



Tribal Topics: News From OTR

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

Office of Tribal Relations

Helping to build long term collaborative partnerships with Tribes



June, 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, currently with the National Renewable Energy Lab (NREL) has accepted the position of GS-0343-13 Program and Management Analyst on the OTR staff. Faline brings a wealth of experience in Forestry, woody biomass utilization, and with Tribes from all across the country. We'll welcome her to OTR in early July. She 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 (Advisory Council on Historic Preservation [ACHP]), started on an interagency loan in April for a four-month assignment to help OTR develop training materials related to management that may affect sacred sites.

Linda Parker (EMC staff) is on detail in OTR as Assistant Director through the end of the fiscal year.

We are pleased to host two of the five Washington Internship for Native Students (**WINS**) students in the WO this summer. **Loreal Scott** is working in OTR and **Elizabeth Roberts** is working in the Office of Communication. Other students are working with Fire, Research, and Partnership staffs.

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

- National Tribal Environmental Council, Santa Fe, NM (April, '08)
- Three-Day Interagency Tribal Law Forum, Ocean Shores, WA (April, '08)
- USET Board Meeting, Cherokee, NC (May, '08)
- SPF Leadership Team, Charlotte, NC (May, '08)
- NAFWS, Worley, ID (May, '08)
- National Tribal Timber Symposium, Hon-Dah, AZ (June, '08)

UPCOMING MEETINGS

- National FS Tribal Relations Program Annual Meeting, Forest Sciences Lab, Madison, WI (Currently scheduled for July, '08)
- International Symposium on Society and Natural Resources (June, '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 (in response to Farm Bill, contributing agency)

CURRENT PROJECTS

- Farm Bill policy development
- National Tribal Consultation on proposed FS Sacred Sites Policy
- Tribal involvement in FS State and Private Forestry Redesign
- 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
- OTR intranet/internet web portal sites

ADDITIONAL INFORMATION ON SELECTED TOPICS

Transformation

Several program areas of the FS Washington Office and Regional Offices have been "transformed," including Vegetation/Ecological Services, Engineering, Minerals and Geology Management, and Acquisition Management. Changes contemplated for OTR have been dropped as part of the Transformation effort because there would be no cost savings associated with those changes. We are, however, still analyzing the benefits and downsides of moving OTR to the External Relations area within the Chief's Office.

NEWS FROM OTR

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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 Tribes, 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 advising in developing text for 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 moving the materials toward a web-based publication. This task is targeted for completion in FY09.

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. There are currently nine active TFPA projects and several more in the works.

Sacred Sites Policy

The work of the 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 resulting draft policy received a broad internal review, and a revised draft is being made ready for nation-wide Tribal consultation. After consultation, the policy will be integrated into the FS Manual.

Bonding

Tribes are currently required, by USDA regulations, to put up Bonds when contracting with the FS. OTR is working with USDA to change these regulations, to include Tribes in the exemption from bonding.

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

The 2008 Farm Bill (the Food, Conservation, and Energy Act) has been enrolled as law. 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,

There are many other parts of the Bill that are important to Tribes and the Forest Service; several individuals and groups are working on summaries of those.

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

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