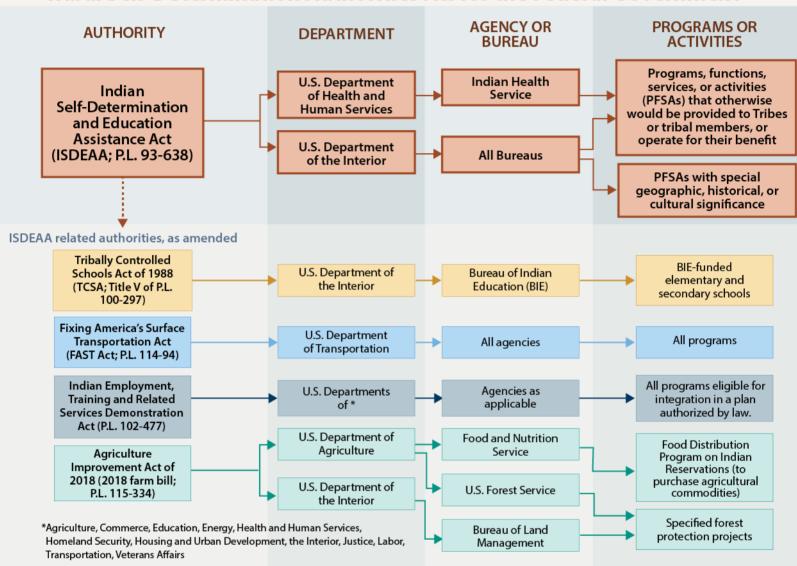
Tribal Self-Determination Authorities

Congress uses its broad authority over tribal issues to consider legislation with provisions specific to federally recognized Tribes ("Tribes"). 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.²

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.³ Subsequent laws have expanded the use of ISDEAA contracts and compacts to other federal departments.⁴ 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

	f-Determination and Education • Act (ISDEAA; P.L. 93-638)	2002	•	No Child Left Behind Act of 2001 (P.L. 107–110, TCSA amendment)
Tribally Co	mendments of 1988 (P.L. 100-472) Introlled Schools Act of 1988 e V of P.L. 100-297)	2003	•	Consolidated Appropriations Resolution, 2003 (P.L. 108-7, TCSA amendment) Department of the Interior and Related Agencies Appropriations Act, 2004 (P.L. 108–108, TCSA amendment)
Indian Em	alth Amendments of 1992 (P.L. 102-573) ployment, Training and Related remonstration Act (P.L. 102-477)	2015	•	Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94)
1994 Tribal Self- 103-413, I	-Governance Act of 1994 (Title II of P.L. 5DEAA amendment)	2017	•	Indian Employment, Training and Related Services Demonstration Act of 2017 (P.L. 115-93)
2000 C Tribal Salf	-Governance Act of 1994 (Title II of	2018	•	Agriculture Improvement Act of 2018 (2018 farm bill; P.L. 115-334)
P.L. 103-41 Indian Em	3, ISDEAA amendment) ployment, Training, and Related emonstration Act Amendments of	2020		PROGRESS for Indian Tribes Act (P.L. 116-180, ISDEAA amendment)

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



Author Information

Mariel J. Murray Specialist in Natural Resources Policy

Disclaimer

This document was prepared by the Congressional Research Service (CRS). CRS serves as nonpartisan shared staff to congressional committees and Members of Congress. It operates solely at the behest of and under the direction of Congress. Information in a CRS Report should not be relied upon for purposes other than public understanding of information that has been provided by CRS to Members of Congress in connection with CRS's institutional role. CRS Reports, as a work of the United States Government, are not subject to copyright protection in the United States. Any CRS Report may be reproduced and distributed in its entirety without permission from CRS. However, as a CRS Report may include copyrighted images or material from a third party, you may need to obtain the permission of the copyright holder if you wish to copy or otherwise use copyrighted material.