



# Office of Tribal Relations

Helping to build  
long term  
collaborative partnerships  
with Tribes



January, 2009

This periodic report provides Agencies and partners an update of national Forest Service Tribal Relations issues, projects, and activities. 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](mailto:fclark@fs.fed.us), and at (202) 205-1514.

## OTR STAFF

**Fred Clark, Director**

**Marsha Butterfield, Assistant Director** (on detail to SPF Deputy's Office until March, '09)

**Ken Kessler, Analyst**

**Faline Haven, Analyst**

**Monique Fordham\*, Program Specialist**

**Anna Reynolds\*\*, Student Trainee**

## NEW OTR EMPLOYEES

\***Monique Fordham**, who has been working with the Advisory Council on Historic Preservation (ACHP), is our new Program Specialist, starting on January 19, '09. Ms. Fordham received her Master of Education degree in Cultural Diversity/Curriculum Reform from the University of Massachusetts at Amherst in 1998. She received her Juris Doctor and Master of Studies in Environmental Law degrees from Vermont Law School in 2004, where she was President of the Native American Law Society and worked under Prof. Dean Suagee in the school's Indian Country Environmental Justice Clinic. She also worked as a legal intern at the Association on American Indian Affairs on sacred site issues. She was admitted to the Massachusetts Bar in 2004.

Ms. Fordham is the founder and president of Friends of Wissatinnewag, Inc., an all-volunteer non-profit organization that worked for several years to successfully purchase and protect the site of the ancient Pocumtuc village known as Wissatinnewag in order to save it from proposed development. Located in western Massachusetts, Wissatinnewag was the site of one of the earliest massacres of non-combatants in the colonial history of the northeast, when over 300 Native women, children, and elders were killed there by a colonial militia.

Ms. Fordham has worked closely with the Tribal Historic Preservation Office of the Narragansett Indian Tribe on the protection of Wissatinnewag and surrounding properties for over a decade. She is the author of published journal articles on the reintroduction of Native languages into primary educational settings, and on the struggles of incarcerated Native Americans to practice their traditional religions in prison. During the 1990s, Ms. Fordham worked as a "stringer" reporter for National Native News, and hosted a weekly Native music and affairs radio program, "Kita," on WMUA radio in Amherst, MA.

Ms. Fordham is of Western Abenaki descent from Quebec and the Northeast Kingdom of Vermont.

\*\***Anna Reynolds** comes to OTR from the Job Corps in DC. She worked in an internship with the Research and Development Deputy Chief's Office. Ms. Reynolds will be taking on many of the Administrative Assistant tasks for the office, following behind *Bridget Agapito*, who left the FS for a promotion with the USDA Office of Business Program Integration.

## STAFFING IN THE REGIONS

The Tribal Relations Program Positions in Region 1 and Region 4 are currently vacant, following the retirement of *Dale Kanen*. The announcement of the selection for the R1 position is expected soon.

**Merv George** (707-562-8919) is the new TR Program Manager in Region 5, following the retirement of *Sonia Tamez*.

## RECENT MEETINGS ATTENDED BY OTR

- NCAI Annual Convention, Phoenix, AZ (October, '08)
- DOE Biomass, Denver, CO (December, '08)
- FS Sustainable Operations Summit, Madison, WI (December, '08)
- National FS Tribal Relations Program Annual Meeting, Washington, DC (December, '08)

## UPCOMING MEETINGS

- USET Impact Week, Washington, DC (February, '09)
- ITC Board Meeting, Palm Springs, CA (February, '09)
- NCAI Executive Council Winter Meeting, Washington, DC (March, '09)
- To Bridge A Gap Conference, Durant, OK (April, '09)

## UPCOMING PRODUCTS

- Tribal Relations Resource Guide (update and revision)
- Additions to Forest Service "Hall of Tribes" in the Yates Building
- Forest Service National Tribal Relations Program Strategic Plan (FY09 – FY2011)

# NEWS FROM OTR

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

## HIGHLIGHTS OF CURRENT PROJECTS AND ISSUES

- Facilitating biomass projects with Tribes
- Farm Bill Title VIII, Subtitle B Implementation
- Tribal Forest Protection Act Implementation
- Special Forest Products Policy
- National Consultation on Energy Corridors
- Restoration and Business Development Training for Indian Fire Fighters

### Special Forest Products Policy

A final national policy that provides guidance on the collection of non-timber forest products was recently published in the Federal Register. This policy will have major implications for some traditional gatherers and others. This is a link to the Rule:

<http://edocket.access.gpo.gov/2008/pdf/E8-30672.pdf>

### USDA Tribal Consultation Regulation

On September 11, 2008, the USDA issued a new Departmental Regulation on Tribal Consultation. This is a link to the Regulation:

<http://www.ocio.usda.gov/directives/doc/DR1350-001.htm>

The Policy statement in the regulation says:

"It is in the public interest that USDA should, to the extent practicable and permitted by law, consult and coordinate with tribes on a government-to-government basis. Because tribes are affected by USDA policies, programs and actions, USDA should consult with tribes on matters that may affect their rights and interests in compliance with Executive Order 13175, Consultation and Coordination with Indian Tribal Governments, prior to making a decision."

### 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. OTR is actively seeking a contractor to work with the materials to create a new, web-based document and a publication.

### TFPA

Marsha Butterfield, OTR Assistant Director, developed the FS Report to Congress on Implementation of the TFPA. New TFPA projects are being developed between Tribes and National Forests.

### Biomass Utilization

OTR is working with the Woody Biomass Utilization Group to develop a Program of Work that will lead to pilot projects that leverage the capabilities and resources of Tribes, the FS, and other agencies. Contact: Faline Haven (202.205.1520).

### Farm Bill

The new Food, Energy, and Conservation Act of 2008 (the 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 participated as part of the Consultation and Coordination Advisory and Guidelines (CACAG) Workgroup, part of the White House Office of Intergovernmental Affairs' (WHIOA) Indian Affairs Executive Working Group. The CACAG:

- compiled a list of Federal Tribal consultation statutes, orders, regulations, rules, policies, manuals, protocols, and guidance,
- compiled a list of Federal agency contacts for Tribal consultation, and presented recommendations to the WHIOA regarding training courses/requirements, Executive coordination of Tribal issues, Tribal consultation guidance, developing information resources, establishing requirements or recommendations for agencies, and training for Tribes.

### National FS Tribal Relations Program Meeting

With the focus on *Tribal Relations Program Evolution*, the National TRP meeting was held in Washington, DC on December 1 – 4, 2008. The meeting highlighted program direction, products, and strategies, and included a partners' panel that had representation from several national FS staffs, national intertribal organizations, and other federal agencies.

### 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

