

**National Native American Economic Policy Summit**  
Phoenix Arizona  
May 2007

The National Native American Economic Policy Summit (Summit) brought together 500 key stakeholders to share ideas on how to grow Native economies and businesses. Since the Summit was discussion-based with many topic areas meeting at the same time, we relied on NCAI staff to capture the ideas and recommendations. This report captures the core discussion topics of the three tracks – Capital & Finance, Business Development and Infrastructure (Legal and Physical) – and their various breakout sessions over the 3-day Summit.

---

**CAPITAL & FINANCE – Track 1**

The capital and finance track involved the discussion of policy challenges and solutions to the financing and asset development of both tribal member-owned businesses and tribal enterprises. The track commenced with a panel discussion that provided an overview of barriers to accessing capital and examples of successful business development. The track then split into two groups: the first (1.1) focused on capital and finance to stimulate Indian Country's private growth, and the second (1.2) addressing investment tools for tribal enterprises. Both groups considered policy recommendations through interaction with invited speakers and participation in brainstorming sessions with other summit participants. The participants identified key problems and proposed a range of policy solutions. The recommendations that emerged from the track are as follows:

- Recommendation 1: Increase funding for the CDFI Fund's Native American Initiatives.
- Recommendation 2: Develop, implement, and fund a comprehensive financial literacy program for Native K-12 students.
- Recommendation 3: Provide tools to develop the financial and business management skills of tribal decision makers.
- Recommendation 4: Reform federal regulations and legislation to address economic barriers in key policy areas that impact banking, bond financing, tribal investment, and tax incentives.
- Recommendation 5: Create student loan repayment programs to encourage tribal members to access business training opportunities.
- Recommendation 6: Coordinate funding for the development of tribal-member owned business.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

- Recommendation 7: Include private tribal member-owned business in tribal strategic plans.

An explanation of each recommendation follows below.

### **Recommendation 1: Increase funding for the CDFI Fund's Native American Initiatives.**

The Community Development Financial Institutions (CDFI) Fund of the U.S. Department of the Treasury offers a critical investment in the development of tribal member-owned businesses. Speakers on track 1.1's panel enforced this message by underlining the role played by the Fund in developing the institutional infrastructure to incubate businesses and ensure their long-term success. This investment was also identified as a 'window of opportunity' due to the broad support for the Fund in the Congress and the likelihood of an increased general appropriation in the FY 2008 budget. Advocacy to increase the Native American Initiative funding (from its current level of \$4 million) could have a significant impact on economic development opportunities in Native communities.

### **Recommendation 2: Develop, implement, and fund a comprehensive financial literacy program for Native K-12 students.**

The immediate and long-term effects of poor financial management skills were often referred to by participants in the Capital and Finance Track (and were identified in other tracks and the general session). As the future leaders of their communities and those in a unique position to impact their family, Native youth were often mentioned as those who would significantly benefit from comprehensive strategies to develop their financial skills. Such a broad goal can be achieved by implementing incremental changes but will likely require further exploration to determine the range of appropriate policy changes. Immediately available options include:

- Expanding funding for programs like the Excellence in Economic Education (EEE) Act (20 USC 7267) to provide sufficient support for teacher preparation and financial education program implementation.
- Including financial management concepts in the Standards of Learning tests mandated by the No Child Left Behind Act.
- Encouraging state governments to require a personal finance class as a condition of high school graduation.

### **Recommendation 3: Provide tools to develop the financial and business management skills of tribal decision makers.**

In addition to financial education for Native youth, track participants identified a need to provide tribal leaders (and other decision makers) with the necessary skills to make informed business decisions on behalf of their communities. Addressing this issue will involve both the cataloging of current resources to fund skill development for tribal decision makers (by organizations like the U.S. Commerce Department's Tribal Regulatory Reform Authority, NCAI and others) and the development of new programs to ensure Native leaders have access to this information.

**Recommendation 4: Reform federal regulations and legislation to address economic barriers in key policy areas that impact banking, bond financing, tribal investment, and tax incentives.**

The context that tribal enterprises and private member-owned businesses are asked to operate in consists of several unnecessary impediments. The following changes in federal law would remove significant barriers to economic development:

The Internal Revenue Code - The Code must modernize in order to eliminate hindrances to tribes attracting economic development opportunities to the reservation. Numerous opportunities were identified including: the Code's tax exempt bond provisions in section 7871 that create an 'essential governmental functions' requirement; the increase of New Market tax incentives in Indian Country; the ten year extension of accelerated depreciation and Indian Country employee tax credits; eliminate federal franchise taxes on entities operated on reservations; and, the reform of section 906 in the Pension Protection Act that requires tribes to segregate government employee pension plans. Additionally, the IRS should rule that tribally owned enterprises are not taxable by state or local entities; and, the Department of Interior should reform its policies for Section 17 Corporation processing to quicken the approval process.

Federal Contracting Regulations and Loan Limitations Agencies - There is a need to reform regulations under the Assignment of Claims Act that otherwise limit a tribe's ability to borrow against revenue from federal government contracts to finance other tribal projects. Similarly, the Rural Utility Loan Services (RULS) policies should be reformed to allow for the effective development of electrical utility infrastructure on reservations. RULS policies should permit the assignment of loans when the tribe or a tribally sanctioned entity is building or acquiring facilities.

The National Bank Act - The Act's McFadden provision only allows state governments to agree to interstate branching for nationally chartered banks. This provision should be amended so tribal governments can opt in (or out) to the branching of nationally chartered banks within their jurisdiction.

The Energy Policy Act - Congress should amend the Act's Title V provisions to include language that finances the lease of lands for tribal energy development. An amendment to the Act, or another appropriate vehicle, should also ensure that the Production Tax Credits and Renewable Energy Production Incentives: include biomass energy production, are extended for at least ten years, and include a bonding mechanism for financing tribal projects that is flexible and easy for tribes to administer. Finally, regulations should encourage existing programs with grant and loan provisions and voluntary Tribal Energy Resource Agreements by funding them and making similar federal and state programs available to tribes

Securities Exchange Regulations - Regulations should change to encourage tribal investment under Rule (a) of SEC Regulation D provisions for accredited investors. The 15 U.S.C. 770(a)2 provision to exempt investors should also be amended.

**Recommendation 5: Create student loan repayment programs to encourage tribal members to access business training opportunities.**

To provide incentives for tribal members to develop business management skills and to attract qualified employees to individual member-owned businesses and tribal enterprises, participants in this track suggested the development of a program comparable to the Indian Health Service's Loan Repayment Program. The program would particularly attract those with Masters in Business Administration (MBA) degrees but could also encourage tribal members to attain qualifications at the Bachelors and Associates level.

**Recommendation 6: Coordinate funding for the development of tribal-member owned business.**

Participants in the private sector track identified a significant challenge posed by the lack of coordination among federal funding sources. Distinct funding sources available from various federal agencies can serve as an unnecessary impediment to the development of the private sector economy. This challenge could be overcome by the initiation of an interagency dialog that results in a more understandable process for accessing funding to develop private Native-owned businesses.

**Recommendation 7: Include private tribal member-owned business in tribal strategic plans.**

Many tribal members who own businesses serving their communities described feelings of disconnectedness (at best) or animosity (at worst) from tribal government and the tribal-owned enterprises that function as part of the same economic system. It was recommended that tribal strategic plans incorporate and consider the role of member-owned businesses in the future economic health of the community.

---

**BUSINESS DEVELOPMENT – Track 2**

The business development track was separated into three focus areas: Getting Started, Growing Bigger and Global Markets.

**The Main Business Development** was divided into three separate groups: Getting Started; Growing Bigger and Global Markets. Most concerns for the Getting Started track were centered on access to capital, training and business development. The growing bigger track dealt with holding on to competitive advantages, using existing programs and support from the tribes to foster business growth. The Global group dealt with creating international partners, being included in trade zones.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

It appears that all tracks touched on skill development, training and using the existing programs more effectively or rather enforcing the use of existing programs. The concerns and discussion for the Getting Started group were as follows:

- Long term workforce development. Maintain existing programs and funding (166) and identify additional dollars. Reauthorize 166 with an economic development program. Better and consistent information from agencies to better plan for development. (477 programs from agencies. Department of Labor 166 – important agency).
- Create new businesses on the reservation: The obstacles include excessive delays in performing Environmental Impact Assessments and extended review process by the BIA. HUD has worked to streamline their process, but the Bureau has not. The BIA should be brought up to date and get someone trained and certified to do environmental assessments or give tribes the opportunity to do them possibly through a certification process for tribes.
- Lack of strategic planning at tribal level. Funding is extremely limited for planning. Land use plans should look at the boundaries of the reservations and develop policies for national lands so tribes can plan and coordinate better. Grants like those from USDA should identify moneys to help inventory what tribes already have especially for data collection and research needed for strategic planning. Some reservations are not surveyed.
- Establish a strategic plan infused with tribe's values and develop land use plans that are compatible with each reservation. Also, planning issues food handling ordinances and other things. The current default is to take state law, and just apply it at the tribe. Need to categorize within the tribe and plan what their needs and values are, and assess the resources they have.
- Need for education of leadership. Some tribes have leadership changes every year or every two years. There should be an effort to build capacity in the communities at the local level. There should be use of experts in your community that can help inform leadership. "Infrastructure Advocacy Program" should be created internal to tribes and the universities could be brought in to provide technical assistance.
- Tribes need a better educated workforce. Tribes should become much more involved in educational system from start to college finish and partner with Universities since tribes provide large number of students and can be an asset for area growth and tourism.
- Coordination and Cooperation. Suggested that all the tribal businesses work together to move legislation and policies not just the tribes. Tribes should get

## Draft Notes on Recommendations from the Capital and Finance Track

---

- together and decide to create service companies like banks that are responsive to the tribe's needs.
- Build alliances beyond tribal borders. There is a need to reach out to other businesses and governments for assistance.
  - Buy Indian Act should be enforced. National Indian Housing Council and other agencies are handcuffed when they want to buy Native because they aren't always the purchasing from the lowest bidder. They should relax federal procurement regulations so that Buy Native American is an option. Also, to support other businesses,
  - Support Native Entrepreneurs. Preferred vendors list should be established with the tribes so individuals can bid on contracts and receive preferential buying as an Indian supplier or distributor. Also should give preference to local bidders. Indian entrepreneurs should have a place to go to create business to business agreements.

### **Growing Bigger: Diversification and Emerging Opportunities in Government Contracting, Energy Development, Agriculture, Manufacturing, and Information and Communications Technologies**

The main issues discussed over the duration of the Summit related to growing bigger were summarized, in a list. Participants were asked to vote on the best "windows of opportunity." The following are the results of the voting.

|   |    |
|---|----|
| 1. Lack of Support Services                 | 3  |
| 2. Renewable Energy                         | 11 |
| 3. Energy Capacity                          | 12 |
| 4. Inequitable Distribution of USDA Funds   | 3  |
| 5. Shared Best Practices                    | 3  |
| 6. Need for improved pre-development work   | 2  |
| 7. Skilled Work Force                       | 6  |
| 8. Extension of Tax Credits                 | 11 |
| 9. Manage Growth                            | 1  |
| 10. Streamline Disadvantaged Classification | 2  |

## Draft Notes on Recommendations from the Capital and Finance Track

---

|  |    |
|--|----|
| 11. Diversify and Integrate              | 3  |
| 12. Enforce 5% Indian Contracting        | 8  |
| 13. HUD Affordable Housing               | 1  |
| 14. Viable Application for tribal Growth | 0  |
| 15. Tribal Contracting Under Attack      | 19 |

By far the issue of most concern was the government contracting with 19 votes followed by energy issues and enforcing existing incentives. Leading up to the voting the following issues were discussed.

- Lack of Support Services - There was discussion about the lack of support services such as bonding, benefits, banking and other necessary services for business growth. The solution discussed was to organize their own support services company to service the population
- Coordinate Programs - Federal and other programs should be better coordinated. There are different agencies with different policies for the same issues so coordinating is difficult. For example, in Alaska Natives are large landholders. They are the 14<sup>th</sup> largest of the states with Native land ownership. The USDA has multiple organizations dealing with all the various land issues and hardly any funds go to Natives. Most goes to networked farmers. There should be equitable distribution of program funds.
- Education and Training - There should be an education program at the federal level, possibly a non-profit organization to certify tribes in various training areas - similar to bond ratings according to legal and business. Also there should be multiple organizations coming together to form an organization to give best practices.
- Extended Tax Breaks and Incentives - Tax breaks and credits have too short a time frame. They are currently renewable every two years when they should extend the tax period to ten plus years
- Simplify and Streamline Certification - Disadvantaged business certification is often too cumbersome. They should reduce requirements for certification. Also, there is a lot of duplication, especially for construction firms in multiple states who have to use DOT requirements and register by state.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

- Pre-Development Work - There is a need for pre-development work for business development. Training for business owners is essential for success because there is a lot to know in so many different areas.

### **Going Global: Accessing International Markets, Tourism and In-sourcing**

- Protections - Tribal property and designs are not protected. There should be international education for hallmarks on tribal art and crafts. Many international consumers do not know difference between indigenous peoples and their respective art and crafts. American Indian and Alaska Native arts should be promoted and protected. Solutions included: Implementing the Indian Arts and Crafts Act; Creating a hallmark policy for tribal artists working with the US government, international trade agencies and tribal councils. Also tribes can adopt a tribal registry
- Rural Tourism Funding - There is a lack of funding for tribal tourism, especially in rural areas. There should be an increase in funding to rural outreach with the federal highway administration. They could create a line item for tribal tourism.
- Tax Policy - Tax on businesses that access state-to-state commerce creates dual taxation on businesses that access multiple state markets. There should be a federal or agreeable state adopted policy related to tribal trade and taxation.
- International Support - There should be support programs like the World Bank and US Aid since tribes have limited resources to navigate international trade. It would help to have recognition of tribal governments as developing nations so they can access these resources. There is also a lack of a venue or forum for trade. There is consideration of creating a world trade center or indigenous international trade commission to allow for multi-level trade opportunities – education for low-level trade, more opportunities to trade for high-level trade tribes.
- Planning - The discussion also focused on what was next. The most pressing need was to prioritize the issues and actually go out and get them enacted. They should be made formal and should make formal appeals to federal and state leaders. There was also a call to make sure culture is not lost to economic development. An issue that was found throughout the conference was to get better documentation of Indian business development so we can tell where we have come from and where we are going.

Windows of opportunities were created as a result of discussing the policy issue that came up in the meeting and narrowed into a single list of readily achievable policies. These issues, if resolved, were thought to have a clear impact on business development.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

- Leverage energy assets to tribes' advantage (energy, telecommunications, land resources, etc)
- Protect existing competitive advantages (gaming, government contracting)
- Strengthen tribal opportunities in government contracting through the SBA 8(a) program and the Buy Indian Act
- Share tribal and individual business best practices
- Amend WIA to provide for more flexible use of funding for economic development purposes
- Sustain federal economic development incentives
- Provide tribes with authority to conduct their own environmental assessments
- Develop and deliver curriculum for leadership/governance training
- Provide access for tribal businesses to global markets through:
  - Skill development to tribal leaders and business people
  - The creation of international trade zones
- Deepening relationships with Indigenous groups, nations, and multi-national entities

### **LEGAL INFRASTRUCTURE – Track 3.1**

The following is a brief list of some possibilities for addressing problems with tribal criminal jurisdiction through federal legislation:

#### General Principles for Reforms

- ❖ Tribes are very diverse in their populations, land base, law enforcement capacities, treaties, etc. Tribe should have the right to choose how they want to participate in the efforts to improve law enforcement.
- ❖ It is imperative that Congress provide sufficient resources to accompany any reform efforts that increase tribal responsibilities.

#### Supporting Tribal Governmental Authority

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

- Reaffirm tribal inherent criminal jurisdiction within Indian country over persons who are married to or co-habitate with an Indian in Indian country, or persons who violate a protective order. (By marrying or co-habiting in the tribal community, an individual is impliedly consenting to tribal laws.)
- Extend Tribal sentencing limitations under the Indian Civil Rights Act (ICRA) to provide for more appropriate sentences for violent offenders.
- Amend the ICRA to remove the overly burdensome jury trial requirement. (The ICRA requires Indian tribes to provide juries to anyone accused of an offense punishable by imprisonment. The federal Constitution only recognizes such a right for persons subject to a term of imprisonment for "serious offenses," which primarily refers to non-petty offenses, or those offenses which carry a prison term of greater than six months.)
- Give tribes subject to P.L. 280 or similar statutes the right to opt out of its coverage.
- Give tribal law enforcement officers specific federal authority to investigate and detain non-Indians for a limited time prior to turning them over to federal or state authorities in order to address immediate threats to public safety.
- Amend the Adam Walsh Act to remove the unnecessary infringement on tribal authority included in Section 127.

### Expansion of Federal Authority

- Expand federal authority to cover a broader range of “non-major” crimes (such as those related to terrorism), as well as misdemeanors and “victimless” crimes committed by non-Indians. At the same time, legislation would have to be careful not to overly federalize the crimes that have normally been committed to tribal government enforcement, perhaps through establishment of federal-tribal agreements that would protect tribal law enforcement. 638 contracting could play a role, as well as an option for express consent to tribal court jurisdiction.

### Improving the Federal Response to Crime on Tribal Lands –

- Increase Congressional oversight of the federal response to crimes under the Major Crimes Act. As a first step, Congress should require both the FBI and the Executive Office of U.S. Attorneys to establish mechanisms

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

for routinely collecting data on how Indian country crimes are handled. In particular, information should be collected and made available regarding referrals and declinations by the US Attorneys Offices.

- Amend federal law to mirror state law and allow for indictments without a grand jury in criminal cases brought under the Major Crimes Act in Indian Country.
- Codify the consultation requirement set forth in Executive Order 13175 and expressly require the Attorney General to consult with tribes on law enforcement issues.
- Require all federal officers (city, county, state, FBI, US Marshalls, DEA Officers, Border Patrol, etc.) working in Indian country to receive specialized training about Indian Country

### Promoting Intergovernmental agreements

- Incentivize intergovernmental cooperation. In many cases, intergovernmental agreements—tailored to meet particular needs—have been highly successful. Legislation should provide incentives to encourage such negotiated agreements among tribal, state, local, and federal entities as appropriate.
- Legislation should similarly create incentives for cross-deputization of law enforcement officers and prosecutors.
- Consider establishing a pilot project for FBI and U.S. Attorneys to Develop “Indian Country Community Law Enforcement Response Plans” with tribal and state/local law enforcement agencies.

### Data Collection and Information Sharing

- Congress should ensure that Indian tribes are authorized to access all relevant criminal information databases.

### Resources

- Allow BIA police departments to apply for federal grants with tribal approval.
- Consolidate and streamline federal funding sources to tribes.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

- Consider creating a tribal set-aside in the federal courts budget for tribal courts.
  - COPS
  - Eliminate pass through funding from states in federal programs
  - Amend grant programs to require federal agencies to provide maximum flexibility to tribal governments in program administration
  - A Tribal Government Enhancement Fund should be established for the development of tribal law enforcement and courts.
  - DUI manslaughter statute
  - A Short Term Clampdown to Provide Deterrent to Crimes in Indian Country
- 

### **PHYSICAL INFRASTRUCTURE**

The physical infrastructure track convened over two days to discussed and provide physical infrastructure policies issues that affects economic development in Indian Country. Physical infrastructure is a vital component because it includes: housing; building; roads; water and sewer; and community planning.

The white paper presented the importance of community planning to the growth of economic development. Since the lack of economy fuels the migration of tribal community and their members to leave the community to get an education or jobs. Comprehensive community planning plays an important role because it goes with infrastructure and builds the need of cooperative environment to develop tribal economy.

### **Telecommunications**

Lack of wireless spectrum services in Indian Country - It is important for tribes to be able to access spectrum. Wireless spectrum and tribal economies are intertwined with the growth of tribal communities and are essential utility services. Recommendations were to:

- Congress needs to amend the Telecommunication Act to have tribal involvement in the access of spectrum and it would recognize tribal government are responsibility to economies and can regulate their economy.

- To have the Federal Communication Commission to direct to open new rulemakings with Indian tribes.

### **Infrastructure Planning**

A tribe has to develop physical infrastructure in order to bring economic development to their tribal lands. It is important because the physical foundation helps build infrastructure for tribal members and support growth. Especially roads and transportation, land acquisitions, water systems, telecommunication, and community planning. They are essential components to develop a tribe.

In addition, being able to manage infrastructure helps create the local economy. Tribes can develop their own water system and charge for the services and sell to outside. It brings growth and the ability to provide services and housing for tribal members. These economic opportunities provide them the ability to purchase and operate a health care clinic by partnering with local city and county to general capital by providing health care services.

After the conclusion of the panels' presentation, the breakout participants provided their recommendations they felt needed to be addressed. Here are some of the recommendations:

Tribal Utility Regulation – The long term solution is for tribes to be able to regulate their own utilities services such as telecommunication. An example is a new program of connecting hogans on the wireless grid in New Mexico and in Arizona. State legislators are considering legislations to provide critical funds to put in the fiber lines and infrastructure on the Navajo Nation and allowing the tribe will regulate it.

There is a problem not enough tribes regulate their rights-of-way for utilities and developing zoning laws. More tribes need to develop their own services such as garbage and utility services. The need of a tribal policy for tribes to identify appropriate personnel to receive communication and information this would avoid missed opportunities such funding, training, and etc.

Best Practices - Tribes need to develop a clearing house system to look at tribes who have already completed certain economic developments initiatives that other tribes could look at for guidance who want to develop similar initiatives.

Environmental Institute - Tribes need to develop sustainability and to become energy conscious regarding economic initiatives. Tribes need to look to Universities to provide resources for capacity building.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

Partnering - There needs to be more partnerships between State and Tribal governments because there state economic initiatives that tribes could benefit from.

Planning - Tribes need to educate their people and to develop and use capital improvement plan. The plan will provide important information to start planning communities.

In the second session, the physical infrastructure continued discussion and presentation by panelists regarding roads and transportation; energy development; and telecommunication.

Challenges to Road Development - Roads, transportation and transit are important to the economic development of tribes. The reauthorization of the transportation law called SAFETEA-LU appropriated \$2 billion to tribes for reservations roads. However, even with this amount of money, tribes still face many challenges. In order to overcome these challenges, tribes have to create working partnerships with state, counties, Tribal Technical Assistance Program and NCAI transportation task force.

To make a model Tribal funding agreement to streamline funding sources with including Federal Lands Highways (FLH), Federal Transit Administration grants, National Highway Traffic Safety Administration (NHTSA) grants, and other sources. To open up the transportation funding systems and having direct funding to the tribes for transportation.

Tribal road maintenance are not being kept up with the current problems and there is a \$120 billion short fall for the funding of transportation maintenance; proper maintenance will be good investment for the up keep of the transportation.

Safety of our reservation roads is critical and right now there is no accurate data to show the amount of injuries from the result of accidents and injuries on reservation roads.

Tribes need to be able to have flexible financing: there needs to flexibility such as bond financing. Support for the infrastructure banks: The Federal government should support the establishment of a Tribal Infrastructure Bank (TIB) - under which Tribes would be eligible to obtain infrastructure funds in the form of capital investments for use on authorized infrastructure projects.

Tribes seek reinstatement of the exemption of the IRR Program from the obligation limitation on authorized funds. Rights-of-Ways Reform: The Federal government should work closely with Tribes to implement a program of "corridor management," through which the specific, preferred corridors for transportation

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

and other Tribal infrastructure easements can be planned, and in some instances obtained well in advanced

Energy Challenges - Energy development for economic development - the use of energy and abundance of tribal resources of natural resources on tribal lands allows tribes to become self-determined. There is 10% of oil and gas within the US that are on tribal land and tribal lands still possess the private lands that have yet to be explored and developed. Actual production of energy resources on tribal land is four percent and is not as productive of our resources. Tribes who have coal mines in the West own about a third of the U.S.'s coal resources and only three tribes have active coal mining. However, no coal mines have been developed and some have been rejected by tribes. Mr. Lester provided recommendation for energy polices:

There needs to be more financing of energy development on tribal and Department of Energy needs to reactivate low interest loans so tribes can access low cost financing for energy development.

The need to increase funding levels of the BIA Indian Loan Guarantee but for energy finance and tax exempt bond financing

A vision stated for Indian Energy included a continuation of the coalition of regional intertribal organization. And, Every Indian tribes through their sovereignty should have access to reliable and affordable energy. In order to support our modern tribal economies we need quality reliable energy resources, with out we cannot have modern tribal economies.

Development of Telecommunication Infrastructure – When building telecommunication services on the reservation, access is a big problem and costly for tribes. As a result it hampers the development of tribes. Some tribes are creating their own telecommunication companies to provide telecommunications and cable services to tribal members. As a result of developing their telecommunication services, tribes can generate profits and the funding to enable additional development.

At the conclusion of the panelist presentations, the participants in the breakout session provided several policy recommendations.

Water rights problems – Many Indian tribes have reserve water rights and tribes should be diligent with pursuing their water rights. Tribes can:

The BIA put a moratorium on water codes that prevent tribes to develop water codes. The BIA should lift the moratorium. BIA Office of Water needs to be fully funded. Need more technical assistance for water issues.

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

Training - There needs to be a National training institute: an institute to train tribes in protecting their water rights and developing their water resources. Tribes need to develop water codes. A representative conveyed the problem of the San Carlos Apache tribe who are unable to do flood mapping because FEMA has told the tribes, they need to purchase flood insurance, which the tribe cannot afford to get. This policy needs to be change by lifting the requirement to get flood insurance so in order for the tribes to get the mapping done to build houses.

### Brainstorming:

After the World Café session, the physical infrastructure continued the dialogue by asking the participants, “What are the hurdles?” The participants identified several hurdles that Indian tribes face:

- Getting basic telephone and broadband services to individual houses on the reservation
- Taking advantage of the right funding opportunities
- Inter-tribal communication and sharing of information
- Internal communication and coordination within the tribe
- Tribes need to change their attitude because tribes have become territorial, competitiveness, and insularity
- Need Funding for planning of infrastructure development
- Tribes need to develop their own skills sets, lack of these skills is the reason we are dependent on the other entities and we need to focus on internal skills and resources.
- High employee turnover which costs us time and money.
- Dependence on federal grant funds
- Need for systematic approach and comprehensive planning
- Tribal leadership lack of technical knowledge such as broadband.
- Need to develop Native Communities to provide for ourselves
- Lack of funds for infrastructure improvements
- Start to get outside the box by participating with other non tribal professional organizations.
- Need for renewable energy
- Share public rights-of-way for telecommunications infrastructure in order to get increase penetration
- Neighboring Jurisdictions
- Need for Better Housing Options
- FEMA Trailers are not good housing
- Depending on HUD funding is not working; tribes need to look at history. Our ancestors did not have any HUD money but were able to building houses.
- Data sharing is needed
- Communication and coordination

## *Draft Notes on Recommendations from the Capital and Finance Track*

---

Once the participants identified the physical infrastructure hurdles for economic development, the facilitator asked the participants what policy recommendations should be addressed to overcome these obstacles. These are the following recommendations that the participants provided.

- Make planning education a tribal priority, just like law, medicine and other professions (federal agencies and colleges and universities).
- Allowing tribal leaders and members access to “FCC University” or other internal agency training opportunities
- Creating enlightened legislation to provide technical assistance and educational resources for programs
- Working to create a “Jobs on the Reservation” program based on the “Jobs in the Woods Program”
- Tribes tapping other funding resources like the Bill and Melinda Gates Foundation for IT and educational programs (math and science)
- Tapping into state regulatory bodies knowledge base and perspective on issues (energy, telecom, etc.) i.e. National Conference of State Legislators
- Intergovernmental listserv to distribute federal agency information (regulatory info, funding, etc.). Need to know who best to target at the tribe.
- Increase face to face forum opportunities for tribes to directly dialogue with federal agency leadership on particular infrastructure issues
- Utilizing large teleconference opportunities to share information and discuss current issues. Need to get tribes plugged in.
- Distance learning issues
- NAHSDA transition to more flexible funding for planning – developing a huge comprehensive project/plan.
- Support Representative Grijalva Bill HR 1954.