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## Tribal Governance in American Indian Country

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TRIBAL GOVERNANCE IN AMERICAN INDIAN COUNTRY

Terry E. McDonald

DISSERTATION

submitted in partial fulfillment  
of the requirements for the degree

Doctorate in Public Administration

Hamline University

School of Business

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## DEDICATION

This material is dedicated in the loving memory of my parents Curley McDonald, Jr. and Joan Harriese Kirk McDonald. Additionally, it is devoted to my immediate family, Maiharriese Wooden and extended family members who are also American Indians.

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## ABSTRACT

Public Administrators seek to synthesize, comprehend, and clarify challenging problems of social progress as it relates to the administration of public services. We must, therefore, think about all forms of governance to have a comprehensive understanding of the discipline. If civilization ignored the prehistory of the past 600 million years, from the Late Precambrian Era through the Mesozoic, there would be a consequential loss of knowledge. A comprehensive understanding would be absent regarding one of the fundamentals in our evolution – life's ability to avoid demise by symbiosis and adaptation. In the same way, we may have overlooked an essential role, the civilization once governed by the indigenous population that preceded the United States. Although there has been a detailed examination of federal, state, metropolitan and local governance, the discipline of public administration has small scholarship relating to tribal governance in American Indian Country. Learning more about this type of governance has the potential to lead to new approaches in the discipline. A new examination of American Indian tribal governance may contribute to a more transparent and accurate window that provides a vibrant and well-defined perspective for the academic discipline.

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## CHAPTER ONE

### PROBLEM ASSERTION

Currently, 566 sovereign tribal nations (variously called *tribes*, *nations*, *bands*, *pueblos*, *communities*, and *Native villages*) have a formal nation-to-nation relationship with the US government. These tribal governments are legally defined as “federally recognized tribes.” Two-hundred-and-twenty-nine of these tribal nations are located in Alaska; the remaining tribes are located in 34 other states. In total, tribal governments exercise jurisdiction over lands that would make Indian Country the fourth largest state in the nation (National Congress of American Indians, 2013).

In the history and abundance of Public Administration in the United States, few documented authors have published academic literature about governance structures of American Indian tribes. As the first known indigenous people of the United States, there are significant questions that need to be answered concerning public administration. Specific to this study, the following research questions have been queried:

1. What impact does tribal governance have on the discipline of public administration?
2. What are selected examples of tribal governance that can be found within the culture of Indian Country?
3. How does the framework of tribal governance practices improve the

quality of a tribal community?

4. Based on the findings, is it possible to develop a new model for governance in the discipline of public administration?

### **Definition of Terminology**

In order to provide an appropriate context for the comprehension of material contained within this study the following definitions of terms are provided for the reader.

- American Indian and Alaskan Native Self-Determination: refers to independent self-governance of a tribal polity to exercise their economic, political, social, and religious beliefs without influence to making decisions that affect the community. An independent entity bound by their own government structure.
- Coopetition: refers to competing parties that are working collectively to provide a product or services, most commonly in space exploration, gaming theory, and economic development.
- Ectological Practice: refers to the custom of a system or idea, as divergent to theoretical application, used externally (excluding the tribe) and practiced among non-indigenous populations.
- Endological Practice: refers to the custom of a system or idea, as divergent to theoretical application that are shared inclusively by the tribe utilizing knowledge to establish a process.
- Govern: is to conduct the policy, actions, and affairs of a state, organization, or populace.
- Intergovernmental agreement: is also known as an IGA, establishes a process between agencies, for services, goods, or to formalize agreements on issues of

common interest like, shared sovereignty, trade, or land management.

- Journal Metrics: gauges the performance and the impact of academic journals. Metrics provides a ranking system for a particular concentration (area of study) and tracks citations in order to determine importance, etc. (Elsevier, 2011).
- JSTOR: is an electronic journal storage that was created in 1994 by Andrew Mellon. It is a non-profit organization committed to collecting and providing scholarly information to academic institutions, museums, libraries and other institutions.
- Polity: is an orderly civilization using a particular form of government.
- Metadata: is structured information that describes, explains, locates, or otherwise makes it easier to retrieve, use, or manage an information resource. Metadata is often called data about data or information about information.
- Sovereignty: is the right to self-govern or to have the supreme right of authority over an entity.
- Tribal Governance: for the purpose of this paper, refers to tribal independent-governance (independent of federal, state, county or local government), which is based on a government-to-government relationship existing between sovereign nations as, the tribe with the United States. Federally recognized tribes are considered to be an independent sovereign nation that has the supreme authority over their self-determination.

Resource terminology information can be found from the Oxford Dictionary (Smith, 2005), the National Information Standards Organization (National Information

Standards Organization, 2004) and with specific definitions of practices from this researcher.

### **Research Problem Background**

Woodrow Wilson was notably one of the pioneers of the discipline of public administration and an individual who authored appreciably about the management of public service and civil servants (Link, 1968). Stephen C. Crate discusses the three basic archetypes (2005) by examining the schools of thought on public administration. Crate fine points the traditional paradigm as universal, pluralism, and participatory democracy with each having its place among structural components (relationship between public administration and political system, type of administrative function, decision model, decision rule, public will, and the role of the citizen). His and the works of other notable public administrators have led to an inquiry problem that focuses on the lack of significant research literature on the study of indigenous governance models.

The hypotheses for this study are not complex; in the academic discipline of public administration, there are too few articles related to research on American Indian tribal governance. If this is true, then it is imperative that the discipline increases these numbers to reflect greater accuracy in public administration. Furthermore, it may be possible to acquire essential information from the study of indigenous governance in the United States and use that knowledge for future development in the discipline.

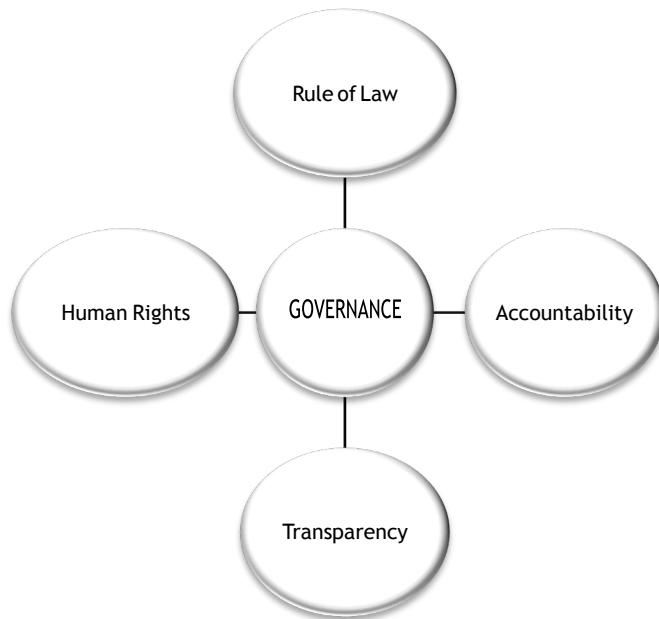
### **Defining Governance**

It is challenging to ascertain American Indian definition(s) of governance for this research, without specific case study investigation. In fact, in most Indian social circles that I have discussed governance, I am often told that it is not governance but leadership

that guides the tribe. Nonetheless, I therefore must rely on a clearer version of how I describe governance.

Governance describes the way public officials and institutions acquire and exercise authority to provide public goods and services include education, health care, infrastructure, and a sound investment climate. Good governance is associated with citizen participation and improved accountability of public officials (World Bank, 2013a, p. 70).

Additional elements that define governance include the importance of transparency and the rule of law (World Bank, 2013b). An element of prominence for observance of human civil rights was indicated in defining governance from Petroni and Cloete in 2005. The essential fundamentals of governance are highlighted in the figure below from the American Society of Public Administration and the United Nations. The model illustrates four main pillars that sustain governance. From the establishment of a government, the practice of decision-making to affect those resolutions is governance.



*Figure 1. A government structure.*

Additional types of authority may include “Good Governance” that is based on a democratic premise that contains the components, “inter alia, rule of law, effective bureaucracy, discretion, and decentralization . . .” (Riley, 2007, p. 1052). Naturally, there are variations of this framework that may include accountability, inclusiveness, participation, responsiveness, and transparency. Regardless of the individual characteristics, good governance is a preferred format for delivering governance.

For the time being, however, an examination of the basic elements of governance is appropriate. Ectologically, the above governance components comprise a logical sequence. It is also important, however, to recognize that endologically, the findings of this study could support or refute the above definition.

If researching tribal governance reflects parallel outcomes, then this would echo that little could be learned from investigating governance in Indian Country. If outcomes illustrate alternative conclusions, then there are more research topics to be understood.

As noted above, governance represents the actions of the institution to administer its affairs. Governance could conceivably grow too complex and massive to apply in this context. Consequently, I have digested the complexity by reducing governance towards its underlying intentions. Stoker (1998) suggested that there are five propositions to governance theory.

1. Governance refers to a set of institutions and actors that are drawn from but are also beyond government.
2. Governance identifies the blurring of boundaries and responsibilities for tackling social and economic issues.

3. Governance identifies the power dependence involved in the relationships between institutions involved in collective action.
4. Governance is about autonomous self-governing networks of actors.
5. Governance recognizes the capacity to get things done which does not rest on the power of government to command or use its authority. It sees government as able to use new tools and techniques to steer and guide (p. 18).

In the last proposition Stoker explained that government, in its capacity to govern, has the ability to identify and then modify itself for changes or adaptation. Perhaps it is this area, as well as blurring the boundaries and responsibilities, in which public administrators might use discovery of knowledge from the findings. In this sense, public administrators may adapt, or change existing governance structures, policies or functions.

### **Modern Tribal Governance**

In general, there are three types of governance in American Indian country. These three types of governance include those derived from the federal government, agreements between the tribe and the federal government through treaty rights, and the inherent rights through tribal sovereignty (Zaferatos, 1998). Furthermore, each of these governmental structures shares unique characteristics.

Tribal Nations are sovereign entities; tribal governments have inherent authority and control over their lands, resources, and the welfare of their citizens. Tribal governments have the authority to set internal priorities. All relationships between Tribal Nations and the United States are considered government-to-government interactions. Tribes utilize self-governance that permits tribal governments to redesign federal programs to fit the needs of their population (SGCETC, n.d., p. 5).



Many diverse, tribal, types of governance comprise American Indian country. In order to provide additional clarity for modern tribal governance, a brief summary of the U.S. Federal policies aimed at Indian affairs will be helpful.

The era known as the Indian Reorganization Age followed a period of time, (1943-1945), in which settlers were permitted to take reservation land from Indians. The purpose of this policy was aimed at restructuring Indian nations so that they would be removed from European/Anglo government structures.

After this period, Indian Nations were permitted to reinstate tribal governments as congress *then* acknowledged them as such. Participating tribes that reorganized were required to have a constitution ratified by the Secretary of Interior (Jaeger, 2013). Participating tribes could then create a modern framework that included the following, as summarized by James Ortiz (2002, p. 475).

- Governing Board or Tribal Council
- Not all tribes have separation of powers therefore some council members may manage or participate in executive, legislative, and judicial roles
- Governance is greatly influenced by the tribal community
- Members elect the Tribal Council
- Chair is selected by either the Tribal Council or at large by all tribal members
- Judicial functions are performed by the tribal council; an appointed member selected by the tribal council or; an elected tribal member

Each tribe has differences based on the individual needs of that community. A few important characteristics included tradition; whether or not the tribe participated in the Indian Reorganization Act (constitutional requirement). Tiller (2006, p. 509) provided an

example of a governance structure for the Southern Ute.

At the time of this research, the Southern Ute, had a constitution and thus the form of government was under the umbrella of the IRA. This authority utilized a tribal council of seven that included a chair, vice chair and other members who also fulfill the role of treasurer. Both the treasurer and vice chair are selected by the chair. Members of the council served staggered three-year terms. Additionally, the Southern Ute managed a tribal judicial system with a court structure, law enforcement, and legal services.

The Southern Ute example also provided a few modern reforms. Reforms as of 2014 included the following additions. Instead of a vice chairperson, the tribe then included an executive office with two assistants. The figure below illustrates the tribal government that included chairperson, tribal council and corresponding departments, committees, and governing boards.

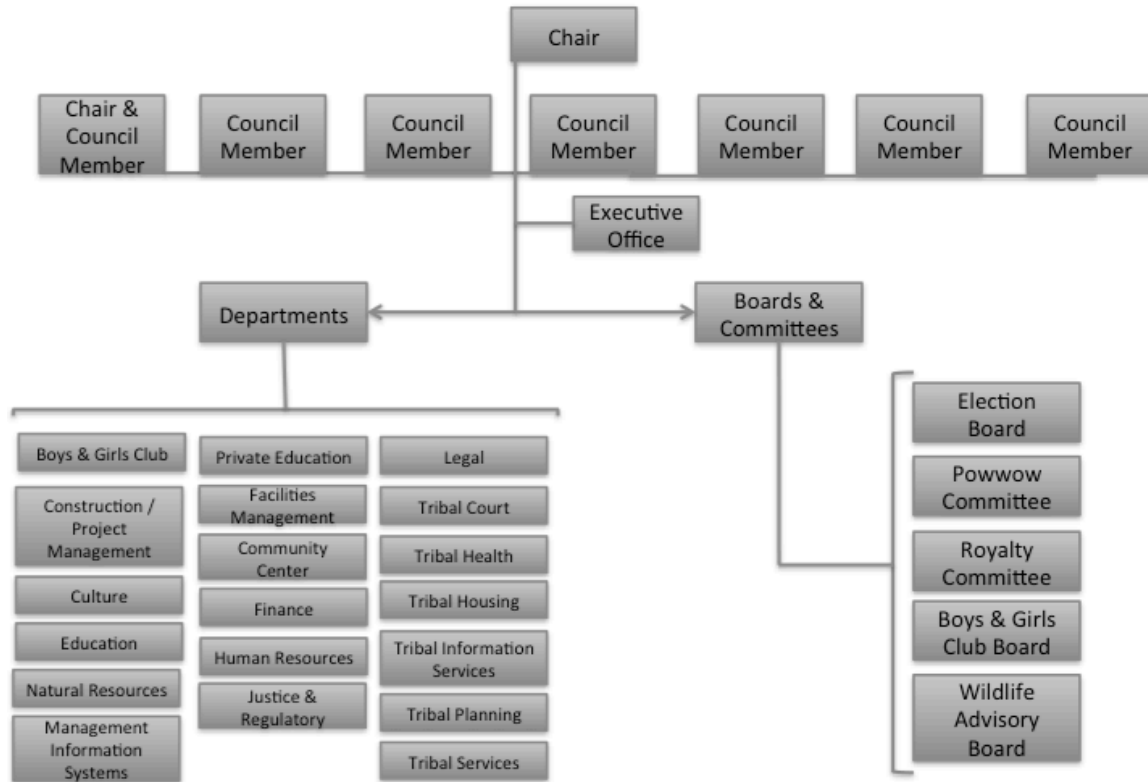


Figure 2. Government structure for the Southern Ute (Southern Ute Indian Tribe, 2014).

The above depiction illustrated a design that was similar to what many Tribal Nations have utilized. It is significant to recognize the structure of the tribal community’s governing design when addressing topics related to a specific department.

For example, often when seeking information from a tribe an individual will seek the chairperson rather than the related department because that individual has not investigated the tribal governing body. Requesting information from the top of the pyramid frequently causes delays, acknowledges one’s lack of awareness of the tribal structure, and perpetuates a low success rate in receiving a reply that leads to frustration. The complexity of Tribal Nations can be vast and measured to respond as they often address a multiplicity of issues including international, federal, state and local matters.

Approximately 60 percent of American Indian tribes utilize the IRA constitutional format while both the Pueblo and Navaho Indians use alternative means to achieve their polity structure. Of the 566 recognized tribes, there are about 226 or 40% who use other non-constitutional methods for polity that are not sanctioned through the IRA. The Pueblo for example, practiced under unwritten customary law while utilizing traditional leadership and a unique government structure (National Congress of American Indians, n.d.).

### **Additional Flexibility for Modern Tribal Governance**

Tractability and authority outside the periphery of tribal territory may also be derived from intergovernmental agreements or compacts. These agreements permit sharing responsibilities, functions, or other types of tasks between governments.

An Oneida Tribe, for example, had established an intergovernmental agreement with the local municipalities near Green Bay, WI. During snowfall, the agreement permitted the municipality to maintain and plow tribal roads that link to the local airport. In turn, the tribe that is ordinarily not taxed agreed to provide payment for the service to the municipality (Ninham-Hoeft, 2009). This type of agreement provides services that benefit both the members of the tribe as well as citizens that travel the roads in that area.

Dr. Sarah Hicks, Chief of Staff of the National Indian Child Welfare Association and is a member of the Native Village of Ouzinkie in Alaska offers the following perspective with respect to intergovernmental agreements. Hicks stated:

So I think the trend is just growing and I think increasingly we're seeing that we have so many common issues where all neighboring governments are concerned about finite resources, about protecting our environment, about serving our citizens, making sure they have the essential governmental services they need. So

I think increasingly we're just seeing more opportunities for governments to come together to solve these issues at the local level. (Native Nations Institute, Hicks, Pinkham, & St. Pierre, 2006, 10:53)

Intergovernmental agreements extend flexibility for tribal governments to provide supplementary services for community members, and offer a wider range of shared governing services. In most cases, mutual benefits are received from each governing body when agreements are established.

Aside from the examples cited, other essential components of good governance include citizen transparency so that residents can interject, examine, and assess services. Governance addresses social and economic issues and promotes positive growth while being accountable and provides human rights for its citizens. Governance also promotes and respects the rule of law. Governance views the government as tools and techniques to steer and guide governmental services for its community.

Tribal governance, through the charge of its governmental structure, materializes in a variety of ranges tempered with the unique characteristics guided by sovereignty, authority over resources, tribal identified priorities, and self-determination for identifying the best needs of tribal citizens. Intergovernmental agreements provide an opportunity to enhance tribal governance by working with adjacent ecological governments.

Aside from cultural awareness, the impact on land, water resources, communities, and political influence should inspire awareness and relationship building. Critical to relationship building between Tribal Nations and non-indigenous governments is the utilization of tribal agreements. These tools can be initiated from any neighboring government agency and can be used to improve a variety of services from law

enforcement provision to utility construction. These methods can promote economic growth, cost-savings, or general public awareness. As Dr. Hicks indicated, the growing trend of Tribal Nations working with neighboring governments to address common issues amidst finite resources is prosperous for each government, and this benefits the citizens they serve. Today, the prospect is ripe for public administrators to work with neighboring tribal governments in implementing agreements.

## CHAPTER TWO

### SCOPE OF AVAILABLE LITERATURE

Foremost it is important to understand the journal impact factor or JIF and metrics for ranking of academic journals. The journal impact factor is a measurement that examines the number of citations that an article is referenced in other material or research, referring back to the original literature. In order to measure the impact (Moed, 2010) where:

X = number of times an article is cited in a given time period by other materials  
(books, journals, reports, print or digital materials)

Y = number of citable items published by that journal during the same time period.

The formula is simply calculated as:

$$\text{JIF Year} = X/Y$$

Table 1 illustrates impact factors for public administration journal citations.

Title	Publisher	2007 SNIP2	2007 SJR2	2008 SNIP2	2008 SJR2	2009 SNIP2	2009 SJR2	2010 SNIP2	2010 SJR2	2011 SNIP2	2011 SJR2
American Review of Public Administration	SAGE Publications	1.256	0.823	0.877	0.716	1.821	1.079	1.116	1.141	1.365	1.215
Public Administration	Wiley-Blackwell	1.267	0.823	1.693	0.896	1.795	0.795	1.878	1.269	1.941	1.356
Public Administration and Development	John Wiley & Sons Inc.	0.883	0.534	0.688	0.374	0.645	0.392	1.058	0.546	0.645	0.499
Public Administration and Management	Penn State University-Harrisburg	0.151	0.125	0.127	0.104	0.158	0.115	0.326	0.132	0.194	0.236

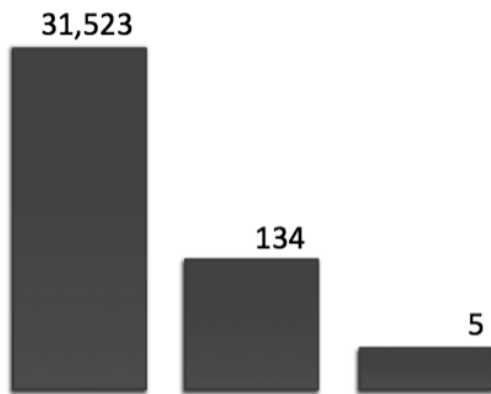
*Table 1* – Impact Factors - Note. The information in the table was retrieved and then adapted from the Global Institute for Scientific Information (GISI, 2013) and reflects journals solely from the United States.

Impact factors for four journals are in table 1 for the periods of 2007 through 2011. SNIP refers to Source Normalized Impact per Paper (Elsevier announces enhanced journal metrics SNIP and SJR now available in Scopus®, 2012). There is a variation of an impact factor that focuses on citations pulled from the subject of the article. SJR is another alternative impact factor that measures citations per journal, as well as the importance of where the citations have been received (SCImago, 2007). The last variable created a scale of variation for esteem through a particular academic discipline. The higher the number of citations that an article received, the higher the ranking of the article in that particular academic discipline.

These are all important variables when examining academic articles within the disciplines. More concisely, there are very few articles cited within the discipline. In



order to illustrate the lack of literature within the discipline, I have identified a small number of electronic journal articles. One journal emerged as best suited for isolating an indexed search for material. JSTOR (Journal Storage), a non-profit organization, was selected to provide the most comprehensive and widely used academic electronic resource. Unlike most of the data warehouses that archive electronic academic journals, JSTOR provides excellent, comprehensive indexing tools. It should be noted that the information gathered has been limited to a resource that is most commonly used by academic institutions covering all time periods and the data produced was during 2013.



*JSTOR Articles Searched 2013*

- 31,523 PA Articles
- 134 AITG Other Disciplines
- 5 PA Articles AITG

*Figure 3.* Total articles recovered from JSTOR only. This also indicates articles retrieved specifically indicated as Public Administration. The information represents the academic discipline of public administration and was calculated in 2013.

Of the total JSTOR journal articles found, there were a disconcertingly scarce number of articles from the discipline of public administration regarding American Indian tribal governance. As illustrated in the above table, articles found from multiple other disciplines were in the majority, while public administration journal articles (of the

134 tribal governance items) only reflected 3.73%. For all public administration articles indicated above only .02% are reflected as American Indian tribal governance (5 articles found out of 31,523 searched). The actual number is so infinitesimal that the few articles found merit citation below.

#### **Five Articles Cited for American Indian Tribal Governance in JSTOR**

- Aufrecht, S., & Case, D. (2005). Indians 78, Washington State 0: Stories About Indians and the Law. *Public Administration Review*, 65(4), 450-461.
- King, C. S., & Beeby, M. (2008). Colleen Jollie, State Tribal Liaison: A Story of Transformational Change. (Author abstract) (Interview). *Public Administration Review*, 68(6), 1142-1150.
- Mason, W. (1998). Tribes and States: A New Era in Intergovernmental Affairs. 28(1), 111-130.
- Ronquillo, J. (2011). American Indian Tribal Governance and Management: Public Administration Promise or Pretense? *Public Administration Review*, 71(2), 285-292.
- Wilkins, D., & Richotte, K. (2003). The Rehnquist Court and Indigenous Rights: The Expedited Diminution of Native Powers of Governance. 33(3), 83-110.

The above evidence indicates that diminutive, documented influence of the discipline, has not affected American Indian country on the topic of tribal governance. Nor, has a significant amount of literature about tribal governance impacted the discipline of public administration. More specifically only two, (Public Administration Review and Publius

(The Journal of Federalism), public administration journals were found among the many of PA Journals available.

### **Contribution to Theory**

Endological practices of American Indian tribal governance offer a unique perspective for public administrators. Managers have rarely examined tribal use of governance since the founding of the United States. Nor has a significant examination, from the discipline, existed about Indigenous governance systems prior to the founding of the country.

Those governance systems have evolved into present day traditions. The findings of this research have a potential for mutual benefits for public administration, American Indian country, foreign territories and other indigenous people. The contribution to theory may also impact other branches of knowledge within the social science disciplines.

For example, an analyst, in an economic discipline, could provide insight and new understandings from the historical evolution from a free-range culture to one indoctrinated into U.S. society. Consider the value of an evaluation by public administrators as they develop and monitor or assess economic progress. The insights gained from these suggested examinations may be beneficial to the discipline.

As an instructor at University Wisconsin – Stout charged with preparing future teachers to teach K-12 in Wisconsin schools. There is a state requirement that all pupils in K-12 learn about the 11 state tribes, including the tribal history, culture, and sovereignty. In this way, teachers could be ready to teach in their classrooms and to fulfill the state requirements. Educating pupils was a particularly challenging task because university students had little or no knowledge of the tribal structures or culture.

This obligation to understand the tribal culture in K-12 does not happen in all states, as evidenced by Shannon Speed, Director of Native American and Indigenous Studies at the University of Texas at Austin; there are Pro-American textbooks that disservice the Indigenous population (2014). Speed stated:

. . . virtually none of my university students has had any education whatsoever in the history of this country's treatment of the 10 million or so people who lived here before Europeans arrived. They generally believe that the continent was more or less wide-open and that the few people who were here aided the Pilgrims with a harvest fest and then after a few skirmishes with settlers complied with their destiny as the vanishing Indian (p. 1).

Speed, a Chickasaw tribal citizen, furthermore explained that through a vote, the Texas Board of Education would continue to side-step U.S. history with a sanitized version ignoring the true history of Native Americans. Speed, was a contributor for the Huffington Post, and first reported this information in November of 2014.

In this discipline, highlighting the work that researchers and public administrators would bridge the gap in working to understand and promote positive relationships may influence other disciplines to follow this path.

### **Insufficient Breadth of Knowledge**

An argument that the discipline of American public administration has performed less than adequately addressing our United States history (Luton, 1999) exists. Luton contends that American public administration should be able to see patterns from our past in order to alleviate and apply those lessons learned to our modern-day issues. Further, he denotes that Native American governance, as well as European history governance,

should find its place among the discipline also. As Luton examined American public administration, he expressed concern that the discipline avoided inclusion of the Native population in the annals of history. The historical record does not reflect information regarding work done with or by American Indians during the initial period. Luton argued that identifying select periods to highlight while leaving other historical eras nonexistent is an oversight that he recommends discontinued. Luton felt that it was important for the discipline to reflect a comprehensive historical perspective.

To further compound the lack of knowledge within the discipline, Aufrecht (1999) published an article that critiqued literature from public administration regarding indigenous populations. In Steven E. Aufrecht's article titled, "MISSING: Native American Governance in American Public Administration Literature", he examined and cited omissions within primary foundation literature as well as other literature throughout the discipline. Searching through 36 foundation books, there was only one introductory text in public administration that addressed tribal governance; Johnson's (1996) second edition was the sole text that discussed Native American governance at all (approximately two paragraphs plus a feature box on Ada Deer, then head of Bureau of Indian Affairs) (p. 371). Among others, included in the search were the five basic introductory texts that included Bozeman (1984), Lane (1994), Rosenbloom and Goldman (1994), Shafritz and Hyde (1997), and Stillman (1980). Omission of literature is critical to the development of introductory students as well as current administrators and scholars.

In his analysis, Aufrecht does promote concrete recommendations for improvements. Further, he provides five objectives for inclusion of tribal governance in

the literature; they include,

- To assist U.S. public administrators.
- To serve Native American constituents.
- To assist Native administrators.
- To ensure that research on Natives is done ethically.
- To enrich public administration theory (Aufrecht, 1999).

Aufrecht is swift to point out that the needed literature not only serves in providing knowledge about Native governance but it also serves as context to assist the Native culture in developing good practices. In reference to assisting Native administrators Aufrecht (1999) reported, “They need scholarly and practical research that gives them greater skills in governance practices that are consistent with their cultural values and institutional status” (p. 380). Ronquillo (2011) argued that American Indian Tribal Governance and Management was scarce in public administration but not absent. Rather, Ronquillo specified that when searching for literature on the topic, use of interdisciplinary methods provide more accurate results. Researching solely in the discipline he explained does not yield a fruitful outcome. The use of multiple disciplines yields higher results. Ronquillo’s indication that the information was available would suggest that the missing evidence might have resulted in metadata search errors. He found several other literature selections; among others were the Horse Capture, Champagne, and Jackson, 2007 and the Harvard Project on American Indian Economic Development (2008). He credits research groups that have recently emerged as being the most comprehensive on American Indian tribal governance.

In terms of tribal governance, recent publications by scholars associated with the

Harvard Project on American Indian Economic Development (see, e.g., Begay, Cornell, and Kalt 1998; Harvard Project 2008; Jorgensen 2007) have quickly become the most comprehensive research in American Indian issues in government, economic development, leadership, and other topics important in American Indian communities, including land issues, gaming, international relations, and the environment . . . (Ronquillo, 2011).

The discovery of additional academic research to the discipline would serve to greatly increase legitimacy of public administration for governance in American Indian country. This presents great opportunities to both add literature to the advancement of tribal governance as well as, possibly creating new perspectives in the discipline. Additionally, future research contributions of American Indian tribal governance should enhance increased journal metrics, and scholarly knowledge to the academic discipline of public administration.

Investigating the literature within the academic discipline of Public Administration, this researcher has not been able to produce substantial amounts of academic literature relating to governance for American Indian tribes in the United States. Research literature for tribal governance is infrequently uncovered (Ronquillo, 2011) and it's delivery should be greatly increased. This study examines an important dynamic overlooked by public administrators that provides a discourse of information to consider. Within the academic discipline of public administration, models of governance for American Indian tribes have been underrepresented.

The purpose of this study is to increase the breadth and depth of knowledge in American Indian tribal governance for public administration. The study brings attention

to indigenous practices that have the potential to provide additional insight for the possible construction of a new framework for the discipline.

Public administrators have examined, concentrated and envisaged then documented governance issues on all forms of agencies, both public and private. Rarely, however, is attention focused on what can be learned from our national roots, Indians. This study focuses on public administration governance of the indigenous culture, American Indians in the United States. American Indian Tribal Governance is one area within the academic discipline that has yet to be fully explored. Outcomes from this literature may provide continued foundations for further research on American Indian Public Administration. In the same way public administrators have examined the evolution of E-Government Among Municipalities (Moon, 2002), so should the discipline examine American Indian Tribal Governance.

The historical evolution of American Indian tribal leadership / governance practices may unlock unseen directions and create an edifice for pragmatic solutions. Also, a richer foundation will promote greater aptitude, acumen and perspective for public administration.

### **International Contribution in Public Administration**

International contributions to theory include other countries interested in the historical development of the United States with context to American Indian evolution through today; interest that affect American Indian development, and civilization related to public administration and its interaction or collaboration with non-indigenous populations. As a result, one focus is to identify the merits of tribal governance in demonstrating value for its respective community. This will offer insight from American



Indian public administration on governance impacts for non-indigenous populations.

The World Bank has shown financial support for a policy that endorses indigenous populations that are affected by new projects built by communities. The policy preemptively requires that governments involve indigenous people to participate in the planning process. It requires that consultants be available for indigenous populations at each step of the construction process.

Indigenous Peoples are distinct populations in that the land on which they live and the natural resources on which they depend are inextricably linked to their identities and cultures. There are approximately 250 million Indigenous Peoples living in more than seventy countries around the globe; historically, they have been among the most disadvantaged, marginalized, and excluded populations in many parts of the world. (World Bank, 2005)

The World Bank reports that more than 70 countries have disclosed that they have indigenous populations. From Brazil to New Zealand and across Africa, many nation-states have policies that affect both indigenous people and mainstream communities. In Brazil for example, a shift in perspective from public administration occurred. Prior to 1988, the national state had a policy of assimilation, confining indigenous people to parcels of land and then integrating them into mainstream society. Furthermore, the policy did not respect land rights. During the creation of a new constitution, the public administrative perspective changed. The stated new perspective was to allow indigenous people to remain on their designated lands and to retain their land rights for use in traditional protocols (Graham, Lutz, Tiro, and Lima, 2009).

Brazil's momentous public administration paradigm shift to a democratic pluralistic

relationship (from a hegemonic relationship) among its indigenous people was revolutionary. As governance issues are examined among public administrators in Brazil, they may find parallels and/or metamorphoses from aspects of this research. New directions may propel international research and interests among governance models in comparison to local indigenous affairs, policies or perspectives.

In presenting this research, efforts have been made to narrow its scope. It would be negligent to not mention other components that have influenced tribal governance. Although there are numerous that could be mentioned, one key problem has been communication.

Cross-cultural communication issues have often troubled positive relationships between indigenous and non-indigenous people in the United States. Some treaties to date have been disputed because of misinterpretations, incomplete expectations or breaches of fulfillment.

One such breach occurred with the Indian Removal Act of 1830. It was stipulated that the federal government would purchase land from Native Americans with an agreement that land would be given to them in western regions of the United States. President Andrew Jackson never upheld the agreement and took the land forcing the Natives elsewhere (Cave, 2003).

One of the initial agreements, the Treaty of Canandaigua from 1794 that displays signatures of Red Jacket and George Washington, in which the United States and the Six Nations (Mohawk, Oneida, Onondaga, Cayuga, Seneca, and Tuscarora), agreed to form peace after the American Revolution. Per the treaty agreement, a million acres of land was returned to the Indigenous population following the war. The land however was

expurgated and developed by non-indigenous personnel.

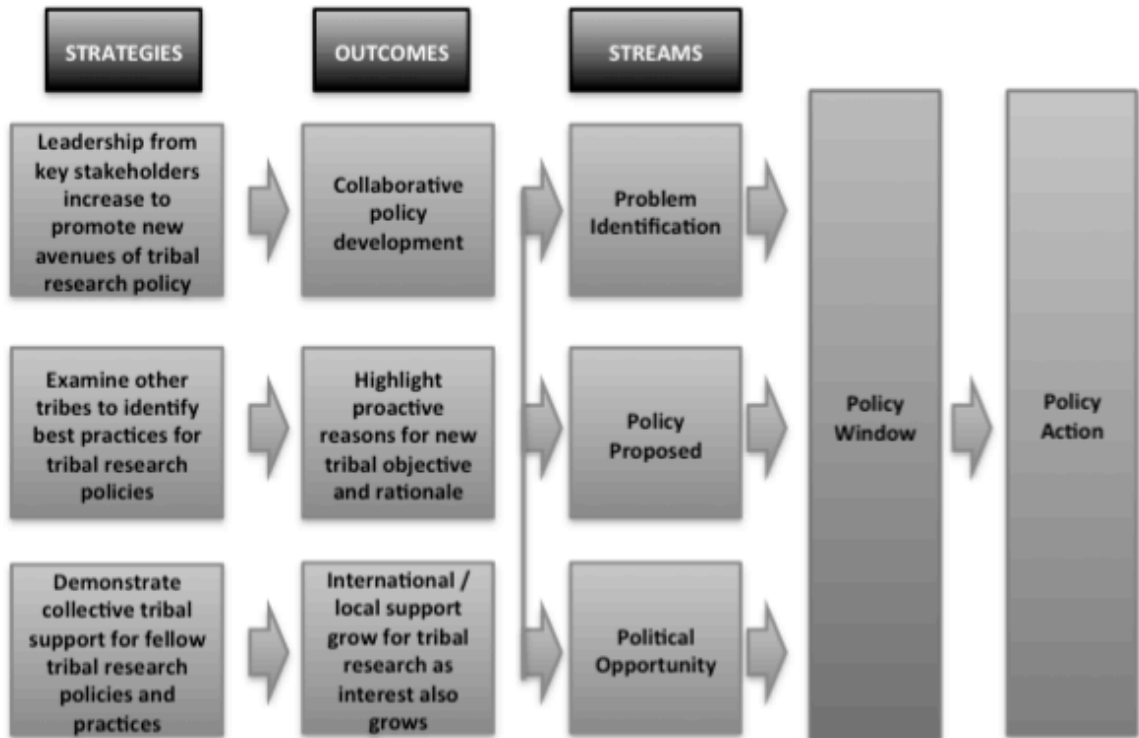
An abundance of these and other treaties may be viewed at the Smithsonian's National Museum of the American Indian exhibit on treaties (Wang, 2015). Over time, repeated incidents such as these create distrust and skepticism.

#### Related Topical Theories

The following concepts serve two purposes; they are associated with provision of information that identifies elements within the research. As well, these applied theories, Multiple Lenses Perspective and Policy Agenda, contain the framework and components within the context of the research. Select constructs of the theory are applied to the research.

#### **Policy Agenda Setting Theory**

In the first step of the policy agenda setting process (Kingdon, 1995), is identifying an issue in need of correction - an additional follow up, removal, or a new creation. The issue(s) may arise from tribal officials but may also originate from tribal members in the community. Any member of the political system may participate in the agenda setting process. In this research, the beginning of the process will be identified through the practice of informal and formal gatherings.



*Figure 4.* Policy agenda setting strategy in tribal governance research. Adapted from Bouffard, Little, and Weiss (2006) and reflects a model originally designed by Kingdon (1995) Policy Agenda Setting.

The agenda then flows through three streams – a problem stream, a policy stream, and a political stream.

- The problem stream includes those individuals who wish to influence a policy through tribal government officials during a period when an issue becomes critical and an official(s) have an interest to listen.
- The political stream may reflect a change in policy following a new election with the newest addition of governing officials or it could reflect a change in temperament or nature for the community.
- The policy stream may often redirect components to a current policy or in the

creation of a policy.

In many cases several components of the original policy may not represent the finished product. The unused components or additional items may be volunteered for use in the creation of a new policy or modification of a policy.

The policy streams then flow into a policy window of opportunity for decision makers to decide on whether or not any of the items in that window will be addressed accordingly. Utilizing more than one stream will result in greater opportunities that favorably influence success.

The policy agenda setting process results in the creation of a policy action. This theory will be examined in an analysis of case study findings. The intent is to identify any resulting policy actions in determining whether or not the policy agenda setting strategy may have evolved into a policy action to influence the administration of public services.

### **Multiple Lenses Perspective Theory**

Another related theory comes from David John Farmer's examination of public administration through multiple lenses. Farmer examines numerous frameworks in public administration via the context. Farmer draws upon various lenses through which one can examine insights for traditional, economic, business, feminist, and other perspectives. Context for a traditional perspective include concentrations of well-established literature with a paradigm in decision making whereas, from a business perspective comes a practice of an enterprise when making decisions (Farmer, 2010).

Examining multiple lenses, as a philosophy, will provide an opportunity to utilize public administration theory for tribal governance. An alternative perspective provides a

window into a community that has rarely been examined for the discipline, as it will provide additional context to Farmer's effort to provide additional knowledge within public administration theory and practice. The multiple lens theory inspires those in the discipline to use creativity and imagination when solving problems, creating solutions and developing new methodologies.

An economist examines economic development and uses nature as a parody that is labeled bio-mimicry (Jacobs, 2000). In her article, Jacobs uses a story format in which the characters are discussing the merits in the diversity of nature. Jacobs turns an intricate problem into a less complex, straightforward way to examine economics by explaining its resemblance to an ecosystem. That creativity in economic development should inspire public administrators to achieve new boundary exploration. What an epiphany it must have been for those in the academic disciplines to learn that Albert Einstein used creativity, imagination and visualization when he came up with the scientific formula  $E=mc^2$ . It is perhaps one of his most memorable achievements, the theory of relativity or more accurately, theories of motion (Norton, 2012). Albert Einstein's contribution to theory was a pioneering approach to thought and the application of scholarship. It is that process that should be used with cognitive agility to contemplate thought and then construct theoretical, as well as practical applications. It should reinforce this discipline to not discount the application of creativity and imagination when constructing new models of theory.

The merit of this research seeks understanding of indigenous governance practices. Discovery of new knowledge that can be applied to both ecological and endological practice will benefit each community. Utilization of imagination and creativity, with the

ability to combine the above qualities may provide a new framework for discovery.

The multiple lens perspective (MLP) theory will be used as an examination in the critical analysis of tribal governance practices. The reason for MLP use is because the foundation of public administration must be seen and understood from an alternative viewpoint. The lens of understanding must be viewed from an endological perspective but must transcend comprehension so that all can recognize.

MLP provides an alternative perspective to analysis current tribal governance methods and practices. Identifying possible new methods and/or practices will provide an opportunity to classify these viewpoints with a public administrative theory. If a new theory or model evolves from this research, MLP may be used to provide a window of understanding.

## CHAPTER THREE

### METHODOLOGY

This method of research will reflect a qualitative approach of measuring the collected material. The goal will be to analyze the findings and present an investigation of the facts that might illuminate insight. The methodology for this research is by examination of relationships between tribes and government agencies. Additionally, the methodology will also include investigation by case study. Indicated below, are two key areas of this research. These areas of interest provide the intended focus and will then narrow the field accordingly with time available to complete the research.

1. Tribal Agreements – The methodology for this research is by examination of intergovernmental agreements (IGA) between tribal governments and federal, state, regional or local government agencies. The relationship between tribal leadership and a government agency presents an indicator for collaboration between merging endological and ectological methods to achieve a common issue(s) in a shared community environment. An agreement may be known by other titles such as, compact, memorandum of understanding (MOU), or memorandum of agreement (MOA).
2. Missing and Murdered Indigenous Women (MMIW) serves as an event case study that is the final aspect that will be examined. An attempt will be made to learn about the elements that caused a national outcry from this event as well as discovery of consequences will be assessed. Concurrent with the areas of interest,



identification of items such as intergovernmental cooperation and tribal agreements may be explored as a result of the findings.

The methodology includes gathering data and related information from public archived resources, relevant literature, telephone conversations, in-person conversations, email discussions, and interviews from public service employees and other personnel. Telephonic interviews include Tribal Liaisons from the states of Minnesota and Washington. Examining details from their perspective may offer insight of thoughtful appreciation for tribal governance.

Examination features of the Washington State Department of Social and Health Services will be reviewed. The department has a rich history with the twenty-nine tribes and has developed methods, utilizing tribal liaisons, for negotiation agreements. The twenty-nine tribes include the following and are laid out accordingly on the attached map.

- Confederated Tribes of the Chehalis Reservation
- Colville Confederated Tribes
- Cowlitz Tribe
- Hoh Tribe
- Jamestown S’Klallam Indian Tribe
- Kalispel Tribe
- Lower Elwha Klallam Tribe
- Lummi Nation
- Makah Tribe
- Muckleshoot Tribe
- Nisqually Tribe
- Nooksack Tribe
- Port Gamble S’Klallam Tribe
- Puyallup Tribe
- Quileute Tribe
- Skokomish Tribe
- Snoqualmie Tribe
- Spokane Tribe
- Squaxin Island Tribe
- Stillaguamish Tribe

- Suquamish Tribe
- Swinomish Tribe
- Tulalip Tribe
- Upper Skagit Tribe
- Confederated Tribes of the Yakama Indian Reservation



Figure 5. The twenty-nine tribes located in the State of Washington. Provided from Washingtontribes.org, a public education program.

Further methodology by examination will be made through an aspect of the State of Minnesota’s tribal liaison program. The liaison program is supported through the Minnesota Tribal Affairs Council. Within the state there are thirteen tribes that include:

- Bois Forte Band of Chippewa
- Fond du Lac Reservation
- Grand Portage Band of Chippewa Indians
- Leech Lake Band of Ojibwe
- Lower Sioux Indian Community
- Mille Lacs Band of Ojibwe
- Prairie Island Indian Community
- Red Lake Band of Chippewa Indians
- Shakopee Mdewakanton Sioux Community (Dakota)

- Upper Sioux Community
- White Earth Reservation

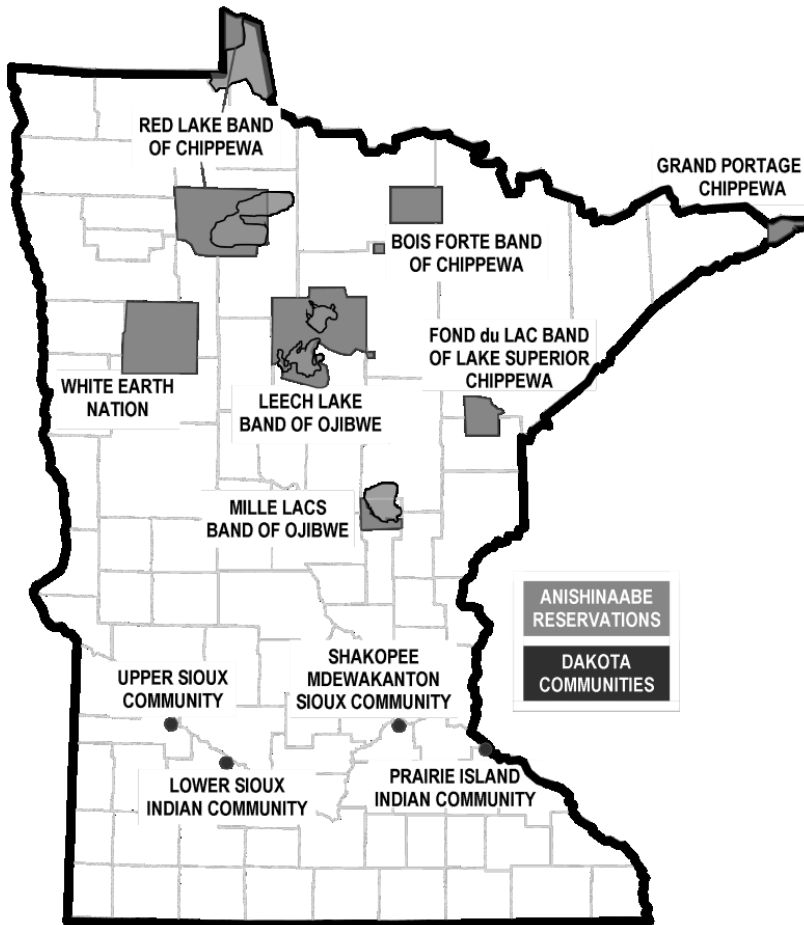


Figure 6. Location of the 11 Minnesota Tribes. Provided from the Association of Minnesota Public Educational Radio Stations, Minnesota Native News: State Resources for Tribes, Ampers.org.

### Critical Analysis of Findings

In this method of research, a critical analysis of tribal governance aspects for the areas listed above, will be implemented. The analysis will examine the polity, in relation to agreements, cooperation, and how the governance affects the tribal nation. Any uniqueness’s observed in the endological agreement process, will be noted in the analysis

review. Close attention will be paid to structures and processes in relation to the topical theories in the aspect areas of interest. Use of evidence-based information will allow for critical objectivity to provide findings that deliver impartial results. The final step in this case study will be to present a thoughtful summary, and recommendations impacting future research.

### **Distinguishing Factors**

Primary resources include assets gathered from this research relates to original material that the investigation is based on the following:

- Speeches and oral histories
- Interviews, academic journals, speeches, correspondence, and fieldwork
- Texts, academic journals, magazines and newspaper articles
- Government documents and public records
- Photographs, films, and maps
- Internet communications on email
- Information from tribal organizations, tribal nations, and government agencies
- Audio recordings, DVDs, and video recordings

Secondary resources include:

- Bibliographies
- Reference texts, history texts, and geography resources
- Magazine articles, academic journals, and newspaper articles preceding the research topic
- Treaties and related documents in reference to American Indian or Native Alaskan tribes

Interview questions are open ended with a degree of variation designed to offer an opportunity for the participants to speak freely, expressing factual information and expert opinion. Questions seek responses for understanding relevant information, best practices, events, or relationships. The questions are not articulated exactly the same way with each participant and do not represent a typical survey structure. Expected are questions that provide freedom to express expert opinions while delivering insights about the topic of inquiry.

### **Methodological Foundation**

This issue can easily cover a variety of research topics germane to the subject of public administration and tribal governance. I have selected a narrow scope that includes identification of specific examples in tribal governance covering aspects that include the expansion of interactions through mutual and nonreciprocal agreements. Public administrators may then use this research as a tool for further comprehension in American Indian country from a public administration perspective. It will also serve as additional scholarly information to provide American Indians and Native Alaskans an opportunity to construct informed decisions from the discipline. It is my hope that this research will build a foundation of continued academic literature on tribal governance and provide public administrators new perspectives on thought, imagination, and creativity in thinking about issues, problems and the creation of new theories. I stand hopeful that this small facet of research will inspire future academic research in the discipline regarding American Indian tribal governance.

The ethnography should provide a glimpse of pre-European annexation of the territories that have now become the United States of America. This researcher believes

that this method is most suitable in order to objectively obtain the necessary data in order to analyze appropriate evidence of the facts collected.

### **Variables**

The one constant, American Indian governance, is the sole constant among several variables. Data was obtained and measured from multiple American Indian tribes. Although many of the tribes were once one, over time they have split and fractured into smaller groups with unique markers.

The researcher will examine case studies of American Indian tribes in order to gather data reflective of governance issues studied. Although no two tribes are exactly alike, many represent the basic role of elder leadership and cultural influence across North America.

Additional variables include the roles of elders, leadership, or chairperson's, administrators, tribal members, tribal councils, and representatives, and senatorial roles within governance.

Other variables may include whether or not the tribes have participated in the Indian Reorganization Act of 1934, which will determine whether or not the tribe abides by a mandated constitution. This may vary from tribe to tribe and may not reflect an exact authentication of governance for all tribes recognized. Without doubt, the most significant variable will be that of decision-making and influence on what functions are performed.

In essence, it is the diversity of differences in roles and responsibilities for those tribal members engaged in governmental activities that may display the greatest variables.

Lastly, the work may include items outside of tribal government that have had an effect on its governance. These may include organizations and businesses working on behalf of the tribal government such as a social club where that club becomes an organization that hosts a location for tribal members to vote or perform some other function on behalf of the government. In this case, the social club would be a variable that could effectively influence the tribal members with respect to governance issues.

### **Limitations**

There are three basic limitations to this academic research. It has been notable that the discipline of public administration has failed to achieve a degree of noteworthiness for historic value of governance (Luton, 1999) and its role in American Indian governance (Aufrecht, 1999).

This study will not be a comprehensive examination of the role of American Indian governance, it will limit itself to the discovery of what can be learned through case study examinations, interviews, and the accumulation of evidence.

The study is further limited to an examination of present day practices and information. The study will not address the rationale for American Indian treaties unless the role of that document affects dynamics of the outcome that is discussed.

There are many significant topics to discuss in American Indian country regarding public administration in tribal governance. One difficult aspect is to determine the timeframe that encompasses the research. Historically, governance issues have evolved over time, as an alternative set of findings would occur fifty years ago in comparison to today. This research examines aspects from current day tribal governance.

Lastly, the purpose of this study is not to demean any person(s), rather to enlighten and identify what governance issues may have been overlooked. An attempt to apply additional information to the discipline of public administration is sought.

### **Ethical Considerations**

This research does not include human participants. Based on specifications designated by the Institutional Review Board (IRB) at Hamline University, no design information was submitted for review. The focus of this research is centered on methods, procedures, policies, and relationships.



## CHAPTER FOUR

### FINDINGS AND RESULTS

#### **Tribal Agreements**

The importance of addressing research questions that can be witnessed through the mechanisms of Indigenous Tribal Nations, as it relates to public administration characteristics is paramount. There are specific, demonstrated examples of tribal governance that illustrate the Indigenous culture within Indian Country in this chapter.

Although some tribal locations, such as Pine Ridge Reservation are impoverished, it would be incorrect to think that most tribal communities are socially and economically disadvantaged. Professor Joseph P. Kalt is a Ford Foundation Professor of International Political Economy and co-director of the Harvard Project for American Indian Economic Development. Kalt indicated that a great resurgence from tribal nations has occurred in their economic, social, and cultural growth. Furthermore he reported, “American Indian tribes are growing three times faster than the U.S. economy” (Allen et al., 2007). He also specified that their growth is reflective of tribal nations with and without gaming facilities. With the robust economic growth portrayed by Kalt, use of tribal nations to employ the merits of agreements with other governments and non-government agencies would be advantageous.

Karen Diver, former Chair of the Fond du Lac Band of Lake Superior Indians, explained agreements made with non-governmental organizations (NGO's) to local businesses. The Minnesota tribe invested \$120 million dollars in a measure to improve

hiking, natural restoration trails and a casino prior to 2012. This produced a source for healthy economic development that brought construction personnel and business to the area. This also provided opportunities for the local businesses to grow in providing for new clients from nearby areas to work on tribal ventures.

Diver described how the tribe was able to exercise their sovereignty, governance, and self-determination while promoting their values for those businesses that applied to work on tribal projects (Allen et al., 2007). Diver continued by explaining that the tribe had an expectation that businesses working for them would have to submit documentation to the Fond du Lac Tribal Court proving for their competency for employment.

Additionally, firms had to have a written policy for employees that denoted testing for alcohol and drug use. These values are held high in the community and the tribe extended these values in the creation of employment opportunities. Providing (tribal) education, sharing of resources by providing employment, opening the local economy for goods and services through shared sovereignty are very positive attributes in the nation building process.

Framing cooperation presented by two domestic government entities in an affirmation on a conjoint subject constitutes an intergovernmental agreement (IGA) when written and signed by both parties in a document.

One strategy used in *nation building*, to reshape self-determination and sovereignty, is the use of the IGA.

The expression of self-determination can be summarized as a community of individuals with self-governance; ability to maintain cultural values and to; promote

themselves through means of economic development (Cook, 1994). There may be a variety of agreements under the color of different titles such as a memorandum of agreement (MOA), memorandum of understanding (MOU), or a compact. Nonetheless, these are agreements that both parties are making a concerted effort to work in cooperation towards a common purpose that would benefit both native and non-native communities.

Furthermore, centering attention solely on tribal nations has in no way precluded initiation from non-indigenous polities from establishing cooperative relationships. In fact, there are currently thirty-eight states that have specific structures (committees and/or commissions) designed to address American Indian and Native Alaskan affairs (National Conference of State Legislatures, 2018).

In efforts to balance matters between state and tribal governments, several states such as Minnesota, Oregon, and Washington have created tribal liaison positions within departments. Minnesota, for example has fifteen tribal liaisons representing the following departments:

- Governor’s Office – Vacant Fitzgibbon
- Commerce – Mary Otto
- Corrections – Gino Anselmo
- Education – Jane Harstad
- Employment and Economic Development – Kirk Crowshoe
- Health – Jackie Dionne
- Higher Education – Megan
- Housing and Finance – Rick Smith
- Human Rights – Vacant
- Human Services – Vern Laplante
- Natural Resources – Bob Meier
- Pollution Control – Vacant
- Public Safety – Nigel Perrote

- Transportation – Levi Brown
- Veteran Affairs – James Miller

The importance of the tribal agreement is emphasized undoubtedly from an ecological perspective. In order to increase efficiency, identify points of contact, streamline effectiveness, and promote an acknowledgement of reverential sovereignty, a government liaison position can work to create and maintain an agreement.

A tribal agreement can be useful to accomplish meaningful work between Tribal Nations and ecological governments. This next case highlights dual benefits for both polities.

The Swinomish Indian Tribal Community (SITC) was challenged by Skagit County, Washington over land use rights. The Swinomish Nation was the first to forge an agreement to resolve land issue rights on their checkerboard reservation with a cooperative. Checkerboard reservations were created via the Dawes Severalty Act of 1887, which removed parcels of land from tribes and produced allotments on numerous Indian territories. A Eurocentric bias (Williams, 1984) to assimilate Native Americans into a new culture endured and therefore, land parcels were created to entice single Native American families to remove their dependency on unified tribal communities. In addition, territory previously on Indian land were also sold or leased to ecological residents by the government. Native Americans living on allotments would need to endure a 25-year trust to earn citizenship and another 25 years spent without legal rights (Dawes Severalty Act, 2009). The checkerboard designation is derived from land tenure on an Indian reservation with a mixture of ownership between a federal trust title and fee-simple property in which both types of land hold different regulations (Zaferatos, 2004).

While citizens of Skagit County used land and paid taxes to that county, the

Swinomish maintained control of the property. After ongoing disagreements between the tribe and the county, the Swinomish decided to examine the problem with an inventive solution.

The tribe worked with the county in order to establish zoning for the reservation. The zoning mirrored the implemented zoning for Skagit County. SITC then reviewed and updated their ordinances to match Skagit County. Together the tribe and the county mapped out responsibilities where non-indigenous persons could lease land allotments at the same price. Allotment users can now obtain fee permits from the county or from the tribe as they both share joint notification and agreement between the two. Brian Cladoosby, Chairman of Swinomish Indian Tribal Community remarked:

Well, the land use-planning agreement that we signed with Skagit County is a classic example of how two governments have both indicated or flexed their muscle when it comes to having jurisdiction within the boundaries of an Indian reservation. (Cladoosby, March 24, 2010)

With the inclination of Tribal Nations working with neighboring governments (Native Nations Institute et al., 2006), Cladoosby reached an acceptable agreement that highlights a demonstrated research example of tribal governance.

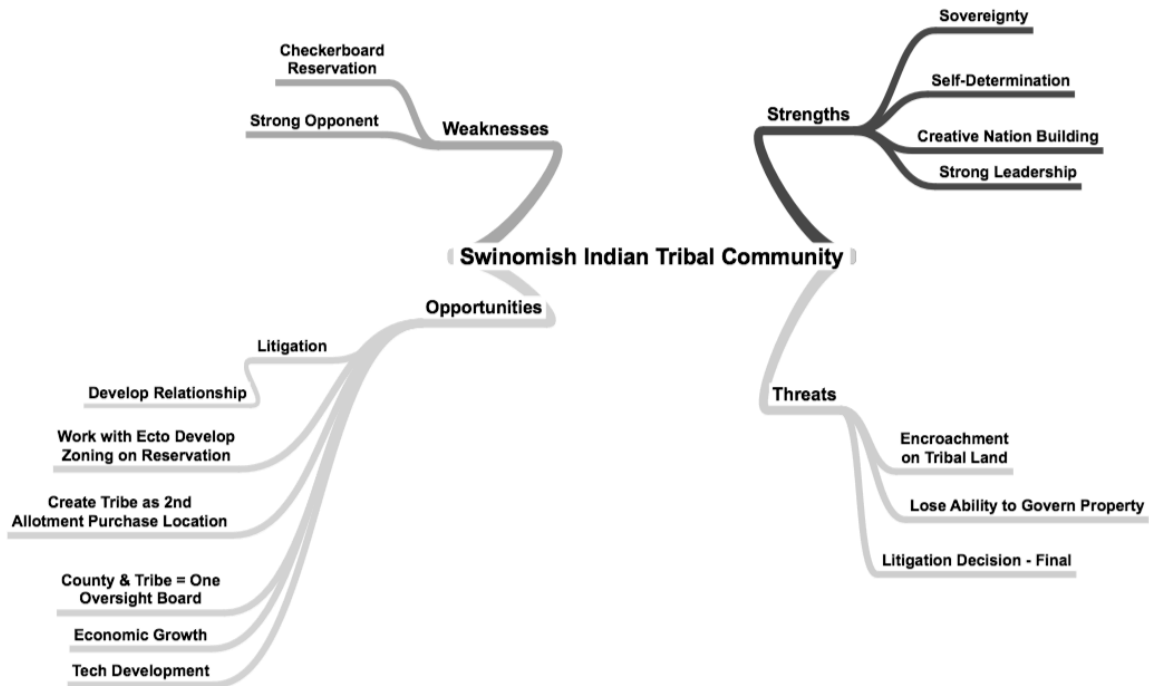


Figure 7. Characteristics of the Swinomish Tribal Community options. Identified by the researcher, when addressing the issue of land cooperative.

Examining the strengths, weaknesses, threats, and opportunities, SITC appropriated extra ordinary efforts in measures of self-determination and sovereignty to address challenges of encroachment on the tribal land of their checkerboard style reservation.

Litigation, for example, may have proven worthy however; challenges presented in the court system can result in the possible consequence of losing territory. In addition, the cost of litigation and of appeals is timely and costly. This also undermines relationships and fuels animosity. There are times when it is necessary to address issues in the courts yet avoiding litigation provides future opportunities to flourish whereas; lost court cases may not inspire future covenants or discussions. An alternative rational included the tribe’s autonomous decision that reinforced self-determination and created a

solution that would benefit the SITC Nation, Skagit County, and both communities.

Three significant areas were highlighted from the agreement and cited in The Harvard Project on American Indian Economic Development (2001), Honoring Native Nations.

The report indicated that the agreement was vital to development and maintained an effective relationship, as it would be necessary to cultivate intergovernmental cooperation on a checkerboard style reservation. It was also noted that achieving success in crafting an agreement should allow the tribe to maintain sovereignty without the use of regulatory, non-indigenous personnel on tribal lands. Finally, if the agreement is substantiated with cooperation in mind, then a formal “institutionalized” agreement such as an MOA or MOU may provide the most successful outcome.

In another example of tribal agreements, Humboldt County, California, Sheriff William F. Honsal, specified that that his organization would be working to deputize officers, through an arrangement with the Blue Lake Rancheria Indian Tribe. The Sheriff stated:

In the state of California we have public law 280, which means the sheriff has the authority to enforce state law on tribal land. But tribal government and laws are unique, as well as policing and we want to have a great relationship with our tribal governments. We want to have the ability to partner with our tribal governments.

(D. Brown, June 7, 2018, p. 1)

In addition to the Blue Lake Indian Community, Humboldt County Sheriff’s Office shares a relationship with the Hoopa and Yurok Indian Nations who also reside in the county.

The tribal agreements serve to improve public safety in each tribe and in the communities within Humboldt County. Previously, tribal officers could only enforce tribal and federal laws. Now that tribal officers are deputized, their role elevates to enforcing state laws on county jurisdiction. Furthermore, they can assist the Sheriff's Office as backup patrol and vice versa should the tribal police need assistance on the reservation.

These actions demonstrate devolution of federal powers. Whereas the tribal nation is assuming more responsibility as, in this case, the county (through the power of the state) has shared power through the Sheriff's Office. This relationship ensures that both governmental agencies are meeting a need for public safety while working together to solve mutual issues. For the tribal nation, this increases the jurisdiction of the officer in the community. In this example, three tribal nations, the Blue Lake Rancheria Indian Community, Hoopa Valley Tribe, and Yurok Tribe have expanded their boundaries beyond tribal land via public safety agreements such as an IGA.

Benefits to Humboldt County include additional units available to assist with calls, back up for patrol officers, improved relationships with conjoining tribal nations and perhaps, a lower budget for expenses. Expenditures, however, were not investigated.

The tribal agreement with Humboldt County provided several key components of positive governance. Both the tribal community and the adjacent community have increased officer patrols from the sheriff and tribal police. This stipulates a safer environment for both communities with a possible cost savings for ectological services. Deputation includes additional training benefits for tribal police by learning state laws, county laws, and enforcement protocols so that officers can operate in an expanded area;



tribal police can enforce non-tribal laws off of tribal land. This increases the authority of the tribal police and in turn, expands the region of the Tribal Nation. Increased officer safety is provided as they can call for assistance from the Sheriff's Office and vice versa. This tribal agreement is a demonstrated example that provides benefits for its community while improving public administration efforts on non-tribal grounds. Through the Sheriff's Office, the county public administrators have successfully merged an agreement to work collectively with another government agency to resolve a community issue.

Another example of the tribal agreement is demonstrated in one of the worst water conflicts in the Western United States that persisted more than 20 years prior, involved the Klamath River Basin Restoration Agreement (KBRA) of 2010, and the later revised agreement in 2014.

The Klamath River flows approximately 257 miles across Oregon and Northern California and discharges into the Pacific Ocean. The conflict interweaves the states of California and Oregon, the Klamath Tribes (Klamath Tribe, Modoc Tribe, Yahooskin Northern Paiute Tribe), Karuk Tribe, Hoopa Valley Tribe, Yurok Tribe, fishing enthusiasts, farmers, sheep and cattle ranchers, Del Norte County, Humboldt County, Klamath County, Siskiyou County, irrigation advocates, Trout Unlimited, California Trout, and several other stakeholders.

Each group expected a harvest from the river. During the youth of the United States, the federal government was held to trust responsibilities per treaty to the American Indians while also promising farmer prospects and water to nourish crops. Ranchers in turn desired water to hydrate herds. Non-indigenous communities used water along the river for consumption, electric power, and sport fishing with

miscellaneous activities as tribal nations depended on designated fishing rights to sustain their culture and for sustenance. An unrealistic demand for water from the Klamath River to fulfill the requirements of each faction created anguish culminating into a water war.

It soon became a battle that pitted one group against the other. Between 1922 and 1962, there were four hydroelectric dams erected on the river, Iron Gate Dam, John C. Boyle Dam, California Oregon Power Company (COPcO) I and COPcO II Dams (Green, 2015). Each hydro dam also holds a reservoir for additional water to be drained into specific areas for farmers to utilize for irrigation and ranchers for watering animals. The hydro dams created additional stress for tribal nations to exercise their fishing rights. The cultural and spiritual practice of providing fish as a benefit to the community depends on the ability of salmon and trout.

For the Tribal Nations, there were at least five concerns that needed to be addressed for an agreement to exist.

The first issue was the Klamath fish. As in the culture of the Klamath Indian Tribes and the Karuk Tribe (like other tribes along the river), they depend on fish consumption, primarily steelhead trout and salmon. Fish are spawn primarily (but not solely) in the upper basin tributary of the river. Since the creation of the dams, salmon fish no longer have free passage to travel from the ocean back up the river to spawn. In essence, the natural salmon habitat has been disrupted. The fish run is limited and they are traveling an abridged distance up the river.

The second issue was the temperature of collected water from the dams. An increased water temperature generates an unhealthy environment for fish populations.

Salmon, in particular, are fish that parish in warm water versus cooler temperatures from a free flowing river. Furthermore, the buildup of stagnant warm water breeds algae.

Algae can produce toxins and those toxins could leach into the watershed. Toxins create hazards for fish, animals, and human consumption.

Over the last 100 years, there have been reductions in vegetation, plants and trees along the riverbanks and in the immediate area – this has reduced natural nutrients introduced into the river system. Additionally, the natural habitat of marshes, and swamps has been decreased or eliminated. These are critical to filter and purify the watershed.

The battle for water rights was inflamed in 2001 when the Federal Bureau of Reclamation, under the Endangered Species Act, restricted irrigation from the Klamath River. With the decreased water levels, during the drought of 2001, Suckerfish and Coho salmon were endangered.

The elimination of irrigation water for farmers affected 1,400 farm homesteads, and there were 200,000 acres of crops ruined by the lack of river water (Bruni, 2001). In turn, the scarcity of water acted as a catalyst for insurrection for supporters of farm and ranch irrigation efforts.

After much controversy over the previous years irrigation issue, the bureau permitted efforts for farmers and ranchers to use watering methods for the affected areas.

As water levels dropped and irrigation flourished in 2002, the Klamath River suffered a 34,000 fish kill. It was later determined that the fish kill occurred because of the low level of water in the Klamath (Martin, 2003). Shortly after this tragedy, there was an effort made by the Klamath Tribe and others to negotiate the water issue among

the nearly fifty parties along the river. The stakeholders had expanded and now also included the governors of California and Oregon.

On the nearby Williams River, near the upper basin of the Klamath River, the Yamsi Ranch provided holistic farming and cultivated a trout hatchery. The ranch property, formerly a homeland for the Klamath Tribe, rested in the midst of the tribe's desire for an easement of local ranch land that would ensure the greatest water flow and water quality downstream to produce their native fisheries (Green, 2015).

The operators of the ranch were famously known throughout the Oregon landscape as the Hatfield Family. Living on the Ranch, Gerta Hyde, of the Hatfield Family, was informed that there were conflicts that needed to be settled with the Klamath Tribes. At the time, there was not a positive working relationship between the ranch family and the tribe. Hyde and her granddaughter, Becky Hatfield Hyde, decided to sit down with the Klamath Tribes to discuss an easement settlement. Don Gentry, Chairman of the Klamath Tribes, worked with the family and developed a respectable relationship. The family and the tribes spent time together surveying the area and learning about each other's perspectives. The following is a transcript of Don Gentry and Gerta Hyde from Planet Green documentation in 2015:

Gentry: "Over time . . . when you get people together, even though you have a different worldview or different interests and come from different perspectives, different cultural perspectives, we have a lot in common" (-52:22).

Hyde: "When we went and sat in the tribal council, with them, we made a chart of what they wanted from us. And we put down what we wanted from our ranch and when we looked at it, it was all the same" (-51:58).

Gentry: “One of the things that I realized with my personal relationship with Gerta was the more we talked, the more we shared, the more you realize that we had many things in common so, uh, when that happens . . . it validates that, uh, you’re a part of things, you have some valid perspectives and it goes both ways. So, if you can get to that point there’s a foundation to build from” (-51:09).

Hyde: “There wasn’t any conflict, and once we figured we didn’t have any conflict we settled our so-called dispute which really wasn’t there” (-50:33).

The settlement agreement between the Klamath Tribes and the Hyde Ranch had a momentous influence on the division of warring factions along the Klamath River.

Soon after the Klamath Tribes settled with the Yamsi Ranch, Troy Fletcher, Executive Director, Yurok Tribe, an advocate of the American Indian stimulus, made a concerted effort to stop the media enticement on the water war. Fletcher wished to stop the infighting and influenced others to find a way to work on the issue at hand. Fletcher’s indication that although the Federal Government created the problem neither they nor congress could fix the situation rather, it can only be addressed by the tribes and the other water users. Leaf Hillman, Director of Natural Resources, Karuk Tribe who previously had a hardline approach dealing with non-indigenous organizations had an epiphany. Having never left the home where he was born, Hillman realized that others influence his community outside of his existence. Hillman admitted that previously he was never interested in speaking to those who wanted irrigation, through conversations with a Yurok Tribal member; he was open to talk about negotiations.

Following the ease in tensions, small farmer, Greg Addington remarked, “I think I looked at things, the world pretty black and white at that point in time, right and wrong,

and my views were right, and everybody else was wrong, right” (Green, 2015, -45:54)?

Over time, Addington changed his perspective, by continuing, he mentioned:

We want to irrigate. We want to be here. We want to farm. We want to raise crops and kids and keep doing that, and um, the way to do that is to talk to people and be practical. (Green, 2015, -43:30)

Addington’s community was fragmented between the Klamath settlement. Some individuals want to vilify the agreement but Addington was fatigued of the discourse that took place from the small town community ballgames to nearly all-public events including the fairgrounds. Addington, Executive Director, Klamath Water Users Association, was the chief advocate representing the farmers for irrigation in the Klamath Restoration Agreement. Addington’s responsibility was to ensure that farmers receive an equitable amount of river water for farms.

A relationship was established between Greg Addington and Troy Fletcher. The two began to meet and learn about one another. In the same fashion that Don Gentry and Gerta Hyde formed their relationship, Fletcher and Addington nurtured a connection by learning about each other. They soon learned that their differences were minuscule compared to what they had in common. Fletcher commented:

The other thing that we have in common is, if you began to know, um, the farming community, as I believe they begun to know us in the tribal community, we’re about family; we’re about community; we’re about respect; we’re highly spiritual. Um, we care about where our kids are at 2:00 am in the morning on Friday night, or Saturday night. We want to see a future for our children where our children can continue to fish, can make a living, can fulfill their

responsibilities, um, to the resource, and I know the farming community wants to have a future for their children as well. (Green, 2015, -42:10)

In response to cooperative efforts, Theodore Roosevelt IV remarked: “What you’re seeing [collaboration] is the very best of American Democracy. Where the Native Americans are getting together with the farmers, getting together with the fishermen, and creating a genuine dialogue” (Green, 2015, -1:28:51).

The continuation of affirmation spread along the river communities as the tribes, farmers, ranchers and businesses have developed familiarity. In the words of then U.S. Secretary of Interior, Sally Jewel stated, “People that were almost literally at war with another have come together over a decade of conversation and have become friends and neighbors and partners in preserving this ecosystem” (Green, 2015, -41.12).

The efforts of tribal governments, states, counties, farmers, ranchers, a utility company, and other stakeholders came to agreement on a new approach that was aimed in favor of the tribal desires; to restore the Klamath River. The actions that took place in the dispute and then brought together parties to solve issues in partnership extended beyond the boundaries of each tribal nation involved.

Upon the conclusion of this event in 2014, as published in Indian Country Today Media Network and emphasized on the Klamath Tribes website, Gentry exclaimed that the agreements strengthened tribal sovereignty (Gentry, 2014). Furthermore, he pointed out several key points of the agreement for tribal members and others wishing to expand their sovereignty and self-determination.

Among those points he highlighted included working in collaboration with the Karuk Tribe, in striving for the same objectives. Since the beginning of the tribes’

dependency on the fruit of the river for spiritual, cultural, and economic sustainability, this too will return to the community. This will be accomplished by removal of the four dams (by 2020) to provide steelhead trout and Coho salmon for their fish runs. This will also be accomplished by the removal of miles of dykes, and this in turn would allow the healing of streamside vegetation, channelized sections were to be constructed, and artificial nutrient inputs would diminish. This in turn, Gentry stated, will make the river cooler, cleaner and more hospitable for trout, salmon, and recovery of the two types of suckerfish for the community.

Per the agreement, ranchers in the Upper Klamath Basin River have settled to downgrade water supply by 30,000 acre-feet per year permanently. They will also not use river water on 18,000 acres of land. Despite the agreements, sovereignty was not weakened; the Federal Government will continue their trust relationship and the tribe will remain (per previous treaty) with their senior in-stream water rights. Furthermore, Gentry addressed litigation. He stated that through this agreement, that there would be no more litigation [from any agreement party]. On page 1, Don Gentry stated:

Litigation-only strategies rely on outcomes that are unknowable until the last judge in the last appeals court bangs the gavel. Settlement outcomes are more reliable because we collaboratively build settlements from the ground up, which allows the scope of outcomes to be as broad as the parties are willing to embrace. (Gentry, 2014, para. 3)

The most essential factor in this case was a change in perspective through relationship development. David Farmer's (2010) Multiple Lens Perspective must be applied in order to fully comprehend the magnitude and gravity of the issue from an



Indigenous, economic, and structural perspective. The decisions made by American Indians consist of tribal aspects for spirituality, culture, and routine (Duran, 2002). In an article titled, *American Indian Belief Systems and Traditional Practices*, Betty Duran also indicated that the American Indian perspectives held a higher value on land than most Anglo Americans who placed their value on home ownership and career attainment.

A strong sense of stewardship exists within the culture, especially since all Indians in the United States have had land taken away from their ancestral acreage. For so many citizens, we do not understand, nor can we comprehend, the loss of our homeland; re-designated, parceled and sold under a different authority.

Additionally, Nigel Perrote, Tribal Liaison, Minnesota Department of Public Safety, shared that whenever he works on policy agreements, he always reflects on seven generations in the past and seven generations in the future. As a quality improvement mechanism, he ensures this measure with policies. Generally, this philosophy is used when most American Indians make decisions that impact the community. Examining what ancestors would have done, seven generations in the past then, scrutinizing what and how the decision would affect those seven generations in the future influences how decisions are made. These are important factors to keep in mind when creating a policy remarked Perrote (personal communication, April 4, 2019).

Not all parties in the Klamath water conflict were in agreement with the final decision however; regardless it was a winning situation for the freshwater ecosystem to receive preferential treatment.

The underlying factor in this case had one constant, the river. The river produces a variable quantity that is subject to change each year. An understanding between most

of the stakeholders was reached. Competing parties worked together in order to revive the water system for the benefit of the larger community along the Klamath River.

The ability to refocus the problem from entitlement and self-ownership and from an economic perspective to an ecological perspective; understanding and appreciating other perspectives, and building upon that foundation to create a solution of give and take was a venerable success. Coopetition appeared to be the best option. In the same way that “coopetition” meets the needs of economic growth and technological innovation (Gallant, 1997); where competing organizations conflict (amongst each other) to provide a similar service, the Klamath Tribes through competition and the collaboration have presented an agreement for restoration that benefits the primary constant, the Klamath River.

The restoration agreement benefits most parties at the negotiating table because in the long-term outcome for sustainability, the river’s favorable health will produce a greater number of fish. The agreement will reduce the flow of water removed by irrigation, decrease the water temperatures by providing cooler stream flows from the removal of the four dams, and increase the flow of natural nutrients into the river system. Additionally, the removal of the hydroelectric dams presented greater opportunities for the fish to spawn and run the length of the river.

For the Klamath Tribes, this was a successful extension of nation building. Through the use of sovereignty and self-determination, the tribes were able to impose their influence on creating a natural resource restoration policy that contained an area that far exceeded the tribe’s jurisdiction. This work includes having the dams removed and shared perspectives as they built working relationships with adversaries to create

partnerships to fulfill their original intent of river restoration. Further, they reduced the water removal; created opportunities for an increase in fish supply and promoted further cultural and spiritual advancement for their community. In comments posted on the Klamath Tribes website, tribal advocate Charles Wilkinson praised the signing of the Upper Basin agreement denoting that the tribes were taking the lead in “full-blown” modern Indian tribal sovereignty.

It was necessary for the agreement to be sent to Congress for approval. Unfortunately, as of today, the agreement has not been introduced to the full Congress. This delay is not only a staggering disappointment to all the members who took time to complete the negotiations, but impedes stakeholders from fulfilling the restoration of the ecological needs for the river’s restoration.

What are the measures that led others to follow in the paths of Gentry and Hyde or Fletcher and Addington? The use of Confidence Building Measures (CBM) (Geun-Hye, 2011), would have been a helpful technique to address the process in the early stages of development. In order to gain a full perspective of an adversary one must walk in their path of understanding. One must comprehend, among other things, the context of the situation, history, and desires of an opponent. Above all, CBM for negotiations requires preparation. The ultimate goal of the CBM is to improve a relationship through trust.

Advanced knowledge of measures can be helpful in de-escalating combative situations. This has been observed internationally in war zones of Afghanistan, addressing brinkmanship on the Korean Peninsula, and denuclearization between the Soviet Union and the United States. Thoughtful CBM’s can provide diplomatic buffers

that avoid escalation of inflamed tensions. A knowledgeable public servant should have insight and awareness about the tribal nation that she or he has been assigned to work with.

For research question one: What impact does tribal governance have on the discipline of public administration? This case study (the description of the water war and subsequent agreement) highlights practices that tribal management has advocated for the benefit of all communities adjacent to the river.

At the beginning of the water disagreement, there was evidence of self-perception viewpoints. Each group was focused on their own goals in the achievement of success. From their perspective, individual purposes were legitimate and offered the best answer for a solution to the water problem (Farmer, 1995, 2010). For example, a dairy farmer, born on the farm, will have a viewpoint that differs from someone born and raised in an urban environment. These views temper aspirations for satisfaction on a particular path. In some cases, a belief without exposure to future or past generations, and short-term goals may affect behavior.

Additional factors working in Farmer's (2010) framework include the tribal governments' resolve in taking a complex issue and presenting the subject with less complexity while offering an effective solution. For example, an agreement that most parties could approve and that substantially represented a tribal perspective was established. Tribal planning endured and refocused from individual consumption to long-term goals that included improvements for the environment.

Another example is how tribal leaders, while absorbing specific information from each group, were able to analyze the data and influence the group of participants.

Assessing all viewpoints demonstrates a fruitful approach through tribal governance. Combining perspectives to merge aspects, promotes the most accurate picture of the situation (Farmer, 1995, 2010). Based on this information, tribal governance should be recognized for its uniqueness and its utility by public administration officials.

Governance practices that improved the quality of the tribal community include the removal of the dams to increase cooler temperatures and promote salmon runs. This will increase the number of fish in the river for both ecological communities, but in particular for tribal communities. Governance that will permit increased numbers from fishing with higher provisions for the population facilitated the return of cultural normalcy. Furthermore, during the conflict, tribal governance was able to identify an appropriate amount of water to be removed from the river for irrigation, remove water canals adjacent to the river to improve flow and vegetation, increase the number of fisheries, remove stagnant water buildup, provide more cooling water flows, develop positive relationships from neighboring communities, obtain a broader scope of authority beyond tribal boundaries, and convey influence (priorities) across a more substantial medium than in Indian Country. These crucial factors influence the impact on the discipline of public administration and provide positive dimensions for the tribal community in addition to a broader perspective for the river population.

In review of several demonstrated examples of tribal governance, it becomes progressively clear that ecological public administrators; policy, and affairs personnel should purpose staff to narrow the gap between Tribal Nations. Among others, advantages of agreements for Tribal Nations include (Native Nations Institute for Leadership, Management, and Policy & Pinkham, 2012):

- Influencing policy agenda across a wider capacity than the origin polity
- Influencing policy beyond the boundaries of the Native Community
- Self advancement measures for economic development and prolongation of an economic infrastructure
- In rural areas, joint assistance from both polities sharing services for two communities – lower cost, greater efficiency, and improved quality of serves as a mutual benefit
- Low cost infrastructure development including water, sewer, electrical, telecommunications
- Opportunities to enhance sovereignty with a potential of expanding the community's jurisdiction
- Tribes can troubleshoot problems before a negative issue arises and this benefits the Tribal Nation and ectological community
- Expanded reach through the use of self-determination to identify sectors aligned with the tribal community's interest

Pinkham shared an example of a tribal agreement that permitted members to fish farther away from their land and closer to the mouth of the ocean. The agreement made with both States of Oregon and Washington supported an expanded area for the tribe.

Additionally, even though a tribe is in the middle of a lawsuit, the polity can open or have concurrent negotiations. This openness to modifications or adjustments, as a result of the relationship, offers supplementary solutions that could end an unfavorable court decision.

When Tribal Nations practice nation building, and work in conjunction with other ectological government agencies, economic growth, an improved multi-community

relationship, improved services, or lower cost for utility services can result. The utilization of self-determination serves to promote an expanded reach for goods, services, and products.

There are a myriad of amenities available through intergovernmental or similar agreements. Such agreements are usually made with other government agencies however; tribes such as Fond du Lac, MN demonstrated their ability to utilize non-governmental and private industry while promoting their economic advances with tribal policies upon corporate businesses operations. Likewise, the Swinomish Tribe successfully implemented a joint venture with the adjoining county to zone the reservation that avoided community conflict and yielded positive attributes for both the tribe and the county.

### **Tribal Liaisons**

As declared earlier, a government individual assigned to explicitly work with the Indigenous populations to resolve matters, nurture agreements, and problem-solving issues can provide favorable interactions. The following two interviews with tribal liaisons provide insight and perspectives for three of the research questions. Through these interviews, the research reveals the impact that tribal governance has on public administration, and conversely, reciprocal effects. The research also provided additional evidence of how governance promoted improved quality of life in the tribal community.

#### **Tribal Liaison Martin Bohl - State of Washington**

In 1989, 29 American Indian Tribes agreed with the State of Washington. The State and Tribal Nations agreed to work together for the betterment of all in the State of Washington. It was in this year that the Centennial Accord was signed (Loomis, 2017).

"I am old enough to look at the tribal signatories and tell people, gee I worked with almost all of these people at one time or another in my career," remarked Bohl. Martin Bohl, JD is the Tribal Relations Administrator for the Temporary Assistance for Needy Families (TANIF) on behalf of the Washington State Department of Social and Health Services. Bohl did not remember precisely when the liaison program started, but it was a clear indication that the Centennial Accords, in modern times, began a new error in Washington between the tribes and the state. Bohl, a member of the Confederated Tribes of Colville, has served under several Tribal Nations that include membership in the Executive, Chief Judge, and President of the Northwest Tribal Court Judges Association that covers Oregon, Washington, Idaho, Western Montana, and Alaska.

Bohl's purpose, as a liaison, is to be the sole contact representing the department for:

- Contractual Matters
- Intergovernmental Agreements
- Understanding the Context and Importance of Agreements
- Knowing Proper Polity Protocols, and
- Risk Management Analysis

Additionally, Bohl also performs policy research for the department. Bohl will use the data in the field to verify information with tribal members. He also utilizes this information so that staff are knowledgeable and are topmost aware to educate others ensuring that performance and knowledge is accurate. He not only cross-examines staff on tribal information but has them work through problems to demonstrate competency. Later when speaking about a tribe's successful work with the state co-managing an area



off tribal grounds, this researcher interjected, "that activity extends the sovereignty of the tribe and the ability to move beyond its normal boundary." "Exactly!" came a sharp reply from Bohl. Thinking through situations in that manner, he explained, sometimes helps to convey the entire message.

Providing a clearer understanding of the tribal liaison program, each state agency has a department designated tribal liaison that reports to that department head and the head of that agency. Meanwhile, the Governor's Office of Indian Affairs is to share tribal voices from an Indigenous perspective. The governor similarly appoints tribal liaisons, but these staff members report directly to the governor. As a final supplement, boards and commissions also provide a well-rounded perspective for tribal input to the state.

During our interview, I asked Bohl what steps should be taken to obtain a replacement if a liaison were transferred to some other department. Bohl responded, "The first and primary thing is always to do your homework. There is enough information available on each tribe in the state – one does not have to go to the library anymore, an individual can [get information from] Google." Explanations with details for each tribe in the cooperative web-based program titled [www.washingtontribes.org/](http://www.washingtontribes.org/) that connects all 29 Washington State tribes providing details about each Tribal Nation. There are an additional seven non-federally recognized tribes that include the Chinook Indian Tribe, Duwamish Tribe, Kikiallus Indian Nation, Marietta Band of Nooksack Tribe, Snohomish Tribe, Snoqualmie Tribe, and the Steilacoom Tribe. These tribes are on the Governor's Office of Indian Affairs page.

One should be familiar with the programs and departments. It is essential knowledge to know the functions provided by each department. Otherwise, time will be

wasted waiting for a department representative to get back in touch, only to find out that was not the appropriate person to contact. In addition to valuable time wasted, no contact would yield an unsatisfactory result. Bohl indicated that it was wise to know the number of tribal council members. It is always helpful to know if a subject is meeting with a representative, part of the council, or a full council.

Bohl offered additional advice for a potential replacement/recruit. There may be schedules available. A recruit should check and read the information regarding issues that have been before the council. Similar to looking at a previous record of senate hearings, it is helpful to have that kind of information available at one's fingertips. One will also get a sense of when and the times of council meetings. In most cases, one should be able to tell if the meeting and circumstances contained a full council or not.

The recruit must know the background, and be ready to comment on it, the context, and the protocol. One should always be prepared to speak before the full council.

If contacting a Tribal Nation for the first time, Bohl recommends that one not contact the main number to the Tribal Council. Instead, contact another branch. With the background information collected ask the tribal member, "Well, I am not certain exactly who I need to arrange this with but I am aware that you have a council and a council office – should I be talking to you or do I call the office?" A light conversation should reveal the correct procedural protocol to take. Once established, the recruit should always use this approach until told to use another avenue. Finally, the interested candidate should prepare a full presentation for the entire Tribal Council as if they will vote on a resolution.

There are some fundamentals for presenting to Tribal Council include,

One must complete homework – this shows respect

- Doing homework – shows a willingness to learn
- Doing homework – displays meaningful work
- The presenter should be enthusiastic
- The presenter should be well dressed
- The presenter should be polished
- The presenter should have handouts available
- The presenter should be ready to answer questions
- Respect that they are a separate government
- Respect that they have their own way of operating
- Respect their ability to generate knowledge verses being educated by others
- A presenter is there to state a case he/she knows

Should members of the council ask questions that the recruit does not know, Bohl recommends that they use integrity by confessing that the answer is unknown. The recruit should indicate that the answer would be provided after checking with the department.

Even though Bohl remarked, that the topic he had for the Tribal Council was an A1 priority, in the scheme of things, it may have had a much lower priority than the other issues and entities that the tribe had addressed. A case in point is the federal government. Tribes contract with the federal government as a priority, in comparison to other business dealing.

When a staff member asked Bohl when he would hear back from a tribe on an

issue they had discussed, he replied that it depends. In response, his reply was:

So if you are asking me if we can get this done by next week? I'm saying it depends – all the councils and affiliated tribes of Northwest Indians are in Portland this week. There will be a week between that and the National Congress of American Indians in Colorado where a lot of the Council on Leadership will be going. They are not going to be in their office, setting there dealing with what we – our agreement – every day that's of concern. They are going to be unavailable for most of the month. (Personal communication, Bohl, April 6, 2019)

When commenting on an expectation of quick turnarounds for the above project, he expected an end date in approximately six weeks or more.

#### **Tribal Liaison Nigel Perrote - State of Minnesota**

The Tribal Liaison program had only been in effect for about two years and Nigel Perrote, the Tribal Liaison for the Minnesota Department of Public Safety, was new to the position, and still in his first year. Minnesota's position provides a tribal lens on the policies and programs provided by the state department of public safety.

The 11 Tribal Nations that encompass the state also contain non-federal tribes such as, Kah-Bay-Kah-Nong tribe, Kettle River Band of the St. Croix Chippewa of Minnesota, Mendota Mdewakanton Dakota Community, Ni-Mi-Win Ojibway Tribe, Rice Lake Band of Mississippi Ojibwe, Sandy Lake Band of Mississippi, Snake and Knife Rivers Band of the St. Croix Chippewa of Minnesota, and St. Croix Chippewa of Minnesota.

Perrote spends a significant amount of time connecting with these tribes. During the eight months in his position, he has spent nearly five to six months in tribal

communities. Perrote spent his time connecting with individuals, participating in community events, and getting a feel for what is vital to that tribal community. Perrote was a firm believer in community networking as an advocate and representative of the people. Perrote's former supervisor emphasized that being in the field, collecting information, and working with the people, who are impacted by the policies and programs that you are developing was vitally important.

These comments inspired and motivated Perrote as he pursued his work. Perrote used this energy in his position he stated, "It is a privilege to elevate the voices..." when creating policy. Furthermore, he commented, "It is beneficial to have those voices at the table in consultation or developing policies."

When questioned about mutual benefits in creating agreements, Perrote stated, ". . . the core of what I do is about the communication and outreach with the tribes. My role is to ensure that tribes are being served and [I am] hearing their needs."

Aside from his obvious passion and professional insights, Perrote cites communication, mutual support, and outreach to the tribes as being paramount. One of his additional responsibilities includes keeping the Commissioners, Assistant Commissioner, Deputy Commissioner, and Division Directors updated and informed about tribal affairs.

In addition to Perrote, there are twelve other tribal liaisons in Minnesota. At the time of this research, there were three vacancies. The liaison roles in the Minnesota State system include posts in the Governor's Office, Commerce, Corrections, Education, Employment and Economic Development, Health, Higher Education, Housing and Finance, Human Rights, Human Services, Natural Resources, Pollution Control,

Transportation, and Veterans Affairs.

A body representing the eleven federally recognized tribes serves as the Minnesota Indian Affairs Council, supplements the liaisons. It is an independent council that occasionally meets with tribal liaisons to share information.

Perrote explained that there were a lot of different factors in the makeup of the tribes. He provided the following examples of complexity. Communication, when sharing information; the communication to tribes should be shared separately. Information shared in a generalized fashion to all the tribes would not benefit them. It was essential, Perrote stated, for the information to be applied independently to specific tribal communities. For example, Law Enforcement Services: most of the communities are in rural areas. Two of the Tribal Nations are non-280, and two others have no law enforcement officers but rely on an agreement with the county. Operational behavior is as unique as the individuals.

The majority of agreements that the Minnesota Department of Public Safety works with are grants for all communities, including non-tribal entities. The grants are "Pass-Through" funding from the federal government for example, Violence Against Women and Victim of Crimes. The grant is directly applied to the state. State funds are then passed to a recipient in the tribal community. The tribes use service provisions in programs aimed at crime victims, sexual violence, and domestic violence. These grants need strategic planning for a formula in addition to the recipient.

Additionally, there is a Reparations Program for victims that have suffered an ailment from a criminal act. The grant pays up to \$50,000 to assist the victim in their restoration.

When asked about a replacement if he were on an assignment in another area, Perrote recommended the following:

I think the biggest piece that I kept saying is that in order to do this job; you cannot be sitting in your office developing policy without any communication or consultation with tribal partners. Any policy that you're doing, whether it be working with tribes or working for their communities, or working on specific issues, you need to be out there talking to people that are impacted by it. (N. Perrote, personal communication, April 4, 2019)

1. Gather the work by talking to people in the community that you are working for
2. As a public servant, we can elevate the voices [of those who are unheard]
3. It is vital that people must be out there doing the work
4. The policy should not be stagnant. The new approach, unlike a typical bureaucracy, should re-examine policy and ensure that it fits in this situation or era. The policy should be permitted to breathe.
5. Use of the Seven Generations. As a native, I believe in looking back seven generations then, looking ahead seven generations to determine if this policy or agenda fit (this can be a policy improvement technique that he uses for policy creation).

### **Tribal Liaison Recommendations**

With respect to tribal liaisons, the following useful points were obtained from the interviews. Many of these same recommendations can be applied to Public Administrators working with tribal governments.

In order to be effective, tribal liaisons should...

- Understand the design and structure of tribal government with governance structures.
- Understand that Tribal governments work with a lot of issues including international matters. Do not be discouraged if your message is not returned immediately from a tribe.
- Identify specific protocols that will improve the likelihood of a successful liaison.
- Gain knowledge about the tribe that will be visited. Be knowledgeable about tribal information when speaking with an office representative or members of council because this will enhance respect.
- Know the significance of seven generations of planning for future agreements, policies or related topics.
- Spend time away from the office and become engaged with tribal communities. Time spent becoming familiar with cultural practices, tribal events, and traditions will allow greater access to community members.
- Know the significance of sexual violence and the issues of Missing and Murdered Indigenous Women.
- Understand the structure, capabilities and capacity of tribal public safety in Indian Country. Know that some reservations possess police departments while others depend on outside law enforcement. On reservations governed by PL 280, for example, the county sheriff has jurisdiction for state laws broken on tribal land.
- Engage in outreach as a measure to promote knowledge, understanding, and active listening. This will create an important rapport with the tribal community of interest.



- If presenting for the tribal council, see imperative items and recommendations.
- Be open and honest.

### **Missing and Murdered Indigenous Women**

This segment directly relates to the research question that addresses the impact of tribal governance on public administration. The relationship between the two governments demonstrated new approaches for public administration to problem-solve. Additionally, components within the segment provide examples of tribal governance.

The issue of “Missing and Murdered Indigenous Women” (MMIW) weighs heavily in tribal communities of North America’s Canadian Provinces and Territories, and in the United States.

Dayla Picotte, the Executive Secretary of the Yankton Sioux Tribe, of South Dakota, shared a video that provided public awareness about MMIW. The video highlights Yankton Sioux Tribe’s Annual Walk for the Missing and Murdered Indigenous Women and Children, sponsored by Picotte and Desiree Bruguier. The walk serves as a public announcement to keep a close watch on family members. Both women are sponsored, and were victims of family members who have gone missing. Picotte stated: “We remember them today and the ones that have gone missing as well. We want to let them know that we are still looking for them and that we walk for those that don't have a voice” (Keloland TV & Tordsen, 2018).

During an interview with Picotte, she shared some details about the loss of her aunt. She also explained the importance, as a supporter and organizer, of creating awareness to this issue. The annual walk brings together families and friends that have lost an important person in their lives. In many cases there has been no word from the

individual or from the authorities about the status of their loved ones.

Meanwhile in a passionate plea to the Montana Legislature, Andrew Werk, Jr., President of Fort Belknap Tribal Communities, addressed the statehouse on the importance of recognizing Missing and Murdered Indigenous Women. Werk specified that the subject was not a tribal problem rather; the issue was focused on the State of Montana. Werk urged the members to merge to tackle the problem as one. It was explained by Werk that the data collected on the missing and murdered women were unreliable.

60 cases of missing individuals were cited in Montana, from 1979 through 2018. Werk referenced a bill that was created through a joint State-Tribal committee. This bill was supported by the Department of Justice, and aimed to begin looking for missing women earlier, when incidents were reported.

The bill would also improve operational practices by dedicating investigative resources and easing jurisdiction obstacles related to missing persons. Furthermore, the bill also required law enforcement to take missing persons reports in a timely manner (Michels, 2019). The bill passed unanimously 100-0.

Picotte provided an enlightened perspective on addressing the issue of MMIW. This was a critical issue that became an agenda for interaction. A policy agenda, described by Kingdon, “. . . is the list of subjects or problems to which government officials, are paying some serious attention” (2003, p. 3).

When an incident is reported and there is no response, the community gets together and rallies. Natives walk in solidarity for those in need of being heard. In addition to the walk, the community searches for the individual. This obviously brings

attention to the matter on a grander scale so that the extended community – spreading of awareness and caution, outside of the tribal region.

Kingdon's (1995) policy setting agenda was present as Tribal Nations were addressing the issue at hand. The Missing and Murdered Indigenous Women (and girls) were of utmost importance. Kingdon advocated for issues to be addressed through an appropriate medium:

The separate streams of problems, policies, and politics each have lives of their own...but there comes times when the three streams are joined . . . Advocates of a new policy initiative not only take advantage of politically propitious moments, but also claim that their proposal is a solution to a pressing problem (p. 201).

Identification of the three streams include:

1. The Problem Stream – What obstacles are yet to be resolved from the MMIW in tribal communities?
2. The Policy Stream – What resolution(s) can be attributed to MMIW from tribes, persons, or resources to tackle the problem in Indian Country?
3. The Political Stream – What political elements influence a change that will result in positive outcomes?

The difficulties that remain in the MMIW situation evolve around access to the national database to enter appropriate information from tribal communities. Appropriate access is in question for determining query and entry. Furthermore, discrepancies illustrate inaccurate representations of the missing individuals. Supplemental to a proclamation of awareness, tribal members have been demonstrating through annual marches that highlight the loss of family members.

Among others, government services (federal, state, county, city) offer resolution by influencing representatives and the community to provide public service initiatives. From Kingdon's policy stream (1995), as the elements of the stream merge, they become a policy window of opportunity. Public service decision makers can utilize this opportunity to decide on a suitable resolution.

Prior to the interview with me, Tribal Liaison Nigel Perrote was at Fond du Lac researching the root cause of the incongruent law enforcement information. Perrote explained that legislation in the Minnesota Legislature was underdevelopment that would allow the creation of a taskforce. The taskforce would combat the issues that led to contrasting reports of MMIW. Perrote noted that there were significant gaps in the data that was collected between the National Crime Information Center (NCIC) and the National Missing and Unidentified Persons System (NamUs). NCIC had 5700 reported incidents, while NamUs had 118. One of Perrote's roles was to work with the tribes of Minnesota, representing the Department of Public Safety, to identify and address the gaps along with the newly appointed taskforce.

Perrote's main goal in this matter was to ensure that tribal members received access to what they needed. Additionally, he would seek a baseline for the problem(s) and address them in coordination with the 11 tribal communities of Minnesota. NCIC and NamUs are nationwide services that provide information for criminal and civil justice systems. The systems include law enforcement, prosecutors, civil courts, probation, and parole authorities.

NCIC is the central network for law enforcement information. The ability to check the system provides enhanced officer safety. The nationwide system can be used

to check the identity and disposition of an individual or property. The scope and capability of the system holds an enormous amount of information including missing persons, data on gangs, tattoos, violent person data, and among others, protection orders. The NCIC system began in 1967 and in 2015, the FBI indicated that the system held approximately 12 million active cases and is used approximately 12.6 million times daily, to access the 21 files listed below (Federal Bureau of Investigation, 2019):

1. Article File: Records on stolen articles and lost public safety, homeland security, and critical infrastructure identification
2. Gun File: Records on stolen, lost, and recovered weapons and weapons used in the commission of crimes that are designated to expel a projectile by air, carbon dioxide, or explosive action
3. Boat File: Records on stolen boats
4. Securities File: Records on serially numbered stolen, embezzled, used for ransom, or counterfeit securities
5. Vehicle File: Records on stolen vehicles, vehicles involved in the commission of crimes, or vehicles that may be seized based on federally issued court order
6. Vehicle and Boat Parts File: Records on serially numbered stolen vehicle or boat parts
7. License Plate File: Records on stolen license plates
8. Missing Persons File: Records on individuals, including children, who have been reported missing to law enforcement and there is a reasonable concern for their safety
9. Foreign Fugitive File: Records on persons wanted by another country for a crime

that would be a felony if it were committed in the United States

10. Identity Theft File: Records containing descriptive and other information that law enforcement personnel can use to determine if an individual is a victim of identity theft or if the individual might be using a false identity
11. Immigration Violator File: Records on criminal aliens whom immigration authorities have deported and aliens with outstanding administrative warrants of removal
12. Protection Order File: Records on individuals against whom protection orders have been issued
13. Supervised Release File: Records on individuals on probation, parole, or supervised release or released on their own recognizance or during pre-trial sentencing
14. Unidentified Persons File: Records on unidentified deceased persons, living persons who are unable to verify their identities, unidentified victims of catastrophes, and recovered body parts. The file cross-references unidentified bodies against records in the Missing Persons File
15. Protective Interest: Records on individuals who might pose a threat to the physical safety of protectees or their immediate families. Expands on the U.S. Secret Service Protective File, originally created in 1983
16. Gang File: Records on violent gangs and their members
17. Known or Appropriately Suspected Terrorist File: Records on known or appropriately suspected terrorists in accordance with HSPD-6
18. Wanted Persons File: Records on individuals (including juveniles who will be

tried as adults) for whom a federal warrant or a felony or misdemeanor warrant is outstanding

19. National Sex Offender Registry File: Records on individuals who are required to register in a jurisdiction's sex offender registry
20. National Instant Criminal Background Check System (NICS) Denied Transaction File: Records on individuals who have been determined to be "prohibited persons" according to the Brady Handgun Violence Prevention Act and were denied as a result of a NICS background check. (As of August 2012, records include last six months of denied transactions; in the future, records will include all denials)
21. Violent Person File: Once fully populated with data from our users, this file will contain records of persons with a violent criminal history and persons who have previously threatened law enforcement

The database is housed within the Federal Bureau of Investigations, Criminal Justice Information Services (CJIS) division. When comparing an ecological officer with this access and an endological officer without access, the endological officer is greatly under-resourced.

NamUs is a nationwide clearinghouse that offers information and resources, free of charge, to assist in resolving missing persons cases. The service provides investigative support and training on various subject matters for missing persons. NamUs also offers free forensic investigations to law enforcement and family members.

The organization started in 2005 after the National Institute of Justice began to use DNA as a resource for the investigation of missing persons. The organization

functions in cooperation with the University of Texas – Fort Worth’s Health Science Center. Today, the clearinghouse identifies, on average, 4,400 persons a year out of the 600,000 individuals that go missing in the United States each year, (National Missing and Unidentified Persons, 2019).

The lack of information provided in the national data base systems reflects a significant issue that can be categorized as a gap or barrier. Incongruent errors most likely reflect misclassifications such as an incorrect ethnicity, race or gender submissions as well as, barriers that may imply an inability to promote the seriousness of a criminal activity to an officer in receipt of the information. Additionally, if the officer or agency failed to report the information that data would also be considered as an obstruction, gap or barrier. The receipt of information may also promote ineffective methods or addressing the issue properly, effectively, or at all.

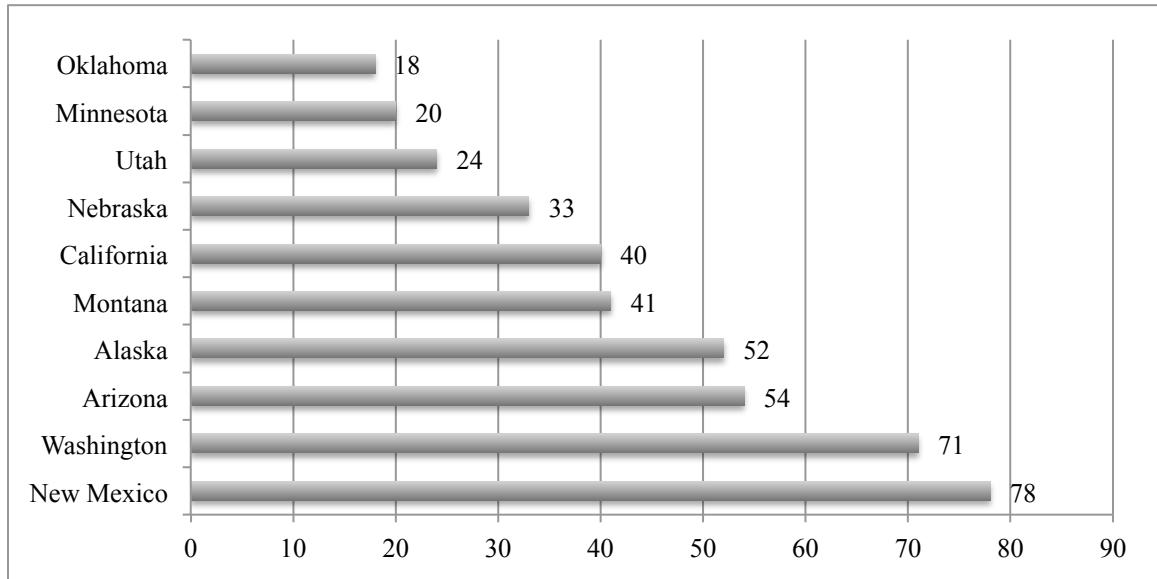
The 2018 report provided by the Urban Indian Health Institute (UIHI), specified that in 2016 there were 5,712 cases of Missing and Murdered Indigenous Women and Girls (MMIWG) that were reported in the NCIC while 116 were placed in NamUs (Lucchesi & Echo-Hawk, 2018). Unlike other MMIW cases (that may have included children), UIHI specifically included girls in their investigation.

UIHI had other significant findings or gaps. UIHI found 153 missing Indigenous person cases that do not exist in law enforcement records. Also, UIHI observed that some cities could not search their databases to categorize American Indian or Native Alaskans (p. 20). One example cited by Lucchesi & Echo-Hawk was Santa Fe, NM, that cannot code the classification for Indigenous populations. Seattle, WA used ‘N’ for Native until the 60s and 70s when the coding changed from Native to Negro. Other

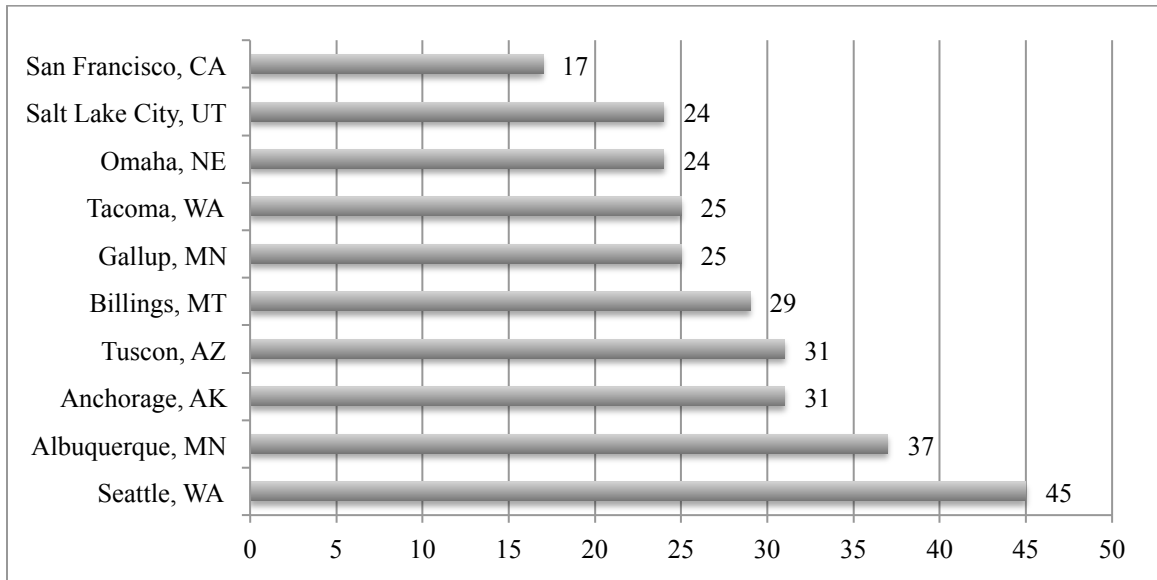


locations where the federal government does not recognize Indigenous tribes include Los Angeles, San Francisco, and Seattle. These cities were unable to classify individuals belonging to unrecognized tribes.

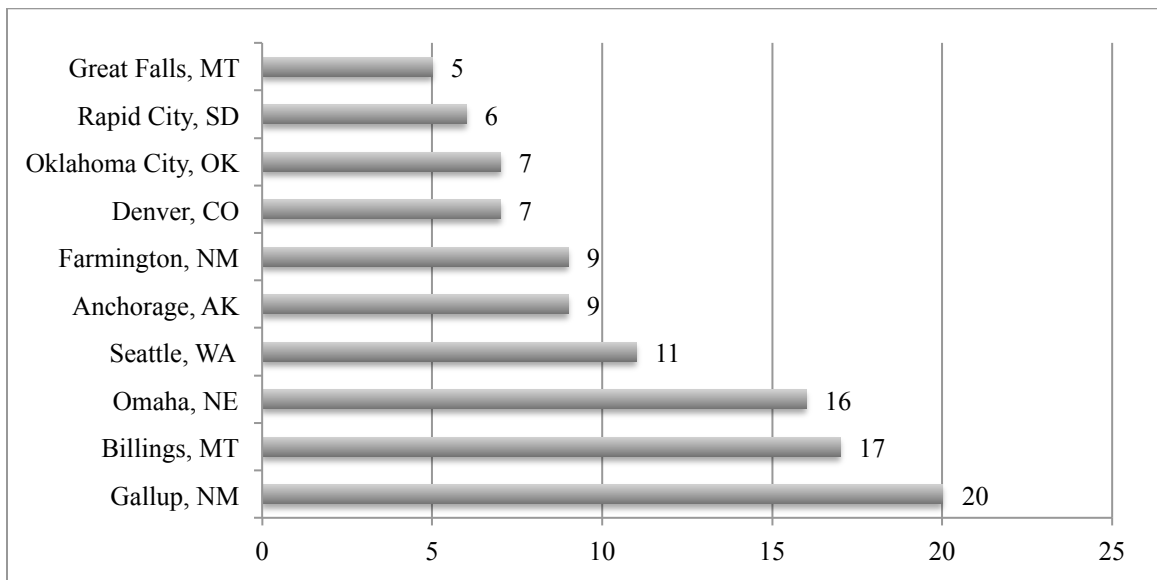
The report indicated that the following are the top cities and states that have reported MMIWG.



*Figure 8.* Top 10 states surveyed by 71 Cities in 29 States. Data was provided by the report of Murdered and Missing Indigenous Women and Girls, Urban Indian Health Institute in 2018.



*Figure 9.* Top 10 cities surveyed by 71 Cities in 29 States. Data was provided by the report of Murdered and Missing Indigenous Women and Girls, Urban Indian Health Institute in 2018.



*Figure 10.* Top 10 cities surveyed by 71 Cities in 29 States with highest number of cases without law enforcement records. Data was provided by the report of Murdered and Missing Indigenous Women and Girls, Urban Indian Health Institute in 2018.

In order to have a better understanding of the barriers that exist for tribal nations,

it would be helpful to understand the factors that supported the production of the incongruent information.

At present, there are two laws that give tribal law enforcement the ability to access the national databases (National Indigenous Women's Resource Center & Colquitt, 2017). The Violence Against Women Act (2005) and the Tribal Law and Order Act (2010) both provide authorization for tribal law enforcement to access these national databases (Colquitt, 2017). As Bradley Colquitt, Tribal Access Program of the Department of Justice indicates, Tribal Nations run into difficulty in accessing appropriate information because *states* have different regulations, statutes and policies that must be followed in order to access the information. Access often depends on interpretations of state laws and each local jurisdiction's willingness to cooperate. Colquitt explains that access to the federal network comes by way of the state and each state acts as a bus stop or junction platform to view data or enter information into the national systems. Colquitt identified three areas that have created barriers to access.

1. The tribe does not have access to national information because their law enforcement agency is not recognized by the state as legitimate. This disallows information query and submission for warrants and civil judgment orders.
2. Tribes have access to the national information, but the conditions of access don't reflect the imperative of tribal sovereignty. The tribe felt that they should not have to depend on the state or local authorities to enter information and that they should be dealing directly with the federal government. This perspective discourages use of the query or submission of information for warrants and civil judgments.

3. Tribes have access to some information but it is only in viewing the information and they are unable to input data. This disallows information submission for warrants and civil judgment orders. Information in this case must be submitted through another agency that is not affiliated with the tribe. When data is input into the national system from an ecological agency, that data is reflect upon the agency and not the tribal nation that presented the information.

In one of the states that Colquitt shared access barriers, the state did not permit tribes to enter orders of protection from Tribal Civil Courts into the national system.

The Tribal Civil Court Judge would issue a civilian protection order. The victim would then have to take that order to a [ectological] Judge. The [ectological] Judge would have to validate the protection order. The victim would then have to take the order to the local sheriff's office and the sheriff's office would put it into the national system. (2017, -1:02:18)

The ability to process an order of protection beyond their immediate community, involves a burdensome, five-step process; especially when the victim is under pressure to keep a safe distance between themselves and a potentially violent individual. Moreover, the victim would no longer be under the protection of the order if that individual left Indian Country to pursue another judge and then the sheriff's office.

In 2016, the National Institute of Justice reported that 55.5% of American Indian women experienced physical violence (p. 43) from an intimate partner. 66.4% of Indian women experienced psychological intimidation (p. 35) from an intimate partner. That is in comparison to 34.5% (p. 23) and 52% (p. 37) respectively for Non-Hispanic White women (Rosay, 2016).

The illustration below highlights the steps that were taken by tribes to report missing women. After reporting, they received inadequate responses. The inadequacy of the responding agencies raised awareness about the injustice of the situation and attracted the attention of a much larger audience. The tribal community marched and performed a search for the missing individual. After a proclamation was made at the Tribal Nation, it was then passed on to President Andrew Werk, (MT) for action by the State Legislature.

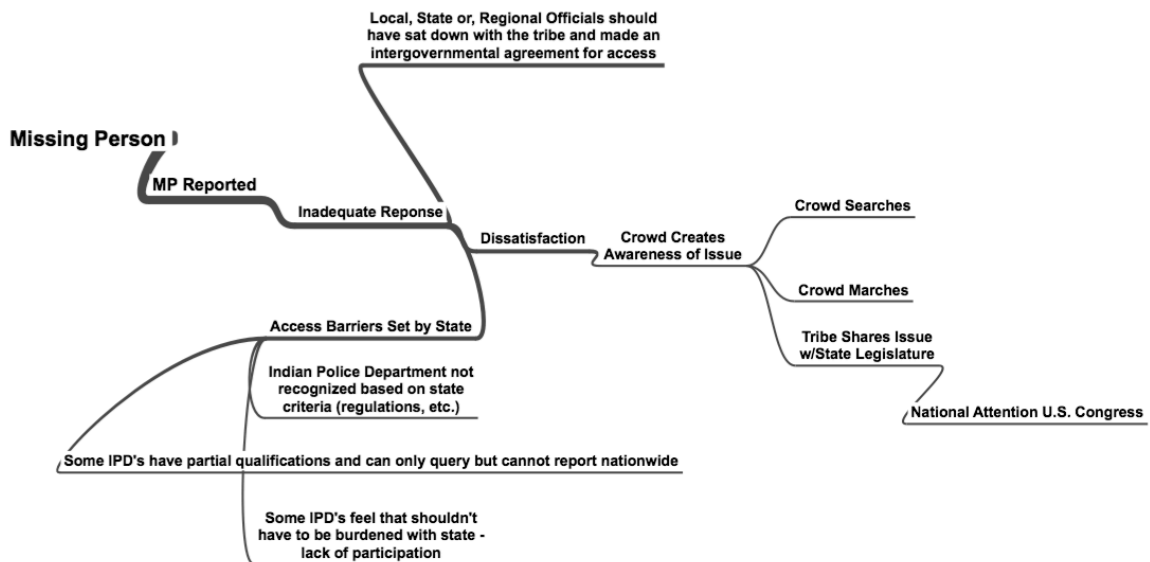


Figure 11. Cycle of steps taken when reporting missing women, inadequate response, community awareness, community walk, community search, platform to share with legislature.

What was a proclamation in Indian Country became the second version of a national policy window. Several actors, including “political stream” advocates, Jon Tester, Senator from Montana, and former Senator of North Dakota, Heidi Heitkamp, promoted the window.

Tester has been an advocate for addressing MMIW through the Senate Indian Affairs Committee. He has pushed for an increase in federal data sharing and improving

and strengthening the budget of the Bureau of Indian Affairs to provide needed services for Indian Country. In one notable example of disparity and gaps, Tester documented that one officer, ("Senator Tester reintroduces bill to combat Missing and Murdered Indigenous Women epidemic," 2019) patrolled more than 450,000 acres of land. Tester confirmed that similar situations exist within most of the land-based tribes, and he advocated for an increase in funding to address pressing issues such as the Missing and Murdered Indigenous Women. Additionally, Tester introduced a bill in 2017 that directed the Attorney General to review and update and develop law enforcement (States News Service, 2017) protocols. The bill was sponsored by then Senator Heitkamp.

The open policy window has yielded recognition of MMIW issues. Many states now have an increased awareness of these concerns, their causes, and the problems they produce. This includes Minnesota's effort to assemble a taskforce and a tribal liaison to address these problems.

Because of this new awareness, new policies have arisen in combat of procedures and several obstacles have been defeated. The TAP initiatives, for example, have assisted Tribal Nations in their efforts to input federal, data, nationwide, instantly. While Tribal Civil Courts, participating in the program, are able to enter information on Orders for Protection.

When officers from two different jurisdictions interact on the border of those jurisdictions, they need to carry the same information. Severe issues occur concerning officer safety. When officers contact an individual who has a violent criminal history, is wanted for a violent felony, is a sex offender, or is known to carry a firearm and is considered armed and dangerous. All officers deserve to have this information when

exercising their law enforcement responsibilities. The lack of this information can cost an officer her or his life.

This disparity can create situations that make an officer unsafe. An unsafe environment is especially true if the officer cannot rely on the accuracy of the information that is received. The officer becomes ineffective and unable to fulfill the duties appropriately. It places an officer in danger with inaccurate information when about to arrest a known felon wanted for armed robbery. If that officer was aware of the danger, then he/she might request a backup to assist with the stop and arrest. Furthermore, it endangers the community by creating hazardous situations. There are a myriad of instances that could turn adverse if not corrected.

One method that addressed access in tribal communities was the Tribal Access Program (TAP), mentioned earlier in this research, began to address incongruent information by forgoing the state regulations, statutes, and jurisdictions that prohibit some tribal nations from participating in the nationwide system. The program is also an additional policy stream resolution (Kingdon, 1995).

The program began in 2015 with a preliminary test group of tribes that included Cherokee Nation of OK, the Confederated Tribes of the Umatilla, OR, Eastern Band of Cherokee, NC, Gila River Indian Community, AZ, Keweenaw Bay Indian Community, MI, Pascua Yaqui Tribe, AZ, Suquamish Indian Tribe, WA, Tulalip Tribe, WA, and the White Mountain Apache Tribe, AZ.

TAP provides a technology platform for Indian Nations to access several areas. The resource was limited to one terminal per community. Exceptions were later made to larger Indigenous communities such as the Navajo Indian Nation that occupies three

states, (Arizona, New Mexico, and Utah).

The program also provides for training (and certification) so that operators can input and access relevant information as well as, technical support. The platform is designed to provide access for Law Enforcement, Prosecutor's Offices, Corrections and Detention, Criminal Courts, Pretrial Services, Probation and Parole Services. The program also includes use for Civil Courts (issuing restraint orders, and protection orders), Child Support Services, Sex Offender Registration Agencies, and agencies with control of juveniles, Public Housing, agencies investigating child abuse, and Head Start (Department of Justice, 2019).

The advent of TAP permits tribal law enforcement to perform most of the same functions as ecological officers. This also provides for a safer, well-informed tribal officer when approaching hazardous situations. This factor increases officer safety and awareness. It makes the Indian Country safer as well as the greater community.

Another important issue with respect to law enforcement system access is when an individual is reported missing. The ecological officer now has the ability to enter relevant data into the national database so that the information can be seen beyond the Indian community. Additionally, civil judgments such as an order for protection or restraining order can also be seen immediately after they are placed into the system from the Tribal Civil Court.

The TAP program is a great start to combat the gaps and barriers in Indian Country. The process to participate, however, is a long one. Each year, after the pilot, the TAP program will continue to work with a select number of Indian Nations so that access can be granted through this platform. Despite the positive aspects of the program,



there are Indian Tribes that do not have law enforcement officers. Measures will have to be taken for those tribes to address the high rates of missing and murdered women in their communities.

The MMIW was, by far, a tragedy that has brewed for many years. It is unfortunate that as the problem started to grow, measures were not taken by public administrators to address or bring awareness to the issue. Public Administration, Public Policy, and Public Affairs professionals missed an opportunity to focus on the implications for Tribal Governments and their respective communities. Cases began as early as 1980 when awareness grew during the mid-2000s at the Confederated Tribes and Bands of the Yakama Nation in Washington State. The FBI found 16 deaths in the area of the reservation but failed to resolve the cases. The remains, mostly indigenous women, were placed there between 1980 and 1992. Later in 2009, the FBI reported that 10 of the deaths were from homicide: shot, stabbed, beaten, or ran over while two listed as drowning (A. Brown, 2018).

It is unfortunate that unlike the communication that was displayed among the nation building for tribal agreements, that no significant efforts were made to create an open dialogue to problem solve this critical situation. Even as politics progressed over the past forty years, a lack of communication has not given this problem sufficient attention and unfortunately more Natives have been murdered or are missing.

The art of preventive diplomacy could positively impact this ongoing situation. This diplomacy could facilitate the development of superior relationships with our tribal neighbors. Confidence Building Measures to are valuable tools that public servants should learn during their education.

### **In Review with Additional Examples of Tribal Governance**

Although not easily recognized, there are several indications that a variety of motivational theories have been present in tribal communities. Tribal Nations coexisted on vast open territories for centuries before the establishment of the present-day United States. As land continues to be a spiritual and cultural necessity, it becomes of greater importance to revere Indian Country. Without reparations, between 1887 and 1934, the U.S. government took more than 90 million acres of land from American Indian Reservations for settlers, (Johnson, Kaufmann, Dossett, & Hicks, 2000). The additional territory also was taken during the Indian Termination Policy that promoted the Americanized civilization of the Indian community through boarding schools. Another method, such as restricting spoken Native languages in schools, from the 1940s until the mid-1960s, also contributed. Despite these challenges and deterrents, the American Indian and Alaskan Natives remain united and flourish. Inducements include incentives and recognition for enrollment in the tribal community. In away similar to how sorority members achieve camaraderie while working together for a common cause, tribal members perform in the same manner.

Each tribe is unique in its originality, manner of maintaining community, self-government, and self-determination. Comradery is analogous to a service member. If a sailor has unfavorable words to say about another sailor, then it may or may not be taken up with the opposing party. However, if a soldier speaks disparaging words about a sailor, and if another sailor hears this information, it is more than likely that there will be a confrontation. Regardless of what happens, the tribe remains cohesive as individuals create camaraderie, and tribal members have endured heartache and wellness together.

The rewards are subtle; a feeling of warmth, acceptance, and appreciation from others into the polity fulfills the need that member's desire. Stones (2002), describes this equilibrium as the goals of the individual are aligned with the goals of the polity. Greater strength and support emerge, as does the family that perpetuates positive behaviors within the polity (tribal nation). Other inducements may come in the form of economic advantage.

An interview with Martin Bohl (2019) revealed that membership based on a desire to maintain family ties and recognition. In some tribes that own Casinos, a percentage of the revenue winnings are shared with enrolled members, as an inducement for living in the tribal community. Additionally, members may receive motivational incentives in receipt of hunting, fishing, or land ownership. Tribal Liaison Martin Bohl remarked:

Members who live on-reservation benefit from the conveniences inherent in having a large number of family members who live within a tight radius, or from having a strong sense of community from birth and on through their lives (connectedness). (M. Bohl, personal communication, April 6, 2019)

Furthermore, the Colville Confederated Tribal Member explained that reservation life was a series of community centered events, celebrations, and gatherings.

The need to be a part of the tribe, in the same culture with the same belief system and practices, inspires the community to stay focused on common good for the polity. In a Tribal Community, the needs, behaviors, and resolution reflect positive inputs that takes the individual back to needing affirmation, as the cycle starts again. In a situation where an individual received negative feedback, then an individual would review the behavior

that caused a poor outcome and make a decision to repeat the behavior or modify it. This is perhaps the reason why Tribal Nations have lasted for such a long time. Could this ingenuous method foster a new approach in refining our understanding of how to ensure a long lasting community?

Opposing organizations against the Klamath Tribes: ranchers, farmers and select organizations, viewed the river as a market source (Stone, 2002). An economic self-interest portrait of consumption without regard to other mouths at neither the riverbank, nor the well being of the ecosystem presented a reflection of colonial oppression from the Indigenous community. Over time, these communities grew stronger amongst themselves opposing meaningful dialogue. Greg Addington indicated that members of his community used inducements to influence support and that he and his family faced these challenges daily throughout the community. Through the polity of the tribal nation, it was demonstrated that working for the River not the individual benefits the larger community of all parties. Developing working relationships created new opportunities to work together on similar issues. Gerta Hyde, when speaking to tribal members, found that the issue she had was nonexistent and that both parties sought the matching objectives.

As Tribal Nations continue to grow and evolve through self-determination, tribes may assume further responsibilities or create agreements with other service providers such as private organizations, state, county, or city services. These are factors that promote the devolution of the federal government's trust responsibilities that include levels of mitigation through tribes, states, and other forms of government accountabilities. During the evolvement of Tribal Nations, agencies other than the

federal government, will assume responsibilities in conjunction with tribes to provide improved services that fill the gap in selected areas of trust responsibilities.

“Tribes do better when their governance structures match their cultural values . . . anything the Federal Government does, tribes can do better” (2014, 2:11), remarked Kevin K. Washburn, Assistant Secretary of Indian Affairs. One example that supports this claim is the Santa Fe Indian School.

The Santa Fe Indian School was adopted in 2008 from several American Indian Tribes from the Federal Government, who used the facility as a boarding school. The school houses approximately 600 pupils that are primarily Apache, Navaho, and Pueblo. The institution specializes in special education, and gifted and talented programs that provide university level education. The school 2003 motto:

The ideal graduate will understand the issues facing tribes in the Southwest and will be committed to maintaining Native American cultural values. They will participate in the culture of their communities and will have the skills to pursue the education or career that will benefit them, their families, and their people. These skills include creative problem solving, using the analysis of complex problems, the synthesis of complex collected data, and the communication of clear solutions, critical, confident, independent and interdependent, life-long learning; working productively with all types of people making good choices.

The new school was able to achieve these goals in ways that the Federal Government was not able to accomplish.

The Chickasaw Nation Medical Center was yet another example. Its aim is to provide better customer service with an emphasis on the elderly. The Indian Health

Services Center was purchased from the Federal Government and sold to the Tribal Nation in the early 2000s. The 370,000 square foot facility was rebuilt to accommodate the annual 238,400 patients annually. The previous facility was designed to accommodate 20,500. The new facility's design and layout is an intelligent design, with no corner turning, for easier access to patients. Cultural mirroring is reflective in the integration of artwork with historical artifacts. Elders in cooperation facilitated the design with the Chickasaw Nation's Governor. The chapel includes traditional utilization of Native rituals that reflect religious and spiritual practices.

Additionally, cultural language is promoted in the facility. The cultural reflection is only part of the story. New technologies such as, computerized topography and magnetic resonance imaging, that were not available in the previous facility, are included in the new facility. The maternity rooms have also been redesigned to accommodate larger groups of family members to visit during births, (Eagle, 2011).

In response to the research questions regarding examples and impacts, the two examples as mentioned earlier, represent tribal governance with Indigenous improvements. These types of cases will continue to diminish levels of federal trust responsibility. The purchase of the Chickasaw Nation Medical Center and the Santa Fe Indian School impacts the discipline of public administration as a result of not having the resources to provide for the needs of the population. Additionally, the services provided did not meet the standards of the tribal culture. The purchases of these two institutions were redesigned to meet the financial resources, quality of services, and cultural expectations that are standard for the respective tribal communities.

A coalition of Tribal Nations purchased the school, renovated, redesigned the

curriculum, motto, goals and objectives and other elements to improve the quality of education for their respective communities. Additionally, the Chickasaw Nation purchased the Indian Health Services facility from government officials to improve services, redesigned the facility for consumer needs, and added cultural appropriateness within the center.

Farmer's (2010), MLP was obligatory to get an appreciative perspective on the nation building of tribal governance for American Indians and Alaskan Natives. In Farmer's business perspective the business components are represented by entrepreneurship and wealth (p. 39) and we might apply select components to gain Indigenous perspective.

Although the list of possible variables is long, there is only one constant that will prove this equation. Before applying these components, also consider relationship insufficiencies between the government and the Indigenous population. Among others, mistrust has been evident because of the Massacre at Wounded Knee, forced assimilation, the removal of children from families, relocation of Natives to reservations, poor promise-keeping, and broken treaties. Those issues, and others, are difficult to discuss, it is impossible not to recognize harmful elements from the past during a tribal negotiation for agreement. Integrity and sincerity are paramount. The constant for our formula is American Indian and Alaskan Native values (Edwards & Edwards, 1980).

Values are favorably rated and represent a degree of respect within the culture. The American Indian and Alaskan Native values, depicted in figure 12, (Rose, 2014) include:



*Figure 12.* Sample of American Indian and Native Alaskan values. Highlighted by Christina Rose in *Indian Country Today*, July 7, 2014.

Honesty, integrity, and respect are straightforward concepts. From Rose, Americans follow individuals with power whereas; Natives follow systems of kinship. That tradition includes the wisdom and knowledge of elders. Elders, for example, play an extremely important in the Indigenous family. They are well respected and offer advice, direction, and prudence. John G. Red Horse wrote that within the Native family, elders are sustainers for the cultural traditions while providing guidance, spirituality, and discipline (Red, 1980).

Kinship transcends elder relationships, however. Mother Earth has been illustrated and talked about in culture, ceremonies, and spirituality for the Indigenous population.

Native activist and author, Winona LaDuke wrote:

Native American teachings describe the relations all around—animals, fish, trees, and rocks—as our brothers, sisters, uncles, and grandpas. Our relations to each other, our prayers whispered across generations to relatives, are what bind our cultures together. The protection, teachings, and gifts of our relatives have for generations preserved our families. These relations are honored in ceremony,



song, story, and life that keep relations close-to buffalo, sturgeon, salmon, turtles, bears, wolves, and panthers. (LaDuke, 2016, p. 2)

Mother Earth provides food, clothing, warmth, sacred water and substance to survive. From the Artic, Mexico, Brazil, Africa, Australia, or the Americas, treating Mother Earth with respect has been a clear priority for Indigenous people. In fact, Rose wrote that Mother Earth has taken care of us, and we must in turn, take care of her.

Another aspect of kinship is the role women hold in American Indian and Native American society. Women provide clarity and as Rose has shared; they also provide a clear perspective for humanity to view when facing difficult decisions, as they, for example, can provide insight about the effects of war.

In terms of a kinship and relationship between us all, we must ask ourselves, through Rose's perspective, if our relationships would be different if we treated every living thing as a relative? What would the relationships be like between an attorney and a student, a construction worker and a nurse, or a car salesperson and street vendor, if principles of kinship were followed? What relationship would we have with other animals? Rose asked how might we process the meat that is eaten or treat endangered animals? These are important questions to ask ourselves as we attempt to understand the mindset and values of an Indigenous perspective and how this perspective might influence public administration practices.

When examining the sacredness of life, Rose explained the difference between having a family member in the room during a pregnancy, singing and praying while welcoming the child compared to the typical presence of a medical doctor who catches a newborn then leaves. "Ceremonies, rites of passage, help children and adults understand

their roles at home, in their community, and in the world. Mainstream Americans rarely see life in a sacred manner among all sacred beings” (Rose, 2014, para. 10). The final ingredient is generosity. Children in Indigenous communities must learn this important value early in life. As parents demonstrate the gift of giving, the children learn to give as well. When learning craftsmanship on the Ojibwe reservation of Lac du Flambeau, this researcher created a birch bark basket. Proud of the creation that was crafted, the instructions given were to gift the item to someone in need. This is one example of how generosity is valued and taught.

These new constants add a rich assortment of significance as we now apply a lens to view an Indigenous Perspective. Although this lens contains a hint of Lakota, another lens may include aspects from Shawnee, Shoshone, Ojibwe, or Seminole. To gain a comprehensive understanding was the type of construction that Farmer desired. A knowledge that focused on the vision created by multiple lenses when examining areas in public administration. Public administration from an Indigenous perspective would be ecologically aware of issues and how those issues affect subsystems including aquatic life, other animals, and individuals.

An individual would be prone to promptly address issues that might have deleterious effects on women and girls such as glass ceilings or missing and murdered Indigenous women.

From an Indigenous perspective, one might tackle such issues as elder care and ways to improve better standards for living in older adults. One might cite inequities in K-12 education, public service or inaccuracies in U.S. history textbooks. An individual with an Indigenous perspective would endeavor to promote Mother Earth like the

Klamath Tribes. A public administrator would also understand the dynamics necessary to have an appreciation for the aforementioned values as they relate to others involved in the settlement. Public administrators would also understand and appreciate the role that honesty, integrity, respect, kinship in relationships, and generosity play in tribal societies.

Regardless of the specific Public Administration function or region, additional individuals embracing Indigenous perspectives, would be valuable assets to the discipline.

## CHAPTER FIVE

### CONCLUSION

The first research question asked what impact does tribal governance have on Public Administration? The most apparent impact on the discipline is that isolation does not promote a willingness to work cohesively to solve challenges. Additionally, information and practices learned from working on projects jointly might shed new light on the discipline.

For example, establishing CBM's, to develop working relationships, (like those developed by Gentry in the water conflict), would promote closer relations. Information sharing with follow up can often avoid difficulties or system failures.

Avoidance of failure is particularly true in the example of the MMIW. In this case, however, it cannot be explored if there continues to be little research or cooperation in building relationships.

Furthermore, the impact of facility purchases from public administration officials is troubling. The purchases indicate that public administration officials have not utilized an appropriate amount of resources to provide above-average services or that such facilities were often outdated.

To remedy the issue, the Chickasaw Nation purchased the Indian Health Services facility and the collective of tribes' purchased Santa Fe Indian School.

The devolution of federal trust responsibilities impacts public administration. When federal programs for topics are absent, poorly executed, or in inaccessible areas,

tribal governments use other methods to obtain services. Programs facilitated by the tribe, other tribes, state or local governments, or other organizations may fill the gap in providing the needed services. Poor quality or lack of access will encourage tribal governments to use self-governance to select alternative methods to devolve the responsibility of the federal government.

There was a negative impact on public administration from tribal governance when law enforcement failed to accurately communicate information about individuals who were missing. In this case, the federal government controlled access to the nationwide database; however, access was withheld by state government agencies that had different access requirements for tribes.

These differences included tribes that were not permitted to enter data, tribes that were only permitted to query data, and others that did not meet state requirements and were not permitted to access the information directly.

Access provided for civil court judgments and related cases was provided through the tribal access program. Additionally, misaligned numbers reinforced the perception that tribal members were viewed as a lower priority than others in mainstream society. These factors impact public administration.

Officer safety and access through TAP is an area of concern for both tribal and neighboring communities. The inability to access national databases for appropriate law enforcement responsibilities impacts the discipline. Unknowing tribal officers risk themselves, ecological officers, and other communities by not having access to systems that provide essential information.

The final impact for question one centers on the federal program for TAP.

Although the program provides excellent services for tribal governance, the financial cost of limiting the number of one terminal per community appears to be a low threshold. Similar to other small cities, it would be favorable for some tribes to have at least one terminal in the courts and another for law enforcement.

Another research question queried about excellent examples of tribal governance found in Indian Country. Several demonstrated examples appeared in this research. The examples reveal the use of tribal agreements to foster neighboring governments to work in conjunction with achieving common objectives. Though not consistent, often the agreements benefit both government organizations.

The third research question asked how tribal governance practices improve the quality of its community? Tribal governance improves the quality of the community by working with neighboring governments to provide improvements. In the examples provided, an agreement can increase influence beyond the tribal community, as demonstrated by Karen Diver at Fond du Lac. It can also expand the territory of the tribe. Pinkham and Bohl also mentioned territorial information. The Klamath Tribes illustrated it: Klamath, Modoc & Yahooskin, as did the Blue Rancheria Indian Tribe.

As communicated by Native Nations Institute for Leadership, Management, and Policy and Pinkham (2012), there are several community benefits that include:

- Self-advancement measures for economic development and prolongation of an economic infrastructure
- In rural areas, joint assistance from both polities sharing services for two communities – lower cost, higher efficiency, and improved quality of serves as a mutual benefit

- Low-cost infrastructure development, including water, sewer, electrical, telecommunications
- Opportunities to enhance sovereignty with the potential of expanding the community's jurisdiction
- The ability of Tribes to troubleshoot problems before a negative issue arises which benefits the Tribal Nation and the ecological community
- Expanded reach through the use of self-determination to identify sectors of interest that suit the tribal community

These tribal governance practices are components that improve the quality of tribal communities.

The final research question read, based on the findings, is it possible to develop a new model for governance in the discipline of public administration? Yes, it is possible to develop a new theoretical model. With confidence from David Farmer's (1995, 2010) texts that insists perspectives are relative. In order to get a comprehensive perspective of any situation, we need multiple perspectives to view the condition clearly without bias. If we only have one type of public administration without opening ourselves to additional perspectives, then we are not obtaining a more inclusive representation.

There is one theme throughout this research that underscores the formation of theory. A lens that collects values similar to those submitted by Christina Rose in 2014 would be included for a new design.

Rose's values were evidenced by Secretary Washburn's comments, during the same year, he indicates that when governance structures mirror cultural values, tribes do better. As a result, Washburn denoted the Chickasaw Nation's Medical Center and the

Santa Fe Indian School. Tribal Nations purchased both facilities and benefitted improvements for the respective cultures.

Karen Diver, in 2007, shared that at Fond du Lac, a high value of importance placed on cultural values. Duran specified, in 2002, that Indigenous persons placed a higher value on land and possessed stewardship for the land above others.

Finally, Perrote, in 2019 (personal communication, April 4), suggested that his process is to examine policies to ensure that those strategies were relevant and made sense for individuals in today's society. Additionally, Perrote used the seven-generation factor when assessing policies based on consequences in the past as well as the future.

As Rose denoted, values that represent differences between Natives and others in the United States, identifying and including these standards in a model would represent an abstract design. The model would reflect the process that would be taken to cultivate strategies from tribal governance administrators working within the public administration discipline. Through this enhanced process, public administration will improve the ability to view situations with an additional perspective and an additional perspective will enrich future projects. Figure 13, represented a theoretical Indigenous values design (TIVD).





*Figure 13.* Theoretical indigenous values design (TIVD). Based on information from Farmer (1995, 2010), UCLA School of Law and Washburn (2014), Diver (2007), Rose (2014), Duran (2002), Red (1980), and Perrote (personal communication, April 4, 2019). This process embodies cultural acceptance characterizing satisfactory governance in Public Administration.

The research provided instances of tribal governance use of agreements, MOA, MOU, or Compacts that provided for connections with neighboring government structures. The use of an agreement is a powerful tool in Indian Country as it has the power to increase authority, responsibility, terrain, influence, and other components that are valuable for the community.

One such instance, the MMIW, was a review and delineation of challenges faced by tribal communities. Unlike previous demonstrated examples, tragedy occurred because opportunities to develop relationships failed.

In Minnesota, efforts are being made to understand and address the gaps in services. The TAP initiative bypasses state authority to provide a level of access to tribal governments. It delivers both criminal and civil court access, providing a significant

resource for tribal government. For users with the program, there are no obstacles that impede process, as direct access is available. The program, however, is not available in all tribal communities.

The Federal Government's trust relationship with the tribes along the Klamath River had failed in two areas. The U.S. government failed to understand or research the life cycle of the salmon fish run while agreeing to uphold treaties that permit fishing as a resource for the survival of the tribes while; allocation of land for settler farming without comprehension of ill effects of providing the Indian land.

A review of findings based on Tribal Agreements and MMIW in this research included:

- Tribal governments operating collaboratively with an adjacent government to improve services have demonstrated to be a valuable commodity as noted by Native Nations Institute et al (2006).
- In some cases, tribal governments have been successful in developing and adopting similar peer government platforms to eliminate the shared responsibility of a conjoined, (checkerboard), reservation. SITC, for example, used its self-governance and worked with Skagit County to form a partnership via a tribal agreement. The agreement extinguished tensions between the two governments and created zoning on the reservation to mirror Skagit County. This action by the tribal government authorizes locations on the reservation, as well as in Skagit County, to receive allotment paperwork and payment.
- State governments that utilize tribal liaisons, such as Minnesota and Washington, can streamline efficiency, effectiveness, quickly identify points of contact, and acknowledge reverential sovereignty, while engaging in tribal agreements on

behalf of the tribe and the state.

As demonstrated by Martin Bohl and Nigel Perrote, Indigenous individuals provided essential elements that connect Tribal Nations with ecological governments in modes that promoted unity. One of Bohl's chief concerns was identifying an appropriate protocol to meet with respective individuals. A primary concern for Perrote was a seven generations perspective and outreach for the tribal community to share concerns and to develop a connection.

- An agreement between the tribe and county for cross deputation, as was done between Humboldt County, California, and the Blue Lake Rancheria Indian Tribe, increases the safety of both the Native American community as well as the neighboring community.

Benefits for the county include additional officers patrolling areas without an additional expense for patrol service. Benefits for the tribe include expanding the range of jurisdiction, improved awareness of criminal issues, improved ability to utilize nationwide networks, ability to report directly and retrieve information from the nationwide network such as MMIW. Other county officers can assist for backups if needed, compared to a limited number of tribal officers. Finally, this program improves training as well as provides a network for improved officer safety while on patrol.

- Ecological community benefit: improved safety with more officers protecting the community (from tribal officers via cross deputation).
- Increased officer safety: benefit from tribal officer access to the nationwide database system(s) to query and input relevant information for criminal activity and missing individuals. Access to information includes civil court judgments

(amongst others) and information regarding missing and murdered individuals.

This information provided by the Justice Department (2019) provides a safer context for tribal communities and respective officers.

- Tribal governance utilizes long-term values in assessing future planning based on the previous seven generations, as well as estimating the next seven generations. The Minnesotan tribal liaison Perrote uses the utilization of this method, as an Indigenous public administrator who applies this method to policy creation and analysis.
- Regarding an alternative assessment involving Indigenous viewpoints, David Farmer's perspective would indicate that it is impossible to see the forest if we concentrate solely on a tree.

Consider the case of the mainstream economic theorist. Such an economist proves useful in analysis precisely because he or she tends to see the world in terms of economic theory. The negative side is that an adherent tends to have difficulty in seeing entities in any other fashion.

The mainstream theorist will see a different economic world than, say, a Marxian economist. (1995, p. 19)

So then, the merits of a tribal governance perspective will provide a more accurate perspective of a larger picture or public works, within the discipline of public administration.

- Tribal governance demonstrated a remarkable ability, during the water conflict, to assess information from all involved and decrease the complexity, while promoting positive solutions. The Tribal Nation provided increased community

benefit by an agreement to remove the dams and to increase the salmon run. Increased availability of fish improved cultural satisfaction and enhanced the availability of fish for consumption — gains to the culture viewed as beneficial. The advantage included respective communities of the Klamath and other Tribal Nations along the Klamath River. Tribal governance was able to identify an appropriate amount of water to be removed from the river for irrigation. They also remove water canals adjacent to the river to improve flow and vegetation, increase the number of fisheries, remove stagnant water buildup. Tribal Governance also provided more cooling water flows (dam removal), developed positive relationships from neighboring communities, obtain a broader scope of authority beyond tribal boundaries, and convey influence, (priorities), across a more substantial medium than Indian Country. Pinkham discussed the merits of tribal agreements with these components in 2012. Among others, he addressed economic development (increased fish as a commodity), influence beyond tribal grounds, and extended authority through the use of self-governance. This process provided insight into a research question that examined the merit of governance for community benefits.

- Kingdon's 1995 theory, illustrated in the MMIW, included a significant agenda aimed at the public and officials. Additionally, the theory supports three streams; (problem) asks what obstacles were yet to resolve for MMIW; (policy) that invited resolutions attributed to MMIW, and political elements that influenced change for positive outcomes.

### **Recommendations**

From Speed in 2014, Pro-American textbooks that do not accurately portray historical facts damage American Indian students. University students who read incorrect accounts of history were “damaged.” This critical factor shadows the culture. It is extraordinary to hear from the director of American Indian and Indigenous Studies that students are receiving sanitized historical information from a curriculum that has been voted on by the board of education. This information is as troubling as it would be if history textbooks did not contain accurate information about the Holocaust. In the same sense of absent information, does this message parallel the discipline of public administration? Has support and research in the field been so diminutive that we have not provided an accurate representation? The discipline needs to take appropriate action that will move public service education in a direction that includes and represents tribal governance practices that should influence the application of public administration. In specific, there should be increased research in tribal governance areas promotion of funding, and additional representation within the literature. These steps would be of great value to both tribal and non-tribal students. As a collateral benefit, tribal students can better relate to incidents and events that involve Native persons, the information should be more relatable and retainable.

The demonstrated examples of tribal governance, the slow reaction of public administration for MMIW, and the extension of the agreements to solve or improve common issues provide opportunities to engage with the tribal community. Leadership in the public sector may also include a "good" governance component to allow citizens trenchancy and interaction with instruments to promote connections between tribal

governments. As transparency should be part of the equation, sharing information via social media, news outlets, newspapers, and the like will foster interest and awareness. Broadcasting the information may encourage other government agencies to follow in the organizations' leadership efforts.

Several elements are essential for successful tribal negotiations. The figure below illustrates important considerations when working with a tribal organization. Ample time should be taken to learn about the tribal government. In particular, one should be aware of whom the staff member will address – an administrator, committee, or some other branch of the tribal government.

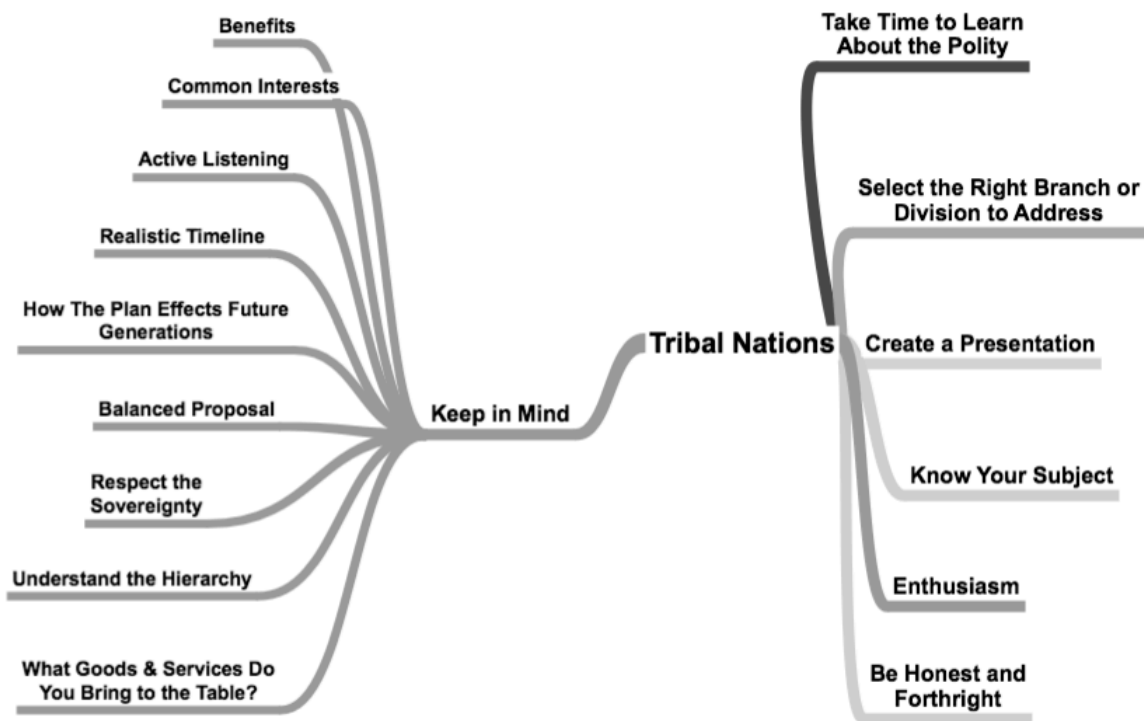


Figure 14. Framework of important aspects to keep in mind when developing an agreement with Tribal Nations (M. Bohl, personal communication, April 6, 2019).

Many tribal governments become consumed with multiple demands and interests that consume availability and time. Persons working with tribal governments should take

into consideration other activities, meetings, and schedules that the polity is confronted. Additional thought and consideration (see figure 8) provided an example of American Indian and Native Alaskan values. These will also be essential elements to remember when negotiating an agreement or when otherwise making essential decisions.

Although the academic discipline currently has little information on American Indian and Alaskan Native Public Administration, there have been clear indications that Indigenous populations have used governance methods.

The creation of policy, architectural designs that reflect the construction of safe communities, for example, indicates the use of public management initiatives. My recommendation includes acknowledgment of previous works represented by American Indians and Alaskan Natives that embody public management and public works.

The discipline must explore additional research including literature focusing on tribal governance. Resources that promote future public service education should include tribal governance literature, as well as, evidence of inclusion for foundation classes in Public Administration, Public Policy, and Public Affairs.

This topic must be examined from an Indigenous perspective. As Natives investigate areas of interest, they should be able to find related topics that represent their identity.

As communities, Tribal Nations function in a close-knit environment and depend significantly upon one another. The sample of values reflects individuals with deep contemplation and empathy for all. As proponents of public service, it is incumbent to continue research so that the discipline may expand its understanding and celebration of examples of positive works.



The continued research should produce a foundation for Tribal Administrators to access a library for construction of new frameworks, as well as opportunities to view related literature in the discipline.

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