



INTERIOR BOARD OF INDIAN APPEALS

Norma Puzz Dankulich, et al. v. Assistant Secretary - Indian Affairs

14 IBIA 152 (07/03/1986)



# United States Department of the Interior

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

NORMA PUZZ DANKULICH, et al.,	:	Order Docketing and Dismissing
Appellants	:	Appeal
	:	
v.	:	
	:	Docket No. IBIA 86-45-A
ASSISTANT SECRETARY FOR	:	
INDIAN AFFAIRS,	:	
Appellee	:	July 3, 1986

On June 16, 1986, the Board of Indian Appeals (Board) received a notice of appeal from Norma Puzz Dankulich, Roanne E. Lyall, Fawn Eloise Morris, Tanya Sangrey, and Dorothy Puzz Walker (appellants). Appellants sought review of an April 28, 1986, decision signed by the Assistant Secretary for Indian Affairs finding that they lacked standing to pursue an appeal concerning the management of the unallotted resources on the Hoopa Valley Indian Reservation. The decision, which apparently interprets a June 12, 1985, Memorandum of Understanding with the Hoopa Timber Corporation, concludes: "This decision is final for the Department of the Interior."

The appeal is docketed under the above case name and number which should be cited in all future correspondence or inquiries regarding the matter.

A copy of the April 28, 1986, decision was attached to the notice of appeal. The decision was signed by the Assistant Secretary for Indian Affairs and states that it is final for the Department. Because the Assistant Secretary has the authority to issue decisions final for the Department, the Board does not have general review authority over his decisions, except as they are specially referred to it on a case-by-case basis or through rulemaking. See, e.g., Pueblo of Laguna v. Assistant Secretary for Indian Affairs, 12 IBIA 80, 90 I.D. 521 (1983); 25 CFR 13.14. This matter has not been so referred to the Board.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal from the Assistant Secretary's April 28, 1986, decision must be dismissed.

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//original signed  
Jerry Muskrat  
Administrative Judge

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//original signed  
Anita Vogt  
Administrative Judge