



INTERIOR BOARD OF INDIAN APPEALS

Frank L. Cornelius v. Oneida Tribe of Indians of Wisconsin

62 IBIA 121 (01/22/2016)



# 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

FRANK L. CORNELIUS,	)	Order Docketing and Dismissing
Appellant,	)	Appeal
	)	
v.	)	
	)	Docket No. IBIA 16-035
ONEIDA TRIBE OF INDIANS OF	)	
WISCONSIN,	)	
Appellee.	)	January 22, 2016

Frank L. Cornelius (Appellant) filed a request with the Board of Indian Appeals (Board), seeking injunctive relief against the Oneida Tribe of Indians of Wisconsin (Tribe). Appellant requests that the Board order the Tribe to schedule a special General Tribal Council meeting relating to a tribal corporation, the Oneida Seven Generations Corp., and to order the tribal court to address an appeal that Appellant apparently has filed in that court.

The Board is not a court of general jurisdiction, but rather has only the authority delegated to it by the Secretary of the Interior to issue final decisions for the Department in appeals from or review of decisions of officials within the Department. *See* 25 C.F.R. Part 2 and 43 C.F.R. Part 4. That authority does not include general authority to review action or inaction by tribal officials. *See Schmitges v. Skull Valley Band of Goshute Indians of Utah*, 41 IBIA 138 (2005); *see also In re Ute Tribal Water Compact*, 50 IBIA 250 (2009).

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 the appeal for lack of jurisdiction.

I concur:

\_\_\_\_\_  
// original signed  
Steven K. Linscheid  
Chief Administrative Judge

\_\_\_\_\_  
//original signed  
Thomas A. Blaser  
Administrative Judge