 400,000 Individual Indian Money (IIM) account holders were on schedule to be sent in October but appeals were made to the U.S. Supreme Court. All appeals have now been exhausted. Tribal leaders should anticipate the arrival of settlement fund payments to tribal members in the near future, possibly in December 2012. The settlement will be in two payments with the first being the \$1,000 to everyone in the class. The remaining payments will go out within six months of the first. \$1.5 billion is slated for individuals in these initial payouts. \$1.9 billion will go to tribes over the next 10 years to repurchase fractionated interests. A major number of the recipients are in Montana, North and South Dakota, Idaho, Washington, California, Arizona, Oklahoma, Nebraska, and Minnesota.
- In April 2012, the federal government settled trust claims with more than 50 tribes for \$1.023 billion. These tribes will each decide how their claim will be used or distributed but some percentage of this \$1.0 billion will go to American Indian individuals through per capita distributions. There are an estimated 60 tribal trust claims cases in the pipeline that may be settled in the near future.

NCAI with its partners has held three meetings July--September to develop short and long terms priorities for this financial education and consumer protection effort. The immediate critical focus was to provide information to *Keepseagle* recipients and a one page “alert” was sent with the mailing of the check. This alert is posted on ncai.org/ProtectNativeMoney; along with other materials.

The first meeting on July 10th convened primarily representatives of federal government agencies/offices (28 people with ten agencies/offices) that focus on financial education and consumer protection along with a number of non-profit resource organizations (four people from three organizations) as well. The purpose of this meeting was to gain a better understanding of what resources, materials and technical assistance, are currently available – and how these resources might support the immediate short term needs to get information out quickly. This meeting served as a starting point to engage or re-engage these resources for a longer term concerted effort in financial education in Indian Country.

The second meeting on July 23 and 24 convened primarily tribal and Native non-profit representatives who are working directly in financial education and consumer protection efforts in Indian Country. The purpose of the second meeting was to develop an initial short term national strategy and accompanying resources for financial education and consumer protection in Indian Country. Attorneys for both the *Cobell* and *Keepseagle* class actions provided updates on how the settlements were proceeding.

Subsequent to that meeting, the “Protect Native Money” campaign was launched. Small working groups developed a workplan to: develop a web presence; draft resource materials for tribal leaders and individuals; develop an alert for the *Keepseagle* recipients; provide materials for upcoming critical tribal meetings (TBIC, NAFOA); launch a webinar series for tribal leaders; and plan information sessions at regional and national Fall 2012 conferences. The alert for the *Keepseagle* recipients was completed and included in the August 23 mailings. The webpage has been set up at ncai.org/ProtectNativeMoney and a variety of materials are either developed and/or posted or in the process. Materials and a presentation were provided to the TBIC meeting in early August. Materials and a presentation were provided at the NAFOA conference in early September. Updates have been provided to the NCAI executive board and regional intertribal organization staff

The third meeting on September 6 was a gathering for those individuals and groups that had previously been part of the Native Financial Education Coalition (NFEC) and other groups that may be interested in joining this effort. The NFEC played an important role in elevating the importance of financial education in Indian Country – in the development of resource materials, delivery of training and technical assistance and in policy development and implementation. However, in recent years, NFEC has not been active. The purpose of this meeting was to determine how the “members” of NFEC could help with the short term needs and serve as a critical network for the longer term financial education efforts. Membership is open and encouraged.

The Native Financial Education Coalition’s mission is to:

- **Increase the awareness** of the need for adequate personal finance skills in Native communities;
- **Build the capacity** of Native governments and organizations to provide financial education; and
- Support each other’s efforts to promote financial management skills through **information sharing and collaboration**.

NCAI, along with its partners, conducted outreach and educational sessions on Native consumer protection and financial education through the ProtectNativeMoney campaign at the NCAI 2012 Annual Convention in Sacramento, CA in October and at other events in Fall and Winter 2012.

For more information about the ProtectNativeMoney campaign go to ncai.org/ProtectNativeMoney or contact Sherry Salway Black at sblack@ncai.org.