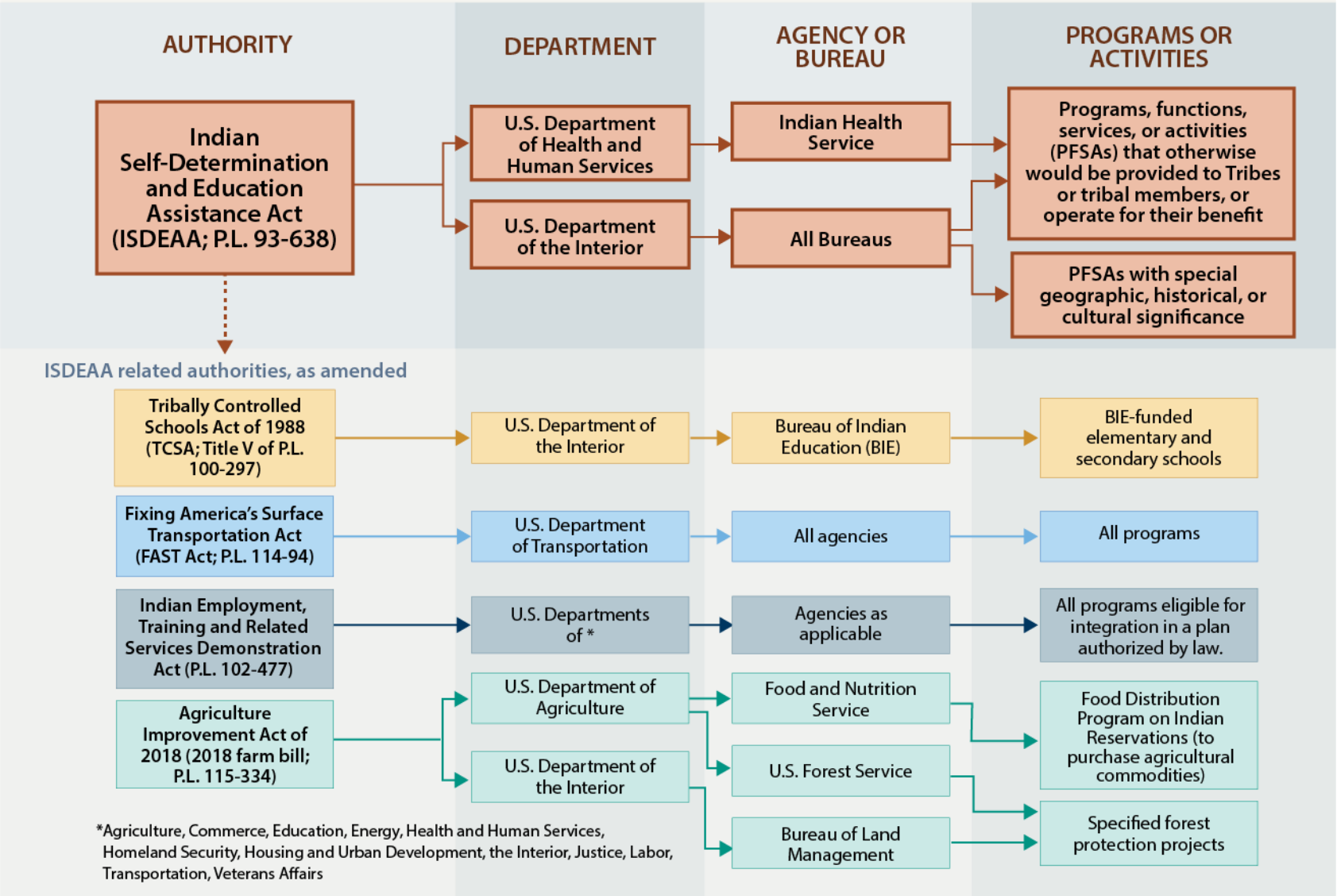


# Tribal Self-Determination Authorities

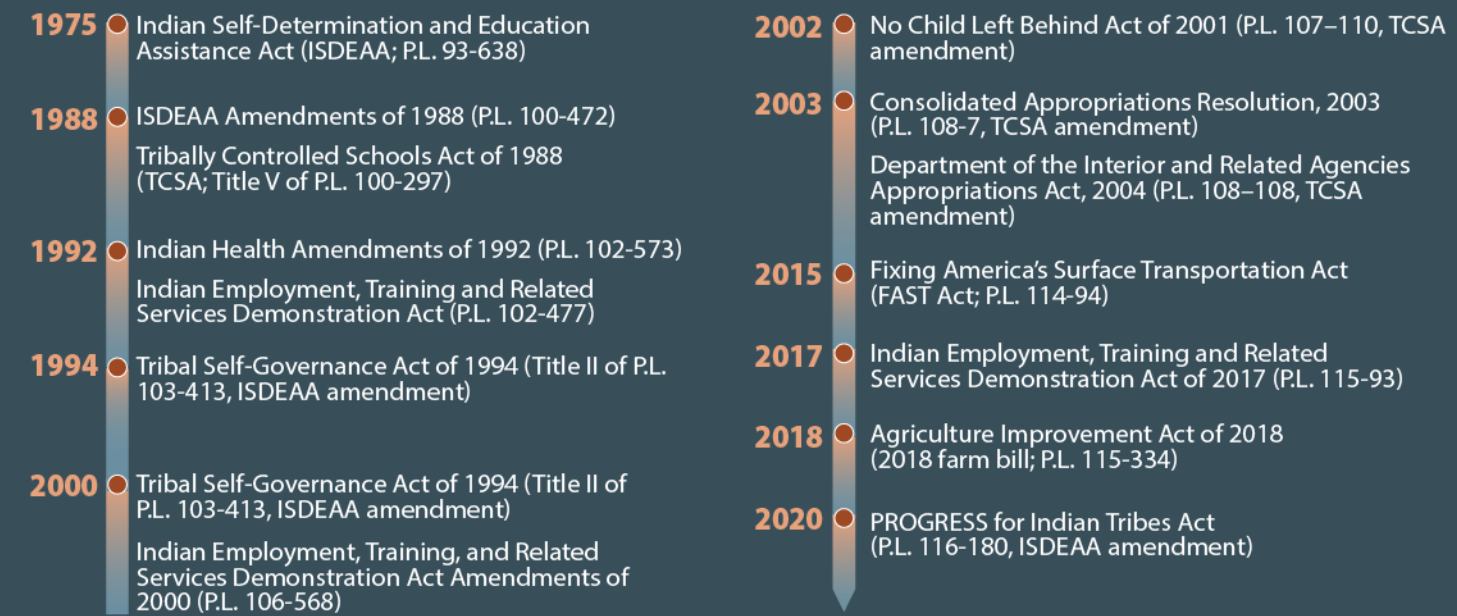
**Congress** uses its broad authority over tribal issues to consider legislation with provisions specific to federally recognized Tribes (“Tribes”).<sup>1</sup> In 1975, Congress enacted the Indian Self-Determination and Education Assistance Act (ISDEAA; P.L. 93-638), which outlined federal policy on tribal self-determination. ISDEAA provided for the “effective and meaningful participation by the Indian people in the planning, conduct, and administration” of certain federal programs and services through self-determination (“638”) contracts.<sup>2</sup>

Congress has amended ISDEAA several times, in part to provide increasing flexibility. For example, Congress authorized self-governance compacts, which allow Tribes and tribal organizations operating federal programs to reorganize activities and reallocate funding without federal approval.<sup>3</sup> Subsequent laws have expanded the use of ISDEAA contracts and compacts to other federal departments.<sup>4</sup> In some federal departments, certain programs may use these authorities whereas others may not. Therefore, tribal self-determination or self-governance may occur on a per program or per activity basis.

## Tribal Self-Determination Authorities Across the Federal Government




## Timeline of Selected Tribal Self-Determination Authorities



<sup>1</sup> DOI, "Indian Entities Recognized by and Eligible to Receive Services from the United States Bureau of Indian Affairs," 89 *Federal Register* 944, January 8, 2024; <sup>2</sup> P.L. 93-638, §3; <sup>3</sup> P.L. 103-413; <sup>4</sup> Native American Housing Assistance and Self-Determination Act of 1996 (P.L. 104-330)

Information as of July 1, 2024. Prepared by Mariel J. Murray, Specialist in Natural Resources Policy, and Jamie Bush, Visual Information Specialist.



## **Author Information**

Mariel J. Murray  
Specialist in Natural Resources Policy

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