



INTERIOR BOARD OF INDIAN APPEALS

Naomi R. Gould v. Bureau of Indian Affairs

24 IBIA 54 (06/08/1993)



United States Department of the Interior

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

NAOMI R. GOULD,
Appellant

v.

BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Docketing and Dismissing Appeal
: and Referring Matter to Assistant
: Secretary - Indian Affairs
:
: Docket No. IBIA 93-94-A
:
: June 8, 1993

On June 7, 1993, the Board of Indian Appeals received a filing from Naomi R. Gould, possibly on behalf of Alice L. Hayzlett. Although it is not entirely clear that the filing was intended to be a notice of appeal, in order to leave no doubt concerning the status of the matter, the Board docketed the filing as an appeal but dismisses it for lack of jurisdiction.

Appellant's filing concerns enrollment issues of the Cow Creek Band of Umpqua Indians. The Board has no jurisdiction over tribal enrollment disputes. 43 CFR 4.330(b)(1). See, e.g., Deardorff v. Acting Portland Area Director, 18 IBIA 411 (1990).

Enrollment appeals are within the jurisdiction of the Assistant Secretary - Indian Affairs, who also is the proper official to furnish appellant with enrollment assistance if that is what she is actually seeking.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the secretary of the Interior, 43 CFR 4.1, this appeal is docketed and dismissed, and this matter is referred to the Assistant Secretary - Indian Affairs.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge