



INTERIOR BOARD OF INDIAN APPEALS

The Cayuga Nation by its Council of Chiefs, The Unity Council v.
Acting Eastern Regional Director, Bureau of Indian Affairs

61 IBIA 231 (08/24/2015)



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
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THE CAYUGA NATION by its)	Order Dismissing Appeal
COUNCIL OF CHIEFS, THE UNITY)	
COUNCIL,)	
Appellant,)	
)	
v.)	Docket No. IBIA 15-071
)	
ACTING EASTERN REGIONAL)	
DIRECTOR, BUREAU OF INDIAN)	
AFFAIRS,)	
Appellee.)	August 24, 2015

The Cayuga Nation (Nation) by its Council of Chiefs, the Unity Council (Appellant or Unity Council), appealed to the Board of Indian Appeals (Board) from a February 20, 2015, decision (Decision) of the Acting Eastern Regional Director (Regional Director), Bureau of Indian Affairs (BIA).¹ The Decision announced that the Regional Director had decided to recognize, on an interim basis, the Nation 2006 Council as the last undisputed leadership of the Nation, with Clint Halftown as its Federal representative, for purposes of enabling the Nation to draw down funding provided through Community Services Contract No. A13AV00209, and other unspecified existing contracts, under the Indian Self-Determination Act.²

On August 21, 2015, the Board received a motion from Appellant to dismiss the appeal as moot, which the Board construes as a voluntary withdrawal of Appellant’s appeal. *See Parker v. Southern Plains Regional Director*, 45 IBIA 310, 319 (2007).

¹ This appeal involves a dispute concerning the leadership of the Nation. The Board’s identification of the Nation and the Nation’s Council, in whose name certain pleadings have been filed, shall not be construed as expressing any view on the merits of the dispute or on the authority of counsel to file pleadings on behalf of either the Nation or the Nation’s Council.

² On June 17, 2015, the Board granted motions by Interested Parties (Clint Halftown, Timothy Twoguns, and Gary Wheeler) and the Regional Director to make the Decision effective immediately.

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 dismisses the appeal.

I concur:

// original signed
Thomas A. Blaser
Administrative Judge

//original signed
Steven K. Linscheid
Chief Administrative Judge