



# Inaugural Tribal Government E-Commerce: Innovating a New Geography of Indian Country

February 12–13, 2015

Wild Horse Pass Hotel & Casino, Chandler, Arizona

 SANDRA DAY O'CONNOR  
COLLEGE of LAW  
ARIZONA STATE UNIVERSITY

7:30–8 a.m.	<b>Check-In / Continental Breakfast</b>
8–8:30 a.m.	<p><b>Welcome, Blessing &amp; Opening Remarks</b></p> <ul style="list-style-type: none"> <li>• Governor Stephen Roe Lewis, <i>Gila River Indian Community</i></li> <li>• <i>Blessing</i></li> <li>• Douglas J. Sylvester, <i>Dean, Sandra Day O'Connor College of Law at ASU</i></li> </ul>
8:30–10 a.m.	<p><b>Old and New Strategies of Innovation in Tribal Economic Development</b></p> <p>This panel will discuss the historic trend by economic development experts has been to start development projects rather than set the stage for economic growth with sound rules of the road, professional institutions, and good policy. The panelists will call for a shift to orient economic development towards policies, regulations and infrastructure development.</p> <ul style="list-style-type: none"> <li>• Rebecca Tsosie, <i>Regents' Professor of Law, Sandra Day O'Connor College of Law at ASU (Moderator/Panelist)</i></li> <li>• Bradley ("Brad") G. Bledsoe Downes, <i>Managing Partner, Bledsoe Downes P.C.</i></li> <li>• George Rivera, <i>President &amp; Chairman of the Board, Tribal Gaming and Businesses, Pueblo of Pojoaque</i></li> <li>• Lance Morgan, <i>Chief Executive Officer, HoChunk, Inc.</i></li> <li>• Jonathan B. Taylor, <i>President, The Taylor Policy Group</i></li> </ul>
10–10:30 a.m.	<p><b>The View from The Bureau of Indian Affairs</b></p> <ul style="list-style-type: none"> <li>• Ann Marie Bledsoe Downes, <i>Deputy Assistant Secretary, Policy And Economic Development, Indian Affairs, Department of Interior</i></li> </ul>
10:30–10:45 a.m.	<b>Break</b>
10:45 a.m.–12:15 p.m.	<p><b>Federal Government Initiatives That Can Shape the Future of E-Commerce</b></p> <p>This panel will discuss what the federal government's role could be in future e-commerce development as tribal governments begin to offer goods and services online to tribal and non-tribal consumers. How will the federal government encourage the protection of tribal sovereignty while promoting sustainable economies that may rely on an expanded notion of "Indian Country" that does not rely solely on land-based development?</p> <ul style="list-style-type: none"> <li>• Carl J. Artman, <i>Attorney (Moderator/Panelist)</i></li> <li>• Traci L. Morris, <i>Director, American Indian Policy Institute, Arizona State University</i></li> <li>• Matthew L.M. Fletcher, <i>Professor of Law &amp; Director of the Indigenous Law &amp; Policy Center, Michigan State University College of Law</i></li> <li>• Charles W. Galbraith, <i>Counsel, Kilpatrick Townsend &amp; Stockton LLP</i></li> </ul>
12:15–12:30 p.m.	<b>Buffet Lunch (Pre-Function Area)</b>

12:30–1:30 p.m.	<b>Lunch Keynote Speaker</b>
	<ul style="list-style-type: none"> <li>• Gary "Litefoot" Davis, <i>President &amp; CEO, National Center for American Indian Enterprise Development</i></li> </ul>
1:30–3:15 p.m.	<p><b>States &amp; Indian Country E-Commerce</b></p> <p>This panel will discuss and evaluate the interests and legal claims of states under both federal and state law to regulate e-commerce originating or centered in Indian country. It will explain how the digital economy complicates jurisdictional lines established for an analog world to protect tribal sovereignty and tribal economic initiatives.</p> <ul style="list-style-type: none"> <li>• Robert N. Clinton, <i>Foundation Professor of Law, Sandra Day O'Connor College of Law at ASU (Moderator/Panelist)</i></li> <li>• Patrick Irvine, <i>Director, Fennemore Craig P.C.</i></li> <li>• Dr. Gary Kenneth King, <i>former Attorney General of New Mexico</i></li> <li>• Sherry Treppa, <i>Chairperson, Habematolel Pomo Of Upper Lake</i></li> </ul>
3:15–3:30 p.m.	<b>Break</b>
3:30–4:30 p.m.	<p><b>The Economic Impacts of Tribal E-Commerce: What Are the Possibilities?</b></p> <p>This panel will discuss the development of new federal financial services standards through the Dodd-Frank Act, and explore opportunities for entrepreneurial tribal leaders to pursue in e-commerce industry. Tribal leaders will highlight the business opportunities for tribes and identify issues that must be addressed in potential regulatory changes to ensure these opportunities.</p> <ul style="list-style-type: none"> <li>• Robert J. Miller, <i>Professor of Law, Sandra Day O'Connor College of Law at ASU (Moderator/Panelist)</i></li> <li>• Edward D. Gehres, <i>Attorney, Head of Native American and Tribal Business Group, Van Ness Feldman LLP</i></li> <li>• John R. Shotton, <i>Chairman, Otoe-Missouria Tribe</i></li> </ul>
4:30–5 p.m.	<b>Summary / Participant Dialogue / Q &amp; A</b>
	<ul style="list-style-type: none"> <li>• Robert A. Rosette, <i>Partner, Rosette, LLP</i></li> <li>• Robert J. Miller, <i>Professor of Law, Sandra Day O'Connor College of Law at ASU</i></li> </ul>
5–6:30 p.m.	<b>Reception / Lobby outside Acacia Ballroom</b>
6:30 p.m.	<p><b>Pathbreaker's Banquet / Acacia Ballroom (Registrants &amp; Guests with tickets)</b></p> <ul style="list-style-type: none"> <li>• George Rivera, <i>President &amp; Chairman of the Board, Tribal Gaming and Businesses, Pueblo of Pojoaque</i></li> <li>• Lance Gumbs, <i>Executive Director, Native American Financial Services Association (NAFSA)</i></li> </ul>

8–8:30 a.m.

**Check-In & Continental Breakfast**

8:30–8:40 a.m.

**Opening Remarks / Recap of Day One**

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

8:40–9:40 a.m.

**E-Commerce in Indian Country: Protecting the Consumer**

This panel will compare an e-commerce project to a land-based development, and what technological components and expertise must be available. This panel will discuss technical and training issues involved in an e-commerce project. Consumer Financial Protection Bureau, Federal Trade Commission, and other agencies involved in consumer protection.

- **Dr. Kate Spilde, Ph.D.**, *Associate Professor, L. Robert Payne School of Hospitality and Tourism Management, San Diego State University (Moderator/Panelist)*
- **Matthew L.M. Fletcher**, *Professor of Law & Director of the Indigenous Law & Policy Center, Michigan State University College of Law*
- **Dama J. Brown**, *Regional Director, Southwest Regional Office, Federal Trade Commission*
- **James Williams Jr.**, *Tribal Chairman, Lac Vieux Desert Band of Lake Superior Chippewa Indians*

9:40–9:55 a.m.

**Break**

9:55 a.m.–12 p.m.

**Online Gaming in Indian Country**

This panel will provide an overview of the application of IGRA; the prospects for the enactment of new federal and state laws; and a comparison of the issues involved in the development of internet gaming by tribes in Canada and the United States. It will also address the prospects for the development of both intra and interstate Internet gaming in the United States, including types of games, enforcement and security issues and the technologies involved in Internet gaming.

- **Eric D. Eberhard**, *Distinguished Indian Law Practitioner in Residence, Seattle University School of Law (Moderator/Panelist)*
- **Anthony N. Cabot**, *Partner, Lewis Roca Rothgerber LLP*
- **Morden "Cookie" Lazarus**, *Partner, Lazarus Charbonneau, Executive Chairman CrossPay Services US Inc., Canada*
- **Richard Schuetz**, *Commissioner, California Gambling Control Commission*

12–1:15 p.m.

**Lunch on Your Own**

1:15–2:30 p.m.

**Legal Update on Tribal E-Commerce**

This panel will explore the latest court cases related to particular industries where there is still a debate regarding regulatory authority, jurisdiction or questions about the application of particular consumer protection laws.

- **Alexander Tallchief Skibine**, *Law Professor, S.J. Quinney College of Law, University of Utah (Moderator/Panelist)*
- **Jennifer H. Weddle**, *Co-Chair, American Indian Law Practice, Greenberg Traurig LLP*
- **Saba Bazzazieh**, *Partner, Rosette, LLP*
- **Conly J. Schulte**, *Partner, Fredericks Peebles & Morgan LLP*

2:30–4:15 p.m.

**Where Do We Go From Here? Tribal E-Commerce Infrastructure and Sustainability**

This panel will explore the latest court cases related to particular industries where there is still a debate regarding regulatory authority, jurisdiction or questions about the application of particular consumer protection laws.

- **Robert A. Rosette**, *Partner, Rosette, LLP (Moderator/Panelist)*
- **Barry W. Brandon**, *Managing Director, Strategic Communications, FTI Consulting, Inc.*
- **Wilson Pipestem**, *Managing Partner, Ietan Consulting, LLC*

4:15–4:30 p.m.

**Closing Remarks / Adjourn**

- **Lance Morgan**, *Chief Executive Officer, HoChunk, Inc.*
- **Robert J. Miller**, *Professor of Law, Sandra Day O'Connor College of Law at ASU*
- **Patty Ferguson-Bohnee**, *Faculty Director, Indian Legal Program, Sandra Day O'Connor College of Law at ASU*



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