



INTERIOR BOARD OF INDIAN APPEALS

Sharon Davis v. Anadarko Area Director, Bureau of Indian Affairs

20 IBIA 245 (09/18/1991)



United States Department of the Interior

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

SHARON DAVIS,	:	Order Affirming Decision
Appellant	:	
	:	
v.	:	Docket No. IBIA 91-108-A
	:	
ANADARKO AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	September 18, 1991

This is an appeal from a May 31, 1991, decision of the Anadarko Area Director, Bureau of Indian Affairs, denying an application for a U.S. direct loan in the amount of \$23,000.

In Power Fuel Producers, Inc. v. Acting Anadarko Area Director, 20 IBIA 190, 191 (1991), the Board stated: "When a BIA decision denying a loan application adequately explains the reason for denial, the decision is supported by the administrative record, and the appellant makes no showing that BIA's discretion was not properly exercised, the BIA decision will be summarily affirmed."

The Area Director's decision in this case appeared to contain a thorough statement of the reasons for denial of appellant's loan application. The Board therefore determined that this appeal might be appropriate for summary disposition. By Board order of July 29, 1991, appellant was given until August 30, 1991, to show cause why the Area Director's decision should not be summarily affirmed. To assist appellant in preparing her response, the Board furnished her with copies of relevant Board decisions.

Appellant did not respond to the Board's order. Because she made no allegation of error in her notice of appeal and has made no further statements, appellant has failed to carry her burden of proving that BIA's discretion was not properly exercised.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Anadarko Area Director's May 31, 1991, decision is affirmed.

//original signed
Anita Vogt
Administrative Judge

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Kathryn A. Lynn
Chief Administrative Judge