Indian Self-Determination and Education Assistance Act (Public Law 93-638)

638 Authority

The Indian Self-Determination and Education Assistance Act (ISDEAA), also known as 638 authority, authorizes Tribes to administer certain federal government programs through government contracts and compacts.

Sovereign Tribal Nations

In the United States, there are three sovereigns:

1. The U.S. Federal Government
2. Tribal Governments
3. State Governments

In exchange for millions of acres of land, Tribal Nations received promises from the federal government, including retaining their inherent right to self-governance, the acknowledgment of a government-to-government relationship, as well as access to federal programs and support to ensure the success of Tribal communities.

638 Authority: Contracts and Compacts

Congress passed the ISDEAA, 638 authority, as a mechanism of tribal self-governance through the process of government program contracting and compacting.

Why 638 Authority?

67% of Sovereign Federally Recognized Tribes have 638 Authority, providing more flexibility and less federal oversight than a 638 government contract.

New 638 Opportunities at USDA

Food Distribution Program on Indian Reservations (FDPIR)

This 638 demonstration project authorizes Indian Tribal Organizations (ITOs) to manage the FDPIR procurement process and the relationship with the USDA to serve Native American youth.

Forestry

This 638 demonstration project authorizes Tribal management of Forest Service and Bureau of Land Management lands adjacent to Tribal land for the purpose of enhancing tribal self-determination and self-governance.

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