



# Collaborative Governance between Alaska Native Institutions

Motivations, Mechanisms, and Outcomes (Final Report)

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## Contents

1. List of Tables and Figures.....	2
2. Executive Summary .....	3
3. Acknowledgements.....	4
4. Introduction .....	5
5. Literature Review.....	7
6. Field Work Research Design .....	13
7. Initial Findings .....	16
8. Conclusion.....	21
9. References .....	23
Appendix – Midterm Report .....	24

## 1. List of Tables and Figures

Table 1. Alaska Native organizations and partners contacted for study.....	14
Figure 1. Alaska Native Regions by Corporation names.....	12
Figure 2. Alaska Native Consortia Interviews.....	15
Figure 3. Alaska Native Consortia boundaries.....	17
Figure 4. Alaska Native Villages by Consortia.....	18
Figure 5. ICAS flag displayed at ICAS offices in Utqiagvik, Alaska.....	20
Figure 6. Aleutian-Pribilof Islands Native Villages represented through rock garden at APIA offices in Anchorage, Alaska.....	20

## 2. Executive Summary

The role of federalism within the context of Native American and Alaska Native institutions is an under-researched field of political science and public policy. Specifically, the manifestation of intergovernmental policy making in the Alaska Native context remains largely unexplored by politics and policy researchers. In this research, I therefore seek to understand how the unique institutional relationships between Alaska Native Village governments, Tribal Corporations, and Alaska Native Regional Non-Profits (Consortia) inform policy making for Alaska Native communities. Based

on literature reviewed and preliminary analysis, I suspect that a combination of institutional arrangements established by federal-Tribal policy under the Alaska Native Claims Settlement Act (ANCSA) and cultural influences specific to the region's Tribe inform how the three institutions collaborate, when, and to what effect. In this report, I therefore outline the research problem and significance, research design, findings, and conclusions for the field work conducted under a Center for the Study of Federalism research grant.

Research Questions:

1. What is the institutional framework for tribal governance in Alaska Native regions?
2. How do individual actors within the governance framework describe their governance structure
3. How does Alaska Native culture inform and bound regional governance?

The literature informing this study can be divided into regional governance and tribal government and politics. Regional governance literature suggests that questions of institutional authority, actors exercising authority, and the territory is exercised in shape regional governance systems along with the goals of functional, competitiveness, and/or equity outcomes. Tribal government and politics literature suggests that the contested institutional legacy of indigenous sovereignty specifically informs how and why tribal communities engage in collaborative governance frameworks.

The study methods were a qualitative research design consisting of document review and interviews of Alaska Native Consortia staff. Interviews were conducted in the Summer of 2024 through a mixture of in person and virtual (if needed) recorded formats. Interviews were then transcribed and coded for common themes and initial findings.

The initial findings of this study and report suggest that the institutional framework for regional governance is a federated-regionalism, with actors within the system viewing it as a mixture of transactional relationships, self-determinism, and intra-regional tribal culture.

### **3. Acknowledgements**

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#### **4. Introduction**

The role of federalism within the context of Native American and Alaska Native institutions is an under-researched field of political science and public policy. Specifically, the manifestation of intergovernmental policy making in the Alaska Native context remains largely unexplored by politics and policy researchers. In this research, I therefore seek to understand how the unique institutional relationships between Alaska Native Village governments, Tribal Corporations, and Alaska Native Regional Non-Profits inform policy making for Alaska Native communities. Based on literature reviewed and preliminary analysis, I suspect that a combination of institutional arrangements established by federal-Tribal policy under the Alaska Native Claims Settlement Act (ANCSA) and cultural influences specific to the region's Tribe inform how the three institutions collaborate, when, and to what effect. In this report, I therefore outline the research problem and significance, research design, initial findings, and conclusions for the field work conducted under a Center for the Study of Federalism research grant.

##### *Background and Research Significance*

Alaska Native politics presents a unique opportunity to examine federalism and its implications for Tribal politics and policy. Federalism assumes a governance regime based on separate, mutually exclusive spheres of authority between units and levels of government. In the United States, federalism is typically examined through the relationship between the federal government and state governments and, to a lesser extent, the further relationships with various local governments. The reality is that there are far more intergovernmental relationships at play in the US federal system than just federal-state, such as the role of sovereign Tribal governments. In the lower 48 US states, Tribal governments exist on reservation lands managed both locally and in trust by the federal government. The governance system between Tribal governments and their local, state, and federal partners are relatively well developed and comparatively well studied (albeit less than federal-state relations). The federal governance system for Tribes in Alaska is less well studied.

Alaska's system of indigenous governance relies on three interdependent components: Native Villages, Native Corporations, and Native Regional Non-profits (known as Consortia). These institutions collaborate and often compete to develop and implement Tribal policy in coordination with local, state, and federal agencies. Unlike federal-Tribal relations in the lower 48 states, which are based in government-to-government treaties, Alaska's system is founded on the Alaska Native Claims Settlement Act of 1971 (ANCSA). This act extinguished aboriginal land claims and established 12 Tribal corporations as the landowner on behalf of their shareholders (Tribal members at the time of ANCSA's passage), tasked with managing Tribal lands and generating long-term benefit for their shareholders. It also established regional non-profits in parallel to the corporations that provide services to members rather than a return on investment. Lastly, it established 229 federally recognized Tribes through individual Native Villages. Taken together, this creates a three-way system of Tribal governance that often competes and collaborates with one another to represent Tribal interests to their local, state, and federal partners.

For policy researchers, the three-way relationship becomes more difficult when it comes to

applying for and sharing federal funding. As federally recognized Tribes, the 229 Native Villages are entitled to Tribal Transportation Program formula funding allocations from the federal government, albeit small overall allocations reflective of their small populations and transportation systems. Regional nonprofits and corporations are not so entitled. All three Tribal organizations can apply for federal discretionary grants and often do so in competition with one another. In some regions, however, Native Villages choose to pool their allocations regionally through their nonprofit and provide transportation as a regional service. In others, they keep their funds separate from one another but coordinate policy and decisions regionally. In still others, no pooling or coordination happens, and each operates independently of one another. I have found through discretionary grant award data that those regions that pool their resources tend to also receive a greater proportion of federal grants awards than those that coordinate, and more still than those that act independently. This suggests that (1) there is a positive but unknown relationship between collaboration and financial gain and (2) that there are unknown factors at play in Alaskan Native politics that influence or inhibit collaboration. What motivates one region to act one way while the region next door acts so differently? The reality is that it is not clear and has not been well studied yet.

Alaska Native politics reflects wider themes from federalism literature and intergovernmental relations, including interlocal agreement, bargaining, and the role of political elites. This research therefore proposes to fill a gap in the federalism body of knowledge by examining relevant themes in a rarely studied aspect of the field: Tribal politics generally and Alaska Native contexts specifically. My hypothesis is that those regions that choose to pool their resources regionally do so based on cultural preferences that favor collaboration over competition. I suspect the opposite is true for those that do not pool their resources regionally.

#### *Dissertation Research Design*

The research design for my dissertation is a primarily qualitative study enhanced by descriptive statistics and Qualitative Comparative Analysis (QCA). I begin by comparing (1) annual Tribal Transportation Program Safety Fund (TTPSF) discretionary grant award outcomes by region to (2) whether a region collaborates, coordinates, or competes intra-regionally to establish a comparative baseline between regions. These data have already been collected and are summarized in Grisham (2021).

Next, I conduct qualitative data collection on site in Alaska, which is the focus of this report. This method includes semi-structured interviews with Village, Corporation, and Nonprofit elites in four to six regions of Alaska. These interviews focus on (1) the motivations for and against collaboration with each interviewee's regional partners, (2) the mechanisms by which they collaborate (i.e., an interlocal agreement), and (3) the perceived costs and benefits of their respective approach. The data analysis component will be a QCA test of the variables contributing to collaboration, coordination, and competition between Villages, Corporations, and Nonprofits. QCA is an analytical method to establish the necessary and sufficient conditions for producing certain outcomes between qualitative cases. In instances of complex causality, such as between region case studies involving multiple actors, cultural norms and variations, and disparities in power

between organizations, QCA provides a reliable method for sorting out what conditions influence the outcomes we see. The goal is to map the universe of possible contributing variables to collaboration, including combinations of factors, to articulate the conditions of complex causality resulting in collaboration.

The result of my dissertation work is to produce a research monograph that illustrates the policy context for Tribes in Alaska within the wider US federal system. Specifically, I hope to illustrate how broader concepts of policy elite behavior, interlocal bargaining, and incentives influence policy outcomes in a rarely studied area of federalism and even Tribal politics.

#### *Focus of Current Field Work*

The field work conducted for this research grant focuses on one portion of the overall dissertation research: What motivates individual tribal governments to collaborate regionally? Alaska Native communities engage in complex governance arrangements between federally recognized Native Village governments; city, borough, and state governments; native corporations; native nonprofit Consortia; and a single federally-recognized regional tribal government. The effect is a complex network of tribal and non-tribal actors interacting to achieve their specific policy agenda locally and regionally. Why the governance context developed the way it did is perhaps a combination of unique federal-tribal institutional development, cultural context, and the role of tribal policy elites.

In this report, I examine regional governance Alaska Native communities to understand what factors influence the current governance models in place. My primary research question is: *how do institutional, individual, and cultural elements influence regional collaboration?* I begin by briefly covering the regional governance and indigenous politics literature relevant to this study followed by outlining the research methods used to understand regional governance arrangements. I then provide initial findings from Summer 2024 field work. I close by highlighting gaps and limitations as well as additional reflections for future work.

## **5. Literature Review**

How do we understand governance in such a broad and relatively under-studied part of the United States? Two bodies of literature can help frame the analysis: regional governance and indigenous nations sovereignty, although neither quite captures the history and dynamics of the Alaska Native communities perfectly.

### *Regional Planning and Governance*

Regional governance and regional planning literature are two overlapping bodies of work that examine why communities choose to work across jurisdictional boundaries on policy issues. Regionalism historically refers to the socio-economic approach of addressing and managing policy issues at a scale larger than individual communities but smaller than national or sub-national governments (Katz 2000, 2-3). The rationale being that many of the policy issues we contend with extend well beyond the borders of any one local jurisdiction and often require



more than one government to address fully. The challenge is that moving from local community to regional scales means building coalitions across jurisdictions since, as one scholar writes, "in most cases, the region is nobody's community (Ethan Seltzer in Katz 2000, 4).

Coalitions seem to be the key factor in developing regional governance systems. Examining metropolitan regionalism, Weir (2000) argues that a mixture of factors supports coalition building. First, a combination of enabling legislation and ongoing political mobilization establish the basis and implementation foundations for long-term regional policymaking. In other words, having key legislative institutions in place that allow for regional policymaking along with a small but dedicated advocacy group to pursue these practices are essential. Second, compromise between communities and individuals on respective interests and policies is necessary to build cross-jurisdictional coalitions. Lastly for our purposes, "go-it-alone strategies" do not work. In other words, communities pursuing similar policy outcomes but by different means, in different forums, and in competition with one another generates little progress on regional issues as opposed to developing a comprehensive policy agenda together.

If a cross-jurisdictional coalition exists to address regional policy issues, how do they go about it? Foster (2011, 64-71) provides a helpful framework to organize regional governance asking:

- By what authority?
- Exercised by whom?
- In what territory?

Authority in Foster's work refers to the legal authority to adopt, implement, and enforce regional policy. Authority in this sense can be delegated from another government (federal, tribal, state, or other) or developed through the regional body. In the latter, a regional body assumes more authority than originally intended through the work of expert staff, political actors, and robust relationships.

Exercise of authority refers to who is deciding on regional policy. 'Who decides' can vary from formalized roles, responsibilities, and composition of a governing body, to veto powers by individual members or local governments, to informal decision-making power of policy elites and expert staff. Lastly, territory refers to the spatial extent of where policy decisions apply, which can often contrast between the actual region of interest and the scope of regional policymaking. Territory also refers to the underlying and/or overlapping jurisdictions that occupy the same territory.

Assuming communities can build cross-jurisdictional coalitions and have clearly defined authority, decision-making, and territory, what benefit do communities see by acting regionally? In their comprehensive study of a very different regional context (New York Metropolitan area) Benjamin and Nathan (2001) summarize what communities often seek as the benefits of regionalism. First is efficiency in delivering services and competitiveness in the global economy. The idea is that communities can achieve an economy of scale by acting as a single unit on an issue rather each developing its own individual services and/or competing for resources with

one another. Second is equity. Benjamin and Nathan (2001) translate this a redistributive policymaking between more and less advantaged communities by spreading costs and benefits across multiple jurisdictions. Lastly is the value of community. For the authors, regionalism-as-community refers to a complex system of regional *governance* rather than *government*, whereby local authority is retained while regional policy is pursued through cooperation, collaboration, and consensus between actors. The values above are then translated into three forms of regional governance: (1) Functional regionalism pursuing efficiency, (2) economic regionalism pursuing competitiveness, and (3) redistributive regionalism<sup>1</sup> pursuing equity outcomes.

### *The Value of Sovereignty*

While the regional planning and governance literature provides valuable frameworks and interests for understanding regionalism, it misses a key concept central to politics and policy in indigenous communities in the US: sovereignty.

Sovereignty is a contested concept bound up in what makes a nation a nation at all. Wilkins and Stark (2011) define sovereignty as “the power of a culturally and territorially distinct group of people to develop institutional arrangements that both protect and limit personal freedoms by social control” (312). In other words, sovereignty is the concept that a people group has political authority over their lands to shape their society free from external intervention. Tribal governments in the United States are considered sovereign in that each originates as an independent nation separate from the US with an inherent right to self-government (Pevar 2012). The US government’s position, while varied over its existence, supports this view of sovereignty, with Supreme Court decisions upholding tribal sovereignty<sup>2</sup> and Legislative and Executive actions generally following suit (Pevar 2012).

The challenge with tribal sovereignty is that it is a contested concept that has evolved over time. Initially, tribal sovereignty was formalized through treaties between the US federal government and tribal leaders (roughly 1787 through 1828) (Pevar 2012, 5-6). This practice was upended during the next phase with the US government passing the Indian Removal Act of 1830, thereby authorizing the federal government to relocate sovereign tribes to western US lands (1828-1887) (Pevar 2012, 7). This period also saw Congress pass a law ending new treaties with tribes.<sup>3</sup> The next phase was an attempt to break up tribal lands and assimilate their peoples into US society through actions such as the Dawes Act of 1887, which attempted to turn tribal members into farmers and sell off “surplus” tribal lands to settlers (1887-1934) (Pevar 2012, 8). In conjunction with assimilation, Congress also passed a law to make tribal members citizens of the US in 1924.<sup>4</sup> Federal policy shifted again in the 1930s with the onset of the Great Depression and New Deal policies, leading to the Indian Reorganization Act (IRA) of 1934, reversing many of

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<sup>1</sup> The authors use “redistributive metropolitanism,” focusing especially on the urban-suburban equity relationship in the New York Metropolitan area, but I have generalized the approach for our purposes.

<sup>2</sup> *Worcester v. Georgia*, 31 U.S. 515 (1832).

<sup>3</sup> Future treaties with Indian tribes, U.S. Code 25 § 71.

<sup>4</sup> Nationals and citizens of the United States at birth, U.S. Code 8 § 1401.

the damaging policies of allotment and encouraging greater self-government (Pevar 2012, 10-11) (1934-1953). The IRA era ended with the introduction of termination, or the policy of ending the federal government's trust relationship<sup>5</sup> with tribes and returning to assimilation. During this period, 109 tribes were eliminated as nations with their lands dispersed to tribal members and jurisdiction reverting to their respective states (Pevar 2012, 11-12) (1953-1968). The current period is known as the "tribal self-determination" era (1968-present), which has seen a reversal of many of the termination era policies as well as new laws and programs to enhance the sovereignty of tribal governments.<sup>6</sup>

Self-determination in the context of US tribes does not have a clear or stable definition. It was articulated by President Nixon in his 1970 address to Congress on self-determination that "it should be up to the Indian tribe to determine whether it is willing and able to assume administrative responsibility for a service program which is presently administered by a federal agency." Nixon's statements and subsequent policy proposals contrasted with the one-directional policies of recognition, termination, and assimilation of his predecessors and began an era of more direct involvement by tribal members in the governance of their own lands and peoples. In this way, the federal government, tribal governments, and related scholar and practitioners have developed a body of literature on self-determination in different tribal policy fields, such as government form (Pevar 2012, 84-90), finance (Adams et al 2007, 241), cultural (Begay et al 2007; Cornell 2007, 71) and other areas.

What the eras above illustrate is that sovereignty is neither a static concept nor the sole property of tribal governments. Instead, it is heavily influenced by the authority of the federal government and the changes in its policies overtime. The effect on tribal politics is that sovereignty becomes a central concept for tribal governments, debated as to its meaning, variation, and exercise (Kickingbird et al 1996). Indeed, when and how tribal governments came into a government-to-government relationship with the US leads to differences in what sovereignty looks like in that context. In practice, the contested nature of sovereignty manifests in what policy domains tribal governments seek to assert self-determined programs and policies. In the case of Alaska, these concepts manifest as the relationship between ANCSA and the programs it governs.

Within the self-determination era, Congress passed ANCSA in 1971 which shapes Alaska Native governance to this day. ANCSA was a new approach to addressing indigenous land claims in the US in that it moved away from the reservation system prominent in the lower 48 states and instead incorporates a hybrid public, private, and nonprofit system of native governance. The history leading up to ANCSA's passage is complex, but the result was a governance regime of

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<sup>5</sup> The trust relationship (or trust doctrine) refers to the federal government's legal and moral duty to protect tribal lands, resources, and cultural heritage, as defined in treaties, laws, and policies (Wilkins and Stark 2011, 313).

<sup>6</sup> Major legislative acts of this period include limitations on state jurisdiction over tribal lands (PL 280 amendments), the Indian Self-Determination and Education Assistance Act of 1975, Indian Child Welfare Act of 1978, Indian Mineral Development Act of 1978, Indian Tribal Government Tax Status Act of 1982, and Indian Gaming Regulatory Act of 1988, among others (Pevar 2011, 13).

Native Villages as federally-recognized tribes, Native Corporations as landowners, and Regional Corporations as service providers. As the ANCSA Regional Association (2023) frames it, ANCSA is the culmination of the integration process of Alaska into the US since its cession by Russia. The US purchased Alaska from Russia in the 1867 Treaty of Cession for \$7.2 million and in doing so created an uncertain land status arrangement with Alaska natives who did not agree that Russia had any authority to sell indigenous lands. From there, ANCSA Regional outlines the land status timeline as follows:

1. **The Second Organic Act (1912).** Organized Alaska as a US territory but does not address aboriginal land claims, leaving them to be dealt with by Congress in the future.
2. **The Alaska Statehood Act of 1958.** Alaska becomes the 49th state of the United States, establishes a state government, defines elected representation for the state in Washington, D.C., and outlines the types of public lands that the state could select. While the Statehood Act did not address land claims by Alaska indigenous peoples, it does separate land jurisdiction between the State of Alaska and indigenous peoples, with the former having no claim to the latter and indigenous lands held in trust by the US government. As indigenous land claims were not addressed, Alaska Native leaders began organizing to represent their respective regions as they sought resolution to their land claims.
3. **The Alaska Federation of Natives is formed (1966).** Following statehood, the Alaska Federation of Natives (AFN) formed in 1966 to advocate for resolution of indigenous land claims. Secretary of Interior Udall froze further land selections and conveyances at this time based on advocacy of Alaska Natives, leading Alaska Native groups, the state, and the federal government to focus on resolving land claims statewide.
4. **Commercial oil discovered on the North Slope (1960s).** In the late 1960s, commercial oil was discovered on the North Slope of Alaska. Extracting and moving the oil required a trans-Alaska pipeline that would need to cross indigenous lands. The unresolved land claims issue froze further pipeline development and added oil and environmental interests to the land claims issue.
5. **The Alaska Native Claims Settlement Act of 1971.** Following internal Alaska Native negotiations and negotiations between AFN and state and federal partners, Congress passes the Alaska Native Claims Settlement Act of 1971. ANCSA divided Alaska into 12 distinct regions based on common heritage and culture as shown in Figure 1. Private corporations were established to own and manage Alaska Native lands in their region. Within these regions, ANCSA corporations selected their lands alongside state and local governments. ANCSA corporations are owned by Alaska Native shareholders at the time of ANCSA's passage, whose shares can be inherited but not sold.

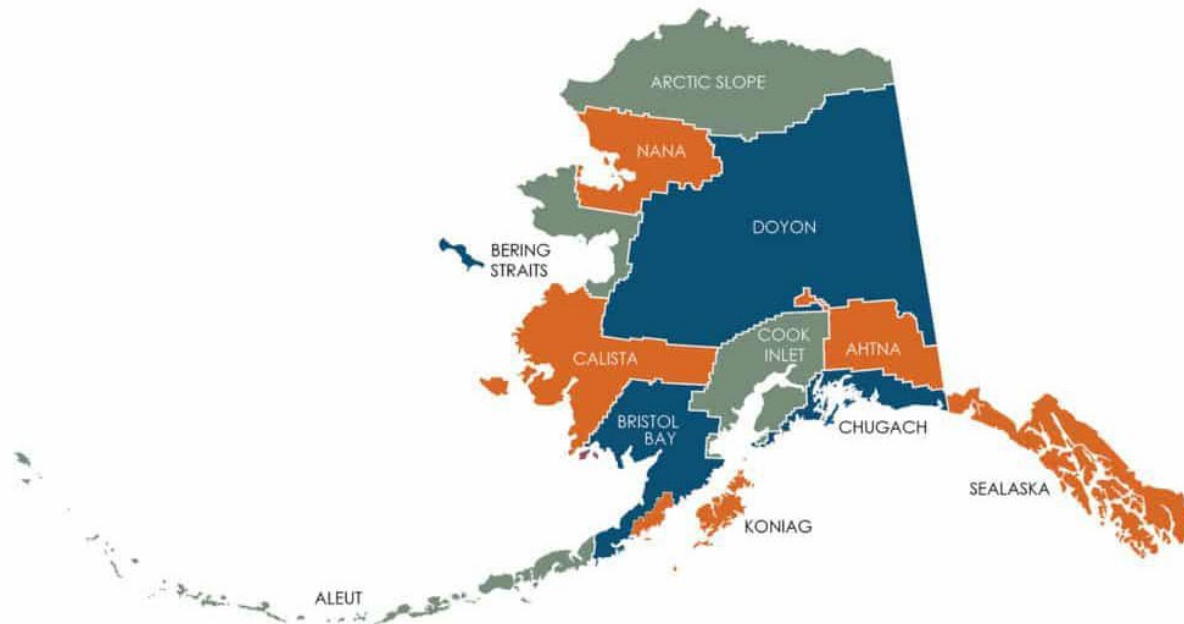


Figure 1. Alaska Native Regions by Corporation names.

The effect of ANCSA is that Alaska Natives experience a very different relationship to the federal government and the governance of their lands and peoples from tribes in the lower 48. ANCSA creates a three-way relationship between Native Villages, Nonprofits, and Corporations in the management of tribal affairs that non-Alaska tribes do not experience. Similarly, division into three entities divides administration of tribal programs across tribal governments and non-governmental entities, which challenges the notion of self-determination by tribal governments. In so dividing roles and responsibilities, ANCSA also challenges what sovereignty looks like in the Alaska context and raises several questions for governance scholars and practitioners. Are Native Villages truly sovereign if Nonprofits and Corporations administer tribal programs? If Nonprofits and/or Corporations are not the federally recognized tribal governments, can they (or should they) represent tribal interests? If sovereignty and self-determination is muddled by the ANCSA institutional context, why would Native Villages choose to cede more authority to non-governmental entities and thereby further diluting their sovereignty? Lastly, if there are clear benefits to ceding authority to non-governmental entities (such as efficiency or financial gain), why is there a variety of regional collaboration approaches employed by Alaska Natives?

It is possible that cultural differences between regions inform what approach each region takes within the ANCSA institutional context in addition to questions of sovereignty and self-determination. As Langdon (2020) notes, indigenous peoples in Alaska are collectively referred to as Alaska Natives, but consist of six major cultural groups possessing linguistic and cultural similarities of "peoples living contiguously in different regions" (4):

- Unangan/Aleut
- Sugpiaq/Alutiiq (Pacific Eskimos)

- Yupiit (Bering Sea Eskimos)
- Inupiat (Northern Eskimos)
- Athabascans (Interior Indians)
- Tlingit and Haida (Southeast Coastal Indians)

These groupings also include two major language families: Eska-Aluet (Aleut and Eskimo peoples) and Ne-Dene (Athabaskan, Eyak, and Tlingit), with Haida considered a possible third language group (Langdon 2020, 12-13). When ANCSA was passed, the 12 regions it created were meant to align with these linguistic and cultural groupings, implying that the differences between regions was significant enough to warrant separate governance regimes rather than a single Alaska Native regime (Hays 2019, 60). Indeed, tribal politics scholars note the role of “cultural match,” or the notion that tribal governance patterns should align with cultural practices and norms of tribal members (Cornell and Kalt 2007, 24-25; Cornell 2007, 71-72; Cornell and Jorgensen 2007, 167-168). As one scholar writes,

“Given the freedom to organize administration and use resources as they see fit, what would indigenous nations do? Some might follow the federal pattern, finding it both congenial and effective. Others might well move in a different direction, turning to older solutions from the past, borrowing from others, or inventing new ways of addressing their needs” (Cornell and Jorgensen 2007, 168).

In other words, the balance between the uniformity of federal institutions like ANCSA and flexibility of self-deterministic programs and policies it contains allows for local and regional culture to shape how these governance forms evolve in each region. Exactly how and why individual regions in Alaska chose the paths they did is still not clear, however, and provides further motivation for this study. It is possible that the interaction of intergovernmental institutions and Alaska Native culture play out through the collaborative governance process to achieve regional variations.

## **6. Field Work Research Design**

The aims of this study are to understand what tribal government staff perceive as the costs and benefits of regional collaboration in multiple Alaska Native regional contexts. I use qualitative methods to understand the institutional context of the native governance in each region examined, examining the legal structure and federal policy, existing program and policy documents that outline regional governance structure, and in-person and virtual interviews to develop a comprehensive case study.

Institutional context is defined as the legal framework structuring tribal governance in each Alaska Native region. This includes federal-tribal laws and policies, State of Alaska laws and policies, and any additional legal elements relevant to the study. I specifically examine the laws and policies leading up to the Alaska Native Claims Settlement Act (ANCSA) of 1971, ANCSA and its provisions, Alaska National Interest Lands Conservation Act (ANILCA) of 1980, and Alaska

state laws on city and borough formation. The desired outcome is a coherent framework of regional governance institutions regulating political behavior between tribal governments.

Program and policy documents are defined as the intergovernmental agreements, charters, and program guidance that implements the institutional framework examined above. Where possible, I gather publicly available charter and board organization documents for all tribal governments as well as any intergovernmental agreement between tribal governments and similar entities. The desired outcomes are two parts: (1) a working understanding of which government collaborates with which other government(s), how, and for what purpose(s); and (2) the roles, responsibilities, representation, and other authority elements of individuals and groups in the collaboration.

Lastly, in-person interviews are used for two purposes. First, I seek to fill any document gaps for the program and policy information addressed above, as not all existing documents of interest are publicly available. Second, I seek to understand how actors within the regional governance context perceive the relative benefits and costs of those relationships. The interviews were conducted over the Summer and Fall of 2024, including visiting the following locations (Table 1 and Figure 2 below) and organizations to meet with relevant staff, develop additional contacts, and understand regional governance context:

*Table 1. Alaska Native organizations and partners contacted for study.*

<b>Organization</b>	<b>Type</b>	<b>Location</b>	<b>Status</b>
Alaska Federation of Natives	Advocacy	Anchorage	Contacted
Aleutian-Pribilof Island Association	Consortia	Anchorage	<b>Interviewed</b>
ANCSA Regional Association	Advocacy	Anchorage	Contacted
Arctic Slope Native Association	Consortia	Barrow	<b>Interviewed</b>
Association of Village Council Presidents	Consortia	Bethel	Contacted
Bristol Bay Native Association	Consortia	Dillingham	<b>Interviewed</b>
Bureau of Indian Affairs (Alaska)	Federal	Anchorage	<b>Interviewed</b>
Chugachmiut	Consortia	Anchorage	Contacted
Cook Inlet Tribal Council	Consortia	Anchorage	<b>Interviewed</b>
Denali Commission	Federal	Anchorage	<b>Interviewed</b>
Federal Highway Administration Office of Tribal Transportation	Federal	Wasilla	<b>Interviewed</b>
Inupiat Community of the Arctic Slope	Consortia	Barrow	<b>Interviewed</b>
Kawerak, Inc.	Consortia	Nome	<b>Interviewed</b>
Kodiak Area Native Association	Consortia	Kodiak	<b>Interviewed</b>
Maniilaq	Consortia	Kotzebue	Contacted
Tanana Chiefs Conference	Consortia	Fairbanks	Contacted



Figure 2. Alaska Native Consortia Interviews.

The list below summarizes the interview questions asked.<sup>7</sup>

- How do institutional, individual, and cultural elements influence the type of regional collaboration pursued by Alaskan Native Regional Nonprofits?
- What mechanisms support and inhibit regional collaboration between Nonprofit and Villages?
- How do individual staff within Alaska Regional Nonprofits characterize collaboration between their organization and their Native Village members?
- How does tribal culture influence collaboration between Nonprofit and Native Villages?

Additionally, I interviewed partner organizations that can provide broader perspective on regional governance in Alaska Native contexts. A version of the same questions was asked to partner organizations, albeit tailored to their perspective and work. The partner agencies were the Bureau of Indian Affairs – Alaska, Federal Highway Administration Office of Tribal

<sup>7</sup> The questions and themes shown are condensed from the full interview protocol used to save space in this paper.



Transportation, and Denali Commission. Additional partner agencies were contacted, such as the Alaska Federation of Natives and the ANCSA Regional Association, but I was not successful in getting an interview.

### *Data Analysis*

The data gathered through the qualitative methods above are analyzed using a single case study. Each set of data are summarized using qualitative coding to develop key themes and findings for the case study. To ensure validity of qualitative coding as a sole researcher, I follow Saldaña's (2021) guidance for qualitative coding. Saldaña advises a process of developing pre-coding themes, observed themes during and following interviews, and a final code. Similarly, sole coders should code during transcription, maintain journals and analytic memos, and validate interpretation of interviews with participants. The validation component is essential for ensuring any interpretations, quotes, and findings honor the original intent of Alaska Native participants. Tools include a portable recorder, handwritten notes and reflective memos, as well as use of QualCoder for storage and analysis.<sup>8</sup>

## **7. Initial Findings**

The interviews and document research revealed several themes that help explain regional governance between Alaska Native communities. In this section, I summarize the findings from my field work by each research question below. The findings summarized are considered preliminary as this is only the summary report following research field work and not the complete dissertation monograph the field research is meant to support. Additionally, I do not include direct quotes from interviewees in this report as my interview protocol informed each interviewee that direct quotes would be reviewed by each participant before inclusion in published research.

### *What is the institutional framework for tribal governance in Alaska Native regions?*

Alaska Native regions are served by nonprofit consortia that provide a variety of services to their member Native Villages and tribal members, from education to healthcare to transportation infrastructure (Figure 3 below). The governance arrangement is relatively similar between each region with minor variations. Native Villages are the federally-recognized tribal governments and sovereign nations, like federally recognized tribes in the lower 48 states (Figure 4 below). Consortia, by contrast, are nonprofit organizations governed by a board of directors that are elected by their respective Native Village councils.

Consortia are governed by both their original articles of incorporation as nonprofit organizations as well as their official bylaws as developed and approved by their respective governing boards. The bylaws typically outline membership as the Native Villages in their respective regions, voting rights and procedures, election of board members, the organization

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<sup>8</sup> QualCoder is an opensource qualitative coding software for storing transcripts and organizing codes and themes.

and powers of the board, its officers, and its subunits or special positions. For example, the Association of Village Council Presidents (AVCP) bylaws outline the above elements, but specifically outline a Board of Directors elected by each respective Tribal Government to govern AVCP along with an Executive Board elected from the Board of Directors to manage AVCP affairs. The AVCP bylaws also allow for a Traditional Chief and Second Traditional Chief to be elected by the Board of Directors to serve as the head (and backup) of the Board and in any ceremonial functions on behalf of AVCP.



Figure 3. Alaska Native Consortia boundaries.

While all Native Villages are members of their respective Consortia and individual tribal members receive services provided by the Consortia, Native Villages must formally agree to participate in services provided by the Consortia on their behalf. This is typically done one of two ways: either through a formal resolution adopted by the Native Village Council to have Consortia staff provided services on their behalf or through a Memorandum of Understanding/Agreement (MOU/A) between the two organizations. Often, both approaches are used to allow for Consortia services and articulate roles and responsibilities between both

parties. The process of turning over responsibility for specific services to Consortia is called 'compacting' and varies between regions. For example, Native Villages in APIA's region compact with APIA staff to provide Village Public Safety Officer services in their communities on their behalf while in BBNA's region, many Native Villages compact with BBNA for transportation planning and engineering services.



Figure 4. Alaska Native Villages by Consortia.

*How to individual actors within the governance framework describe their governance structure?*

Individuals interviewed described their governance framework in three related themes. The first I describe as a form of 'federal-regionalism.' I use the term federal in the sense that interviewees described Native Villages, Consortia, and other governments and organizations as distinct entities, each with its own powers, authority, and mission. For example, all Consortia interviewed emphasized the Native Village council authority over its own affairs and distinct from Consortia or other Villages while also federating to an extent to form and govern the Consortia. Regionalism applies in that Consortia staff also described the inter-Village collaboration, strategies, and investment that happens at the Consortia level between Native Villages. For

example, CITC noted that Native Villages share resources between one another when possible as well as collaborating on joint cultural and educational programs as a single tribe.

The second theme was that of a service-oriented and transactional regionalism. In this theme, participants shared that Native Villages often collaborated with one another as a region through the Consortia for their own benefit rather than broader, altruistic goals. For example, several Consortia and partner organizations noted that Native Villages tend to choose to compact with Consortia to increase specialized capacity that the Native Village would otherwise be expected to provide, such as healthcare services and transportation planning and engineering.

The third theme was a balance of strategic investment vs. local sovereignty. Native Village governments value their inherent sovereignty over internal affairs and decision-making (like most tribal governments across the United States) but are perhaps willing to share this authority regionally to realize long-term policy goals. ICAS and its Native Village partners are a prime example of the balance between sovereignty and policy implementation. In ICAS' region, eight Native Villages can compact with ICAS for transportation planning and engineering and many do. The reason they do is that each Native Village may only receive a small amount of federal transportation dollars each year—often too little to make a significant infrastructure investment in their community. By compacting with ICAS, Native Villages can pool their transportation funding to invest strategically in different communities. BBNA shared a similar example in their region as well. In other words, what each Native Village may trade in local control and ownership over transportation investment, they gain in more strategic, pooling of transportation funding for future years.

#### *How does Alaska Native culture inform and bound regional governance?*

Three themes emerged on the role of culture informing regional governance. First was the view of one people across multiple villages. In all interviews, Consortia staff described tribal members in their regions viewing themselves as one people despite having distinct Native Village governments. ICAS staff specifically referred to their region as one people across eight villages, with their local flag representing this view. Figure 5 below, for example, shows ICAS's flag as displayed in their Utqiagvik offices, emphasizing local villages, dog sled connections, river connections, and whaling traditions, with whale baleen hanging above the flag. What is not shown are western mapping elements of political boundaries, land use and resources, or similar conventions. APIA provides a similar example, representing their member Native Villages through artwork and materials from each location to create a unified view of their peoples and culture (Figure 6).



Figure 5. ICAS flag displayed at ICAS offices in Utqiagvik, Alaska.



Figure 6. Aleutian-Pribilof Islands Native Villages represented through rock garden at APIA offices in Anchorage, Alaska.

The second theme was a robust 'self-deterministic' regionalism. I use the term 'self-deterministic' in reference to the era of federal Indian policy beginning in the 1970s under the Indian Self-Determination and Education Assistance Act (ISDEA) through the current period. Consortia staff and partners interviewed described the contemporary governance framework as shaped and influenced by the political and cultural advocacy of tribal members in the ANCSA and ISDEA development and implementation periods. The primary goals of these actors were to develop and guide their own tribal institutions, informed by their own history, culture, interests. ICAS, for example, described their early political leaders being influenced by tribal boarding schools in Alaska and the Northwest, where they learned how to navigate the US federal government structure, as well as the civil rights movements of the postwar period, which motivated them to advocate for local and regional solutions to federal-tribal policy issues.

The third theme was an intermingling of actors, roles, and institutions. All regions have small populations overall, with relatively small pools of specialized staff and leaders to draw upon for multiple governments, organizations, and corporations. The results are that individuals often (1) occupy more than one position across multiple organizations at the same time, (2) move between related organizations, and/or (3) occupy a single position for several decades. Interviewees shared that the benefits of this situation were that institutional knowledge and intra-regional connections tend to be strong, with individuals carrying their knowledge and authority between organizations and ensuring Native Villages, Consortia, and Corporations are well informed of one another's efforts. The challenges they shared were that there is an increased risk of single-point failure. For example, one Consortia staff member described a situation where a Consortia board member was also a Native Village council member (and possible other roles as well) and when that person had unexpected medical leave, a leadership and decision-making gap emerged across multiple organizations simultaneously. Similarly, the small pool of specialized staff and leaders often makes vacant roles difficult or impossible to fill. Both challenges further favor Native Villages compacting with Consortia to fill capacity gaps at the local level.

## **8. Conclusion**

The study and findings above are preliminary themes only that deserve deeper analysis and interpretation in the complete dissertation. I provide three concluding thoughts, however. First, the findings compare reflect well the literature themes outlined in earlier sections. The regionalism organizing questions of 'by what authority,' 'exercised by whom,' and 'in what territory' align with the scope and structure of Consortia governance as articulated in bylaws and supporting documents. Additionally, the forms of regionalism (functional, competitive, and equitable) seem to be blurred in the interview responses, with perhaps a blend of functional (or transactional) with an equity (or cultural) regionalism standing out. The literature themes of sovereignty and institutions is clearer, with Native Villages and Consortia balancing sovereignty with contemporary organizational, capacity, and resource challenges.

Second, there are gaps and limitations that deserve further examination. The clearest is that I have not interviewed staff from all 12 Consortia, either due to scheduled interviews being cancelled, initial contact with Consortia staff then going cold, or inability to contact Consortia staff altogether. I have made new contacts based on my initial interviews that should allow for this gap to be addressed following this report. Another gap is the lack of interviews with Native Village staff and leadership. Due to the complexity of identifying a representative sample Native Villages, difficulty contacting and scheduling interviews with Native Village staff, and extreme logistical challenges visiting most Native Villages, I excluded interviews with Native Village staff and focused solely on Consortia staff.

Lastly, there are two additional research components in progress for the larger dissertation monograph. While this report focuses on the field work supporting regional governance between Alaska Natives, the larger dissertation includes additional research on evidence-based policy and Qualitative Comparative Analysis (QCA). The complete monograph is structured in five chapters, with an Introduction that includes a broad literature review and overarching research design. The second through fourth chapters are related studies that could be published independently as research papers. Chapter 2 examines the relationship between transportation safety data in Alaska Native communities and federal transportation safety grant award outcomes. Chapter 3 examines the motivations, mechanisms, and outcomes of regional governance based on this report. Chapter 4 then uses QCA to examine the relationship between institutional arrangements and grant award outcomes. The final chapter summarizes and interprets the dissertations findings across all chapters as well as outlining gaps, limitations, and future research.

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**Appendix – Midterm Report**



# Collaborative Governance Between Alaska Native Institutions

Motivations, Mechanisms, and Outcomes

Midterm Report | 7/29/2024

Prepared for and submitted to the Center for the Study of Federalism in accordance with  
the grant agreement between CSF and Portland State University dated 5/29/2024

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## 1. Introduction

The following report summarizes the work completed to date, budget, schedule, and anticipated outcomes of the research work conducted under the Center for the Study of Federalism (CSF) research grant award agreement executed May 29<sup>th</sup>, 2024. The grant agreement states that the grantee shall:

...submit to CSF a substantive mid-term report indicating major activities and the progress of work, spending completed to date, whether work is proceeding on schedule and in budget, likelihood of timely completion, expected publications, and proposed schedule or budget changes, if any. If any research products, such as conference presentations, blogs, or publications, are available at the time of this report, the Grantee shall attach them to the report.

The remainder of this report is organized to address each required element shown in midterm report guidance above.

## 2. Progress of Work

The research grant supports the grantees work examining the collaborative governance motivations, mechanisms, and outcomes between Alaska Native institutions. Specifically, I am focusing on Alaska Native regional nonprofits (“consortia”) that provide government services to their respective Native Villages and members. The work completed during the grant period is as follows.

June 1<sup>st</sup> – 30<sup>th</sup>, 2024. Two key tasks were completed during the first month of the grant period. The first was to finalize my dissertation proposal with my committee, including the proposed interview solicitation documents, interview protocol, and data management plan. The proposal materials were then submitted to Portland State University’s (PSU) Institutional Review Board (IRB) for review and approval.<sup>1</sup>

The second activity was to contact proposed interviewees for planned on-site or virtual interviews. Interviewees are divided into two groups: Consortia staff and non-consortia staff. I contacted executive administration staff at a selection of consortia to request (1) participation in the study and (2) identification of who at their respective organization would be most appropriate to participate. I received commitments to participate from the following consortia:

- Aleutian Pribilof Island Association (APIA)
- Association of Village Council Presidents (AVCP)
- Cook Inlet Tribal Council (CITC)

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<sup>1</sup> Interview materials were originally submitted in January 2024, for review by IRB with no issues noted by IRB staff. Final approval of interview materials required completion of dissertation proposal in May 2024, per Portland State University policy.

- Inupiat Community of the Arctic Slope (ICAS)
- Kawerak Incorporated
- Kodiak Area Native Association (KANA)<sup>2</sup>
- Tanana Chiefs Conference (TCC)<sup>3</sup>

Non-consortia staff consists of federal agency staff that work with most or all consortia and their respective Native Villages. I included these staff for their broad and cross-consortia perspectives. Non-consortia staff include the following:

- Federal Highway Administration Office of Tribal Transportation (Alaska)
- Bureau of Indian Affairs (Alaska)
- Denali Commission

Staff contacted at FHWA, BIA, and Denali Commission are also my colleagues outside of this research who I work with in my professional capacity at FHWA.

July 1<sup>st</sup> – 31<sup>st</sup>, 2024. The tasks in this phase of work were meant to be conducting onsite interviews with participants, but delays in the IRB final approval process has limited my work. I am not allowed to conduct interviews until these documents are fully approved, which should be completed soon. That said, I have completed the following:

- Travel to Alaska, including remote villages, for the following work.
- Preliminary outreach to non-consortia staff.
- Document solicitation from University of Alaska Library, Anchorage Public Library, and Alaska State Archives on consortia incorporation and governing documents
- Initial visits with consortia staff to outline the purpose, scope, and outcomes of this study.
- Establishing primary interview points of contact with consortia and partner organizations

### 3. Spending Complete to Date

Expenses for the June-July report period are shown in Table 1 below. I have submitted invoices for reimbursement although none of the expenses have been reimbursed by Portland State University to me at this point. The expense shown exceed the \$3,500 awarded for the first half of the project, which is expected, but also creates an issue for the reimbursement process through PSU, since there are more expenses than currently available funds. My intent is that the remaining amount will be reimbursed with the second half of the award in October 2024, along with any other expenses.

Description	Expense (\$)
Flights	1,340.04
Lodging	2,414

<sup>2</sup> KANA's commitment came in late July 2024.

<sup>3</sup> TCC's commitment is still tentative; pending approval from executive administration.

Rental Car	1,540.04
<b>Total</b>	<b>5,294.08</b>

#### 4. Schedule and Budget Status

The schedule and budget are currently on track per original grant request and award, but two schedule considerations exist. First, the delay in final approval of interview materials by PSU will push out interview by an unknown amount of time. This is mitigated by receiving commitments to participate in the study early on with the knowledge that interviews may be in person or virtual. The second consideration is changes in participants availability. It is common in my professional work with busy tribal staff that competing commitments lead to last minute cancellations of meetings, with rescheduling taking a long time. I am mitigating this through allowing in person and virtual meetings, with multiple dates available to allow for rescheduling as needed.

#### 5. Anticipated Completion

I anticipate completing nearly all the planned consortia and non-consortia interviews within the grant period, with initial qualitative findings available in October 2024. The grant award document shows a Final Report due within 60 days of the end of the award period (October 1<sup>st</sup>), which should work well. This allows me to complete nearly all interviews by October 1<sup>st</sup> and prepare findings during the 60 day post-grant period for submission to CSF.

#### 6. Expected Publications

Findings from this study are planned for the following publications (article working titles shown in quotation marks):

- PSU Hatfield School of Government: Dissertation, Public Affairs and Policy
- Hatfield Graduate Journal of Public Affairs: "Regional Governance at the Top of the World: The Case of the Inupiat Community of the Arctic Slope."
- Transportation Research Record: "Does Evidence Matter? The Role of Safety Data in Tribal Transportation Program Safety Fund (TTPSF) Grant Awards in Alaska."
- Publius: The Journal of Federalism: "Which Road will Get us There? Examining Equifinality in Transportation Policymaking in Alaska Native Regional Governance Institutions."

#### 7. Proposed Budget and/or Schedule Changes

No changes proposed at this time.

#### 8. Research Projects

No completed or draft research projects are available at this time. The following conference presentations based on this research should be available for the Final Report:

- "Regional Governance at the Top of the World: An Exploratory Case of the Inupiat Tribe." Submitted to the Pacific Northwest Political Science Association 2024 Annual Meeting.

- "Planning at the Top of the World: The Inupiat Community of the Arctic Slope." Accepted for presentation at the American Collegiate Schools of Planning 2024 Annual Conference.

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