

**NATIVE AMERICAN LENDING STUDY/
ACTION PLAN REGIONAL REPORT**

Southeast Region Workshop

December 14-15, 1999
Tampa, Florida

Sponsored by
Community Development Financial Institutions Fund
U.S. Department of Treasury
And
United South and Eastern Tribes, Inc.



**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 break-out 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 United South and Eastern Tribes, 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-served 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

- 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 26 participants attending the workshop:

- 19 were from Tribes
- 1 was from the private sector
- 6 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
EASTERN REGION WORKSHOP
Tampa, Florida
December 14-15, 1999

This agenda is not designed as a conference or panel of speakers, but a workshop where participants, through facilitated work groups, will identify barriers to accessing capital and credit on Indian Reservations, describe the impacts of such barriers, and create strategies and action plans to overcome barriers.

Tuesday, December 14

- 7:45 A.M. Continental Breakfast
- 8:30 Opening: Greeting and Remarks
- 8:45 Welcome and CDFI Fund/Process Overview – Rodger Boyd, Program Manager, CDFI Fund
- 9:15 Workshop Ground Rules and Formats – Facilitator
- 9:30 Team Break-out No. 1: Identification of Barriers, Impacts and Priorities
- 11:30 Team Presentations of Barriers, Impacts and Priorities
- 12:15 P.M. Lunch (Provided by the CDFI Fund)
- 1:15 Guidelines for Developing Strategies
- 1:30 Team Break-out No. 2: Strategies Development
- 4:00 Team Presentations of Strategies
- 5:00 Adjourn

Wednesday, December 15

- 7:45 A.M. Continental Breakfast
- 8:30 Opening-Recap of Strategies from Day One – Rodger Boyd, CDFI Fund
- 8:45 Guidelines for Creating Action Plans – Facilitator
- 9:00 Team Break-out No. 3: Action Plans
- 11:30 Team Presentations of Action Plans
- 12:15 Open Forum (any remaining issues or opportunities)
- 1:00 Closing Remarks and Adjournment – Rodger Boyd, CDFI Fund



OVERVIEW

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

“In no other segment of the population in the United States do you have something like the Bureau of Indian Affairs. The Bureau of Indian Affairs has to approve your ordinances, has to approve your leases, has to approve your forms, it has to approve an individual mortgage on the trust land . . . And that alone would be bad enough, but it’s also the way it’s conducted. The Bureau of Indian Affairs is very slow to do these reviews. . . . If I [as a businessman] could go out, and for the same amount of effort to close ten deals outside trust land for every deal I could close on trust land, what am I going to go for?”

—Ken Goosens, Seminole Tribe of Florida

“When you go out into general America . . . you look at the different kinds of sources you have, there’s a lot of different products. . . .often time with Native Americans there’s one product or there’s just one source of loans, and there’s less competition for it. . . it forces people [Native Americans] who need loans to go to alternative sources, which are often exploitative, often charge a high interest rate. . . .a lot of time the Tribes see that there’s limited lending resources, so they put their own resources into lending. Now, the effect that this has on them is they’re using their money instead of bringing in outside money like other communities.”

—Ken Goosens, Seminole Tribe of Florida

“. . .when houses were first built on the Reservations . . . there’s an agency or housing authority sitting out there that says, all right, you know, what do you need, a three bedroom, a four bedroom? . . .And the next thing you know, two, three years later somebody hands you the keys, here is a house, but there’s no . . .education process. . .And, so, it continues to create that social type of thinking. . . .Now you have to pay for the electric bill, you have to pay for water and sewer, then you have to make a house payment, you know. . .”

—Joel Frank, Sr., Seminole Tribe of Florida

“You know, probably the scariest thing for a Tribal member and for the bank, too, if you’re sitting across the desk from a banker who really doesn’t understand what the Tribe is all about, and on the other side of the table it’s a Tribal member who really never has been in a position of borrowing money, they don’t know what the financial statement is all about, . . .they know what they want to do, but they’ve never been in that position.”

—Pat Strong, Chitimacha Tribe



OVERVIEW

Immediately after introductory remarks and presentation of workshop guidelines, participants were 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

1 TEAM

BARRIERS	IMPACTS
1. Limited lending products, both mortgage and small business and consumer	<ul style="list-style-type: none"> Covers fewer needs Limits development Forces a search for less financially sound alternatives (title loans)
2. Limited financial resources	<ul style="list-style-type: none"> Lack of product development
3. Trust land status	<ul style="list-style-type: none"> Securing real estate loans
4. Lack of knowledge of today's Federal agency resources available to Tribes	<ul style="list-style-type: none"> Not enough outreach by agencies
5. Financial Institution perception of Tribal instability	<ul style="list-style-type: none"> No loans Onerous conditions on loans (collateral) Shorter terms, higher rates
6. State and Federal allocation of \$ for development based on population (under-counts)	<ul style="list-style-type: none"> Census 2000 appeals impact Under-funding
7. Perception of sovereignty	<ul style="list-style-type: none"> Unwillingness to come to the table
8. Lack of Tribal laws, courts procedures and enforcements	<ul style="list-style-type: none"> Won't enter into contracts
9. Lack of trust	<ul style="list-style-type: none"> No business done



BARRIERS	IMPACTS
10. Discrimination by financial institutions, Federal and agencies, large corporation to mom and pop	
11. Low priority of Indian issues	<ul style="list-style-type: none"> • Few resources devoted
12. Regulations by BIA	<ul style="list-style-type: none"> • Anything that affects trust land • Delays business development • Not profitable
13. Poor credit history (individuals and Tribes)	<ul style="list-style-type: none"> • No loans
14. Development costs of infrastructure, transportation, and labor cost/Davis Bacon	<ul style="list-style-type: none"> • Fewer homes or businesses built
15. Poverty at both individual and Tribal level	<ul style="list-style-type: none"> • Lack of cash resources to access credit

“... often time with Native Americans there’s one product or there’s just one source of loans, and there’s less competition for it. . . it forces people who need loans to go to alternative sources, which are often exploitative, often charge a high interest rate. . . .”
–Ken Goosens, Seminole Tribe of Florida



A team presents their top five priority barriers



Break-out session in progress



2 TEAM

BARRIERS	IMPACTS
1. Inability of banks to recognize Tribe's credit worthiness as a borrower	<ul style="list-style-type: none"> • Inability to borrow on collateral • No interest paid \$ on existing accounts
2. Tribe's lack of knowledge about how financial institutions work	<ul style="list-style-type: none"> • Borrowers do not present themselves in the most attractive way to bank (i.e., good credit risks)
3. Lack of confidence/trust on both sides of the table	<ul style="list-style-type: none"> • Reluctance on bank's part to underwrite loans (or they ask for too much collateral) • Tribe's reluctance to put up Tribal assets as collateral (limited waiver of sovereign immunity issue)
4. Tribes limiting themselves to dealing with traditional banking institutions and traditional relationships	<ul style="list-style-type: none"> • No diversity • No competition for Tribal accounts • Ability to retain a loan (especially large loans)
5. Geographic isolation	<ul style="list-style-type: none"> • Tribe subject to monopoly-like rates • No ability to bargain with decision-maker
6. Perceived Tribal government instability	<ul style="list-style-type: none"> • Bank's unwillingness to make long term commitments to the Tribe
7. Bank's ability and willingness to make changes in credit standards is limited by Federal regulators	<ul style="list-style-type: none"> • Unrealistic loan-to-asset requirements • Reduced lending, in general
8. Tribe's unwillingness or caution to use Tribal assets to support loans for Tribal members	
9. Some Tribes do not have the infrastructure to prepare good loan proposals	<ul style="list-style-type: none"> • Diminished or unattractive lending



BARRIERS	IMPACTS
10. Reluctance of Indians to venture into financial institutions	<ul style="list-style-type: none"> • Good loans are not made • Individual members do not know or learn how to present themselves as good credit risks.
11. Bank's inability to recognize non-traditional sources of income as reliable income (i.e., seasonal, arts and crafts, construction work)	<ul style="list-style-type: none"> • Income is considered as a greater risk factor
12. Redlining	<ul style="list-style-type: none"> • No loans are made on the Reservation
13. Perception of non-recourse via Tribal courts	<ul style="list-style-type: none"> • Banks are unwilling to lend in Indian Country



Team break-out session



Presentation of strategies





BARRIERS	IMPACTS
1. BIA (bureaucracy)	<ul style="list-style-type: none"> • Time consuming • Red tape • Increases interest rate
2. Lack of individual collateral	<ul style="list-style-type: none"> • High unemployment • Fewer loans • Fewer businesses
3. Lack of consumer education	<ul style="list-style-type: none"> • Difficulty in meeting criteria • Bad credit perpetuated • Lender’s perception of risk
4. Lack of Tribal legal structure	<ul style="list-style-type: none"> • Creates uncertainty on the part of the lender • Does not provide secure environment for Tribal business (individuals) • Fewer loans and business start-ups
5. Availability of lenders to consider small loans	<ul style="list-style-type: none"> • Unemployment • No expansion in business • Prevents individuals from building a credit history
6. Lenders are uneducated and inexperienced with regard to the Tribal environment and Federal agencies	<ul style="list-style-type: none"> • Decrease in loans • Lack of financial institution participation • Lender unwillingness to participate on Reservation projects • Delay in Native business development
7. Lack of individual knowledge of available funding sources and resources	<ul style="list-style-type: none"> • Limits business and economic development on Tribal lands/areas
8. Federal rules and regulations, i.e., 184	<ul style="list-style-type: none"> • Hinders development and increases the cost and time to develop Tribal projects • Lender incurs additional cost to overcome barrier • Discourages lenders (small target)

“You know, probably the scariest thing for a Tribal member and for the bank, too, if you’re sitting across the desk from a banker who really doesn’t understand what the Tribe is all about, and on the other side of the table it’s a Tribal member who really never has been in a position of borrowing money, they don’t know what the financial statement is all about, . . .they know what they want to do, but they’ve never been in that position.”
—Pat Strong, Chitimacha Tribe



BARRIERS	IMPACTS
9. Transformation of Tribal social and economic structure into a market economy	<ul style="list-style-type: none"> • Lack of financial discipline • Creates confusion in the Tribal community • Increases financial demands on individuals and families.
10. Lack of seed money and collateral	<ul style="list-style-type: none"> • No Native American business start-ups • Increased unemployment • Decrease in loans
11. Trust land	<ul style="list-style-type: none"> • Limits housing development and small business development • Prevents loans to Tribal individuals • Limits off Reservation businesses from operating on the Reservation
12. Remote location	<ul style="list-style-type: none"> • Limits commercial interaction and potential market • Maintains unemployment • Limited infrastructure services
13. Leakage of consumer income	<ul style="list-style-type: none"> • “Limited to none” business start-ups • Low employment
14. Public’s perception and lack of knowledge about Indian Tribes (including Federal and State governments and agencies)	<ul style="list-style-type: none"> • Misconception of Native American community • Perception of Tribal government as corporation • Increases overall isolation



OVERVIEW

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.

TOP FIVE PRIORITY BARRIERS BY TEAMS

	1 TEAM	2 TEAM	3 TEAM
ONE	<p>Trust Land Status</p> <p>Cannot be used as collateral</p>	<p>Banks Do Not Recognize Tribes as Credit Worthy Borrowers</p> <p>Banks and Tribes have limited knowledge of each other</p>	<p>Lenders and State/Federal Agencies Don't Understand Tribal Environments</p> <p>Misconception of Native American communities</p>
TWO	<p>BIA Regulation Strangulation</p> <p>A whole layer of regulations, permissions and approvals that take a long time, causing major delays in business</p>	<p>Lack of Confidence or Trust on The Tribal Side and the Lender Side</p> <p>No experience or understanding of each other</p>	<p>Transforming the Tribal Social/Economic Structure into a Market Economy</p> <p>Changing from a more "socialistic" society to capitalism</p>
THREE	<p>Tribes' Lack of Knowledge of Existing Federal and State Resources</p> <p>Agencies don't outreach and small Tribes do not have resources to outreach</p>	<p>Perceived Instability of Tribal Government</p> <p>There's a continual turnover within Tribal government making it difficult for banks to make long term commitments</p>	<p>Lack of Consumer Financial Education</p> <p>Banks see Native Americans as credit risks</p>
FOUR	<p>Lending Discrimination</p> <p>By financial institutions, Federal and State agencies, large corporations down to small companies</p>	<p>Tribes Limit Themselves to Traditional Banking Institutions and Relationships</p> <p>Need to look at alternative lenders</p>	<p>Lack of Collateral and Equity</p> <p>Lack of collateral and seed money for individuals and start-up businesses</p>
FIVE	<p>Limited Lending Products</p> <p>Limited to high interest loans; no ARM, fixed rate, short term, etc.</p>	<p>Lack of Administrative Infrastructure to Prepare Competitive Loan Proposals</p> <p>No technical resources or models</p>	<p>Lack of Tribal Legal Structure</p> <p>Creates uncertainty on the part of the lender</p>



OVERVIEW

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	Trust Land Status	<ul style="list-style-type: none"> • Securing commercial, small business and real estate loans
2	BIA Regulation Strangulation	<ul style="list-style-type: none"> • Anything that affects trust land • Delays business development • Not profitable
3	Tribes' Lack of Knowledge of Existing Federal and State Resources	<ul style="list-style-type: none"> • Not enough outreach by agencies • Lack of development
4	Lending Discrimination	<ul style="list-style-type: none"> • Lack of lending sources • Unwilling partners
5	Limited Lending Products	<ul style="list-style-type: none"> • Covers fewer needs • Limits development • Forces search for less financially sound alternatives (title loans)



2 TEAM

	BARRIERS	IMPACTS
1	Banks Do Not Recognize Tribes as Credit Worthy Borrowers	<ul style="list-style-type: none"> • Inability to borrow on collateral
2	Lack of Confidence or Trust on the Tribal Side and the Lender Side	<ul style="list-style-type: none"> • Reluctance by the banks to underwrite loans or banks ask for too much collateral
3	Perceived Instability of Tribal Government	<ul style="list-style-type: none"> • Bank’s unwillingness to make long-term commitment to Tribe • Unrealistic loan-to-asset requirements • Reduced lending, in general
4	Tribes Limit Themselves to Traditional Banking Institutions and/or Relationships	<ul style="list-style-type: none"> • No diversity • No competition for Tribal accounts
5	Lack of Administrative Infrastructure to Prepare Competitive Loan Proposals	<ul style="list-style-type: none"> • Results in diminished or unattractive lending



	BARRIERS	IMPACTS
1	Lenders and State/Federal Agencies Don't Understand Tribal Environments	<ul style="list-style-type: none"> • Misconception of Native American community • Decrease in loans • Lack of financial institution participation • Lender unwillingness to participate in Reservation projects • Delay in Native American business development • Increases overall isolation • Perception of Tribal governments as corporation
2	Transforming the Tribal Social/Economic Structure into a Market Economy	<ul style="list-style-type: none"> • Lack of financial discipline • Creates confusion in the Tribal community • Increases financial demands on individuals and families
3	Lack of Consumer Financial Education	<ul style="list-style-type: none"> • Difficulty in meeting lending criteria • Perpetuates bad credit • Lenders' perception of risk
4	Lack of Collateral and Equity	<ul style="list-style-type: none"> • High unemployment • Fewer loans and business start-ups
5	Lack of Tribal Legal Structure	<ul style="list-style-type: none"> • Creates uncertainty on the part of the lender • Does not provide a secure environment for individual Tribal businesses • Fewer loans are made • Fewer start-ups



OVERVIEW

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.

TEAM 1 STRATEGIES AND ACTIONS

BARRIER #1: TRUST LAND STATUS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Review existing loan guarantee programs and availability for use on Tribal land	1. Review and reform guarantee programs to improve their effectiveness and promote development through greater lending	Federal Agency Intertribal Org. Tribal Entity U.S. President U.S. Congress	Medium Term
	2. Review financial institutions' usage of guarantees for Indian applications to determine number and percent of success in getting funding, resulting in annual reporting requirements	Federal Agency Fed. Reg. Agency U.S. Congress Tribal Entity Financial Inst.	Short Term
B. Develop new Federal programs	Develop new programs that are better able to meet the needs on Tribal lands	Federal Agency	
C. Lenders to determine a market or asset value for leaseholds that can then be used as collateral	1. Develop a valuation process for leasehold properties on trust lands to determine worth that will be recognized by lenders and accepted as collateral 2. They should be able to lend money on leasehold agreements	Financial Inst. Tribal Entity Other (appraisers, secondary markets, financial industry)	Short to Medium Term



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
D. Use of alternative collateral	Determine if the Tribe has any land to use as collateral that is not trust land	Tribal Entity	
E. Create or find a financial intermediary for investment and technical assistance	Locate or train someone to mediate for the Tribe regarding finances and technical assistance	Tribal Entity Financial Inst.	
F. Develop “Marshall” plan for development	Develop a “Marshall” plan and a Federal or quasi Federal group to focus on Tribal lands needs		



BARRIER #2: BIA REGULATION STRANGULATION

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Reduce the power and scope of the BIA and empower the Tribes to have more authority over their own operations	<ol style="list-style-type: none"> 1. Tribes to develop the action plan and agenda 2. Tribes Meet with BIA senior management 	Intertribal Org. Tribal Entity Federal Agency Intertribal Org. Tribal Entity	Short Term Short to Medium Term
B. Transfer responsibilities to Tribes and provide the funds to administer those programs	Establish a process for Tribes to take over responsibility from BIA	Federal Agency Intertribal Org. Tribal Entity U.S. President U.S. Congress	Medium Term
C. Reform BIA internally and externally (legislative) reform	Promote legislative changes in the way the BIA works and change the functions of people within the agency	Intertribal Org. Tribal Entity Federal Agency	



BARRIER #3: TRIBES’ LACK OF KNOWLEDGE OF EXISTING FEDERAL AND STATE RESOURCES

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Strict accounting for distribution of Federal and State funds to Native communities and Tribes	Develop an accounting resource distribution system to Tribes	Federal Agency State Entity Intertribal Org.	Medium Term
B. Central point of contact for each agency for Tribal inquiries: <ul style="list-style-type: none"> • Educational component • Technical assistance • Outreach requirements for Federal agencies 	Establish a central point of contact for each agency through: <ul style="list-style-type: none"> • Technical assistance outreach • Education 	Federal Agency Fed. Reg. Agency Intertribal Org. Tribal Entity State Entity	Medium Term
C. Create a central clearinghouse for referrals	Establish a national clearinghouse for referrals so Tribes can go to one source to get information about all the Federal programs that impact operations on Tribal lands	Federal Agency Fed. Reg. Agency Intertribal Org. Tribal Entity US. Congress U.S. President	Medium Term
D. Collaborate with Feds in creating new Native American program development policies	Ensure that new programs have Tribal collaboration so they can be tailored to the needs of the Tribes instead of Congress just creating a program and trying to make it work	Intertribal Org. Tribal Entity Federal Agency State Entity	Short Term
E. Require agencies to have a educational, technical assistance component for outreach to Tribes	1. Develop a resource publication and curriculum for use by Tribes and offer quarterly training	Intertribal Org. Tribal Entity Federal Agency	Short to Medium Term



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
	2. Require these agencies to go to the various Tribes, explain the programs they have and how those programs can benefit the Tribes in terms of lending needs		

BARRIER #4: LENDING DISCRIMINATION

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Review and reform lending discrimination laws as they apply to low population segments	Review and reform lending discrimination laws <ul style="list-style-type: none"> The laws do not apply to low population segments that constitute less than a certain percentage That threshold is not met that requires Federal or financial institutions to address the needs of those population segments 	Federal Agency U.S. Congress U.S. President	Short to Medium Term
B. Enforcement and disclosure by educating the governing agency and educate the community about CRA	1. Enforce existing laws, disclose violations and prosecute 2. Educate Tribes about CRA and fair lending laws so they know when the laws are being violated and the correct agency to notify	Fed. Reg. Agency Intertribal Org. Tribal Entity Tribal Entity Intertribal Org. Fed. Reg. Agency Federal Agency	Short to Medium Term Short to Medium Term



BARRIER #5: LIMITED LENDING PRODUCTS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Create and make more products/ services available</p> <ul style="list-style-type: none"> • Provide incentives to lenders • Provide more government guarantees • Use CDFIs/CDCUs as sources for increasing products available • Ensure national lenders and product providers serve Indian Country 	<ol style="list-style-type: none"> 1. Provide incentives to lenders: <ul style="list-style-type: none"> • More government guarantees • CRA credits • BEA awards 2. Establish local CDFIs and CDCUs 3. Engage national lenders and providers to serve in Indian Country; invite them to come to your Tribal lands 	<p>Federal Agency Fed. Reg. Agency Intertribal Org. Tribal Entity U.S. Congress U.S. President</p> <p>Intertribal Org. Tribal Entity Federal Agency Financial Inst. Other (Nonprofit)</p> <p>Intertribal Org. Tribal Entity Fed. Reg. Agency Financial Inst.</p>	<p>Short to Medium Term</p> <p>Medium to Long Term</p> <p>Medium to Long Term</p>
<p>B. Create more intermediaries or delivery systems</p>	<ol style="list-style-type: none"> 1. Create more intermediaries or delivery systems, and a national scale of lenders and products 2. Bring in a consortium of lenders to create products that are needed in Indian communities 	<p>Federal Agency Fed. Reg. Agency U.S. Congress State Entity</p>	<p>Short to Medium Term</p>
<p>C. Review effectiveness of the secondary market because many lenders look at whether there is a secondary market where they can sell the paper</p>	<p>Review and improve effectiveness of secondary market</p>	<p>Intertribal Org. Tribal Entity Fed. Reg. Agency Financial Inst. Federal Agency U.S. Congress</p>	<p>Short (review) to Medium Term</p>



BARRIER #1: BANKS DO NOT RECOGNIZE TRIBES AS CREDIT WORTHY BORROWERS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Create an informational campaign illustrating the benefits of lending in Indian Country</p>	<p>1. U.S. Treasury to identify office or entity to spearhead informational campaigns regarding: (a) Benefits to Tribes (b) Benefits to lenders</p>	<p>Federal Agency</p>	<p>Short Term</p>
	<p>2. U.S. Treasury to conduct self-assessment study of its own programs that Tribes are eligible to participate in and/or benefit from</p>	<p>Federal Agency</p>	<p>Short Term</p>
	<p>3. Tribes to identify benefits and past successes of lending in Indian Country by categories such as homes, commercial and small businesses; disseminate that information</p>	<p>Tribal Entity Intertribal Org.</p>	<p>Short Term</p>
	<p>4. U.S. Treasury and Tribes to call for hearings on lending in Indian Country (focusing on private sector lending)</p>	<p>Tribal Entity Federal Agency</p>	<p>Short Term</p>
	<p>5. Call for a national conference on lending in Indian Country</p>	<p>Tribal Entity Intertribal Org. Federal Agency</p>	<p>Short Term</p>



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>B. Develop an educational campaign regarding cultural differences and diversity between Indian Country and non-Indian Country</p>	<p>1. Tribes to develop Tribal profiles with emphasis on culture, traditions, economic development opportunities and historical perspective</p>	<p>Tribal Entity</p>	<p>Short Term</p>
	<p>2. Tribes to use telecommunications, videos and web sites to publicize Tribes, their history and perspectives</p>	<p>Tribal Entity</p>	<p>Short to Medium Term</p>
<p>C. Develop a process to identify alternative forms of collateral</p>	<p>1. Explore successful alternative practices of collateralization by other Tribes</p>	<p>Tribal Entity Intertribal Org. Federal Agency</p>	<p>Short Term</p>
	<p>2. Develop and publicize policy to standardize forms of collateralization across the country and across Tribes</p>	<p>Federal Agency Fed. Reg. Agency</p>	<p>Medium Term</p>
<p>D. Identify alternative forms of debt servicing</p>	<p>1. Explore successful alternative forms of debt servicing by other Tribes</p>	<p>Tribal Entity Intertribal Org. Federal Agency</p>	<p>Short Term</p>
	<p>2. Develop and publicize policy to standardize forms of collateralization across the country and across Tribes</p>	<p>Federal Agency Fed. Reg. Agency</p>	<p>Medium Term</p>
	<p>3. Establish the fact that 3 seasonal jobs combined, for example, are just as legitimate in debt servicing as bringing home a paycheck every 2 weeks from one job</p>	<p>Tribal Entity Intertribal Org.</p>	<p>Medium Term</p>



BARRIER #2: LACK OF CONFIDENCE OR TRUST ON THE TRIBAL SIDE AND THE LENDER SIDE

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Tribes interact with local political jurisdictions surrounding the Reservation and lenders interact with the Indian leaders and communities.</p>	<ol style="list-style-type: none"> 1. Expansion of outreach efforts in community involvement: <ul style="list-style-type: none"> • Tourism boards • Economic development boards • Trustees board for local college • Chamber of Commerce 2. Get involved 3. Welcome business leaders into your community 	<p>Tribal Entity Financial Inst.</p>	<p>Short to Long Term</p>
<p>B. Create a Speakers' Bureau to develop lines of communication with surrounding communities, outside financial institutions and vice-versa</p>	<ol style="list-style-type: none"> 1. Tribes to develop Tribal profiles with emphasis on culture, traditions, economic development opportunities and historical perspective 2. Tribes to use telecommunications, videos and web sites to publicize the Tribe and its history and perspective 3. Lenders to outreach and develop lines of communication 	<p>Tribal Entity Tribal Entity</p>	<p>Short Term Short to Medium Term</p>
<p>C. Create joint partnerships with Reservation neighbors (non-Tribal organizations). Tribes need the local communities just as much as they need the Tribes; a win-win situation</p>	<p>Tribe to identify entrepreneurial partners that would be a pool from which to draw for joint ventures</p>	<p>Tribal Entity</p>	<p>Short to Long Term</p>



BARRIERS #3: PERCEIVED INSTABILITY OF TRIBAL GOVERNMENT

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Educate the general public on Tribal sovereignty and Tribal institutional processes (including Tribal court jurisdiction)</p>	<p>1. Tribes to develop Tribal profiles with emphasis on culture, traditions, economic development opportunities and historical perspective</p>	<p>Tribal Entity</p>	<p>Short to Long Term</p>
	<p>2. Tribes to use telecommunications, videos and websites to publicize the Tribe and its history and perspective</p>	<p>Tribal Entity</p>	<p>Short to Medium Term</p>
	<p>3. Development of national education policy and curriculum on Tribal sovereignty</p>	<p>U.S. Congress U.S. President Tribal Entity Federal Agency Intertribal Org.</p>	<p>Medium to Long Term</p>
	<p>4. Increase Tribal involvement with State and local school districts for curriculum development on Indian history and sovereignty</p>	<p>Tribal Entity State Entity Other (local school district) Intertribal Org.</p>	<p>Short to Medium Term</p>
<p>B. Develop model business codes so lenders can have faith in due process even if Tribal Administration changes</p>	<p>1. Develop technical centers for R&D on model codes:</p> <ul style="list-style-type: none"> • Business codes • Commercial codes • Building codes 	<p>Intertribal Org. Tribal Entity</p>	<p>Medium Term</p>
	<p>2. Survey other Tribes for “best practices”, then disseminate and duplicate</p>	<p>Tribal Entity Federal Agency (Treasury)</p>	<p>Short Term</p>
	<p>3. Streamline regulatory review processes for Tribal codes and economic development especially when approved models and practices are being followed</p>	<p>Federal Agency</p>	<p>Medium Term</p>



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
C. Public relations campaign to stop Indian stereotyping and generalization	1. Tribes to develop Tribal profiles with emphasis on culture, traditions, economic development opportunities and historical perspective	Tribal Entity	Short Term
	2. Tribes to use telecommunications, videos and websites to publicize the Tribe and its history and perspective	Tribal Entity	Short to Medium Term
	3. Expansion of outreach efforts in community involvement: <ul style="list-style-type: none"> • Tourism boards • Economic development boards • Trustees board for local college • Chamber of Commerce 	Tribal Entity Financial Inst.	Short to Long Term
	4. Development of national education policy on Tribal sovereignty (curriculum)	U.S. Congress U.S. President Tribal Entity Federal Agency Intertribal Org	Medium to Long Term
	5. Increase Tribal involvement with State and local school districts for curriculum development on Indian history and sovereignty	Tribal Entity State Entity Other (local school district) Intertribal Org.	Short to Medium Term
	6. Tribal people have to realize that we may fight among ourselves, but in public, we show a united front, and we talk in terms of process rather than “uprising”	Tribal Entity Intertribal Org.	



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
D. Political lobbying	<ol style="list-style-type: none"> 1. Continue and expand lobbying efforts at the Federal, State and local levels 2. Expand lobbying efforts by partnering with other non-Indian trade associations that are lobbying and integrate Indian components into those efforts 	<p>Tribal Entity Intertribal Org.</p> <p>Tribal Entity Other (trade associations)</p>	<p>Short to Long Term</p> <p>Short Term</p>
E. Identify Tribal investment in public good (being “good neighbors”) especially investments that affect the non-Indian community outside the Reservations	<ol style="list-style-type: none"> 1. Develop a national public relations campaign emphasizing Tribal investment in “public good” for the non-Indian community, i.e., police services and fire services 2. Tribes to cultivate relationships with local papers and local TV stations to “toot their own horn” 	<p>Tribal Entity Intertribal Org. Federal Agency</p>	<p>Short to Medium Term</p>



BARRIER #4: TRIBES LIMIT THEMSELVES TO TRADITIONAL BANKING INSTITUTIONS AND/OR RELATIONSHIPS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Think outside the traditional banking box	1. Tribes to identify benefits and past successes of lending in Indian Country by categories such as homes, commercial and small businesses	Tribal Entity Intertribal Org.	Short Term
B. Identify different forms of venture capital and alternative financing sources for Tribes	2. U.S. Treasury and Tribes to call for hearings on lending in Indian Country (focusing on private sector lending)	Tribal Entity Federal Agency	Short Term
	3. Explore successful alternative practices of collateralization by other Tribes	Tribal Intertribal Federal Agency	Short Term
	4. Publicize policy in order to standardize form of collateralization across the country and across Tribes	Federal Agency Fed. Reg. Agency	Medium Term
C. Utilize private and public resources to do loans (i.e., floating bonds, IPOs, co-signature loans)	1. Government to sponsor more lending, work grant programs and technical assistance	Federal Agency	Short to Medium Term
	2. Government to publish a guide or directory on different sources of funding such as bonds and IPOs (Initial Public Offerings)	Federal Agency	Short to Medium Term
	3. Tribes to develop internal loan funding expertise and encourage Tribal members to pursue education in finance or the business field	Tribal Entity	Short to Medium Term



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
	<p>4. Tribes to invest in joint ventures with businesses to get them on the Reservation and do business with them</p> <p>5. BIA to improve their capability to assist Tribes in putting together a business plan and proposals that are competitive</p>		
D. Develop a continuum of financial products or resources available to Tribes	<p>1. Survey all Tribes to document total range of needs and financial products currently available from:</p> <ul style="list-style-type: none"> • Micro-loan programs • Small business loans • Mortgage loans • Large scale project finance systems 	Tribal Entity Intertribal Org.	Short Term
	<p>2. Develop network where all Tribes have access to the complete financial product range (via banks, credit unions, Tribal sources and technical assistance)</p>	Federal Agency	Medium Term
	<p>3. Institutionalize and monitor the network (Actions 1 and 2 above) for changes over time</p>	Federal Agency	Long Term
	<p>4. Tribes should start within their limitations (small loans) and understand their limitations, creating a success story and let it snowball as they have the capability to take on more substantial products</p>		



BARRIER #5: LACK OF ADMINISTRATIVE INFRASTRUCTURE TO PREPARE COMPETITIVE LOAN PROPOSALS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Review “best practices” in Indian Country to serve as models</p>	<p>1. Survey and document “best practices” and success stories in Indian Country to serve as models and share that information with other Tribes</p>	<p>Federal Agency Tribal Entity</p>	<p>Short Term</p>
	<p>2. Create technical resource centers to develop model programs</p>	<p>Federal Agency Intertribal Org. Tribal Entity</p>	<p>Medium Term</p>
	<p>3. Federal agencies to create a grant program to assist Tribes in capacity building</p>	<p>Federal Agency</p>	<p>Medium Term</p>
<p>B. Form joint ventures to increase capacity</p>	<p>1. Create grant programs to foster joint ventures between public and private sectors for economic development activities</p>	<p>Federal Agency State Entity Tribal Entity</p>	<p>Medium Term</p>
	<p>2. Develop policy to foster better efforts between State and Tribal economic development entities</p>	<p>Federal Agency</p>	<p>Medium to Long Term</p>
<p>C. Do a better job of developing credible standards and systems for growth plan</p>	<p>Expand and continue best programs for capacity building, specifically short and long term master planning, to become more marketable to the more traditional lending institutions</p>	<p>Federal Agency Tribal Entity Intertribal Org.</p>	<p>Medium Term</p>



STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
D. Implement a strategy of self-help by exploring alternative banking possibilities, including the creation of a Tribal sponsored credit union	Look internally for resources within the Reservation that could be used and put those resources to work; then use that to leverage for resources outside of the Reservation		



TEAM 3
STRATEGIES
AND ACTIONS

BARRIER #1: LENDERS AND STATE/FEDERAL AGENCIES DON'T UNDERSTAND TRIBAL ENVIRONMENTS

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Devise a process to inform and educate	1. Develop a Tribal outreach initiative that includes on-site Reservation visits by State/Federal agencies and lenders	Tribal Entity Intertribal Org.	Short Term to Ongoing
B. Improve the desirability of the Reservation as a market that entices businesses	2. Create a public relations office that uses media to announce and communicate Tribal activities (central contact office)	Tribal Entity Intertribal Org.	Medium Term to Ongoing
C. Enhance modes of communication	3. Target opportunities to participate in off-Reservation events (committees, boards, Chamber of Commerce, investment opportunities)	Tribal Entity Intertribal Org.	Short Term to Ongoing
	4. Specifically targeting lenders and investors	Tribal Entity Intertribal Org. Financial Inst. Fed. Reg. Agency U.S. President	Short Term to Ongoing
D. Create Tribal financial institutions	Create Tribally owned or partnerships to form banks, credit unions, savings and loans, CDFIs, and revolving loan funds	Tribal Entity Financial Inst. Fed. Reg. Agency Federal Agency	Medium Term



BARRIER #2: TRANSFORMING THE TRIBAL SOCIAL/ECONOMIC STRUCTURE INTO A MARKET ECONOMY

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Empower the community financially and educationally	1. Develop financial education program for Tribal members on banking, financing and investment.	Tribal Entity Financial Inst. Intertribal Org.	Short Term
B. Design economic development programs without sacrificing cultural integrity or identity, and by using culture itself.	2. Develop and implement a work study program for Tribal youth internships.	Tribal Entity	Short Term to Ongoing
	3. Encourage banks and financial institutions to hire and train Tribal members	Financial Inst. Fed. Reg. Agency	Short Term to Ongoing

BARRIER #3: LACK OF CONSUMER FINANCIAL EDUCATION

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
A. Increase entrepreneurial opportunities	1. Develop a strong Reservation educational program to encourage continuing education 2. Establish funding sources through scholarships, loans, and grants 3. Support creation of small business sector through micro-loans, TBICs, etc.	Tribal Entity Federal Agency	Short Term
B. Invest and increase the capacity of Tribal members		Tribal Entity Federal Agency Financial Inst.	Short Term
C. Educate the Tribal members; get them ready to go see the banker		Tribal Entity Federal Agency Financial Inst.	Medium Term



BARRIER #4: LACK OF COLLATERAL AND EQUITY

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Create or identify alternative financial resources for establishing collateral</p>	<p>1. Develop Tribal programs allowing for per capita payments to be pledged for collateral on individual loans for those Tribes who do have per capita distribution</p>	<p>Tribal Entity Other (Tribal Courts)</p>	<p>Short Term</p>
	<p>2. Establish a revolving loan program for Tribal members</p>	<p>Tribal Entity Financial Inst.</p>	<p>Short Term</p>
	<p>3. Be creative, establish long term leaseholds instead of short term</p>	<p>Tribal Entity Federal Agency</p>	<p>Short Term</p>
<p>B. Provide information on business development and financing opportunities</p>	<p>1. Develop a financial profile of available Federal, State, and local resources for community business and economic development</p>	<p>Tribal Entity Financial Inst. Federal Agency Intertribal Org.</p>	<p>Short Term</p>
	<p>2. Identify best practices in business development, financing, etc., and successful examples of Tribal business development</p>	<p>Tribal Entity Financial Inst. Federal Agency Intertribal Org. Fed. Reg. Agency</p>	<p>Short to Medium Term</p>
<p>C. Build a relationship with the financial community</p>	<p>Involve banks in assisting in identifying eligible alternative collateral opportunities both on and off the Reservation</p>	<p>Tribal Entity Fed. Reg. Agency Financial Inst.</p>	<p>Short Term</p>



BARRIER #5: LACK OF TRIBAL LEGAL STRUCTURE

STRATEGY	ACTION	RESPONSIBILITY	TIME FRAME
<p>A. Create a lending and investment reservation environment that protects the interests of both lenders and borrowers</p>	<p>1. Develop Tribal codes such as Tribal UCCs or variations</p>	<p>Tribal Entity</p>	<p>Short Term</p>
	<p>2. Develop Reservation land use plans, ordinances, etc.</p>	<p>Tribal Entity</p>	<p>Medium Term</p>
	<p>3. Separate Tribal politics from business</p>	<p>Tribal Entity</p>	<p>Medium Term</p>
<p>B. Create a legal infrastructure for community and economic development</p>	<p>1. Create a judicial branch</p>	<p>Tribal Entity</p>	<p>Medium Term</p>
	<p>2. Separate legislative from judicial laws</p>	<p>Tribal Entity</p>	<p>Medium Term</p>
	<p>3. Incorporate into the Tribal constitution by-laws establishing a judicial branch</p>	<p>Tribal Entity Federal Agency</p>	<p>Medium Term</p>
<p>C. Educate off-Reservation lenders, investors and Federal agencies about Tribal governments</p>	<p>Develop a Tribal outreach initiative that includes on-site Reservation visits by State/Federal agencies and lenders</p>	<p>Tribal Entity Intertribal Org.</p>	<p>Short Term to Ongoing</p>



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