



INTERIOR BOARD OF INDIAN APPEALS

Alaska Native Justice Center, Inc. v. Acting Juneau Area Director,
Bureau of Indian Affairs

27 IBIA 203 (03/06/1995)



United States Department of the Interior

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

ALASKA NATIVE JUSTICE CENTER, INC.,	:	Order Affirming Decision
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 94-188-A
ACTING JUNEAU AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	March 6, 1995

This is an appeal from a July 29, 1994, decision of the Acting Juneau Area Director, Bureau of Indian Affairs (Area Director; BIA), declining to review appellant's application for an Indian Child Welfare Act (ICWA) grant because it did not include (1) proof of liability insurance for fiscal years 1994-1995 and (2) certification by a licensed accountant that appellant's bookkeeping and accounting procedures meet Federal standards for grant administration.

In its preliminary review of the administrative record, including appellant's application, the Board did not find the items which the Area Director stated were missing. Both items were required to be included in an ICWA grant application. See Part III.C(7) and (8) of the announcement of the program, 59 FR 25542, 25543 (May 16, 1994).

Appellant was given until December 23, 1994, to show why the Area Director's decision should not be summarily affirmed. Appellant did not respond.

The Board has previously held that BIA properly declines to review an application for an ICWA grant when the application does not include items required to be included under the program announcement. Baltimore American Indian Center v. Eastern Area Director, 26 IBIA 189 (1994); Native American Service Agency v. Eastern Area Director, 26 IBIA 186 (1994)

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Area Director's July 29, 1994, decision is affirmed.

//original signed
Anita Vogt
Administrative Judge

//original signed
Kathryn A. Lynn
Chief Administrative Judge