



# Intertribal Timber Council

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May 17, 2016

The Honorable Steve Daines  
320 Hart Senate Office Building  
U.S. Senate  
Washington, DC 20510

Dear Senator Daines:

On the behalf of the Intertribal Timber Council (ITC), I am writing to express the ITC's support for your legislation, the "Tribal Forestry Participation and Protection Act of 2016." This legislation will improve the ability of Indian tribes and the United States to protect tribal trust forest assets by establishing more certainty in the consideration and implementation of the 2004 Tribal Forest Protection Act (TFPA). Your bill will also allow tribes to more effectively participate in the holistic, active and landscape-based concepts that are increasingly guiding today's forest management activities. And your bill will enable tribes to directly conduct approved TFPA projects. All of these authorities are to be exercised working with and through the Secretaries of Agriculture and Interior.

Within the family of federal forests, and perhaps within the family of all American governmental forests, Indian forestry brings unique perspectives and capacities to forest management, and particularly the management of federal forests. Our forests are managed by and for our tribes, and our long history and experience of living in concert with the natural landscape informs and guides how we manage our forests both for today and far into the future. Indian forests are held in trust for our benefit by the United States, requiring the highest standard of fiduciary care by our federal trustee while also placing our forests within the broad scope of federal law. Pursuant to statute, tribal forests are also the only federal forests, and perhaps the only governmental forests in the United States, to be the subject of mandatory decadal independent reviews and assessments.

Management of Indian forests today is principally conducted under the National Indian Forest Resources Management Act of 1990, the most modern and flexible federal forest management law. In addition to its management provisions, the law directs the Secretary of the Interior to provide for the conduct of independent reviews and assessments of Indian forests and their management every ten years. To date, three Indian Forest Management Assessment Teams (IFMATs) have conducted their reviews and issued their reports (IFMAT reports of 1993, 2003 and 2013). These reports have consistently found that the U.S. underfunds and inadequately fulfills its fiduciary obligations for Indian forestry, but that tribal forest management nonetheless facilitates innovative and integrated forestry practices. The reports further find that Indian forestry has the potential to provide models for sustainable forestry and resource management, and that the influence and techniques of Indian forestry can find application on the federal forest estate.

Senator Daines, your legislation draws upon and enhances these unique aspects of Indian forestry. It strengthens the federal trust protection of tribal forests by providing tribes a clearer and timelier path for addressing fire, health and other concerns on adjacent federal forests. It will allow tribes and the Secretaries of Agriculture and Interior, working in conjunction on a demonstration basis, to explore the potential benefits of applying tribal forest management on adjacent federal forests. Your legislation will also help alleviate burdens on federal forest managers by enabling tribal governments to apply their capabilities in the conduct of Tribal Forest Protection Act projects.

We believe that, as the concepts and practices of forest management broaden across the landscape, the protection and participation your legislation affords Indian tribes are sensible and offer new, innovative and beneficial opportunities for all parties. We thank you for your sponsorship of the Tribal Forestry Protection and Participation Act of 2016, and look forward to working with you and your Senate colleagues to advance this legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Phil Rigdon', with a long horizontal flourish extending to the right.

Phil Rigdon  
President