



## INTERIOR BOARD OF INDIAN APPEALS

Hazel E. Muñoz, on her behalf and on behalf of her minor children, Luis Muñoz,  
Angelina Muñoz, and Emily Muñoz v. Arctic Slope Regional Corporation

51 IBIA 209 (04/06/2010)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
SUITE 300  
ARLINGTON, VA 22203

HAZEL E. MUÑOZ, on her behalf and )	Order Docketing and Dismissing Appeal
on behalf of her minor children, LUIS )	
MUÑOZ, ANGELINA MUÑOZ, )	
and EMILY MUÑOZ, )	
Appellant, )	
)	Docket No. IBIA 10-059
v. )	
)	
ARCTIC SLOPE REGIONAL )	
CORPORATION, )	
Appellee. )	April 6, 2010

The Board of Indian Appeals (Board) received a notice of appeal from Hazel E. Muñoz (Appellant), who appeals on her behalf and on behalf of her three minor children, Luis Muñoz, Angelina Muñoz, and Emily Muñoz, from the denial of enrollment dated November 9, 2009, that Appellant apparently received from the Arctic Slope Regional Corporation for herself and her children. Appellant contends that the tribal affiliation of her biological grandparents, Isaac and Mary Akootchook and Hazel Eleanor Aveoganna, was with the Arctic Slope Region although her parents enrolled in Doyon and enrolled Appellant with Doyon as a minor child. Appellant maintains that she has relinquished her Doyon stock; has now been adopted by her aunt, Edith Nageak, who is enrolled with the Arctic Slope Region; and contends that she is eligible to enroll with the Arctic Slope Region as Nageak's legally adopted child.

We docket this appeal but we dismiss it because the Board has no jurisdiction over decisions rendered by a tribe or Alaska Native Regional Corporation.

The Board's jurisdiction is limited to the authority vested in it by regulation or otherwise delegated to it by the Secretary of the Interior. *See* 43 C.F.R. § 4.1(b)(2); *see also* 25 C.F.R. § 2.4(e); *Preckwinkle v. Pacific Regional Director*, 44 IBIA 45 (2006); *Delmar v. Acting Navajo Regional Director*, 40 IBIA 184 (2005). The Board's jurisdiction under 25 C.F.R. Part 2 is limited to reviewing specific decisions or actions taken by certain Bureau of Indian Affairs (BIA) officials or officials in the Office of the Assistant Secretary -Indian Affairs. *See* 43 C.F.R. § 4.1(b)(2)(i); 25 C.F.R. § 2.4(e) (description of Board's

jurisdiction under 25 C.F.R. Part 2). In addition, the Board is authorized to review certain decisions rendered by Department of the Interior probate judges under 43 C.F.R. Part 30. See 43 C.F.R. §§ 4.1(b)(2)(ii), 4.320. The Board does not have jurisdiction to review decisions rendered by the Arctic Slope Regional Corporation. Cf. *Hardy v. Midwest Regional Director*, 46 IBIA 47, 58 & n.13 (2007) (Board lacks jurisdiction to review decisions rendered by tribes and their agencies); *Rousseau v. Acting Aberdeen Area Director*, 25 IBIA 137 n.1 (1994) (same).

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 from the Arctic Slope Regional Corporation’s November 9, 2009, decision is docketed but dismissed for lack of jurisdiction.<sup>1</sup>

I concur:

\_\_\_\_\_  
// original signed  
Debora G. Luther  
Administrative Judge

\_\_\_\_\_  
// original signed  
Steven K. Linscheid  
Chief Administrative Judge

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<sup>1</sup> Even if BIA had made the decision to reject Appellants’ enrollment application with Arctic Slope, the Board would still lack jurisdiction because our regulations expressly provide that “the Board shall not adjudicate . . . [t]ribal enrollment disputes.” 43 C.F.R. § 4.330(b)(1); *Sanders v. Eastern Oklahoma Regional Tribal Government Officer*, 50 IBIA 307 (2009), *Sanders v. Eastern Oklahoma Regional Tribal Government Officer* 45 IBIA 222, 223 (2007).