



Office of Tribal Relations

Helping to build
long term
collaborative partnerships
with Tribes



August, 2008

This periodic report provides the Department of Agriculture and its Agencies an update of Tribal Relations issues and proceedings within the USDA Forest Service. The information contained within this report is public information and may be shared with members of the public and other interested parties. For further questions and inquiries, please contact Fred Clark at fclark@fs.fed.us, and at (202) 205-1514.

OTR STAFFING

Faline Haven is the new Analyst on the OTR staff. This position fills behind **David Scholes**, who now works for the Job Corps in Virginia. **David E. Clark**, from Region 2, The Rocky Mountain Region, completed his detail in that Analyst position in April.

Monique Fordham, currently with the Advisory Council on Historic Preservation (ACHP), is on interagency loan for the next four months to help OTR develop training materials related to management that may affect sacred sites.

We are pleased to host two of the five Washington Internship for Native Students (**WINS**) students that will join the Washington Office this summer. One student will work with OTR and the other will work with the Office of Communication.

The Assistant Director position (GS-14) remains vacant. **Sonia Tamez** (Region 2) had detailed into that position over much of the winter.

STAFFING IN THE REGIONS

The Region 4 position is now vacant. The Region is developing a strategy along with Region 1 to cover that geographical area.

RECENT MEETINGS ATTENDED BY OTR

- ITC Winter Board, Pechanga, CA (February, '08)
- NCAI Executive Council, Washington, DC (March, '08)
- FS New Employees Orientation, Columbus, OH (March, '08)
- One-Day Interagency Tribal Law Forum, Washington, DC (March, '08)
- National Tribal Environmental Council, Santa Fe, NM (April, '08)
- Three-Day Interagency Tribal Law Forum, Ocean Shores, WA (April, '08)

UPCOMING MEETINGS

- USET Board Meeting, Cherokee, NC (May, '08)
- NAFWS, Worley, ID (May, '08)
- National Tribal Timber Symposium, Hon-Dah, AZ (June, '08)
- National FS Tribal Relations Program Annual Meeting, Forest Sciences Lab, Madison, WI (July, '08)

UPCOMING PRODUCTS

- Tribal Relations Resource Guide (update and revision)
- Forest Service Tribal Consultation Database (new, internal)
- Interagency Tribal Relations Training (contributing agency)
- Indigenous Perspectives area of HD.gov interagency web portal site (contributing agency)
- Additions to Forest Service "Hall of Tribes" in the Yates Building
- Interpretive and educational materials relating to Tribal Relations (brochures, posters, etc.)
- Update of Guide to USDA Programs for American Indians and Alaska Natives (contributing agency)
- OTR brochure and banner
- Draft Forest Service Tribal Relations Program Strategic Plan

CURRENT PROJECTS

- Preparing for national Tribal Consultation on proposed FS Sacred Sites Policy
- Facilitating Tribal involvement in FS State and Private Forestry Redesign
- Forest Service Transformation
- Tribal Forest Protection Act Implementation
- Tribal Forest Protection Act Report to Congress
- Special Forest Products Policy Development
- National Consultation on Energy Corridors
- National Tribal Relations Program Strategic Planning
- Indian Fire Crew Business Development Train-the-Trainer

ADDITIONAL INFORMATION ON SELECTED TOPICS

Transformation

With the Forest Service's fixed costs rising as budgets remain flat or decline, The WO and RO programs are looking at the potential impacts from a proposed 25% cut in the operating budgets for the Washington Office and the Regional Offices. Adapting to this operational reality is at the core of what is being called the Forest Service Transformation. WO Director areas, including OTR, are very much involved in this analysis.

NEWS FROM OTR

A Report on Tribal Relations Topics from the Forest Service Tribal Relations Program

Special Forest Products Policy

A draft national policy that provides guidance on the collection of non-timber forest products was recently published in the Federal Register. This policy has major implications for traditional gatherers, and comments received are being compiled. Ken Kessler, OTR Analyst, is helping with the content analysis of comments received on the draft policy, and OTR will be involved in publication of the Final Policy.

Tribal Relations Resource Book

The *Forest Service National Resource Book on American Indian and Alaska Native Relations* has been a fixture on the desks of Forest Service line officers since its publication in 1997. Times change and an update of what has come to be commonly known as the "yellow book" (the color of its cover) has been much needed. With new staff members on board, OTR anticipates publication of a new version later in this fiscal year.

TFPA

The Tribal Forest Protection Act TFPA was passed in 2004 following the horrendous wildfire season of 2003. The Forest Service Interim Directive was recently renewed until November of 2008. Marsha Butterfield, OTR Assistant Director, is developing the FS Report to Congress on Implementation of the TFPA

Sacred Sites Policy

The work of a task group chartered in 2002 to develop a draft policy for the Forest Service to use in managing sacred sites was completed in April of 2007. The results of their work is undergoing a broad internal review in preparation for nationwide Tribal consultation, after which it may become an agency directive.

State and Private Forestry Redesign

The new Redesign approach, which is the first phase of implementation, will focus on three consensus-based S&PF National Themes:

- Conserve working forest landscapes
 - Protect forests from harm
 - Enhance public benefits from trees and forests.
- Tribes are invited to work with the State Foresters in their areas to get involved in the State Assessments, which are key in the competitive funding process.

National FS Tribal Relations Program Meeting

With the focus on *Building and Enhancing Partnerships*, the annual meeting (July 29-31, 2008), will highlight: the resources available at the Forest Products Lab in Madison, WI; partnership with the Menominee College, and others; potentials for woody biomass utilization; and other important topics.

Farm Bill

Congress is working on a new Farm Bill. At this writing, the Bill has not yet been signed by the President. Among the many provisions that are important for the country are four that are especially important for the FS Tribal Relations Program. The new Farm Bill includes new authorities for the FS to:

- rebury human remains and cultural items on NFS lands
- maintain confidentiality of information that is culturally sensitive to Indian tribes
- provide, free of charge to Indian tribes, forest products for noncommercial traditional and cultural purposes
- temporarily close areas to the public, at the request of Indian tribes, for exclusive use for cultural activities,

White House Indian Affairs Working Group

OTR is part of a sub-working group on consultation, developing an interagency resource with links to:

- existing agency tribal consultation policies and protocols,
- agency officials designated to carry out the requirements of E.O. 13175, and
- authorities that require federal agencies to consult with Indian tribes.

The group also wants to develop links to readily available federal agency best practices or case studies in tribal consultation and a list of helpful hints or tips for successfully engaging in tribal consultation.

Forest Service Focal Themes

These 3 broad areas of interest are not new initiatives, but rather a way of organizing the way we think about the work the Agency does:

- Climate Change
- Water
- Connecting Kids with Nature

OTR Focal Themes:

- Policy
- Assistance
- Training
- Oversight
- Leveraging Partnerships

News from OTR

April, 2008