



INTERIOR BOARD OF INDIAN APPEALS

Quinault Indian Nation v. Portland Area Director, Bureau of Indian Affairs

17 IBIA 138 (06/14/1989)



United States Department of the Interior

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

QUINAULT INDIAN NATION,
Appellant

v.

PORTLAND AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Dismissing Appeal and
: Remanding Case
:
:
: Docket No. IBIA 89-34-A
:
:
: June 14, 1989

This appeal involves a challenge by the Quinault Indian Nation to a January 9, 1989, decision of the Portland Area Director, Bureau of Indian Affairs (BIA), concerning the tribe's request for cancellation of Lease No. 7287 between the tribe and Rose Robinson, a deceased tribal member.

The appeal was pending before the Washington, D.C., office of BIA on March 13, 1989, the date new appeals regulations for BIA and the Board of Indian Appeals took effect. On May 1, 1989, it was transmitted to the Board for consideration in accordance with the new procedures. It was docketed by the Board on May 17, 1989.

On June 12, 1989, the Board received a motion for remand to the Area Director, filed jointly by appellant and appellee. The parties state that they seek remand in order to allow the Area Director to consider the issue of abandonment, which he did not consider previously, and issue a new decision.

In accordance with the request of the parties, and pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, this appeal is dismissed without prejudice, and the case is remanded to the Portland Area Director for issuance of a new decision, which shall be subject to appeal to the Board pursuant to 25 CFR Part 2.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge