



INTERIOR BOARD OF INDIAN APPEALS

Cheyenne & Arapaho Tribes of Oklahoma v. Anadarko Area Director,  
Bureau of Indian Affairs

23 BIA 155 (01/13/1993)



# United States Department of the Interior

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

CHEYENNE AND ARAPAHO TRIBES	:	Order Affirming Decision
OF OKLAHOMA,	:	
Appellant	:	
	:	
v.	:	Docket No. IBIA 92-194-A
	:	
ACTING ANADARKO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	January 13, 1993

Appellant Cheyenne and Arapaho Tribes of Oklahoma seeks review of a May 6, 1992, decision issued by the Acting Anadarko Area Director, Bureau of Indian Affairs (Area Director; BIA), denying appellant's application for a FY 1992 Planning Grant. For the reasons discussed below, the Board of Indian Appeals (Board) affirms that decision.

The availability of FY 1992 Planning Grant program funds was announced at 57 FR 160 (Jan. 2, 1992). Appellant filed an application under the program. By letter dated May 6, 1992, the Area Director denied appellant's application, giving only one reason for denial:

Your application is denied for acceptance and funding on the basis that the Tribal Resolution \* \* \* submitted with the application is determined to be invalid. The resolution is the resolution that was submitted for FY-91 when the Tribes submitted the Planning Grant last year. The resolution to be acceptable and valid must be current and specifically reference FY-92 application pursuant to Federal Register, Volume 57, No. 1, dated January 2, 1992, Paragraph C(4)(a)(i).

On appeal, appellant does not dispute the Area Director's determination that the resolution submitted was not valid. Instead, appellant first contends that BIA has been more lenient in the past in regard to the submission of tribal resolutions for grant programs, citing 25 CFR 272.16.

25 CFR 272.16 provides general procedures to be followed in awarding grants under the Indian Self-Determination Act, 25 U.S.C. §§ 450-450n (1988). The specific procedures to be followed under the Planning Grant program were set forth in the Federal Register announcement. Appellant was required to follow the procedures of the specific announcement for this program.

Appellant next contends that its application should have been reviewed and tentatively rated, even though its application package was deficient.

