



INTERIOR BOARD OF INDIAN APPEALS

Verda Jean Sanders v. Eastern Oklahoma Regional Tribal Government Officer,
Bureau of Indian Affairs

50 IBIA 307 (11/02/2009)

Related Board case:
45 IBIA 222



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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VERDA JEAN SANDERS,)	Order Docketing and Dismissing Appeal
Appellant,)	
)	
v.)	
)	Docket No. IBIA 10-010
EASTERN OKLAHOMA REGIONAL)	
TRIBAL GOVERNMENT)	
OFFICER, BUREAU OF INDIAN)	
AFFAIRS,)	
Appellee.)	November 2, 2009

Verda Jean Sanders (Appellant) appeals to the Board of Indian Appeals (Board) from a September 17, 2009, decision by the Tribal Government Officer (TGO) for the Eastern Oklahoma Regional Office, Bureau of Indian Affairs (BIA). The TGO again declined to issue Appellant a Certificate of Degree of Indian Blood showing Appellant to be of Cherokee Indian descent. *See Sanders v. Eastern Oklahoma Regional Tribal Government Officer (Sanders I)*, 45 IBIA 222 (2007) (appeal from a previous decision by TGO declining to issue an Indian blood degree certificate to Appellant). We docket this appeal, but dismiss it for the same reasons we dismissed Appellant’s first appeal to the Board: This Board lacks jurisdiction to review decisions by BIA officials concerning Indian blood degree certificates. *Id.* at 223.

As we explained in *Sanders I*, the regulations that govern the Board’s authority explicitly preclude the Board from reviewing enrollment decisions. *See* 43 C.F.R. § 4.330(b)(1) (no authority to review tribal enrollment decisions); *see also* 25 C.F.R. § 62.6 (appeal procedures for tribal enrollment decisions, which include decisions concerning certificates of degree of Indian blood). The regulations that do govern the issuance of Indian blood degree certificates, 25 C.F.R. Part 62, contain their own appeal procedures, which do not include a right of appeal to the Board. 25 C.F.R. §§ 62.4-62.12. These regulations have not been changed in the two years since we decided *Sanders I*.¹

¹ The TGO’s September 17 decision advised Appellant that she could appeal his decision to the Regional Director. We cannot determine from the limited information before us whether Appellant has followed these instructions.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is docketed but dismissed for lack of subject matter jurisdiction.²

I concur:

// original signed
Debora G. Luther
Administrative Judge

// original signed
Steven K. Linscheid
Chief Administrative Judge

² To the extent Appellant is concerned that someone is forging the TGO's signature and that individuals besides herself may be receiving letters with his forged signature, Appellant is informed that the Board does not manage or oversee the day-to-day operations of BIA. Appellant states that she has informed the TGO of her concerns and has sent him a copy of the allegedly forged letter. These would appear to be appropriate actions.