LOUDEN VILLAGE COUNCIL,	:	Order Affirming Decision
Appellant	:	
	:	
v.	:	
	:	Docket No. IBIA 94-141-A
ACTING JUNEAU AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	September 27, 1994

Appellant Louden Village Council seeks review of a May 6, 1994, decision issued by the Acting Juneau Area Director, Bureau of Indian Affairs (Area. Director; BIA), disapproving its application for a FY 1994 Small Tribes grant. For the reasons discussed below, the Board of Indian Appeals (Board) affirms that decision.

Pursuant to an announcement published at 58 FR 68696 (Dec. 28, 1993), appellant filed an application for a grant under the Small Tribes program. On May 6, 1994, the Area Director notified appellant that its application was not approved. The decision letter stated:

> As you know from the program announcement, the Small Tribes grant program is quite competitive. All applications found complete and eligible for the program were reviewed by a team of three raters composed of both Bureau and tribal representatives. Each of the three raters independently assigned a score to each application using the point system described in the program announcement. The average of the three scores then formed the final score for the application. Your application received a score of 82.00. The lowest score that funds were available for this year was 89.
>
> Based on the highest scores received and the amounts applied for, we were only able to fund the top twenty. A total of one hundred ten applications were received this year for the program. Unfortunately, the funding allocated for this program for Alaska for FY-1994 was only $590,000. Many of the applications we were not able to fund received very respectable scores, and we would have liked to have been able to approve them all. Unfortunately, we just did not have sufficient funds.
>
> In about sixty days, after the appeals period is passed, the applications and the raters' comments will be returned to your Agency Superintendent. Please feel free to contact the Superintendent at that time to discuss how your application was rated,

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and how it might have been improved to receive a higher score. Hopefully, this will improve your chances to succeed with future competitive grant applications, not only under [BIA] programs, but also under those that might be available from other federal agencies or the state.

By letter dated May 25, 1994, appellant filed an appeal with the Area Director, in accordance with the appeal procedures established in the Federal Register announcement, and repeated in the Area Director's decision. The Area Director transmitted the administrative record and the notice of appeal to the Board. The Area Director also sent a complete copy of the appeal file, including the raters' comments, to appellant. Only appellant filed a brief on appeal.

Appellant's arguments are essentially a statement of its need for the Small Tribes grant. The Board sympathizes with appellant's attempts to better its governmental organization, its community, and the lives of its members. Unfortunately, the financial resources available to BIA were less than those needed. The Board has previously upheld the competitive process used to allocate BIA's limited grant resources. See, e.g., Lower Elwha Tribe v. Portland Area Director, 18 IBIA 50, 52 (1989). It has also held that an appellant's need for funding is not a sufficient basis for overturning BIA's decision not to fund that particular application. Coast Indian Community of the Resighini Reservation v. Deputy Commissioner of Indian Affairs, 21 IBIA 183 (1992), and cases cited therein.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Acting Juneau Area Director's May 6, 1994, decision is affirmed.

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Kathryn A. Lynn
Chief Administrative Judge

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Anita Vogt
Administrative Judge

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