

USDA Forest Service 638 Authority

The Intertribal Timber Council (ITC) and U.S. Department of Agriculture Forest Service have been long-time partners in achieving results on National Forest System lands. Under the Tribal Forest Protection Act (TFPA), Tribes and the Forest Service have engaged in mutually beneficial, cross-boundary work to improve forest and grassland conditions, protect tribal lands and communities from risks, and restore trust assets within the National Forest System. Of late, this partnership has taken on an important new role – working together to chart a path implementing new authorities granted to the Forest Service, and an outcomes-based “Shared Stewardship” strategy for active management.

The passage of the 2018 Farm Bill provided, for the first time, authority for the Forest Service to execute “638” agreements to undertake TFPA work under the Indian Self-Determination Education and Assistance Act (Public Law 93-638). In the spirit of honoring the intent of this law to expand the self-determination of Tribes and tribal voices in the formulation and execution of federal policy, the Forest Service and ITC convened a team to help the agency understand this authority, create a strategy for implementation based on ITC and other Tribe’s experiences, and help the Forest Service better understand the new opportunities inherent in 638 authority for TFPA work. Over the course of the past 18 months, this partnership has laid a solid foundation upon which to expand Tribal Forest Protection Act work utilizing the 638 authority.

Although Forest Service 638 authority was initiated as a demonstration effort, we encourage Tribes and National Forests and Grasslands to connect with each other and act upon opportunities to implement these authorities to reach mutual objectives.

In addition to the [library of TFPA resources and templates](#) co-developed by ITC and the Forest Service, new tools have been developed to facilitate understanding and expanded use of TFPA and 638 authority. We invite and encourage our colleagues in the Forest Service and Indian Country to spend some time with these resources, consider the opportunities in your area, and take advantage of the technical assistance available from the ITC and Forest Service Washington Office of Forest Management to pilot a 638 agreement.

We look forward to working together to continue and expand use of this and other authorities that contribute to healthier forests, grasslands, and tribal communities.



Chris French
Deputy Chief, NFS
USDA Forest Service



Cody Desautel
President
Intertribal Timber Council