

FEDERAL INDIAN LAW

CASEBOOKS, NUTSHELLS, FINDING TOOLS, etc.

- Canby **American Indian Law in a Nutshell**, 4th. ed. Reserve KF 8205 Z9 C36 2004
- Clinton **American Indian Law: Cases and Materials**, 3rd ed. & supp. KF 8204 C55 1991
- Cohen **Handbook of Federal Indian Law** Ref KF 8205 C6 1942, 1982, 2005
KF 8205 C6 1986, 1988 (reprint of 1942)
- Fixico **Treaties with American Indians: An Encyclopedia of Rights, Conflicts, and Sovereignty**, 3 v. Ref KF 8203.6 T74 2008
- Getches **Cases and Materials on Federal Indian Law**, 4th ed. KF 8204.5 G47 1998
- Holt **Digest of American Indian Law: Cases and Chronology** Ref KF 8204.5 H65 1990
- American Indian Law Deskbook**, 4th ed., KF 8205 A76 2008
- NILL **Landmark Indian Law Cases** KF8204.5 L36 2002
- Pevar **The Rights of Indians and Tribes: The Authoritative ACLU Guide to Indian & Tribal Rights**, 3d KF 8210 C5 P48 2002
- Porter **Sovereignty, Colonialism & the Indigenous Nations** KF 8205 P67 2005
- Venables **American Indian History**, 2 v. E 93 V45 2004
- Williams **Linking Arms Together** E 93 W755 1997

ENCYCLOPEDIAS

- Encyclopedia of U.S. Indian Policy & Law**, 2 v. (Finkelman) Ref KF 8205 E49 2009
- Encyclopedia of North American Indians** Ref E 76.2 E53 1996
- Native Americans** (American Political History Series) Ref E 93 N32 2002
- Native North American Almanac** Ref E 77 N37 1994
- Reference Encyclopedia of the American Indian**, 9th ed. Ref E 76.2 R44 2000

BIBLIOGRAPHIES

- American Indian Legal Materials: A Union List** Ref 8201 A1 G37 1980
- American Indian Studies - Bibliographic Guide** Ref E 77 W55 1995
- A Bibliography of Indian Law Periodical Articles 1980-1991** Ref KF 8201 A1 J67 1992
- Guide to Records in the National Archives...** Ref E 93 U73 1984
- Indians of North America: Methods and Sources for Library Research** Ref E 77 H37 1983
- Kappler Revisited** Ref KF 8203 2003
- National Indian Law Library Catalogue: An Index to Indian Legal Materials & Resources** Ref KF 8201 A1 N38
- Native American Collection: A bibliography describing the microfiche collection assembled and marketed by the Law Library Microform Consortium** Ref KF 8201 A1 D86 1990

COMPILATIONS

- The American Indian and the United States: A Documentary History**, Washburn. 4 v. E 93 W27 1973
Includes full text of Reports of Commissioners of Indian Affairs; Congressional debates; acts, ordinances and proclamations; treaties; judicial decisions.
- Documents of American Indian diplomacy: Treaties, Agreements, and Conventions, 1775-1979**, Deloria & Demallie, 2 v. KF 8202 1999
- Documents of United States Indian Policy**, 3d ed. Francis P. Prucha. Ref KF 8205 D63 2000
"Contains the essential documents which marked significant formulations of policy in the conduct of Indian affairs by the United States government, which (by legislative enactment, administrative decree, or judicial decision)..." Includes excerpts from selected cases.

TREATIES

- 1778-1909 A Chronological List of Treaties and Agreements Made by Indian Tribes with the United States**, Washington: Institute for the Development of Indian Law, Inc., 1973. Ref KF 8201 A1 C47 1973
Contains a listing of treaties and agreements, which includes the date of the treaty or agreement, the tribe involved and a **Statutes at Large** citation.
- 1778-1883 Indian Affairs. Laws and Treaties**. Kappler, Charles J. KF 8203 1971
Text & Index Washington, D.C.: Government Printing Office, 1904. 7 v.
Vol. 2 contains the text of Indian treaties from 1778 until 1871 and a subject index.
- 1778-1883 Indian Treaties 1778-1883**. Kappler, Charles J. Reprint of Vol. 2 above. KF 8202 1971
- 1778-1881 List of Indian Treaties. Index** United States. Congress. House. Committee on Interior on Interior and Insular Affairs, Washington, D.C.: U.S. Government Printing Office, 1964. Ref KF 8205 L57 1964
Contains references to treaties from the "Handbook of American Indians North of Mexico (Part I)" (a reprint of the subject index in volume 2 of Kappler's 1904 publication) and from the Annual Reports of the U.S. Bureau of Indian Affairs. Citations to treaties in **Statutes at Large** and volume 2 of Kappler's **Indian Affairs. Laws and Treaties**.
- 1789-1871 United States Statutes at Large. Text & Index** Washington, D.C.: GPO, 1789- Fed Core US 002 A2
Volumes 7 and 8 contain the text of treaties negotiated between the United States and the Indian tribes; arranged in chronological order and indexed by tribal name. From volume 9 until the end of treaty making with the Indians in 1871, Indian and non-Indian treaties are listed in a separate section of the statute volumes.
- 1794-1909 Treaties and Agreements of the Indian Tribes of the Great Lakes Region, Text** Washington, D.C.: Institute for the Development of Indian Law, Inc. 1974. KF 8202 1974c
One of eight volumes in a series entitled, the American Indian Treaty Series. The remaining volumes in the series cover the following Indian tribes: Sioux, Northern Plains, Five Civilized Tribes, Chippewa Indians, Pacific Northwest, Southwest, and the Eastern Oklahoma Indians.
- 1784-1873 A Compilation of All the Treaties between the United States and the Indian Tribes Now In Force as Law, Text & Index** Washington, D.C.: GPO, 1873 KF 8202 1873
- 1682-1959 Rifle, Blanket, and Kettle: Selected Indian Treaties and Laws, Text & Index** Frederick E. Hosen. Jefferson, NC: MacFarland, 1985. KF 8202 1985
Selected agreements and statutes of historical significance.

STATUTES

Handbook of Federal Indian Law with Reference Tables and Index. Cohen, Felix S. Ref KF 8205 C6 1942
Washington: U.S. Government Printing Office, 1942. Updated in 1982 & 2005 Ref KF 8205 C6 1982
Ref KF 8205 C6 2005
KF 8205 C6 1986, 1988

Well known treatise. Chapters are divided into subject areas and Indian tribes. The 1942 edition contains a table titled, "Annotated Table of Statutes and Treaties" which functions as a citator for Indian laws and treaties: arranged by **Statutes at Large** citation refers to legislative history materials, cases, attorney general opinions, published and unpublished decisions and memoranda of the Department of the Interior, unpublished memoranda of the Lands Division of the Department of Justice, legal texts and periodicals and government documents. This table has not been updated, since the 1942 edition.

1982 edition is updated, reorganized and rewritten. Contains a section on treaties with the U.S. and international treaties. The 1986 reprint has a biography and bibliography of Felix Cohen.

Early American Indian Documents: Treaties and Laws, 1607-1789. Vaughan, Alden T., KF 8202 1979
gen. ed. Frederick, Maryland: University Publications of America, Inc., 1979-. 20v.

Contains selected colonial government laws and pre-1789 materials. Among the items reprinted are conference and council minutes, commissioners' reports, deeds by tribes, and local government and town records. Volumes are arranged by state and time period. There is no subject index, however, a detailed table of contents is present. References are made to the original source of the document. Vol. VII covers New York 1609-1682.

Indian Affairs. Laws and Treaties. Kappler, Charles J. Washington, D.C.: Government Printing Office, 1904. 5 volumes of 7. KF 8203 1971

Volume 1 contains the text of laws relating to Indian matters compiled to Dec. 1, 1902; Vol. 2 contains treaties; Vol. 3 contains laws through Dec. 1, 1913; Vol. 4 contains laws compiled to March 4, 1927 and Vol. 5 contains laws to June 29, 1938. The acts are arranged in chronological order. The volumes contain a detailed index and table of contents. This compilation has been updated by **Kappler's Indian Affairs. Laws and Treaties** which is often referred to as Vol. 6 & 7.

Kappler's Indian Affairs. Laws and Treaties, Washington, D.C.: U.S. Government Printing Office, 1979. Vol 6 & 7. KF 8203 1971

This two volume set is considered to be a 30 year update of **Indian Affairs. Laws and Treaties**. The text of new laws are included. A now outdated, but historically useful "Table of Statutes Affected" provides a guide to amendments, repeals, and changes to materials in volumes 1 and volumes 3 through 7 of the Kappler compilation.

The New American State Papers: Indian Affairs, Wilmington, Del.: Scholarly Resources, Inc., 1972. 13 v. E 93 U938 1972

Volumes in this compilation are divided according to subject matter. Reprints from items located in the following sources have been included: the original American State Papers from 1832-1861, the U.S. Congressional Serial Set volumes beginning with 1817 and from items located in the Legislative Records Section in the National Archives.

Laws of the Colonial and State Governments, Relating to Indians and Indian Affairs, from 1633 to 1831 Inclusive: with an appendix containing the proceedings of the Congress of the Confederation and the Laws of Congress from 1800 to 1830, on the same subject. Reprint of 1832 ed. NY on pp.61-135. KF 8203 1979

United States Statutes at Large, Washington, D.C.: U.S. GPO, 1789- Fed Core US 002 A2

Contains the text of laws and treaties passed by the Congress of the United States. Laws are later codified in the **United States Code**. Laws affecting Indians can be found in Title 25 of the United States Code, but it is best to check the "General Index" volumes since many laws which affect Indians are located elsewhere. Also see **A Chronological List of Treaties and Agreements made by Indian Tribes with the United States** at Ref KF 8201 A1 C47 1973.

Guide to American Indian Documents in the Congressional Serial Set: 1817-1899. Steven L. Johnson. New York: Clearwater, 1977. Ref KF 8201 A1 J63 1977
Chronological arrangement with subject index. Documents in the Serial Set "relate mostly to the Indians' legal rights and to the cost to the government of Indian administration" including documents from executive agencies and reports received from Congressional committees. See LexisNexis Congressional for digital access to Serial Set. Some Serial Set volumes in Special Collections.

Indian Reorganization Act: Congresses & Bills. Vine DeLoria. KF 8225 I53 2002
Extensive introduction with historical analysis.

JUDICIAL SOURCES

Digest of American Indian Law: Cases and Chronology. Holt & Forrester Ref KF 8204.5 H65 1990

Digest of Decisions Relating to Indian Affairs. Murchison. Reprint of 1901 ed. published by GPO. KF 8204 1901

Documents of United States Indian Policy, 3d ed. Prucha. Ref KF 8205 D63 2000

Indian Claims Commission Decisions. United States Indian Claims Commission. KF 8208 A55 U55 vol. 1-43 4th Floor
Boulder, Colorado: Native American Rights Fund. v. 1, 1948-v.43, 1978. Koren MicFilm US 70.94 U6538 v.1-9
Koren MicFiche US 70.94 U651 selected cases

The NARF was authorized by the Commission in 1971 to reproduce its decisions which previously had only been available in typescript format. The Commission was created in 1946 to hear and decide all pre-1946 Indian Claims against the United States. Subject indexing provided by **Index to Indian Claims Commission Decisions**, published by NARF in 1973 & 1976 Supp. at KF 8208 A55 U55. See also index below.

Prior to 1946 Indian claims would occasionally be heard in the U.S. Court of Claims under special jurisdictional acts passed by the U.S. Congress. After August 13, 1946 cases involving Indian claims were transferred back to the U.S. Court of Claims. Decisions are reported in **U.S. Court of Claims Reports** (to 1982) and **West's United States Claims Court Reporter** (1982+) at **US 006.5 U632**. In 1992 the U.S. Court of Claims was renamed the U.S. Court of Federal Claims.

U.S. Court of Claims Reports (to 1982) Fed Core US 006.5 U63
West's United States Claims Court Reporter (1982+) Fed Core US 006.5 U632

Prior to 1946 Indian claims would occasionally be heard in the U.S. Court of Claims under special jurisdictional acts passed by the U.S. Congress. After August 13, 1946 cases involving Indian claims were transferred back to the U.S. Court of Claims, renamed in 1992 to the U.S. Court of Federal Claims.

Indian Tribal Claims Decided in the Court of Claims of the United States, Briefed and Compiled to June 30, 1947. Smith, E. B. Washington, D.C.: University Publications of America, Inc., 1976. 2 Vol. KF 8208 A52 S6 1976

This publication is a reprint of a 1947 unpublished compilation. It provides a record of petitions and cases brought by Indians under special jurisdictional actions passed by Congress to the Court of Claims, prior to creation of the **Indian Claims Commission** in 1946. Volumes are arranged in alphabetical order by tribal name. A table of contents provides access, there is no subject index. Cites to the Court of Claims volumes are given.

Index to the Decisions of the Indian Claims Commission. Ross, Norman A. ed. New York: Clearwater Publishing Co., 1973. Ref KF 8208 A58 I53 1973

Provides indexing by tribe, docket number, and casename for claims and decisions of the United States Indian Claims Commission from 1946 through August 17, 1973. Law Library as microfiche noted in pencil in Koren Center at Micro US 70.94 U651.

Index to the Expert Testimony Before the Indian Claims Commission, the Written Reports. Ross, Norman A. ed. New York: Clearwater Publishing Co, 1973. Ref 8208 A58 I534 1973

Serves as a companion index to a microfiche collection that includes briefs and records, expert records, the transcripts of testimony and GAO reports. Indexing is by tribe, author, state and docket number. Law Library has microfiche noted in pencil in Koren Center at Micro US 70.94 U651.

ADMINISTRATIVE SOURCES

Executive Orders and Proclamations

Indian Affairs. Laws and Treaties & Kappler's Indian Affairs. Laws and Treaties KF 8203 1971
United States Statutes at Large - (Proclamations)
Code of Federal Regulations - Title 3

Regulations

Code of Federal Regulations. Washington, D.C.: U.S. GPO Updated annually Fed Core US 005 A3
Title 25 contains regulations relating to Indians. The CFR index volume should be consulted since some regulations affecting Indians are not located in Title 25. Of particular note is 25 CFR Part 83 entitled, "Procedures for Establishing That An American Indian Group Exists As An Indian Tribe".

Administrative Decisions

Decisions of the Department of the Interior and General Land Office in Cases Relating to the Public Lands.
United States. Dept. of the Interior, Washington, D.C.: U.S. GPO, v. 38-52, 1910-1929. KF 5500 A555

Decisions of the United States Department of the Interior. United States. Department of the Interior.
Washington, D.C.: U.S. GPO v. 53-101+, 1930-1994+ KF 5500 A555
Current volumes of the decisions contain a table of decisions reported, a table of cases cited, a table of overruled and modified cases covering cases from 1881 to date, and the text of the opinion. Selective decisions of the **Interior Board of Land Appeals** and the **Interior Board of Indian Appeals** (also on LEXIS: ENVIRN library, IBIA file and Westlaw (FNAM-IBIA) from 1970+) are included. Subject access to the decisions is provided by a separately published **Index-Digest** volumes located next to the decisions at KF 5500 A57 I649.

Opinions of the Solicitor of the Department of the Interior Relating to Indian Affairs, 1917-1974. United States. Solicitor for the Department of the Interior. Washington, D.C.: U.S. GPO, 1979. KF 8204 1917
Produced as a result of the Indian Civil Rights Act of 1968, this compilation provides the text of solicitor opinions, ranging from the interpretation of statutes, to determining the status of Indian Lands, to defining tribal powers. Opinions are arranged in chronological order. A detailed subject index, a chronological table of opinions, an index by opinion number and a table of supplemented overruled and modified opinions are included. This publication has not been updated and selective decisions since 1974 can be found in **Decisions of the Department of the Interior** at KF 5500 A555.

TRIBAL CODES

Indian Tribal Codes: A Microfiche Collection of Indian Tribal Law Codes. Johnson, Ralph and Davies, Richard, eds. Seattle, Washington: Marian Gould Gallagher Law Library University of Washington of Law, 1988. Koren Microfiche US 70.8 I632 1988
A microfiche compilation of tribal codes accessible by a tribal index and a subject index. Of particular use is an extensive article by Richard L. Davies entitled, "A Survey of Contemporary Tribal Codes".

Charters, Constitutions, and By-Laws of the Indian Tribes of North America. George Fay. Greeley, CO: Museum of Anthropology, Colorado State College, 1967-1981. KF 8221 F35 1967

TRIBAL STATE COMPACTS

Tribal State Compact List, Indian Gaming Management Staff, BIA. Ref KF 8202.5 A15 T75 1998
Available at <http://govinfo.library.unt.edu/ngisc/reports/a8.pdf>
To update, search the Federal Register by keyword with "tribal-state." <http://www.gpoaccess.gov/fr/index.html>

TRIBAL COURTS

United States Tribal Courts Directory KF 8224 C6 S39 2006

JOURNALS

Indian Law Reporter. Oakland: CA, American Indian Lawyer Training Program. v. 1, 1974- KF 8201 .A3 I5
A looseleaf service that provides the text of federal, state and **tribal** court decisions. Selective opinions of the
Board of Indian Appeals are reprinted. A monthly report provides information on new developments in Indian law.
Cumulative topical & table of cases indexes are in each volume.

NARF Legal Review (vol. 10, 1985+) KF 8201 A3 N37

American Indian Law Review (vol. 1, 1973+) v. 1-23 at Annex. Hein Online K 1 M437

MISCELLANEOUS

American Indian Constitutional Reform and the Rebuilding of Native Nations KF 8221 A44 2006

Cash, Color and Colonialism: The Politics of Tribal Acknowledgement KF 8210 R32 C73 2005

The Lake Mohonk Conference of Friends of the Indian: Guide to the Annual Reports. Larry E. Burgess. New York:
Clearwater, 1975. Ref E93 B869 1975

The Lake Mohonk Conference sponsored annually by Albert K. Smiley from 1883 to 1916 and 1929 "was an
expression of the concern felt by many people during that period over the condition and treatment of the Indians by the
invading Euro-American culture." Serves as index to microfiche collection at **Koren Micro US 70.8 L382.**

Native Americans and the Law: American Indian Rights, Freedoms & Sovereignty. Ed. by John Wunder. New York:
Garland, 1996.

Native American Law & Colonialism	KF 8205 N385 1996
Constitutionalism & Native Americans	KF 8205 A2 C66 1996
Indian Bill of Rights, 1968	KF 8210 C5 I53 1996
Recent Legal Issues for American Indians, 1968 to the Present	KF 8204.5 R43 1996
Native American Cultural & Religious Freedoms	KF 8210 R37 N38 1996
Native American Sovereignty	KF 8205 N386 1996

Tribal Water Rights KF 8210 N37 T758 2006

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See also **New York Indian Law** bibliography at <http://law.lib.buffalo.edu/PDFs/nys/NYIndians.pdf>