



Wiring the Rez: Expanding the Borders of Indian Country through E-Commerce

CLE Conference
2nd Annual Tribal Government E-Commerce Conference

February 11-12, 2016

Wild Horse Pass Hotel & Casino, Chandler, Arizona

ASU SANDRA DAY O'CONNOR
COLLEGE of LAW
ARIZONA STATE UNIVERSITY

7:30 – 8:00 a.m.

Check-In / Continental Breakfast

8:00 – 8:30 a.m.

Welcome, Blessing & Opening Remarks

- Governor Stephen Roe Lewis, *Gila River Indian Community*
- Douglas J. Sylvester, *Dean, Sandra Day O'Connor College of Law at ASU*
- Patty Ferguson-Bohnee, *Faculty Director, Indian Legal Program; Director, Indian Legal Clinic, Clinical Professor of Law, Sandra Day O'Connor College of Law at ASU*
- Traci L. Morris, Ph.D., *Director, American Indian Policy Institute at ASU*

8:30 – 10:00 a.m.

Infrastructure Challenges in Indian Country

This panel brings together tribal leadership and tribal innovators in a discussion that will set the stage for the entire conference. As we talk about challenges of “Wiring the Rez,” we will explore such issues as location, terrain, human infrastructure, and how some communities are addressing these issues.

- Traci L. Morris Ph.D., *Director, American Indian Policy Institute at ASU (Moderator)*
- Governor Stephen Roe Lewis, *Gila River Indian Community*
- John R. Shotton, *Chairman, Otoe-Missouria Tribe*
- Valerie Fast Horse, *Director of IT, Coeur d'Alene Tribe of Indians*
- Matthew R. Rantanen, *Director of Technology, Southern California Tribal Chairmen's Association*

10:00 – 10:15 a.m.

Break

10:15 – Noon

Overview of the Regulatory Environment

This panel will review the impact of federal regulation with regard to tribal and Native American community efforts to acquire Internet and telecommunications infrastructure, services, and enterprises for their communities. Understanding 1) what the FCC does, 2) how federal, state, and tribal regulatory institutions work together, 3) lessons learned by tribal entities, and 4) tribal needs reflects the complexity of information and communications technology regulation in Indian Country.

- Marisa E. Duarte, MLIS, Ph.D., *Assistant Professor, Justice and Sociotechnical Change, School of Social Transformation, Arizona State University (Moderator)*
- Geoffrey C. Blackwell, *Chief Strategic Officer and General Council, Amerind Risk*
- Lael Echo-Hawk, *Of Counsel, Garvey Schubert Barer*

Noon – 12:45 p.m.

Buffet Lunch (Pre-Function Area)

12:45 – 1:30 p.m.

Luncheon Keynote Speaker - Sponsored by Tribal Business Journal

- The Honorable Michael J. Copps, Ph.D., *Former Acting Chairman and Commissioner U.S. Federal Communications Commission*
“Making Communications a Civil Right”

1:30 – 1:40 p.m.

Quick Break

1:40 – 3:00 p.m.

Contemplating Models of Excellence

This panel will discuss best practices and examples of approaches in facing the infrastructure challenges in tribal communities—Models of Excellence. These are Tribal-centric approaches and they work the best in Indian Country, as we know our communities and their respective needs.

- **Robert J. Miller**, *Professor of Law, Sandra Day O'Connor College of Law at ASU (Moderator)*
- **John B. Lewis**, *Chairman, Gila River Indian Community Utility Authority*
- **Forest James**, *CEO, EnerTribe*
- **M. Teresa Hopkins**, *Executive Director, Navajo Nation Telecommunications Regulatory Commission*

3:00 – 3:15 p.m.

Break

3:15 – 4:30 p.m.

Due Diligence for Tribal Leaders: Finding the Right Partner for Infrastructure and E-Commerce

This panel will provide information on developing an internal due diligence structure within the tribal government and examples of tribes that have dealt with tribal utilities or third party vendors to implement the e-commerce decisions of the tribe. Panelists will address jurisdictional issues, the regulatory structure, and sources of funding to provide the infrastructure necessary to establish a robust e-commerce environment.

- **Judith M. Dworkin**, *Managing Partner, Sacks Tierney P.A. (Moderator)*
- **James E. Dunstan**, *Counselor at Law, Mobius Legal Group, PLLC*
- **Derrick Watchman**, *CEO, Navajo Nation Gaming Enterprise*
- **Todd Hooks**, *Economic Development Director, Agua Caliente Band of Cahuilla Indians*
- **Danae Wilson**, *Director, Nez Perce Tribe Department of Technology Services*

4:30 – 5:00 p.m.

Telecom & Broadband Funding Programs / Participant Q & A

- **Keith B. Adams**, *Assistant Administrator, Telecommunications Program, U.S. Department of Agriculture's (USDA) Rural Utility Service*
- **Traci L. Morris, Ph.D.**, *Director, American Indian Policy Institute at ASU*

5:00 – 6:30 p.m.

Reception / Sponsored by NAFSA / Ocotillo Ballroom

7:30 – 8:00 a.m.

Check-In & Continental Breakfast

8:00 – 8:05 a.m.

Opening Remarks

- **Patty Ferguson-Bohnee**, *Faculty Director, Indian Legal Program, Director, Clinical Professor of Law, Sandra Day O'Connor College of Law at ASU*

8:05 – 8:35 a.m.

National Indian Gaming Commission on New Technologies

- **E. Sequoyah Simermeyer**, *Associate Commissioner, National Indian Gaming Commission*

8:35 – 9:50 a.m.

Legal Update on E-Commerce

This panel will provide a broad overview of the legal landscape for tribal e-commerce including case studies of statutory interpretation, consumer protection, jurisdiction, lending, and current industry trends. As part of this update, this panel will discuss strategies for government affairs advocacy and public relations development.

- **Patty Ferguson-Bohnee**, *Faculty Director, Indian Legal Program, Director, Indian Legal Clinic, Clinical Professor of Law (Moderator)*
- **Jennifer H. Weddle**, *Co-Chair, American Indian Law Practice, Greenberg Traurig, LLP*
- **Karrie S. Wichtman**, *Partner, Rosette, LLP*

9:50 – 10:00 a.m.

Break

10:00 – 11:00 a.m.

Regulation, Jurisdiction and Compliance: Tribal Regulatory Authority over E-Commerce

This panel will explore the range of regulatory regimes across Indian Country in the US and Canada. In many industries, e-commerce allows operators to select their regulator through an evaluation of that regulator's regulatory structure, cost and capacity. In the US, most tribes stick to self-regulating their own businesses, whether gaming, lending or online retail ventures. Panelists will explain the process for determining the scope of your tribe's regulatory authority over e-commerce, creating a culture of compliance and exploring the potential for both self-regulation and the marketing of regulation to others.

- **Kate Spilde, Ph.D.**, *Associate Professor, L. Robert Payne School of Hospitality & Tourism Management, San Diego State University and the Sycuan Institute on Tribal Gaming (Moderator)*
- **Ben G. Ray III**, *Tribal Administrator, Big Valley Band of Pomo Indians*
- **Murray Marshall**, *General Counsel, Kahnawake Gaming Commission*
- **Matthew L.M. Fletcher**, *Professor of Law & Director of the Indigenous Law & Policy Center, Michigan State University College of Law*

11:00 – 12:15 p.m.

Gaming in Indian Country

This panel will discuss recent developments in the Internet Gaming space and how that can be deployed to benefit Indian country and Indian tribes. The panel will focus on the way legal constraints on internet gaming and the processing of related financial transactions have been loosened at the federal, and sometimes state, level to benefit gaming developers, including states and will explore what opportunities these changes provide for Indian Tribes to expand their potential gaming customer base through use of the internet.

- **Robert N. Clinton**, *Foundation Professor of Law, Sandra Day O'Connor College of Law at ASU (Moderator)*
- **Keith C. Miller**, *Ellis and Nelle Levitt Distinguished Professor of Law, Drake University Law School*
- **Anthony J. Carucci**, *Attorney, Snell & Wilmer LLP*
- **Justin Gray**, *Associate, Rosette LLP*

12:15 – 1:15 p.m.

Buffet Lunch & Movie Screening - Sponsored by Think Finance

An Unlikely Solution is an award-winning documentary film that tells the story behind Native American Tribes offering consumers access to installment loans and other financial service products over the Internet.

1:15 – 3:00 p.m.

Consumer Protection & Data Security (Part 1 & 2)

This panel will have two components and two panel discussions. The first will be a conversation that responds to the film; *An Unlikely Solution*. As a result of technology and Internet access, tribal nations are venturing into online lending as economic opportunities. We will explore the growing online lending market and the opportunities and challenges faced by the industry and consumers. The second segment includes industry experts who will discuss business data security, consumer protection, and cyber-security plans specifically for tribal nations.

Part 1:

- **Jacob C. Moore**, *Assistant Vice President of Tribal Relations, Office of American Indian Initiatives, Arizona State University (Moderator)*
- **William M. Isaac**, *Senior Managing Director, Global Head of Financial Institutions, FTI Consulting*
- **Reverend Dr. DeForest B. Soaries Jr.**, *First Baptist Church of Lincoln Gardens*

Part 2:

- **Jamie Winterton**, *Director, Strategic Research Initiatives, Global Security Initiative, Arizona State University*
- **Dama J. Brown**, *Regional Director, Southwest Regional Office, Federal Trade Commission*
- **Skip Durocher**, *Partner, Dorsey & Whitney*

3:00 – 3:15 p.m.

Break

3:15 – 5:15 p.m.

E-Commerce Entrepreneurship: Internet Commerce in Real Life

Tribal communities from coast to coast are looking to expand beyond the reservation boundaries through online opportunities. This panel will discuss how companies throughout Indian Country are utilizing e-commerce to further develop their businesses and breakthrough boundaries.

- **Gary Davis**, *President & CEO, National Center for American Indian Enterprise Development (Moderator)*
- **Ron Symon**, *President, ArrowShade, Division of Pomo One Marketing Inc.*
- **Brent McFarland**, *Chief Operating Officer, LDF Business Development Corp.*
- **Jessica R. Metcalfe, Ph.D.**, *Founder, Beyond Buckskin Boutique*

5:15 p.m.

Adjourn

MCLE Credits: This CLE conference has been approved for, or will qualify for 13 general CLE credits for the state bar associations of Arizona, California, and New Mexico, and various other bar associations with member application accreditation.

Conference Planning Committee:

- **Kate Rosier**, *Executive Director, Indian Legal Program, Sandra Day O'Connor College of Law, Arizona State University*
- **Traci L. Morris, Ph.D.**, *Director, American Indian Policy Institute, Arizona State University*
- **Robert A. Rosette**, *Partner, Rosette, LLP*
- **Katherine Spilde, Ph.D.**, *Associate Professor, L. Robert Payne School of Hospitality and Tourism Management, San Diego State University and the Sycuan Institute on Tribal Gaming*
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