

Federal Indian Law: The Basics

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- I. Introductory Concepts
 - A. The Players
 - B. Indian Country
 - 1. Reservation
 - 2. Allotments
 - 3. Dependent Indian Community
 - 4. Pueblo Lands
 - 5. Other property interests

- II. Tribal Sovereignty; Three Sources of Tribal Power
 - A. Inherent Sovereignty
 - 1. Attributes
 - a. Separate Land Base
 - b. Self-Government
 - (1) Powers
 - (2) Sovereign Immunity
 - c. Viable Tribal Economy
 - d. Cultural Vitality
 - B. Treaties
 - C. Congressional Delegation
 - D. Restrictions on Tribal Sovereignty
 - 1. Treaty
 - 2. Federal law
 - 3. Inconsistent with Dependent status

- III. Criminal Jurisdiction
 - A. Federal Jurisdiction
 - 1. Interracial Crimes
 - 2. Major Crimes Act, Indian Country Act
 - B. Tribal Jurisdiction
 - 1. Over Non-Indians
 - a. VAWA
 - 2. Over Tribal Members and Non-member Indians
 - a. TLOA
 - C. State Jurisdiction

- IV. Civil Jurisdiction
 - A. Tribal Jurisdiction
 - 1. Over members and non-member Indians
 - 2. Over non-Indians
 - B. Federal Jurisdiction
 - C. State Jurisdiction