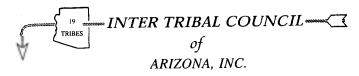
CDFI Fund Native American Lending Study/ Action Plan

NATIVE AMERICAN LENDING STUDY/ ACTION PLAN REGIONAL REPORT

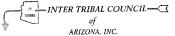
Southwest Region Workshop

April 1-2, 1999 Phoenix, Arizona

Sponsored by
Community Development Financial Institutions Fund
U.S. Department of Treasury
And















THE COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND DEPARTMENT OF THE TREASURY

NATIVE AMERICAN LENDING STUDY/ACTION PLAN

OVERVIEW

This report summarizes the proceedings of the regional workshop conducted by the CDFI Fund in association with regional sponsoring Native organizations. The report also provides highlights of the study, the related CDFI Fund mission, the regional workshop process, affected stakeholders and a profile of participants. The results of the workshop are organized according to the major building blocks of the workshop agenda (also included) and accurately represents the wide range of issues, strategies and proposed actions that were developed through break-out teams of involved participants and stakeholders.

PURPOSE OF THE STUDY

The Native American Lending Study/Action Plan was authorized in the CDFI Fund's enabling legislation and requires the Fund to investigate and make recommendations to Congress and the President to eliminate barriers to private sector lending and investment on Native American Reservations and other land held in trust by the United States.

SCOPE OF REGIONAL REPORT

This report includes the following major sections:

- Native American Lending Study An overview of the purposes of the study, a certification of authenticity of the contents and recognition of the co-sponsoring and supporting agencies.
- CDFI Fund Mission and Study Mandate Summary of the overall CDFI Fund mission and outline of the major requirements established by Congress in Public Law 103-325.
- Workshop Process and Stakeholders A summary of the process and principles that drive the workshop approach, as well as a listing of the major stakeholders involved in and affected by the proceedings of this report.
- Definitions Definitions of terms used in defining barriers, impacts, strategies and actions as
 well as the responsibility and time frame codes used for the action planning step in the
 workshop process.
- Workshop Participants A summary of the breakdown of the major types of stakeholders involved in the workshop.

- Workshop Agenda The agenda for the two day session, noting the emphasis on team breakout sessions and presentations for maximum interaction among stakeholders, sharing of ideas and concerns, and bottom up planning on solutions to overcome identified barriers.
- Issues, Ideas and Remarks Selected quotes from the court reporter transcript that represent the voices and visions of participants during the presentation segments of the workshop.
- Barriers and Impacts by Teams A listing of the complete range of barriers and their related impacts developed by teams during the initial break-out sessions.
- Top Five Priority Barriers by Teams The rank order priority barriers established by each team after reviewing and rating the entire range of barriers and impacts identified in the previous section.
- Priority Barriers and Their Impacts A summary of the related impacts for each of the rank order priority barriers identified by each of the teams.
- Team Strategies and Actions The strategies and action plans developed by the teams for each of the top five priority barriers. The action plans include identification of responsible parties and implementation timeframes.
- Participants A list of workshop participants and their organizations.

DISCLAIMER

The contents of this report represents the recorded results of regional workshop proceedings. Materials in this report are derived from professional court reporter transcripts of proceedings, as well as presentation materials (flipcharts) prepared by workshop participants. As such, it is an authentic summary of participant issues and ideas and does not represent the policy or position of the U.S. Department of the Treasury.

CREDITS

The CDFI Fund expresses its deepest appreciation to the Inter Tribal Council of Arizona, Inc. without whose extensive efforts this regional workshop would not have been possible.

WORKSHOP FACILITATOR

Charles W. Johnson, The Johnson Strategy Group, Inc.



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INTRODUCTION

CDFI FUND MISSION

The Community Development Financial Institutions (CDFI) Fund mission is to promote access and local economic growth by directly investing in and supporting community development financial institutions (CDFIs) and expanding financial service organizations' lending, investment, and service within under-serviced markets.

NATIVE AMERICAN LENDING STUDY MANDATE

Public Law 103-325-SEPT. 23, 1994 (108 STAT. 2187)

SEC.117.(c) Native American Lending Study –

- (1) In General. The Fund shall conduct a study on lending and investment practices on Indian Reservations and other land held in trust by the United States. Such study shall
 - (A) identify barriers to private financing on such lands; and
 - (B) identify the impact of such barriers on access to capital and credit for Native American populations.
- (2) Report. Not later than 12 months after the date on which the Administrator is appointed, the Fund shall submit a report to the President and the Congress that-
 - (A) contains the findings of the study conducted under paragraph (1);
 - (B) recommends any necessary statutory and regulatory changes to existing Federal programs; and
 - (C) makes policy recommendations for community development financial institutions, insured depository institutions, secondary market institutions and other private sector capital institutions to better serve such populations.

WORKSHOP PROCESS

To assist in completing the study, the Fund is developing strategies and action plans to address key financing barriers and their impacts. These are being developed through thirteen regional workshops and one round table workshop in Washington, D.C. The regional workshops have the following major features:

- 1. Invitation to key stakeholders, including Native American organizations and populations, private for-profit and not-for-profit financial institutions, Federal financial regulatory agencies, and State/local agencies involved in the financing and economic development arena.
- 2. Workshops considered all types of lending and investing.
- 3. Ninety percent of the workshop involved break-out sessions where participants defined barriers, their impacts, strategies and action plans. Participants were encouraged to define solutions and strategies, not just problems and barriers.
- 4. Complete recording of results using professional court reporters and flipchart summaries of break-out sessions deliberations.
- 5. Maximum face-to-face networking among participants, resulted in two-way education and built a foundation for future partnerships.
- 6. Results and relationship development are expected to have a "shelf-life" beyond the workshops and reports to Congress and the White House.

STAKEHOLDERS IN THE NATIVE AMERICAN LENDING STUDY

- U.S. President
- U.S. Congress
- Tribes and Native American Organizations
- Not-for-Profit Organizations

- Federal Financial Regulatory Agencies
- Federal Agencies
- Financial Institutions
- Secondary Market Organizations
- State Agencies

PARTICIPANT STATISTICS

Of the 36 participants attending the workshop:

- 16 were from Tribes
- 6 were from the private sector
- 14 were from the Federal, public, not-for-profit or educational sectors

DEFINITIONS OF TERMS

The following definitions were used by workshop participants and apply to this report:

Barrier Any impediment to lending and investment practices on Indian Reservations and other land held in trust by the United States. Barriers occur in a variety of forms, including Tribal, private sector, not-for-profit, State, Federal and regulatory settings.

Impact The effects on Native American populations on the inability to gain access to credit or capital for many types of financing or lending purpose. Each barrier can have more than one impact.

Priority The top five barriers in rank order with 1 being the highest priority.

Strategy A well thought out course of action to be taken to remove barriers and minimize their impacts. Strategies are generally longer term, involve a variety of resources and move toward measurable results. Each priority barrier can have more than one strategy.

Action The implementation of a strategy, having an outcome, a responsible party and a schedule for completion.

Responsibility The party or parties accountable for completing an action. For the purposes of this report, the following responsibility parties are used:

- Federal Agency (SBA, BIA, CDFI Fund, HUD, etc.)
- Federal Regulatory Agency (Federal Reserve System, Office of Thrift Supervision, FDIC, etc.)
- Financial Institution (commercial bank, credit unions, savings & loan, etc.)
- Intertribal Organization (Inter-Tribal Council, Tribal business association, etc.)
- Other (specify)
- State Entity (State government, State Financing Authority, etc.)
- Tribal Entity (Tribal government, Tribal enterprise, etc.)
- U.S. Congress
- U.S. President

Time Frame Time frames are as follows:

- Short term or up to 1 year
- Medium term or from 1 to 5 years
- Long term or 6 plus years

WORKSHOP AGENDA

CDFI FUND NATIVE AMERICAN LENDING STUDY/ACTION PLAN SOUTHWEST REGION WORKSHOP Phoenix, Arizona

April 1-2, 1999

-	Thursday, A	April 1
,	7:45 A.M.	Continental Breakfast
	8:30	Opening: Greeting and Remarks by ITCA, Prayer
	8:45	Welcome and CDFI Fund/Process Overview-Rodger Boyd, Program Manager, CDFI Fund
(9:15	Workshop Groundrules and Formats-Facilitator
(9:30	Stakeholder Break-out-Initial Barriers and Impacts Definition
	10:30	Break
	11:15	Stakeholder Presentations
]	Noon	Lunch
	1:00 P.M.	Break-out Guidelines and Team Selection
	1:15	Team Break-out: Barrier Priorities
	3:00	Break
	3:15	Team Break-out: Strategies
4	4:45	Team Presentations: Strategies
	5:30	Adjourn
]	Friday, Apr	<u>ril 2</u>
,	7:45 A.M.	Continental Breakfast
	8:30	Opening-Recap of Priorities and Strategies from Day One-Rodger Boyd, CDFI Fund
	8:45	Guidelines for Action Planning(Strategies and Actions)-Facilitator
(9:00	Team Break-outs: From Strategies to Actions
	10:30	Break
	11:45	Team Presentations: Action Plans

Adjourn

1:00

12:30 P.M Closing and Next Steps-Rodger Boyd, CDFI Fund

In order to provide a sense of the perspective and passions of participants, selected quotes from participant presentations have been abstracted from the court reporter transcript. This is a representative mix of the voices and visions and helps tell the story about concerns raised during the course of the workshop.

ISSUES, IDEAS AND REMARKS

"This is a special season of the year and many traditions and it's a time of renewal. It's a time of strength. It's a time for new ideas. It's a time for change."

—Elaine Maimon, Provost at ASU West

"This is an important meeting that really can provide us with some long term outcomes"
—John Lewis, Inter Tribal Council of Arizona

"Steve talked about an example of processing a deal at the Navajo Nation . . . there was construction of several commercial stores and there was a lease in place and he talked about how the red tape that they needed to have the lease done and signed and documented. And they went to one person at the agency and it had to go to the area office and then it had to come back to the agency and back to the area office. Well, they had to open on Monday. Well, you knew that wasn't going to happen."

—Martin Bailey, Ft. Mojave Community

"As far as my interpretation goes, the Federal government views the needs of Tribes more as a burden as opposed to a potential resource . . . If the Federal government and the United States can help China or Southeast Asia develop their economies by sending envoys, why can't that happen here?"

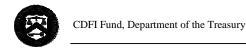
—Dave Castillo, Inter Tribal Council of Arizona, Inc

"Forcing a mainstream traditional framework without flexibility for cultural issues [will not work]. For example, a lot of the wealth that's accumulated at the Navajo Nation is in the form of livestock and jewelry . . . The lack of ability to use that for collateral in the traditional banking sense was viewed as a barrier. The lack of a comprehensive, cohesive plan for development, band-aid fixes, uncertain outcomes, stalled projects, the lack of responsiveness from the private capital sector sometimes forces the Indian nation to, or the government and the people to place greater reliance on the Federal government or the State government."

—Phil Scott, Navajo Nation Economic Division

...We were thinking that ... if there were more Native Americans that would be able to be at the beginning of the process, as far as developing BIA, SBA programs that are geared for Native Americans, instead of the government saying here's your program. [For example,] here's the [HUD] 184 program, go for it. You know, if Native Americans were able to start from the beginning of the process and say, this is what we need, this is what we want, this is what's going to work for us, we think it would be a much more effective process.

—Sachi Tanaka, FDIC



Immediately after introductory remarks and presentation of workshop guidelines, participants where organized into teams, with each team representing a proportionate mix of stakeholder types who attended the workshop. Teams identified as many barriers and their related impacts as they could so as to provide an understanding of the issues that drive needed changes.

BARRIERS AND IMPACTS BY TEAMS



B	ARRIERS		IMPACTS
1.	Tribes have historically been a cash economy	•	Lack of ability to develop a traditional credit history
2.	Tribes lack an understanding of credit issues and principles	•	Development of poor credit history in spite of access (i.e., declaring bankruptcy)
3.	Lack of traditional banking services	•	Few choices for accessing services and options to build assets (i.e., savings, checking accounts)
4.	Forcing a mainstream financial framework without flexibility for cultural issues	•	Creates an impasse between mainstream financial communities and Tribal communities
5.	Tribes lack of a comprehensive, cohesive plan for development	•	"Band aid" fixes are used Uncertain outcomes Stalled projects
6.	Lack of responsiveness from private capital sector	•	Forces greater government/state dependency for jobs, housing, etc.
7.	Lack of legal infrastructure and predictable outcomes on the Reservations	•	Reduces lending Uncertain outcomes for lenders
8.	Lack of knowledge and understanding on the part of the lending community and the Tribal government	•	Leads to lack of trust Relationships among Tribes and financial institutions are not developed

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BARRIERS	IMPACTS	
9. Lack of technical assistance and funds to implement infrastructure (i.e., resources, probono, etc.) from the private sector	Increases time to complete projects	"This is an important meeting that really can provide us with some long term
10. The perception of profitability is different between Tribes		outcomes" –John Lewis, Inter Tribal Council of
11. Lack of information to Tribal members to make decisions		- Arizona
12. Lack of traditional equity collateral	 Limits on lending Lack of loans Native Americans on Reservations must put up more collateral than people living off Reservations 	_
13. Overall collateralization	Restricts flexibility of business owner	-
14. Inflexible regulations, rules and policies that dictate bank procedures and requirements	 The bank priority is to comply with the regulation Reduces lending Lack of flexibility to do things differently in Indian Country 	_
15. Lack of private support for the development of Tribal financial institutions	No lending to Tribes	_
16. Fear of making mistakes and increased risk	No opportunity to learn from "mistakes"	-
17. Lack of long-term commitment to implement solutions		_
18. Lack of motivation beyond the traditional notion of profit to lend to Tribes		_

BARRIERS	IMPACTS
19. Dual taxation when the State and the Tribe tax the same business	 Increases the cost of doing business on Reservation Difficult to get outside businesses to invest on the Reservation
20. Lack of internal Tribal support and support systems	 Delays in projects and process Difficult to get things done in a timely manner
21. Lack of infrastructure	
22. Lack of private partnership to develop infrastructure	
23. Lack of ability to build individual and Tribal assets and wealth	
24. Over-regulation by the Tribal government	Project delays
25. Lack of a common agenda between Tribal attorneys and economic development	 Deals won't get done Overly conservative approaches to financing and economic development
26. No continuity due to leadership changes in Tribes, financial institutions and the government	 Changes priorities Projects are dropped Hampers the development of relationships





Team break-out sessions to discuss barriers, impacts, strategies and actions





BARRIERS	IMPACTS
1. Lack of land base (small Tribes) and the complex issues of converting that land from fee to trust	Limits economic and community development
2. Low population density and remoteness	 Lack commercial development and transportation systems Difficulty to develop infrastructure and expense Economic leakage
3. Lack of available transportation	People are limited to travel for essential purposes, including employment
4. BIA as a substantial barrier to Tribes and lenders	Delay in processing assistance requests (blind adherence to bureaucratic process)
5. Fee-to-trust conversion process is very bureaucratic	Tribal asset mismanagement
6. Difficulties and delays in obtaining housing and business sites leases	 Lack of developable land (NEPA process) Lengthy institutional process (or lack of process)
7. Length of lease limited to 25 years	 Limited demand and marketabilty, i.e., recapture period regarding commercial development and impact on rates (limits Tribe's or individual's access to financing) Risk of capital loss to developer
8. Inability to pledge trust land as loan collateral	Limits Tribe's and individual's access to credit
9. Individuals lack equity capital	 Affects housing and private sector development Doesn't permit home ownership

BARRIERS	IMPACTS
10. Lack of private sector on Reservations	 Private sector unwilling to do business on Reservations Inhibits Reservation development
11. Native Americans lack knowledge and experience with credit	Perceive the business environment to be unfriendly
12. Lack of training regarding personal finance and credit	 Tribal members are at a disadvantage in transactions There is a disparity of wealth
13. Banks are not awareness of Reservation lending issues	 The impacts vary, depending upon the sophistication and motivation of the bank Less credit, less development, and less housing
14. Tribal officials lack knowledge and experience in credit structures	 Transaction costs are higher Tribal officials are hesitant or delay entering into transactions Creates community frustration
15. Tribal sovereignty	Creates high legal costsCreates delays in loans
16. Cultural barriers	A Tribe's traditional use of land impedes development
17. Inflexibility of Tribal attorneys to consider innovative proposals or solutions	High transaction costs
18. Lack of attorneys experienced with Indian issues and transactional issues	 Delays in development Less credit and investment Fewer loans are made Legal structures are complicated
19. Lack of use of BIA Loan Guaranties and Authorities	 Fewer transactions completed Missed opportunities to leverage public and private money Appearance of higher risk

"This is a special season of the year and many traditions and it's a time of renewal. It's a time of strength. It's a time for new ideas. It's a time for change."

-Elaine Maimon, Provost at ASU West

BARRIERS	IMPACTS
20. Lack of consultation with Tribes by Federal and State agencies	 Too many inappropriate and ineffective regulations are created Creates misunderstanding and mistrust Delays results
21. Lack of effort by governmental agencies to work with Tribes and Tribal members (lack of communication)	Increases bureaucracy Prevents interactive cooperation between governmental agencies
22. Bureaucratic process within Tribal government	 Disincentive to work with Tribes Delays Increased costs Confusion by outside individuals
23. Lack of continuity in Tribal leadership	Increases investment risks
24. Tribes' lack of continuity in rules and procedures, i.e., lack of uniform commercial codes	 Disincentive to investment Limits Tribal entrepreneurial participation
25. Lack of specialized Reservation-based intermediaries	Limits development
26. Infrastructure	



BARRIERS	IMPACTS
Tribes lack equity, capital collateral	
2. Tribal jurisdiction barrie impact policy enforcement	± *
3. No personal and busines track record that banks a looking for in qualifying applications	re • Discourages small business
4. Federal trust lands that c be mortgaged or used as collateral	 No loans are made No new homes are built
5. Native Americans' fear of losing their lands	Discourages people from borrowing; they don't want their land to belong to the bank
6. High unemployment	 No credit history is developed There is no source of repayment Discourages new business startups
7. The Native American cu practice of sharing their wealth	 Prohibits capital formation The savings rate is low No value in access to IHS, etc.
8. Lack of access to banks institutions	 The entire Tribal economy is crippled Forces people to go off Reservation for bank services Reservation continues to operate on a cash economy
9. Remoteness of Reservati	 Transportation problems High cost of rural living Low "multiplier effect"

BARRIERS	IMPACTS
10. The small market size of Reservations	 Deters economic development Money flows to off Reservation businesses Tribal members pay a higher cost because of the lack of competition
11. Tribal members are not educated in the process of borrowing and financing	 No financing education for children so the cycle continues Today's future borrowers are uninformed
12. Tribal members don't see the value of maintaining good credit	 No loans Discourages small business starts Discourages community development and services Higher rate of repossessions and loan defaults They pay a higher cost for credit
13. Some Tribes have no uniform commercial code	 Discourages outside businesses and lenders from doing business on Indian lands Banks and businesses are not developed on the Reservation
14. Limited sovereign immunity	 Discourages outside businesses and lenders from doing business on Indian lands Banks and businesses are not developed on the Reservation
15. Tribal courts are not recognized	 Discourages outside businesses and lenders from doing business on Indian lands Banks and businesses are not developed on the Reservation
16. Multiple jurisdiction cause a lot of red tape in the loan process	 Time consuming; no "one stop shop" where small business owners can get their paperwork done Becomes political sometimes Small business owners have to go through different channels and organizations to get their loan approved

"As far as my interpretation goes, the Federal government views the needs of Tribes more as a burden as opposed to a potential resource ... If the Federal government and the United States can help China or Southeast Asia develop their economies by sending envoys, why can't that happen here?" -Dave Castillo, Inter Tribal Council of Arizona, Inc.

BARRIERS	IMPACTS
17. Tribal instability	Discourages entrepreneurs and people who might want to relocate their business to Indian Reservations
18. Lack of a Tribal tax base	Unable to self-finance projects on Reservations
19. Lack of Federal or State policies to address lending on Arizona Indian Reservations	 Agencies don't cooperate with Tribes Affects Indian Nations in Arizona Inhibits infrastructure development
20. Need more memorandums of understanding (MOU) to be drawn up between Tribes and agencies	 Agencies don't cooperate with Tribes Indian Nations Inhibits infrastructure development
21. Native Americans always seem to get the lowest priority	 Lack of priorities because of shifting focus No consistency Lack of political participation to make change
22. Jurisdictional interference	Tribes want to remain independent with their own government
23. No infrastructure	Creates limited capacity – limited to services only and no focus on self sustaining businesses to continue development
24. Financial institution discrimination	 Limits loans (red lining) Consumers ineligible for assistance Small businesses ineligible for assistance
25. Personal discrimination (racial attitudes)	Higher costs to consumers, borrowers and small businesses (disadvantaged)
26. Lack of or poorly designed public policy	Excludes whole communities from borrowing money



BARRIERS	IMPACTS
27. People on Reservations have less access to VA loans, HUD and government types of loans	 No home development No income or wages because unemployment is high Indians have substandard homes that sometimes lead to health related problems Native American veterans and the elderly are left out
28. Lenders' lack of research to justify change	 Lack of cultural awareness Leads to personal discrimination No change in the way business is done
29. No uniform commercial codes (UCC) in the Tribal infrastructure	 Lenders are afraid to make loans Lenders are afraid of losses Lenders perceive a higher risk

Team break-out sessions





After identifying as many barriers as possible, teams were asked to establish a rank order of the top five barriers using a weighted rating system where each participant, basically, voted on the relative importance of the barriers. This section summarizes the rank order priorities of the barriers by team with number one being the most important and number five being the fifth in importance.



	TEAM	TEM	TEAM
O N E	Lack of Trust Between Tribes, Banks and Government Organizations	Lack of Equity Capital and Collateral	The Tribal Political Environment
T W O	Lack of Long Term Commitment Between Tribal Government, Federal Government and Lenders	Lack of a Common Ground of Understanding Between Financial Institutions, Tribes and Their Legal Counsel	The Federal and State Government Regulatory Environment
T H R E E	Forcing Conventional Lending vs. Cultural Issues	Unresponsive and Cumbersome Federal Process, Primarily the BIA	Cultural Conflict
F O U R	Lack of Native American Input to Develop Federal Programs	Lack of Available Land for Development	Business Environment
F I V E	Lack of Infrastructure	Lack of Adequate Tribal Professional, Technical Human Resources	Conventional Bank Lending Criteria

For each of the top five priority barriers listed in the previous section, a summary of their impacts is listed. These impacts assist in understanding the effects of the barriers that need to be overcome in identifying solutions and strategies for change.

PRIORITY BARRIERS AND THEIR IMPACTS



	BARRIERS		IMPACTS
1	Lack of Trust Between Tribes, Banks and Government Organizations	•	Relationships among Tribes and financial institutions are not developed
2	Lack of Long Term Commitment Between Tribal Government, Federal Government and Lenders	•	Creates a lack of trust Relationships are not created
3	Forcing Conventional Lending vs. Cultural Issues	•	Lenders do not look at the various cultural issues on Reservations
4	Lack of Native American Input to Develop Federal Programs	•	Creates Federal programs that do not meet the needs of Tribes, wasting time and money
5	Lack of Infrastructure	•	No new business startups with sewers, plumbing and electricity in place



	BARRIERS	IMPACTS
1	Lack of Equity Capital and Collateral	 People can't qualify for small business loans, even with a 90 % guaranty, if they don't have capital Has a detrimental effect on housing and private sector development
2	Lack of a Common Ground of Understanding Between Financial Institutions, Tribes and Their Legal Counsel	 High transaction costs Delays Less credit and investment Fewer loans Complicated legal structure
3	Unresponsive and Cumbersome Federal Process, Primarily the BIA	 Delays in processing assistance requests Blind adherence to bureaucratic process
4	Lack of Available Land for Development	 Limited economic and community development Inappropriate and haphazard land development and use
5	Lack of Adequate Tribal Professional, Technical Human Resources	 Limits development Higher transaction costs Tribes are hesitant to enter into transactions Creates community frustration



	BARRIERS	IMPACTS
1	The Tribal Political Environment	 Lenders hesitant to invest in Tribal members No UCCs are created
2	The Federal and State Government Regulatory Environment	Double taxation
3	Cultural Conflict	 Creates personal and institutional discrimination Impedes financial literacy for multiple generations
4	Business Environment	 Multiple jurisdictions slow development Remote Reservations are small markets
5	Conventional Bank Lending Criteria	Native Americans cannot satisfy the requirements for equity, credit and collateral needed for a loan

After prioritizing barriers and identifying the top five priority barrier impacts, the teams conducted two follow-up break-out sessions. The first session focused on identifying a range of strategies for each of the top five priority barriers. Each team then presented their strategies to the entire group and plenary session. The teams then returned to their break-outs and identified action plans, including responsibilities and



time frames, for selected strategies. Please note that there may not be an action plan for every strategy since teams decided which are the most critical strategies that require action. Please refer to Definitions of Terms in the introduction for an explanation of responsibilities and time frames.

BARRIER #1: LACK OF TRUST BETWEEN TRIBES, BANKS AND GOVERNMENT ORGANIZATIONS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop long-term relationships between Tribes, banks and agencies	1. Develop partnership arrangements, i.e., Arizona Multi-bank and Hopi Credit partner in loans and educate each other (CDFI can help)	Financial Inst.	Short Term
	2. Tribal leaders can get to know heads of banks and nonprofits can help facilitate	Financial Inst. Intertribal Org.	Short Term
	3. Continue momentum of meeting – create national and regional advisory group	Fed. Reg. Agency	Short Term
	4. Have Federal supervisory agency do more outreach	Fed. Reg. Agency	Short Term to Ongoing
	5. Research and assess Tribal resources and strategies to leverage economic development with public sector	Intertribal Org. Fed. Reg. Agency	Short Term

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
B. Develop a long-term forum for cumulative			
and mutual education of Tribes and lenders			

BARRIER #2: LACK OF LONG TERM COMMITMENT BETWEEN TRIBAL GOVERNMENT, FEDERAL GOVERNMENT AND LENDERS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop long-term relationships among Tribes, banks and agencies			
B. Develop a long-term forum for cumulative education			
C. Secure significant congressional and presidential commitment to Indian Country	1. Change Federal tax laws to create incentives for lending and investing in Indian Country, including tax credits for capital and tax free bond financing	Federal Agency	Short to Medium Term
	2. Create alternative financial institutions dedicated to Indian Country, including the bonding component, and created with Federal dollars	Federal Agency	Medium Term
	3. Get dollars appropriated to the CDFI Fund so they can continue to support Indian Country activities		
	4. Collect information regarding what the Federal government is doing to facilitate investment and economic development in foreign and domestic areas	Fed. Reg. Agency Federal Agency CDFI Fund	Short Term
	5. Have the President visit Indian Reservations		

BARRIER #3: FORCING CONVENTIONAL LENDING VS. CULTURAL ISSUES

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Educate each other about the alternative forms of lending more suited for the	Cross education between Tribes and financial institutions	Financial Inst. Fed. Reg. Agency	Short Term
Reservation	2. Develop reference handbook that includes negotiation guidelines		
	 3. Collect information regarding successful domestic programs in terms of banking programs between financial institutions and Tribes (best practices) 4. Top level bank and Tribes start the process of education 		
B. Find the right lending fit for various needs, including collecting information about models that work			
C. Develop new financial institutions for Indian Country (e.g., Indian financial intermediaries)			

BARRIER #4: LACK OF NATIVE AMERICAN INPUT TO DEVELOP FEDERAL PROGRAMS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop a national Indian non-government organization to coordinate or oversee Federal programs development	 Develop a national Indian non-government organization to coordinate and oversee Federal programs development. Include Native Americans in the decision making process in terms of programs, laws and products that are going to impact Indian County Increase consultation through those meetings 	Intertribal Org.	Medium Term

BARRIER #5: LACK OF INFRASTRUCTURE

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Establish a comprehensive development plan that prioritizes infrastructure development and identifies various financing sources	Establish a comprehensive development plan that would prioritize infrastructure development and its various financing sources	Intertribal Org.	Medium Term
B. Develop public/ private relationships to assist in infrastruc- ture development	Develop public/private relationships	Intertribal Org. Financial Inst.	Medium Term
C. Develop Reservation based alternative energy resources (new solutions to old problems)	Develop Reservation based alternative energy sources	Intertribal Org.	Medium Term

TEAM 2 STRATEGIES AND ACTIONS

BARRIER #1: LACK OF EQUITY CAPITAL AND COLLATERAL

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Establish an equity pool of public and private resources	1. Reestablish funding (appropriations) for the BIA Economic Develop- ment Grant Program	Tribal Entity Federal Agency U.S. Congress Intertribal Org.	Short to Medium Term
	2. Create Tribal and/or intertribal equity capital pool that people could utilize for startup equity	Tribal Entity Intertribal Org. Financial Inst. Federal Agency	Medium Term
	3. Re-introduce legislation for an America Indian Development Bank	Tribal Entity U.S. Congress Federal Agency	Medium to Long Term
B. Develop credit enhancements	Review and comment on the proposed BIA Loan Guarantee Program	Tribal Entity Intertribal Org. Financial Inst.	Short Term
C. Encourage capital accumulation	1. Enact legislation to create incentives for Reservation lending, i.e., tax credits, reduction in capital reserve restrictions, Federal guarantees	Tribal Entity Intertribal Org. Financial Inst. U.S. Congress	Medium to Long Term
	2. Establish education programs to encourage economic literacy, i.e., a session on personal finance that includes entrepreneurship. Start at the elementary level and continue through high school	Tribal Entity U.S. Congress Financial Inst. Federal Agency Intertribal Org.	Medium Term

BARRIER #2: LACK OF COMMON GROUND OF UNDERSTANDING BETWEEN FINANCIAL INSTITUTIONS, TRIBES AND THEIR LEGAL COUNSEL

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Improve communications and interaction between parties	Establish ongoing round table discussions at local and regional levels between banks and Tribes about improving lending on the Reservation	Tribal Entity Intertribal Org. Fed. Reg. Agency	Medium to Long Term
B. Adopt clear and consistent Tribal housing and economic development policies	Promote adoption of Tribal uniform commercial codes (UCC)	Tribal Entity Intertribal Org. Fed. Reg. Agency Other (Attorneys)	Medium to Long Term
C. Increase/enhance availability of financial services on Reservation	Establish ATMs on Indian Reservations	Financial Inst. Tribal Entity	Medium Term

BARRIER #3: UNRESPONSIVE AND CUMBERSOME FEDERAL PROCESS, PRIMARILY THE BIA

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Streamline the Reservation leasing process	Revise 25 CFR (162) BIA leasing code and develop standard operating procedures for this specific code	Tribal Entity Intertribal Org. Federal Agency U.S. Congress	Medium to Long Term
B. Establish uniform Federal processing procedures	Create a uniform procedure for the review and approval process for leases and loans	Tribal Entity Federal Agency	Medium to Long Term
C. Establish a consistent delegation of authority	Delegate BIA's authority to the agency level so that the superintendent has authority over leases, trust assets, appraisals, etc.	Federal Agency U.S. Congress U.S. President	Medium to Long term
D. Develop a central clearinghouse for processing that is available to community members	Create a local level clearinghouse for funding sources so individuals can access those dollars.	Tribal Entity Federal Agency	Medium Term

BARRIER #4: LACK OF AVAILABLE LAND FOR DEVELOPMENT

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop a consensus for land use	Establish community for- ums to discuss a consensus on how land can be used	Tribal Entity Federal Agency	Medium to Long Term
B. Develop a land acquisition plan	2. Establish Reservation land use master plan3. Adopt zoning ordinance		
C. Streamline the fee-to-trust process	Revise 25 CFR (168) (the process that the BIA uses for converting fee land to trust land)	Federal Agency U.S. Congress	Long Term

BARRIER #5: LACK OF ADEQUATE TRIBAL PROFESSIONAL, TECHNICAL HUMAN RESOURCES

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Increase Tribal commitment through professional and technical education	 Establish a Tribal curriculum that could be implemented at the elementary and high school levels to build career awareness of professions Establish Tribal scholarships focused on the priority need areas Establish internships at the high school and college levels 	Tribal Entity Intertribal Org. Other (Colleges)	Medium to Long Term
B. Seek additional funding for professional and technical education	Increase funding through the Congressional Appropriation Process	Tribal Entity U.S. Congress Federal Agency U.S. President	Medium to Long Term

TEAM 3 STRATEGIES AND ACTIONS

BARRIER #1: THE TRIBAL POLITICAL ENVIRONMENT

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop education programs for Tribal leadership, Tribal members, business community and universities	1. Create a Tribal leadership program involving elected councils and directors, educational institutions, financial institutions, State and Federal regulatory agencies to keep an awareness of education	Tribal Entity Financial Inst. State Entity Fed. Reg. Agency Federal Agency Intertribal Org. Other (education institution)	Short Term to Ongoing
	2. Prove a financial literacy program for youth (elementary through high school) and adults; look at Junior Achievement as a model	Tribal Entity Financial Inst. Intertribal Org. State Entity Other (local schools, colleges)	Short Term to Ongoing
	3. Provide an entrepreneurial program for youth and adults, using the Junior Achievement model	Tribal Entity Financial Inst. Intertribal Org. State Entity Other (local schools, colleges)	Short Term to Ongoing
B. Develop incentives for businesses	Develop State and Federal incentives for employment and investments, i.e., tax credit revenue sharing programs	Fed. Reg. Agency State Entity Tribal Entity Intertribal Org. U.S. Congress U.S. President	Medium to Long Term
	2. Adopt business codes and licensing procedures	Tribal Entity Intertribal Org.	Medium Term
	3. Amend or clarify the CRA as it relates to Native American lending. Create a dialogue so that regulators and lenders better understand the	Tribal Entity Financial Inst. Fed. Reg. Agency U.S. Congress U.S. President State Entity	Short to Medium Term

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
	needs, goals and issues of Native American lending		
	4. Establish a national Tribal finance advisory board (like the Health National Advisory Board and the EPA) to deal specifically with finances	Tribal Entity Fed. Reg. Agency Intertribal Org. Financial Inst. State Entity U.S. Congress U.S. President	Medium Term
	5. Create a "one stop shop" not just for mortgages but for financial matters across the board like economic develop, etc.	Tribal Entity Fed. Reg. Agency Financial Inst. Intertribal Org. Other (private sector)	Long Term
C. Develop revenue sources	1. Identify resources and create a directory of sources for any Tribe to look at to see what is available in terms of funding opportunities and the process to be used	Tribal Entity Fed. Reg. Agency Intertribal Org. Federal Agency State Entity	Short Term
	2. Establish a technical assistance resource guide or booklet for Tribes	Tribal Entity Intertribal Org. U.S. Congress U.S. President	Medium Term
	3. Create an intertribal development bank	State Entity	Medium Term
	4. Implement an intertribal outreach program to share successes and failures, to prevent reinventing the wheel and to grow from other's experiences and opportunities	Tribal Intertribal Org.	Short Term

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
D. Sensitize outside parties to the Tribal legal system and how Tribes resolve legal issues, such as a "Tribal Court Day"	Tribes develop seminars and workshops for banks and regulators to hear about and discuss Tribal legal issues. Maybe hold a mock court	Tribal Entity Intertribal Org.	Medium Term

BARRIER #2: THE FEDERAL AND STATE GOVERNMENT REGULATORY ENVIRONMENT

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Clarify, simplify and consolidate regulations	Tribes develop seminars and workshops for banks and regulators to hear about and discuss Tribal legal issues (maybe hold a mock court)	Tribal Entity Intertribal Org.	Medium Term
B. Develop specific legislative (CRA, OCC) and regulatory standardsC. Develop government	1. Develop State and Federal incentives for employment and investments, i.e., tax credit revenue sharing programs	Fed. Reg. Agency State Entity Tribal Entity Intertribal Org. U.S. Congress U.S. President	Medium to Long Term
to government inter- personal relationships or agreements through	2. Adopt business codes and licensing procedures.	Tribal Entity Intertribal Org.	Medium Term
IGA, MOA, MOU	3. Amend or clarify the CRA as it relates to Native American lending. Create a dialogue so that regulators and lenders better understand the needs, goals and issues of Native American lending	Tribal Entity Financial Inst. Fed. Reg. Agency U.S. Congress U.S. President State Entity	Short to Medium Term
	4. Establish a national Tribal finance advisory board (like the Health National Advisory Board and the EPA) to deal specifically with finances	Tribal Entity Fed. Reg. Agency Intertribal Org. Financial Inst. State Entity U.S. Congress U.S. President	Medium Term
	5. Create a "one stop shop" not just for mortgages but for financial matters across the board like economic develop, etc.	Tribal Entity Fed. Reg. Agency Financial Inst. Intertribal Org. Other (private sector)	Long Term

BARRIER #3: CULTURAL CONFLICT

STRATEGY		ACTION	RESPONSIBILITY	TIME FRAME
A. Enforce education by	1.	Create a Tribal leadership	Tribal Entity	Short Term to
explaining the		program involving elected	Financial Inst.	Ongoing
consequences and		councils and directors,	State Entity	
providing incentives		educational institutions,	Fed. Reg. Agency	
		financial institutions, State	Federal Agency	
B. Develop consumer and		and Federal regulatory	Intertribal Org.	
small business		agencies to keep an	Other (education	
education programs		awareness of education	institution)	
including credit				
applications,	2.	Prove a financial literacy	Tribal Entity	
maintaining credit,		program for youth	Financial Inst.	Short Term to
school programs,		(elementary through high	Intertribal Org.	Ongoing
financial statements,		school) and adults; look at	State Entity	
banking, business plus		Junior Achievement as a	Other (local	
startup/operations		model	schools,	
			colleges)	
	3.	Provide an entrepreneurial	Tribal Entity	Short Term to
		program for youth and	Financial Inst.	Ongoing
		adults, using the Junior	Intertribal Org.	
		Achievement model	State Entity	
			Other (local	
			schools,	
			colleges)	

BARRIER #4: BUSINESS ENVIRONMENT

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Develop standard models for business codes and multi-jurisdictional approaches	Develop State and Fed incentives for employr and investments, i.e., t credit revenue sharing programs	reral Fed. Reg. Agency ment State Entity ax Tribal Entity	Medium to Long Term
B. Streamline multi- jurisdictional approval processes	. Adopt business codes a licensing procedures	and Tribal Entity Intertribal Org.	Medium Term
	Amend or clarify the C as it relates to Native American lending. Cre a dialogue so that regulators and lenders better understand the needs, goals and issues Native American lendi	Financial Inst. Fed. Reg. Agency U.S. Congress U.S. President State Entity	Short to Medium Term
	Establish a national Tr finance advisory board (like the Health Nation Advisory Board and th EPA) to deal specifica with finances	Fed. Reg. Agency Intertribal Org. Financial Inst.	Medium Term
	. Create a "one stop sho not just for mortgages for financial matters across the board like economic develop, etc	but Fed. Reg. Agency Financial Inst. Intertribal Org.	Long Term
C. Provide financial education programs	. Create a Tribal leaders program involving electrons, and directors, educational institutions financial institutions, and Federal regulatory agencies to keep an awareness of education	State Entity Fed. Reg. Agency Federal Agency Intertribal Org. Other (educational	Short Term to Ongoing

STRATEGY	ACTION RESPO	TIME DNSIBILITY FRAME
	Prove a financial literacy program for youth (elementary through high school) and adults; look at Junior Achievement as a model School college	Entity al Inst. bal Org. chity ocal ls,
	Provide an entrepreneurial program for youth and adults, using the Junior Achievement model Tribal Financia Intertribution State Entrepreneurial Financia Intertribution State Entrepreneurial Financia Intertribution State Entrepreneurial Financia Intertribution Intertribution State Entrepreneurial Financia Intertribution Intertributio	al Inst. bal Org. ontity ocal ls,
D. Establish capital improvement programs for infrastructure needs on Reservations (technology, roads, utilities, site	sources for any Tribe to look at to see what is Intertrib	eg. Agency bal Org. egulatory Agency
development, digital communication)	Establish a technical assistance resource guide or booklet for Tribes Tribal E Intertrib U.S. Co	oal Org. ongress
	Create an intertribal development bank State Er	
	Implement an intertribal outreach program to share successes and failures, to prevent reinventing the wheel and to grow from other's experiences and opportunities	•

BARRIER #5: CONVENTIONAL BANK LENDING CRITERIA

STRATEGY		ACTION	RESPONSIBILITY	TIME FRAME
A. Amend regulations and legislation to include Tribal input	incer and i	elop State and Federal atives for employment nvestments, i.e., tax t revenue sharing rams	Fed. Reg. Agency State Entity Tribal Entity Intertribal Org. U.S. Congress U.S. President	Medium to Long Term
	-	ot business codes and sing procedures	Tribal Entity Intertribal Org.	Medium Term
	as it in Ame a dial regul bette needs	nd or clarify the CRA relates to Native rican lending; create logue so that ators and lenders r understand the s, goals and issues of we American lending	Tribal Entity Financial Inst. Fed. Reg. Agency U.S. Congress U.S. President State Entity	Short to Medium Term
	finan (like Advi EPA)	olish a national Tribal ice advisory board the Health National sory Board and the) to deal specifically finances	Tribal Entity Fed. Reg. Agency Intertribal Org. Financial Inst. State Entity U.S. Congress U.S. President	Medium Term
	not ju for fi acros	te a "one stop shop" ust for mortgages but nancial matters ss the board like omic develop, etc.	Tribal Entity Fed. Reg. Agency Financial Inst. Intertribal Org. Other (private sector)	Long Term

OVERVIEW

At the end of the workshop on the second day, the floor was open for participants' comments, issues or thoughts, for the record, on any related topic they felt had not been covered. The following are their comments.



"So when I came here, I was hoping that I was going to have an opportunity to get completely accurate information that was totally relevant to our situations. And I did because I had an opportunity to sit and listen to people who are in the economic development industry of Tribal governments on a daily basis tell me what some of their thoughts are. I can't tell you how many times I have been invited to meetings in Washington and other places where we get into the room and they say to us, What are we going to do?

The last one I was at, I was very fortunate, a colleague of mine, Gene VanArsdale, who is the district director in South Dakota, made a suggestion because he was the first person in this round table that they asked this question to. He said,' Why don't we go and ask the people what we can do for them'.

So, Rodger [Boyd, CDFI], I applaud you for being out here asking people what we can do. I will suggest just one thought for you that was shared with me by a very bright man, Lawrence Membrey, who works for the Bureau of Land Management. When I look at all this up in front, all these action items and all these thoughts, I would suggest to you that history is only concise when you read it. And this will be very concise when we read your report. But it's a little sloppy when you make it. So you take a look at all these sheets up there, while they are a little sloppy, we are making history here. So I applaud you and thank you for the opportunity to attend."

—Robert Blaney, U.S. Small Business Administration

"I would like to make two comments, one related to this. I would like to see if we might be able to have some follow-up sessions because we over the last day and a half have come up with a lot of actions. It's going to take a lot of mobilization of resources and a lot of commitment. And I would hate for us to see this all go to nothing again, to our shelves. So I would like -- I don't know what the process calls for, the lending study. I would like to see a follow-up session maybe in a year's time and to see how much progress has been made and even after the study is completed that we continue to do this even on a regional basis. That I believe was one of our actions, that we will have forums that allow us to discuss this issue together. So maybe that can come out of that.

Second thing is I am going to make an invitation in regards to this area. My center, in cooperation with the banks in Arizona, are sponsoring a Native American Loan Workshop. It's called Lending Opportunities Accessibility, Needs and Solutions. It's going to be held April 15th and 16th on the Gila River Indian Reservation. And it's going to be a basic seminar. We initially started it for our clients to help them walk through what is credit, what is a loan, how they go about approaching a bank, how to fill out the application, what are some of the legal issues involved. So we have some attorneys coming in. What if I don't have good credit, how do I repair it. We are going to have Credit Data who will run credit checks on those individuals who want. And we are going to have a round-table discussion at the end discussing these -- much of the same things here. It's going to be the Indian audience talking hopefully with the banks and working at that.

Then the second day we will have an opportunity for individuals to meet with bank representatives on an individual basis; and hopefully, they will bring their ideas to -- their business start-up ideas or their taxes or maybe its mortgage lending that they bring and talk directly with the lenders."

—Joan Timeche, Northern Arizona State University

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Workshop Participants

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