

# American Indian Legal Research on the Web

This guide covers the two main sources of Indian law. Federal sources are used when looking up federal laws affecting Indians. These can be federal statutes, cases, regulations, decisions of the Interior Department's Solicitor or administrative decisions. Tribal sources refer to the laws developed by Indian Tribal governments. Some of these may be legislative in nature and are often called ordinances, although some material may be in the form of Council resolutions. Many tribes have appellate courts as well as trial courts; some decisions are available on websites. The guide does not include state law regarding Indians, most of which is in the form of statutes and case law that is easily accessible. There are some international legal norms being developed regarding government treatment of indigenous peoples, but these have no legal force in the United States and are not included in this guide.

An important point when searching on the web for indian materials is that a variety of terms, such as "indian," "native American," and "American Indian" may have to be used. In addition many tribal names have historically used different names or the same name spelled different ways.

## Federal Materials

### General Site

[Indian Law: an Overview](#) Cornell University's Legal Information Institute maintains this topical site on American Indian law. It contains links to federal statutes, important cases and other material.

### Statutes

[25 USC](#) (United States Code 2000 edition, the laws in effect as of January 2, 2001). To search the entire United States code using keywords use [this site](#). The Cornell site listed above has a current version of the code.

### Regulations

[25 CFR](#) (Code of Federal Regulations, as last Revised April 1, 2003) this site is searchable by keyword.

### Administrative Materials

[List of Federally Recognized Tribes](#). There is also [a list](#) of designated agents for notice under the Indian Child Welfare Act. A list of [Tribal leaders](#) is available from the Department of Interior.

[Bureau of Indian Affairs](#) In the Cobell v. Norton litigation, the Judge ordered this site taken down because of the vulnerability of the trust accounts reachable thru the site. The current placeholder at the site contains many useful links to related sites, particularly

those within the Department of the Interior. The site included the BIA Manual; [an archived version of BIA site](#), including the manual is available.

[Department of the Interior Solicitor's Decisions](#) This website is provided by the Solicitor, it includes all opinions, not only those relating to Indians.

[Opinions of the Solicitor of the Department of the Interior Relating to Indian Affairs 1917-1974](#) Provided by the Native American Constitution and Law Digitization Project, coordinated by the University of Oklahoma Law Library and the National Indian Law Library, these opinions are searchable by page number, by M- number and by subject.

[Decisions of the Interior Board of Indian Appeals](#) Maintained privately, this site is searchable by name, volume number or date. It includes cases from 1970 to the present. Subject search is available through Google. The site is updated regularly and also includes other material such as Decisions of the Interior Board of Land Appeals.

#### **Other Department of Interior sites**

The [main Department site](#) contains links to other parts of the Department with duties to Indians, such as the Mineral Management Service, and a prominently displayed link to information on Indian ancestry. The Department also maintains a site describing its efforts to improve its [Indian Trust](#) responsibilities.

The National Park Service provides extensive [information](#) about the Native American Graves Protection and Repatriation Act.

#### **Other Federal Sites**

[Senate Committee on Indian Affairs](#)

[House Committee on Resources](#)

[Indian Health Service](#)

[National Indian Gaming Commission](#)

The Internal Revenue Service provides [relevant information](#) for Tribal governments.

[Native Americans](#) Maintained by Oklahoma State University in partnership with the U.S. Government Printing Office, this site contains links to many federal agencies and departments with programs for Indians. Another [site](#), by Southeastern Oklahoma State University also contains links to many federal resources.

Selected volumes of the [Indian Claims Commission decisions](#) are available online. [FirstGov](#)

## Historical Materials

A digitized reproduction of the [Schedule of Indian Land Sessions in the United States, 1784-1894](#) (United States Serial Set Number 4015), has been prepared by the American Memory Project of the Library of Congress. It is searchable by date, Tribe, and State or Territory, and includes 67 maps, and two tables compiled by Charles C. Royce, with an introductory essay by Cyrus Thomas.

[Indian Affairs: Laws and Treaties, Volume I, II, \(Treaties\), III-VII](#) Compiled and edited by Charles J. Kappler. Washington, D.C.: Government Printing Office, 1904. Prepared by Oklahoma State University Library, this site includes all seven volumes with their indexes. It is searchable by keyword or date.

[Handbook of Indian Law, by Felix Cohen, 1942 Edition](#). Prepared by the Thorpe project at the University of Oklahoma, this site includes the summary of the Handbook for laymen prepared by Theodore Haas in 1949. It also includes the extensive materials contained at the end of the text, such as the “Tribal Index of Materials on Indian Law” which lists the statutes and cases involving each Tribe.

[Indian Land Tenure Foundation](#) This site provides links to the General Allotment Act and its amendments as well as links to Specific allotment acts.

## Tribal Legal Materials

[Tribal Court Clearinghouse](#) Maintained by the Tribal Law and Policy Institute, a public interest non profit organization, this site provides [constitutions](#). It also provides [Codes](#), including some model codes and includes [Tribal Court decisions](#) for a number of tribes. The decisions are in a searchable database provided by VersusLaw. The site also includes articles on Indian law, publications of the Tribal Law and Policy Institute and links to other sites, including some organized by topic.

[National Tribal Resource Justice Center](#) Maintained by the National American Indian Court Judges Association this site provides [constitutions and codes](#) in searchable databases as part of a cooperative effort with the National Indian Law Library. Use the legal research tab to find material. [Tribal Court opinions](#) are provided by VersusLaw.

## National Indian Legal Resources

[The National Indian Law Library](#) A project of the [Native American Rights Fund](#) to create a central Clearinghouse for Indian legal materials, the library provides a number of services available on the web. Its [Catalog](#) includes many briefs, constitutions and codes. The site also provides [research links](#), including links to tribal constitutions and codes. Current awareness [bulletins](#) of recent federal cases are updated regularly.

[The Native American Constitution and Law Digitization Project](#) A cooperative effort of the University of Oklahoma Law Center and the National Indian Law Library, The Thorpe site contains digitized versions of important legal materials and links to other legal sites.

[The National Indian Justice Center](#) An Indian owned non-profit corporation in California, this site contains model codes, lists of training materials available and online articles on Indian legal topics.

## **Indian News Sites**

[Indianz.com](#) This site is owned by the Winnebago Tribe of Nebraska. The site contains some original news articles; it also summarizes and links to news from other online news sources. It often provides links to legal material and is searchable.

[Pechanga.net](#) Run by Victor Rocha, this site collects articles from newspapers, summarizes them and provides links to them. Although it emphasizes news about Indian gaming, the “Native News” section is often updated more than once a day. The site has an archive link at the bottom of the news page.

[Indian Country Today](#) An online weekly newspaper owned by the Oneida Nation of New York, the online version does not provide full content. It is searchable.

## **Oklahoma Legal Resources**

[Oklahoma Indian Bar Association](#)

[Oklahoma Indian Affairs Commission](#) This site contains links to sample tribal-state agreements, to Tribal Websites, and their Newsletter.

[Oklahoma Indian Legal Services](#) Their [publications](#) are online also, through the University of Oklahoma Law Center’s Thorpe Site.

## **Indian Trust Issue**

[Indian Trust: Cobell v. Norton](#) This site is maintained by the plaintiff in the allottee litigation, it contains all the documents of the case as well as other related material.

[Intertribal Monitoring Association on Indian Trust Funds](#) An Association of Tribal Governments, this site contains testimony and draft legislation on tribal trust fund issues.

## Specialized Sites

[Native Data Network](#) This site contains a clickable map showing tribes by region along with the number of gross and trust acres in each reservation as well as population statistics.

[Compilation of State Repatriation, Reburial and Grave Protection Laws](#) Prepared for the U.S. Soil and Conservation Service in 1997, updated by a private corporation and hosted by arrowheads.com, this site contains summaries and citations to state laws dealing with Indian artifacts.

[National Indian Gaming Association Library](#) This site contains studies, book summaries, testimony and selected treaties, as well as a list of publications offered for sale. A site maintained by the University of California at Berkeley, specializing in [California Indian Gaming](#), also provides general information on the topic. [Socio-economic data](#) on gaming and Tribes has been prepared by [Harvard's Project on Indian Economic Development](#).

[Native American Sites](#) prepared by Lisa Mitten, a former librarian and currently an editor for *Choice*, this is one of oldest private sites containing information about American Indians. It includes a page on the [sports mascot](#) issue.

[Recommended American Indian Websites Diversity & Ethnic Studies](#) Created by Susan A. Vega Garcia of Iowa State University, this website provides an annotated list of sites valuable for research. The [Native Nations Institute](#) at the University of Arizona posts scholarly articles on its website.

[Civil Rights](#) From Thurgood Marshall Law Library- Historical Publications of the United States Commission on Civil Rights, arranged by subject Page, Use drop down box or scroll down page to "Native Americans."

Statistics on [lobbying by Indian Tribes](#) are collected by the Center for Public Integrity. Use the left drop down box for issues and scroll down to "Indian and Native American Affairs."