

U.S. Forest Service's Tribal Government Program

By

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Outline

- Two Stories
- Forest Service and Bureau of Indian Affairs
- Policy Principles
- National Task Force
- Six Issues

USFS Policy Principles

- Maintain Government to government relationship.
- Meet treaty rights and trust responsibilities.
- Programs and activities should be sensitive to traditional beliefs and practices.
- Provide research transfer of technology, and technical assistance to Tribal Governments.

National Task Force

- October, 1999: Chief of the Forest Service sets up a task force to identify key concerns and develop a strategic action plan.
- August, 2000: The Task Force provides a vision and recommendations.

Vision

- We envision a future where the Forest Service and Indian Tribes work collaboratively through government-to-government relationships--a future where the Forest Service possesses the organizational structure, skills, and policies to redeem our responsibilities in this partnership.

Specific Issues

- Acquisition of Forest Products for Traditional Use
- Availability of Forest Product Programs
- Occupancy and use of National Forests
- Fairness in Contracting, Grants and Agreements
- Participation in Coop Forestry Programs
- Reburial of Human Remains

Acquisition of Forest Products for Traditional Cultural Uses

Background

- *A clear policy on provision of traditional forest products to tribes is lacking. Authorities to grant free use permit materials are extremely limited for Rangers and Forest Supervisors (\$20 and \$100 respectively)*

Recommendations

- Adopt national policy that provides access to forest products by free use permits and MOUs
- Expand authorities to increase delegations to field line officers regarding free use forest products.

Availability of Existing Forest Products Programs

Background

- *Often, other federal, state or local government agencies can acquire forest products easier than Tribes.*
- *Tribal governments are treated differently on different field units.*

Recommendations

- Tribal Government needs should be considered when developing small sales programs.
- Amend authorities to work more directly with tribal governments for contracting purposes.

Occupancy and Use of National Forests

Background

- *Tribal requests for free access or use of forest system lands are not consistently addressed.*
- *Providing seclusion for sacred ceemonies is problematic because of a lack of authority to close areas.*

Recommendations

- Develop policy that supports traditional cultural uses without payment of fees.
- Utilize permits or MOUs to formalize access.
- Pursue legislative authority if necessary for temporary closures.

Equity in Forest Service Programs

Background

- *There is inconsistent application and utilization of grants and contracts programs by tribal governments.*
- *Contract specialists often have little understanding of tribal governments and Forest Service trust responsibilities.*

Recommendations

- Take measures to ensure equitable tribal participation in State and Private Forestry Programs.

Cooperative Assistance Program

Background

- *Cooperative Forestry assistance to tribal landowners and small reservations is inconsistent.*
- *Participation of tribal governments and members in the Forest stewardship program is low.*

Recommendations

- Cooperate with State Foresters to increase participation.
- Incorporate needs in funding requests.
- Coordinate with intertribal partners in developing support.
- Pursue legislative alternatives if equity is not achieved.

Reburial of Native American Remains on National Forests

Background

- *Inconsistent decisions regarding reburials of Native American human remains disinterred from National Forest lands and associated funding.*

Recommendations

- Develop consistent national policy that:
 - Supports reburials when disinterred from forests.
 - Outlines measures for confidentiality.
 - Pursues funding arrangements.
 - Identifies NEPA and NHPA funding needs.

Bureaucratic Memory

- US Forest Service Policy: transfer administrators often to allow them to advance in the service.
- Send files to archives within ten years.
- Result: no memory for administrative officers.
- In this case, the key official transferred to another agency: Environmental Protection Agency.

Forest Service National Tribal Relations Task Force Web Site

www.r5.fs.fed.us/tribal-relations