U.S. Forest Service’s Tribal Government Program

By

Ronald L. Trosper
Northern Arizona University
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 ceremonies 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