



## INTERIOR BOARD OF INDIAN APPEALS

Standing Rock Sioux Tribe v. Acting Assistant Secretary - Indian Affairs

41 IBIA 188 (08/22/2005)



# 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

STANDING ROCK SIOUX TRIBE,	:	Order Docketing and Dismissing
Appellant,	:	Appeal
	:	
v.	:	
	:	Docket No. IBIA 05-89-A
ACTING ASSISTANT SECRETARY -	:	
INDIAN AFFAIRS,	:	
Appellee.	:	August 22, 2005

The Standing Rock Sioux Tribe (Tribe) seeks to appeal to the Board of Indian Appeals (Board) from a February 10, 2005, decision of the Acting Assistant Secretary - Indian Affairs (Assistant Secretary), which disapproved an amendment to the Tribe's constitution. The Board docketed the appeal, but dismisses it for lack of jurisdiction.

The Board does not have general authority to review decisions of the Assistant Secretary. See Deganawidah-Quetzalcoatl University v. Assistant Secretary - Indian Affairs, 39 IBIA 265 (2004); Haney v. Acting Assistant Secretary - Indian Affairs, 39 IBIA 25 (2003); Shawnee Tribe v. Assistant Secretary - Indian Affairs, 39 IBIA 4 (2003). This is not a case in which the Board has been delegated review authority by specific regulation, by the decision itself, or by referral from the Secretary.

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 jurisdiction.

I concur:

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// original signed  
Steven K. Linscheid  
Chief Administrative Judge

\_\_\_\_\_  
// original signed  
Anita Vogt  
Senior Administrative Judge