



GUIDE TO AMERICAN INDIAN LAW SOURCES With Search Strategy

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Treaties, Agreements, and Executive Orders

See also: Online Research Guides and Collections (below)

Deloria, Vine, Jr. and Raymond DeMallie. *Documents of American Indian Diplomacy: Treaties, Agreements, and Conventions, 1775-1979*. 2v. Norman: Univ. of Oklahoma Press, 1999. Law Reference & Law Spec. Collections KF 8202 1999 and e-book.

Comprehensive collection of diplomatic engagements of Indian tribes, including foreign treaties affecting tribes. The most complete and current guide to the topic.

DePuy, Henry. *A Bibliography of the English Colonial Treaties with the American Indians, Including a Synopsis of Each Treaty*. NY: AMS Press, 1971. Law KF 8201 A1 D4 1971

Early American Indian Documents: Treaties and Laws 1607-1789. Wash., D.C., University Publications of America, 1979. Law KF 8205 E37 20 vol.

Executive Orders Relating to Indian Reservations from May 5, 1855 to July 1, 1912. Wash., D.C.: GPO, 1912. Law Spec. Coll. KF 5660 U554 1912 and microfiche IN-6 Ti. 4184 and 4186.

Executive Orders Relating to Indian Reserves from May 5, 1855 to July 1, 1902. Wash., D.C.: GPO, 1902. Law Spec. Coll. KF 5660 U55.

Executive Orders Relating to Indian Reservations from July 1, 1912 to July 1, 1922. Wash., D.C.: GPO, 1922. Law microfiche IN-6 Ti 4185 and 4186.

Executive Orders Relating to Indian Reserves Issued Prior to April 1, 1890. Honolulu, HI: LLMC, 1990. Law microfiche IN-6 Ti.4187 and microfilm IN-1 Pt. 1

Federal Register & Code of Federal Regulations. 1939 – current. Law Federal Section, Govt. Docs. AE 2.106/3 & AE 2.106 & microforms 03; 039; 035.

Daily FR is official source for Executive Orders. Title 3 of CFR is an annual compilation.

Presidential Executive Orders replaced Congressional treaty-making after 1871. 25 CFR is titled “Indians” but additional relevant information is found in other titles, such as 34 CFR Education.

Kappler, Charles. *Indian Affairs: Laws and Treaties*. Wash, DC: GPO, 1904. Law Reference KF 8201.9 U5. Vol. 2 *Treaties on Reserve*.

Seven vols. (v. 1-5, 1904-1941, v. 6-7, 1979) of treaties, executive orders, proclamations and laws. Check all vols. for complete information. <http://digital.library.okstate.edu/kappler>

Programmatic Agreements with National Forest Service and National Parks Service.

Example: "Programmatic Agreement Among the Bighorn National Forest [and] The Medicine Wheel Coalition For Sacred Sites Of North America...Regarding the Implementation Of a Historic Preservation Plan For Medicine Wheel National Historic Landmark," June 1996, in *Historic Preservation Plan For Medicine Wheel National Historic Landmark and Vicinity*. Sheridan, WY: USDA Forest Service, Bighorn National Forest, Sept. 1996. Law Spec. Coll. F 767 M438 M44 1996.

Treaties and Agreements of the Five Civilized Tribes. Wash., D.C.: Institute for the Development of Indian Law, 1974. Law KF 8202 1974

Treaties between the United States of America and the Several Indian Tribes from 1778-1837. Millwood, NY: Krauss Reprint, 1975. Law KF 8202 1778a & microform IN-6 Ti. 4239

United States Statutes at Large. Volume 7. Law Federal Section.

Vol. 7 is compilation of Indian treaties, 1778-1842. Treaties appear at end of subsequent volumes and intermingled with foreign treaties. After vol. 18, treaty-making continued by Executive Orders. Check indexes for laws affecting treaties.

<http://memory.loc.gov/ammem/amlaw/lwsl.html>

Yale Law School Goldman Law Library. Avalon Project: "Treaties between the United States and Native Americans." http://avalon.law.yale.edu/subject_menus/ntreaty.asp

Treaty Finding Aids

Bernholz, Charles. *Kappler Revisited: An Index and Bibliographic Guide to American Indian Treaties*. Kenmore, NY: Epoch Books, 2003. Law Reference KF 8203 2003.

Guide to Indian treaties in Kappler's and 9 other sources.

Deloria, Vine, Jr. and Raymond Demaille. *Documents of American Indian Diplomacy*. Norman: Univ. of Oklahoma Pr., 1999. Law Reference & Special Collections KF 8202 1999 and e-book.

Prucha, Francis. *American Indian Treaties*. Berkeley: Univ. of California Pr., 1997. Law Reserve, stacks, Special Collections. KF 8205 P75 1997

Updating Treaties

Cohen, Felix. *Handbook of Federal Indian Law*. S.l.: Five Rings Corp., 1986. Law Reserve KF 8205 C64 1986.

This particular edition (based on 1942 ed.) indexes and links statutes, treaties, cases, Attorney General Opinions, Interior Decisions, Congressional publications, tribal materials, texts, and articles. Current to only 1939 but a valuable research tool.

United States Code Service. *Notes to Uncodified Laws and Treaties*. Charlottesville, VA.: LexisNexis. Law Federal Section.

Updated annually, the volume has interpretive notes and annotations of cases.

Westlaw and *Lexis* databases identify court cases applying or interpreting treaties.

About Treaties and Treaty-Making

American State Papers: Indian Affairs. 2 vols. Wash., D.C.: GPO, 1831-1861.

<http://memory.loc.gov/ammem/amlaw/lwsp.html>

Covers State Dept. and Congressional documents, including reports from Indian commissioners, from 1789 to 1827. Source for early treaties.

Cohen's Handbook of Federal Indian Law, Nell Newton editor-in-chief. Newark, N.J.: LexisNexis, 2005. Law, Law Reserve, Reference, & Special Collections KF 8205 C643 2005.

Chap. 1 has "History & Background of Federal Indian Policy."

Deloria, Vine, Jr. *Tribes, Treaties, and Constitutional Tribulations*. Austin: Univ. of Texas Press, 1999. Law KF 8210 C5 D45 1999

Indian Claims Commission Decisions. See "Administrative Decisions" and "Archival Collections" below. Many claims are tied to treaties.

Johansen, Bruce, ed. *Enduring Legacies: Native American Treaties and Contemporary Controversies*. Westport, Conn.: Praeger, 2004. Law KF 8205 E53 2004.

Johnson, Steven. *Guide to American Indian Documents in the Congressional Serial Set: 1817-1899*. NY: Clearwater Pub. Co., 1977. Law Reference KF 8201 A1 J63

Comprehensive subject and chronological listings of "thousands of the less immediately obvious documents on American Indians."

Prucha, Francis. *American Indian Treaties: The History of a Political Anomaly*. Berkeley: Univ. of Calif. Press, 1994. Law Reserve KF 8205 P75 1994.

Covers treaty-making procedures, federal policy, collapse of the treaty system, Indian claims, and treaty rights. Appendix reviews treaty documents and has lists of ratified and unratified treaties, and agreements. Includes annotated sources for study of treaties.

Royce, Charles C. comp. *Indian Land Cessions in the United States, 1784-1894*. [Eighteenth Annual Report of the Bureau of American Ethnology to the Secretary of the Smithsonian, 1896-1897.] Wash., D.C.: GPO, 1899. Law Special Collections KF 5660 R6 1900 & microfiche IN-6 Ti.3080. <http://memory.loc.gov/ammem/amlaw/lwss-ilc.html> Maps included in sources.

St. Germain, Jill. *Indian Treaty-Making Policy in the United States and Canada, 1867-1877*. Lincoln: Univ. of Nebraska Press, 2001. Law stacks & Special Collections KF 8205 S714 2001

U.S. Congressional Serial Set. Wash., D.C.: GPO. Law Gov. Doc. Y 1.1/2: (1988-) Main Spec. Coll. KF12 U5 (vol.5-) & Main micfic no. 1854 (v. 1-1867, 1789-1879)
<http://memory.loc.gov/ammem/amlaw/lwss.html>

Collection of House and Senate Documents and Reports from 1817; follows *American State Papers*. See also: Johnson, above.

LexisNexis Congressional database indexes historic and current Senate and House hearings, documents, and reports; many are full-text.

U.S. National Archives and Records Service. *List of Documents Concerning the Negotiation of Ratified Indian Treaties 1801-1869*. Millwood, NY: Krauss Reprint, 1975. Law Reference 8201.A1 N36 1975

Washburn, Wilcomb E. *The American Indian and the United States: A Documentary History*. NY: Random House, 1973. Law Reference E93 W37 4v.
Contains reports of Commissioners of Indian Affairs, Congressional debates, judicial decisions, and some treaties and laws. Selective from 1770's to 1960's.

Williams, Robert. *Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800*. NY: Oxford Univ. Press, 1997. Law Reserve, stacks, Special Coll. E 93 W755 1999.

Tribal Constitutions and Codes

Individual constitutions and codes are listed in Library's online catalog. LLMC database offers digital versions.

Collections

The Constitutions and Laws of the American Indian Tribes. Wilmington, DE.: Scholarly Resources Inc., 1973. Law KF 8221 C67
Reprints of constitutions, laws and treaties of tribes to 1906.

Indian Tribal Codes: A Microfiche Collection of Indian Tribal Law Codes. Ed. by Ralph Johnson. Seattle: University of Washington, 1981, 1988. Law microfiche IN-9. Each code listed in online catalog.

National Indian Law Library, Native American Rights Fund. *Tribal Law Collection.*

<http://narf.org/nill/triballaw/index.htm>

Library has over 500 constitutions, 280 codes, and 50 compacts, many provided by tribes.

Tribal Law and Policy Institute. *Tribal Laws/Codes* www.tribal-institute.org/lists/codes.htm

-----*Tribal Constitutions* <http://www.tribal-institute.org/lists/codes.htm>

University of Oklahoma Law Library and National Indian Law Library. *Native American Constitution and Law Digitization Project.* <http://thorpe.ou.edu>

Federal Laws and Codes

United States Code. Wash., D.C. GPO. Law Federal Section

<http://uscode.house.gov/search/criteria.shtml>

Official code search page. USC is topical arrangement of unannotated statutes (Title 25, Indians). Print edition updated by bound volumes; significant time lag.

United States Code Annotated. St. Paul, MN: West. Law Federal Section Westlaw

www.westlaw.com

Topical arrangement of statutes (Title 25, Indians) with annotations to cases, legislative history, regulations, law reviews, and legal practice sources. Print updated by pocket parts and supplementary pamphlets. Has Popular Name Index.

United States Code Service. Charlottesville, VA: LexisNexis. Law Federal Section LexisNexis

www.lexisnexis.com

Topical arrangement of statutes (Title 25, Indians) with annotation references to cases, legislative history, regulations, law reviews, and legal practice sources. Print updated by pocket parts and supplementary pamphlets. Has volume with lists of statutes and corresponding regulations.

United States Statutes at Large. Wash., D.C.: GPO. Law Federal Section;

<http://memory.loc.gov/ammem/amlaw/lwsl.html> 1789-1875;

<http://www.gpoaccess.gov/plaws/index.html> 104th Cong., 1995 -

Official collection of public and private laws in chronological order by Congressional session. Contains treaties with tribes and foreign governments.

Legislative History

LexisNexis Congressional database. Law online catalog.

Excellent source indexing historic and current laws, and Senate and House hearings, documents, and reports. Many are full-text.

United States Code Congressional and Administrative News. St. Paul, MN: West, 1941- date. (77th Cong. - date.) Law Federal Section.

Contains public laws, Congressional Reports, and Presidential messages. Updated by advance sheets.

U.S. Congressional Serial Set. Wash., D.C.: GPO. Law Govt. Doc. Y 1.1/2: (1988-) Main Spec. Coll. KF12 U5 (vol.5-) & Main microfiche no. 1854 (v. 1-1867, 1789-1879)

<http://memory.loc.gov/ammem/amlaw/lwss.html>

Collection of House and Senate Documents and Reports from 1817.

Case Law: Tribal and Federal

Federal Reporter. St. Paul, MN: West. Law Reporters Section

Chronological collection of cases in appellate courts. Updated by advance sheets. Indexed in *Federal Digest*.

Federal Supplement. St. Paul, MN: West. Law Reporters Section

Chronological collection of cases in district courts. Updated by advance sheets. Indexed in *Federal Digest*.

Indian Law Reporter. Stockton, CA: American Indian Lawyer Training Program, 1974-date. Law KF 8203.4 I64

Contains cases in Indian law from federal, state, and tribal courts, Court of Claims, and Interior Board of Indian Appeals. Indexed by topic and case name. Updated monthly.

Landmark Indian Law Cases. Buffalo, NY: Hein, 2002. Law Reference KF 8204.5 L36 2002.

Reprints of cases with West headnotes. Developed by National Indian Law Library.

Mvskoke Law Reporter. 8v. Tulsa: OWC Press, 2006-date. Law KF 8228.C9 A5 2006

Collection of cases 1832-1906 and 1979 to date plus 1867 Constitution and codes.

Native American Law Digest. Fairfax, VA: Falmouth Institute, 1991-2008. Library: 1996-2008.

Law KF 8203.1 N38; LexisNexis Academic database: 2001-2008.

Summaries of court and administrative decisions significant to Native Americans plus articles and legislative updates.

Supreme Court Reporter. St. Paul, MN: West. Law Reporters Section.

Unofficial source of Supreme Court cases. Updated by advance sheets. Indexed in *Federal Digest*, and *United States Supreme Court Digest*.

Tribal Court Clearinghouse. *Tribal Court Decisions*. <http://www.tribal-institute.org/lists/decision.htm>

Over 1500 tribal court decisions and links to Federal court decisions on Indian issues.

U.S. Court of Claims. *Cases Decided in the Court of Claims of the United States... [Court of Claims Reports]* v. 1-231, 1863/65 - 1982. Wash., D.C.: GPO. Law Govt. Docs. JU 3.9:
Became *U.S. Court of Claims Reports* with v. 140, 1957. Continued as: *U.S. Claims Court Reporter* (1983-1993); *Federal Claims Reporter* (1993-date) by West Pub. Co. in Law Federal Section.

United States Reports. Wash., D.C.: GPO. Law Reporters Section
Official source of U.S. Supreme Court decisions. Indexed in *Federal Digest* and *Supreme Court Digest*.

United States Supreme Court Reports, Lawyers' Edition. Charlottesville, VA: LexisNexis. Law Reporters Section.
Unofficial compilation of Supreme Court cases. Indexed In *Federal Digest* and *Digest of United States Supreme Court Reports*.

West's American Tribal Law Reporter. St. Paul, MN: West. Law KF 8220.A579 W47
Compilation of selective tribal, U.S. Courts of Appeals and Supreme Court decisions.

Wisconsin Judicare's Indian Law Office. "Seminal Supreme Court Cases Regarding Federal Indian Law." (1831-) <http://www.judicare.org/ilo/cases.html>

Court Rules: Tribal

Some tribal websites contain tribal court rules. Also see:
<http://narf.org/nill/triballaw/courtrules.htm>

Federal Regulations

Code of Federal Regulations, Wash., D.C.: GPO. 1939-date. Law Federal Section & Microform 1 & 35 <http://www.gpoaccess.gov/cfr/index.html> 1996-
Official annual topical compilation of regulations (Title 25, Indians) and Presidential Orders (Title 3).

Federal Register. Wash., D.C.: GPO. 1939-date. Law Federal Section & microform 3 & 29 <http://www.gpoaccess.gov/fr/index.html> 1994-
Official first source for agency regulations, notices and Presidential Executive Orders.

Administrative Decisions

U.S. Attorneys General. *Official Opinions of the Attorneys General of the US Advising the President and Heads of Departments*. Wash., D.C.: GPO. Law Govt. Docs J 1.5: v.1- (1791-)

Includes opinions on Indian affairs on taxation, reservation boundaries, leasing, trust matters. Strongly persuasive though not binding on courts.

U.S. Dept. of the Interior. *Decisions*. Wash., D.C.: GPO. Law Govt. Docs. I 1.69:

General decisions regarding land appeals, contract disputes, Indian appeals.

----- . Board of Indian Appeals. *Decisions*. Arlington, VA: Board. Vol. 19-22 (1990-1992) at Law KF 8225.A55 U54. 1970-1980 at microfiche IN-6 Ti. 4122;

www.oha.doi.gov/IBIA/findingIBIA.html

----- . Office of the Solicitor. *Opinions of the Solicitor of the Dept. of Interior Relating to Indian Affairs, 1917-1974*. Wash., D.C.: GPO, 1979. Law Govt. Docs I 1.69/9:917-974 2v.; <http://thorpe.ou.edu/solicitor.html>; <http://www.doi.gov/solicitor/opinions.html> (1993 to date)

U.S. Indian Claims Commission. *Decisions*. Boulder, CO: Native American Rights Fund, 1973. Law Govt. Docs Y 3.In 2/6:2. <http://digital.library.okstate.edu/icc/index.html>

Decisions, Expert Testimony, Transcripts, Briefs Law microfiche IN-7 and IN-6 Ti. 4105.

Established 1946 to hear all pending Indian claims against the US government. Commission ceased 1978 and pending claims transferred to Court of Claims.

Arizona Laws & Codes

Arizona Revised Statutes Annotated. (A.R.S.) Eagan, MN: West. Law Arizona Section

<http://www.azleg.gov/ArizonaRevisedStatutes.asp> (unannotated);

<http://www.azleg.gov/Constitution.asp> (unannotated)

Official, topical arrangement of statutes with annotations of notes of cases, legislative history, regulations, law reviews and other research sources. Court rules in volumes at end. Updated with pocket parts and supplementary pamphlets. Title 5 Ch. 6 covers Gambling on Indian Reservations.

Arizona Session Laws. Phoenix: Secretary of State, 1912-date. Law Arizona Section

<http://www.azleg.gov/SessionLaws.asp>

Official collection of laws by legislative session. Updated by West=s Arizona Legislative Service pamphlets and legislative website.

Tribal-State Gaming Compacts. Law Arizona Reference KF 8210.G35.

<http://www.azgaming.gov/compacts.htm>

Generic compact on Dept. of Gaming web site.

Arizona Case Law and Court Rules

Arizona Reports [Reports of Cases Argued...]. 1866 - date. Law Arizona Section and Spec. Collections.

Official collection of cases from state Supreme Court and Appellate Courts from 1866 to date (early vols. pub. by Bancroft; later vols. by West). Indexed by *Arizona Digest* which includes Arizona cases in federal courts. Also published in *Pacific Reporter* and indexed by Pacific Digest, and on Westlaw.

Arizona Supreme Court. *Opinions*. 1998- <http://www.azcourts.gov/opinions>

Chronological lists of opinions (civil, criminal, special). Website has links to appellate courts.

----- *Rules of Procedure for Enforcement of Tribal Court Involuntary Commitment Orders*. In: *A.R.S.* vol. 17B and *Arizona Rules of Courts: State*. St. Paul, MN: West. Law Ariz. Sect

----- *Rules of Procedure for the Recognition of Tribal Court Civil Judgments*. In: *A.R.S.* Vol. 17B and *Arizona Rules of Court: State*. Law Arizona Section; <http://www.azcourts.gov/rules> (link)

Arizona Regulations

Arizona. Secretary of State. *Arizona Administrative Code*. Law Reserve KFA 2435 1974 A23

http://www.azsos.gov/public_services/Table_of_contents.htm

Topical compilation of agency rules and regulations. Updated by *Arizona Administrative Register*.

----- *Arizona Administrative Register*. Law Reserve KFA 2436 A753

http://www.azsos.gov/public_services/Register/contents.htm

Weekly listing of new regulations.

General Reference Works

American Indian Tribes. Pasadena, CA: Salem Press, 2000. Law Reference E77 A53 2000 2v.

Includes ancient tribes.

Gale Encyclopedia of Native American Tribes. Detroit, MI.: Gale Pub., 1998. Law Reference E77 G15 1998. 4v.

Covers indigenous peoples of U.S., Canada, Arctic, Subarctic, Middle America, Caribbean.

Handbook of North American Indians. Wash., D.C: Smithsonian Institution [GPO], 1978- Law Reference E77 H25 1978. 20 vols. (in progress)

Comprehensive treatment of prehistory, history and culture of aboriginal people of North America. Extensive bibliographies. Highly regarded.

Pritzker, Barry. *Native America Today: A Guide to Community Politics and Culture*. Santa Barbara, CA: ABC-CLIO, 1999. Law Reference E98 T77 1999.

Covers current issues, tribal profiles, and major laws, executive orders, cases, and tribal resolutions. Contains lists of federally recognized and unrecognized tribes and first nations in Canada.

Directories

Arizona Commission of Indian Affairs. *Tribes of Arizona*. http://azcia.gov/tribes_of_arizona.asp

National Tribal Justice Resource Center. *Tribal Justice Systems: Directory Listing*. Boulder, CO: NTJRC, 2002. Law Reference KF 8224 C6 2002 T74 2002

Schwartz, April. *United States Tribal Courts Directory*. 3d ed. Buffalo, NY: Hein, 2009. Law Reference KF 8224 C6 S39 2008

Tribal Law and Policy Institute. *Tribal Courts*. www.tribal-institute.org/lists/justice.htm

U.S. Bureau of Indian Affairs. *Tribal Leaders Directory*.
www.bia.gov/idc/groups/public/documents/text/idc002652.pdf

Scholarly Works on Indian Law

American Indian Law Deskbook. 4th ed. Boulder, CO: Univ. Press of Colorado, 2008. Law Reserve, Reference, & Special Collections KF 8205 A76 2008.

Canby, William. *American Indian Law in a Nutshell*. 5th ed. Eagan, MN: West, 2009. Law Reserve KF 8205 Z9 C36 2009.

Cohen's Handbook of Federal Indian Law. Nell Newton editor-in-chief. Newark, N.J.: LexisNexis, 2005. Law Reserve, Reference, stacks, & Special Collections KF 8205 C643 2005.

Deloria, Vine. *American Indian Policy in the Twentieth Century*. Norman: University of Oklahoma Press, 1985. Law E 93 A44 1985

----- *American Indians, American Justice*. Austin: Univ. of Texas Press, 1983. Law KF 8224.C6 D44 1983

----- *Custer Died For Your Sins: An Indian Manifesto*. Norman: Univ. of Oklahoma Press, 1969. Law E 98.S7 D37

----- ed. *Indian Reorganization Act: Congresses and Bills*. Norman: University of Oklahoma Press, 2002. Law KF 8225 I53 2002.

----- and Clifford Lytle. *The Nations Within: The Past and Future of American Indian Sovereignty*. NY: Pantheon books, 1984. Law & Special Collections E 98 T77 D44 1984.

----- and David Wilkins. *Tribes, Treaties and Constitutional Tribulations*. Austin: University of Texas Press, 1999. Law & Special Collections KF 8210 C5 D45 1999.

Getches, David H., Charles F. Wilkinson, and Robert A. Williams. *Cases and Materials on Federal Indian Law*. 5th ed. St. Paul., MN: Thomson West, 2005. Law Reserve & Special Collections KF 8204.5 G47 2005.

Indian Law Conference. *Annual Indian Law Conference [Papers]*. Wash., D.C.: Federal Bar Association, Indian Law Committee, 1976 - Law KF 8205 I58
Papers on land, water rights, sovereignty, jurisdiction, tribal government, trust responsibility, gaming, legislative & litigation updates, environment, human rights, law enforcement, civil rights, economic development, child welfare.

Johansen, Bruce Elliott, ed. *The Encyclopedia of Native American Legal Tradition*. Westport, CN: Greenwood Press, 1998. Law Reference KF 8204 E53 1998
----- *The Encyclopedia of Native American Economic History*. Westport, CN: Greenwood Press, 1999. Law Reference E98 E2 E52 1999.

Sokolow, Gary. *Native Americans and the Law: A Dictionary*. Santa Barbara, CA: ABC-CLIO, 2000. Law Reference KF 8203.6 S66 2000.

Sovereignty Symposium. Oklahoma City: Supreme Court of Oklahoma, 1988 to date. Law KF 8205.A2 S68
"Nation's largest symposium on Indian law." Papers are on: sovereignty, tribal courts, jurisdiction, self-determination, tort claims, gaming, human rights, plus recent cases.

Williams, Robert A. *The American Indian in Western Legal Thought: The Discourses of Conquest*. NY: Oxford University Press, 1990. Law, Law Reserve, and Special Collect. KF 8205 W547 1990
----- *Like a Loaded Weapon: The Rehnquist Court, Indian Rights, and the Legal History of Racism in America*. Minneapolis: University of Minnesota Press, 2005. Law, Law Reserve, and Special Collections KF 8210.C5 W55 2005.
----- *Linking Arms Together: American Indian Treaty Visions of Law and Peace, 1600-1800*. NY: Oxford University Press, 1997. Law Reserve & Special Collections E 93 W755 1997

Wunder, John R. *Retained By the People: A History of American Indians and the Bill of Rights*. NY: Oxford Univ. Press, 1994. Law KF 8205 W86 1994.

Law Reviews and Other Periodicals

American Indian Law Review. Univ. of Oklahoma College of Law. Law Periodicals. Also: Hein Online and Lexis Academic databases

Indian Country Today. Rapid City, SD: Native American Pubns., 1992-99. Law microfilm IN-12. Ethnic Newswatch (ProQuest database) 1993-

Native American Report (absorbed *Native American Law Report*). Silver Spring, MD: CD. Publications. Law KF 8201.A3 N37 and KF 8201.A3 N374. Also: Academic OneFile and General OneFile databases.

Tribal Law and Policy Institute. "Indian Law Reviews." <http://www.tribal-institute.org/lists/reviews.htm>

Tribal Law Journal. Univ. of New Mexico School of Law. <http://tlj.unm.edu>

Archival collections

Council Meetings of the Major American Indian Tribes, 1907-1971. Frederick, MD: Univ. Pubns. of America, 1981-1984. Law Reference E 76 C67 1982 (guide) and microfilm IN-16.

The FBI Files on the American Indian Movement and Wounded Knee. Frederick, MD: Univ. Pubns. of America, 1986. Law Reference E 93 S294 1986 (guide) and microfilm IN-17.

Indian Tribal Codes. Seattle: Marian Gould Gallagher Law Library, Univ. of Washington School of Law, 1980. Law Reference KF 8220 I64 1981 (guide) and microfiche IN-9 1980 ed. -----1988 ed. Law Reference KF 8220 I64 1988 (guide) and microfiche IN-9 1988 ed.

Karl Llewellyn Papers: American Indians Primitive Law. Buffalo, NY: Hein, 1990. Law Reference KF 8201 A1 L49 1990 (guide) and microfilm IN-10.

Lake Mohonk Conference of Friends of the Indian. *Reports [and] Guide to the Annual Reports [and Proceedings]*. NY: Clearwater Pub. Co., 1975. Law microfiche IN-14.

Legislative History of the Indian Claims Commission Act of 1946, comp. by Robert Barker and Alice Ehrenfeld. NY: Clearwater Pub. Co., 1976. Law microfiche IN-8.

Native American Collection: a Bibliography... Honolulu, HI: LLMC, 1990. Law Reference KF 8201 A1 N39 1990 (guide) and microfiche IN-6 [*Native American Legal Materials Collection*].

Native American Legal Materials Collection. Honolulu, HI: LLMC, 1981. Law microfiche IN-6.

Native Americans: A Legal/Historical Collection. See: *Native American Collection* and *Native American Legal Materials Collection*.

Native Americans Reference Collection: Documents Collected by the Office of Indian Affairs. Pt. 1: 1840-1900. Pt. II: 1902-1948. Bethesda, MD: Univ. Pubns. of America, 1991. Law Reference KF 8201 A1 N396 1995 (guide) and microfilm IN-1.

Native Americans and the New Deal: the Office Files of John Collier, 1933-1945. Bethesda, MD: Univ. Pubns. of America, 1993. Law Reference KF 8225 A1 N37 1994 (guide) and microfilm IN-18.

Navajo Tribe. *Before the Indian Claims Commission...Plaintiff's Exhibits*. College Park, MD: National Archives, 1951-1953. Law Special Collections microfilm IN-11.

Records of the Bureau of Indian Affairs. Pt. 1 Central Classified Files, 1907-1939. Series A: Delegation to Washington; Series B: Indian Customs and Social Relations. Bethesda, MD: Univ. Pubns. of America, 1995. Law Reference KF 8225 R43 (guide) and microfilm IN-5.

Records of the Indian Division, Office of the Secretary of the Interior, Special Files, 1848-1907. Bethesda, MD: Univ. Pubns. of America, 2006. Law Reference E 93 K42 (guide) and microfilm IN-15.

Reports of the Commissioner to the Five Civilized Tribes. Arlington, VA: Univ. Pubns. of America, 1975. Law Reference KF 8225 U64 1975 (guide) and microfilm IN-4.

Survey of Conditions of the Indians in the United States. Law Reference KF 8225 U65 1975 (guide) and microfilm IN-2 and microfiche IN-6 Ti. 3825.

Survey of Indian Reservations [South Dakota]. Arlington, VA: Univ. Pubns. of America [1935] Law Reference KF 8225 S68 1975 (guide) and microfilm IN-3.

U.S. Indian Claims Commission. *Indian Claims Commission [decisions; testimony, transcript, briefs, GSA/GAO, legislative history, docket books, journal].* NY: Clearwater Pub. Co., 1973-1982. Law microfiche IN-7.

National Indian Law Library

The National Indian Law Library, located in Boulder, Colorado, contains thousands of legal pleadings and opinions from virtually every major Indian law case since the 1950's. The Library has a comprehensive collection of past and present tribal documents, including a substantial resource of tribal codes, many online, and collects a wide variety of Indian law related materials. Founded in 1970, it is operated by the Native American Rights Fund.
<http://narf.org/nill>

Online Research Guides & Collections

ArizonaNativeNet. www.arizonanativenet.com

Cooperative project at University of Arizona between Indigenous Peoples Law & Policy Program at James E. Rogers College of Law, Native Nations Institute for Leadership, and Native Peoples Technical Assistance Office

Arizona State University Ross-Blakley Law Library "Indian Law Portal"
www.asu.edu/indianlawportal

Cornell Law School. Legal Information Institute. "American Indian Law: An Overview."
http://topics.law.cornell.edu/wex/american_indian_law

Law Library of Congress. "Indians of North America."

<http://www.loc.gov/law/help/guide/federal/indians.php>

National Indian Law Library, Native American Rights Fund "Basic Indian Law Research Tips – Part I: Federal Indian Law"

www.narf.org/nill/bulletin/lawreviews/articles/coloradoLawyerArticle-fed.pdf

----- "Part II: Tribal Law." www.narf.org/nill/resources/guide2.pdf

Native American Constitution and Law Digitization Project. <http://thorpe.ou.edu>

Coordinated by the National Indian Law Library and University of Oklahoma Law Library.

Oklahoma State University Library Digital Project. <http://digital.library.okstate.edu>

University of Arizona Library. "Government Documents on Native American Water Rights in Arizona." <http://water.library.arizona.edu>

University of Minnesota Law Library. "Researching Indian Law."

<http://library.law.umn.edu/researchguides/indianlaw.html>

University of Montana Jameson Law Library. "Research Tools: Indian & Tribal Law"

www.umt.edu/law/library/Research%20Tools/Tribal%20Law.htm

University of Oklahoma Law Center. "Basic Research Sources for Native American Law"

<http://jay.law.ou.edu/library/publications/Basic%20Research%20Sources%20For%20Native%20American%20Law.pdf>

University of Washington Gallagher Library. "Indian Law Research"

<http://lib.law.washington.edu/ref/indian.html>

Organizations

Indian Law Resource Center <http://www.indianlaw.org>

National Association of Indian Legal Services <http://www.judicare.org/ilo/nails.html>

National Congress of American Indians <http://www.ncai.org>

National Indian Child Welfare Association <http://www.nicwa.org>

National Indian Gaming Association <http://www.indiangaming.org>

National Native American Bar Association. <http://www.nativeamericanbar.org>

National Native American Law Students Association <http://www.nationalnalsa.org>

Native American Rights Fund (NARF), Boulder, CO. <http://www.narf.org>

NativeWeb. <http://www.nativeweb.org> Web sites of indigenous org. and groups around the world.

Tribal Law and Policy Institute. <http://www.tribal-institute.org/lists/tlpi.htm>

U.S. Government

Congress. Senate Committee on Indian Affairs. <http://indian.senate.gov/public>
Dept. of Interior. Bureau of Indian Affairs. <http://www.bia.gov>
----- Arts and Crafts Board. <http://www.iacb.doi.gov>
----- Indian Trust. <http://www.doi.gov/indiantrust/testfile.htm>
----- Office of the Special Trustee for American Indians <http://www.doi.gov/ost/index.html>
Dept. Of Justice. Office of Tribal Justice. <http://www.justice.gov/otj>
Environmental Protection Agency. American Indian Tribal Portal <http://www.epa.gov/indian>
National Park Service. National NAGPRA <http://www.nps.gov/history/nagpra>

Arizona

Commission of Indian Affairs. <http://www.indianaffairs.state.az.us>
Department of Gaming (various links) <http://www.azgaming.gov>
Department of Commerce. Tribal Community Profiles.
<http://www.commerce.state.az.us/SiteSel/Profiles/INDIAN+COMMUNITY+PROFILES.htm>
Arizona State University. American Indian Policy Institute. <http://aipi.clas.asu.edu>
----- Labriola Native American Indian Data Center <http://lib.asu.edu/labriola>
Inter Tribal Council of Arizona <http://itcaonline.com>
Northern Arizona University. Center for American Indian Economic Development.
<http://www.cba.nau.edu/caied>
----- Institute for Native Americans. <http://www.nau.edu/sbs/ina>
University of Arizona. Native Nations Institute. <http://nni.arizona.edu>

Westlaw and Lexis

Westlaw and Lexis are two pay-for-use online legal research services that provide primary federal, state, foreign and international materials, and secondary resources such as legal newspapers and law reviews, and legal information. The coverage of dates for each source varies. The cost of the online service varies per user and database. Some academic and law libraries offer free access to Westlaw or Lexis to library patrons. The UA Library online catalog offers free Lexis from the "Lexis Academic" database.

Of the two services, Westlaw has the more extensive database on Indian law in its "Native American Law" grouping. Included are: treaties (1787-1883), Presidential proclamations (1879-date), Executive Orders (1871- date), Solicitor General opinions (1917-1974), IBIA decisions (1970-date), federal cases and codes, Oklahoma Tribal Court reports (1979-date), selected texts, American Indian Law Review articles, and a directory of Native American lawyers. A recently added database is West's American Tribal Law Reporter of headnotes of selected tribal, U.S. Courts of Appeals, and U.S. Supreme Court decisions. "Native American Law" is not offered in free Westlaw.

Versus Law

TribalCourts.com (VersusLaw) was developed in conjunction with the National American Indian Court Judges Association (NAICJA). The company contracts with tribes to provide electronic access to Native American opinions. Access is free and unlimited to participating tribes, but a subscription for non-participating tribes and other researchers is very reasonable at under \$10 per month per professional.

SEARCH STRATEGIES

- Use Cohen's *Handbook of Federal Indian Law* (2005) for references to cases, laws, general information.
- Use ArizonaNativeNet <http://www.arizonanativenet.com> for links to laws, cases, regulations, codes, treaties, and news.

To Find a Treaty:

- *Kappler's Indian Affairs* <http://digital.library.okstate.edu/kappler> Law Ref. KF 8201.9 U5
- Deloria & DeMallie. *Documents of American Indian Diplomacy*. Law Ref. KF 8202 1999/e-book
- Library online catalog for individual treaties or compilations in books.
- Yale Law School Goldman Law Library. Avalon Project: "Treaties Between the United States and Native Americans." http://avalon.law.yale.edu/subject_menus/ntreaty.asp

To Find a Law:

- *Kappler's Indian Affairs* <http://digital.library.okstate.edu/kappler> Law Ref. KF 8201.8 U5
- *Statutes At Large*, vol. 1-8, 1789-1845 at <http://memory.loc.gov/ammem/amlaw/lwsl.html>
- <http://www.gpoaccess.gov/plaws/index.html> 104th Cong., 1995 -
- LexisNexis Congressional database
- Westlaw and Lexis
- *Statutes at Large* (Federal collection)

To Find Current Federal Code:

- *U.S. Code* <http://uscode.house.gov/search/criteria.shtml>
- Westlaw and Lexis

To Find a Tribal Code:

- *Tribal Codes*, National Indian Law Library <http://narf.org/nill/triballaw/index.htm>
- Tribal Law and Policy Institute. *Tribal Laws/Codes* www.tribal-institute.org/lists/codes.htm
- Native American Constitution and Law Digitization Project <http://thorpe.ou.edu>
- Library online catalog for individual codes.

To Find a Case:

- Tribal Court Clearinghouse <http://www.tribal-institute.org/lists/decision.htm>
- *JudicareSeminal... decisions* <http://www.judicare.org/ilo/cases.html>
- *Landmark Indian Law Cases*. Law Reference KF 8204.5 L36 2002
- *LexisNexis Academic* database
- Westlaw and Lexis

To Find Information On a Law, Case, Treaty, Issue:

- Library online catalog for books and digital materials (use keywords, subjects)
- *Cohen's Handbook of Federal Indian Law*. Law Reserve, Reference KF 8205 C643 2005.
- *LegalTrac* database to identify articles; *HeinOnline* database for text of articles.
- *LexisNexis Academic* database to find selected law reviews
- Tribal Law and Policy Institute <http://www.tribal-institute.org/lists/reviews.htm>
- *LexisNexis Congressional* database for legislative history
- *U.S. Congressional Serial Set* (House and Senate Reports, etc) for legislative history
- <http://memory.loc.gov/ammem/amlaw/lwss.html>

To Find Federal Regulations:

- *Code of Federal Regulations* <http://www.gpoaccess.gov/cfr/index.html>
- *Federal Register* <http://www.gpoaccess.gov/fr/index.html>
- Westlaw and Lexis