



INTERIOR BOARD OF INDIAN APPEALS

Ramah Navajo School Board, Inc. v. Albuquerque Area Director,
Bureau of Indian Affairs

18 IBIA 221 (03/28/1990)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

RAMAH NAVAJO SCHOOL BOARD, INC.,	:	Order Docketing, Dismissing and
Appellant	:	Referring Appeal to the
	:	Board of Contract Appeals
v.	:	
	:	
ACTING ALBUQUERQUE AREA	:	Docket No. IBIA 90-48-A
DIRECTOR, BUREAU OF INDIAN	:	
AFFAIRS,	:	
Appellee	:	March 27, 1990

On January 31, 1990, the Board of Indian Appeals received a notice of appeal from the Ramah Navajo School Board, Inc., through counsel, Lloyd Benton Miller, Esq., Anchorage, Alaska. Appellant sought review of a December 20, 1989, decision of the Acting Albuquerque Area Director, Bureau of Indian Affairs, disallowing costs for payment of certain insurance premiums under an Indian Self-Determination Act contract. The Acting Area Director's decision informed appellant that it could appeal the decision to this Board.

The Board received an administrative record on March 26, 1990. The record includes findings and determinations concerning this matter issued by the Albuquerque Area Contracting Officer. Although the findings and determinations are undated, they appear to have been issued subsequent to the Acting Area Director's decision. ^{1/} Under 25 U.S.C. § 450m-1(d), self-determination contracts are subject to the Contract Disputes Act, 41 U.S.C. §§ 601-613. 41 U.S.C. § 605 requires that decisions on contract claims be issued by contracting officers. 41 U.S.C. § 607 vests review authority over such decisions in agency boards of contract appeals. This appeal is therefore within the jurisdiction of the Interior Board of Contract Appeals, rather than this Board.

The appeal is docketed under the above case name and number which should be cited in all future correspondence or inquiries regarding this matter. Pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1 and 4.330, the appeal is dismissed for lack of jurisdiction and the case is referred to the Board of Contract Appeals for appropriate action.

//original signed
Anita Vogt
Administrative Judge

//original signed
Kathryn A. Lynn
Chief Administrative Judge

^{1/} A copy of these findings and determinations is attached to appellant's copy of this order.