



INTERIOR BOARD OF INDIAN APPEALS

Ron Running Crane, et al. v. Blackfeet Tribal Allocation Committee

33 IBIA 223 (04/05/1999)



# United States Department of the Interior

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

RON RUNNING CRANE ET AL., : Order Docketing and Dismissing Appeal  
Appellants :  
 :  
v. :  
 : Docket No. IBIA 99-50-A  
BLACKFEET TRIBAL ALLOCATION :  
COMMITTEE, :  
Appellee : April 5, 1999

Ron Running Crane, Felix Running Crane, Richard Running Crane, Stephen Running Crane, and Merlin Running Crane (Appellants) seek review of the allocation of several allotments on the Blackfeet Reservation. Appellants state that they object to decisions made by the Superintendent, Blackfeet Agency, Bureau of Indian Affairs (Superintendent; BIA), and the Blackfeet Tribal Allocation Committee (BTAC). Although they do not identify a particular BIA decision from which they are appealing, Appellant Ron Running Crane states that he received a letter on February 2, 1999, indicating that his request for allocation had been denied.

The Board contacted the Blackfeet Agency Realty staff in order to attempt to clarify what action BIA might have taken in regard to Appellants. The Board was informed that the BTAC had recently made range unit allocations and had sent letters to those persons who did not receive an allocation for which they had applied. When the Board spoke with Agency staff, the Superintendent was in the process of preparing letters notifying those persons who had received allocations. Therefore, for purposes of this order, the Board assumes that the letter Appellant Ron Running Crane received was sent by the BTAC and notified him of the BTAC's decision not to allocate him a range unit for which he had applied. It further concludes that, as of the time Appellants mailed their letter, the Superintendent had not taken any action in regard to Appellants.

There are two problems which preclude the Board from addressing this appeal. One problem is that there is no appealable BIA decision for the Board to review. Even if the Superintendent had issued a decision, the Board does not have jurisdiction to review decisions issued by BIA Superintendents. Decisions issued by BIA Superintendents must first be appealed to the appropriate BIA Area Director. A decision issued by a BIA Area Director may be appealed to the Board. See 25 C.F.R. § 2.4(a) and (e).

The second problem is that neither BIA nor the Board has authority to review decisions issued by appropriate tribal bodies. If the decision which Appellants are appealing was issued by the BTAC, their recourse is through whatever tribal procedures have been established for reviewing BTAC decisions.

