



INTERIOR BOARD OF INDIAN APPEALS

Kotzebue IRA Council v. Juneau Area Director, Bureau of Indian Affairs

21 IBIA 166 (01/28/1992)



United States Department of the Interior

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

KOTZEBUE IRA COUNCIL,
Appellant

v.

JUNEAU AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Affirming Decision
:
:
:
: Docket No. IBIA 91-126-A
:
:
: January 28, 1992

This is an appeal from a June 20, 1991, decision of the Juneau Area Director, Bureau of Indian Affairs, disapproving appellant's application for a grant under the Small Tribes Grant Program on the grounds, inter alia, that the amount sought by appellant exceeded the maximum grant allowable.

Appellant states:

Reason for appeal: I have contacted Nome Agency office, Juneau Area office and Washington D.C. office to get a figure as to what the budget guidelines are, and was not able to get an answer from either agency. So, being told by Nome Agency office to "budget according to your need," I did that exactly, and thus am [appealing] the decision on the basis that submission for grant was too high.

The Small Tribes Grant Program was announced in the Federal Register on January 31, 1991, 56 FR 3958. The notice stated that it governed grants to tribes within the contiguous 48 states and that separate arrangements would be made for Alaska Native villages. It also stated that grant awards to tribes within the contiguous 48 states would range between \$27,500 and \$35,000. 56 FR 3958, section C(2). No formal announcement of the Alaska program is included in the administrative record. It appears, however, that the program generally followed the provisions of the Federal Register notice, except that decisions were made by the Juneau Area Director instead of the Deputy Commissioner of Indian Affairs.

Appellant evidently received a copy of the Federal Register notice from BIA, observed that the grant amounts given in section C(2) did not specifically apply to Alaska, and attempted to find out what the Alaska amounts were. It appears that BIA personnel were unable to advise appellant of the specific ceiling amount for grants in Alaska. Neither, apparently, was

