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# Senator Dianne Feinstein

of California

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## Feinstein, Pombo Introduce Tribal Forest Protection Act February 26, 2004

**Washington, DC** – U.S. Senator Dianne Feinstein (D-CA) and House Resources Committee Chairman Richard W. Pombo (R-CA) today introduced the *Tribal Forest Protection Act* in the Senate and House respectively. This Act will provide Native American tribes with conservation and protection tools to help them fully participate in the new Healthy Forests law.

The United States government has a trust responsibility to protect Indian land and resources. But every fire season, wildfires jump from U.S. Forest Service and Bureau of Land Management (BLM) land onto Indian reservations. Last summer, at least 18 reservations were invaded by fire from adjacent federal public forest lands. In the Southern California fires, 11 reservations were burned, two completely, and a number of lives were tragically lost.

**“This bill gives Native American tribes the chance to defend themselves and their ancestral lands from catastrophic fires by involving them in brush-clearing projects on federal lands near their reservations,”** Senator Feinstein said. **“I am determined to give the tribes of my State and from around the country the opportunity to prevent tragedies like those we have seen in recent years from recurring.”**

**“The Healthy Forests Restoration Act, focused needed attention and assistance on serious problems concerning forest health, particularly the explosive build-up of hazardous fuels in federal forests,”** Chairman Pombo said. **“We emphasized community participation and protection in that bill, and that is exactly what we are doing for tribes in this new legislation.”**

The legislation authorizes the Secretaries of Agriculture and Interior to enter into agreements with tribes to conduct land management activities on Forest Service and BLM lands adjacent to Indian trust land and Indian communities where the Forest Service or BLM land poses a fire, disease or other threat.

This authority supplements existing laws, such as stewardship contracting, and is intended to result in tribes proposing and carrying out tribal forest protection projects, including such actions as hazardous fuels removal and thinning. As such, the legislation also authorizes the Secretaries to give particular consideration to unique circumstances and factors presented by tribal forest protection proposals.

Because these proposals are for lands adjacent to trust land, these unique factors could include the federal trust responsibility, tribal off-reservation treaty rights, cultural and traditional interests, and the tribe’s history of stewardship.

Senate cosponsors of the legislation include Chairman Pete Domenici (R-NM) of the Senate Energy Committee and Chairman Ben Nighthorse Campbell (R-CO) of the Committee on Indian Affairs.

The House companion bill also has a number of cosponsors, including Representatives Tom Udall (D-NM), Mark Udall (D-CO), Cal Dooley (D-CA), Devin Nunes (R-CA) and Joe Baca (D-CA).

*The Tribal Forest Protection Act* is supported by the Intertribal Timber Council, as well as individual tribes, including the Tule River Tribe, the Viejas Band of Kumeyaay Indians, the Mescalero Apache and Jicarilla Apache Tribes, and more.