



INTERIOR BOARD OF INDIAN APPEALS

Laura Lee George v. Assistant Secretary - Indian Affairs

54 IBIA 113 (10/19/2011)



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

LAURA LEE GEORGE,)	Order Docketing and Dismissing
Appellant,)	Appeal
)	
v.)	
)	Docket No. IBIA 12-011
ASSISTANT SECRETARY - INDIAN)	
AFFAIRS,)	
Appellee.)	October 19, 2011

On September 26, 2011, the Board of Indian Appeals (Board) received a notice of appeal from Laura Lee George (Appellant). Appellant seeks review of an August 22, 2011, decision (Decision) of the Assistant Secretary - Indian Affairs (Assistant Secretary).¹ The Decision stated that it was final for the Department of the Interior. We docket this appeal, but dismiss it for lack of jurisdiction.

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) (2010), redesignated as § 4.1(b)(1), 75 Fed. Reg. 64663 (Oct. 20, 2010); *State of California v. National Indian Gaming Commission*, 44 IBIA 22, 22 (2006). With exceptions not relevant here, the Board lacks jurisdiction to review administrative action by the Assistant Secretary. *See* 25 C.F.R. § 2.4(e); *Kozlowski & Gardner Advocates, Inc. v. Superintendent, Uintah and Ouray Agency, and Deputy Assistant Secretary for Policy and Economic Development - Indian Affairs*, 50 IBIA 201, 202 (2009); *Pendleton v. Assistant Secretary - Indian Affairs*, 45 IBIA 133, 133 (2007). Accordingly, the Board lacks jurisdiction to review this appeal.

¹ The Decision sustained an August 10, 1999, decision by a previous Assistant Secretary, which concluded that Appellant did not meet the criteria of § 6(b) of the Hoopa-Yurok Settlement Act, 25 U.S.C. § 1300i-5(b), for enrollment in the Hoopa Valley Tribe.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Board docketed but dismisses this appeal.

I concur:

// original signed
Steven K. Linscheid
Chief Administrative Judge

// original signed
Debora G. Luther
Administrative Judge