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Viles, Philip (Phil.Viles@bia.gov)

cocoparischannel@yahoo.com;

Date: Thu, October 7, 2010 10:20:24 AM

Cc:

Subject: RE: Oneida Tribal Member, aka old lady, to Answer Man

Notice the link to "Program regulations" at the bottom of my signature block. Your answer is contained in Subpart G. Notice especially:

§ 103.38 Is there anything else for BIA or the lender to do after BIA makes payment?

When BIA pays the lender on its claim for loss, the lender must sign and deliver to BIA an assignment of rights to its loan agreement with the borrower, in a document acceptable to BIA. Immediately upon payment, BIA is subrogated to all rights of the lender under the loan agreement with the borrower, and must pursue collection efforts against the borrower and any co-maker and guarantor, as required by law.

So, if we paid money under our guarantee, we would step into the shoes of the lender and "pursue collection efforts against the borrower".

Keep in mind that we are still in the application process; this office has not yet issued a guarantee.

Philip H. Viles, Jr., Chief, Division of Capital Investment

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Web page for the Loan Guaranty, Insurance and Interest Subsidy Program (with brochure link in middle of page)
Program regulations

From: Yvonne Metivier [mailto:cocoparischannel@yahoo.com]

Sent: Thursday, October 07, 2010 11:07 AM

To: Viles, Philip

Subject: Re: Oneida Tribal Member, aka old lady, to Answer Man

October 7, 2010

The question is then, if the project goes south, does Oneida Energy have to pay back the Feds if the Feds cover the Loan with Doughtery? That is the key question for now.

Metivier

*Atti,
Oneida Energy is owned
by Oneida Tribe — YH*