

BEFORE THE INDIAN CLAIMS COMMISSION

THE NAVAJO TRIBE,)	
)	
Plaintiff,)	
)	
v.)	Docket Nos. 69, 299 and 353
)	
THE UNITED STATES OF AMERICA,)	
)	
Defendant.)	

ORDER DENYING PLAINTIFF'S MOTION FOR REHEARING

Plaintiff has filed a motion for rehearing requesting that the Commission modify the "Order Modifying Previous Order and for Supplemental Accounting" entered August 23, 1974, at 34 Ind. Cl. Comm. 438, and modify its related opinion at 34 Ind. Cl. Comm. 432, 434.

The following paragraph without the inclusion of the underlined words is contained in our order of August 23, 1974. Plaintiff asks us to amend this paragraph by inserting therein the underlined words as shown immediately below:

IT IS FURTHER ORDERED that defendant submit on or before September 30, 1974, a supplemental accounting showing the dates on which control over specific tribal organization funds or enterprises were transferred to plaintiff pursuant to a termination of defendant's trust with respect thereto, and the claimed authority for such termination and transfer.

While the language which plaintiff proposes to add to the order does express the sense of the Commission's opinion accompanying the order, it is not necessary.

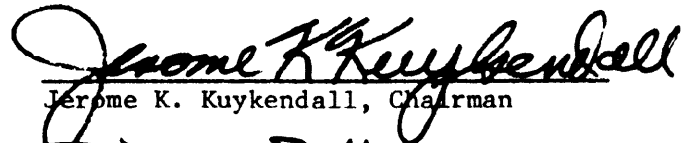
As defendant has pointed out, it is now required to show its authority for any transfer of control over any tribal funds or enterprises, and plaintiff is given sixty days in which to make any response thereto which it deems proper. The Commission then can rule on the issues thus framed.

HAVING FULLY CONSIDERED plaintiff's motion, and defendant's response thereto, and being fully informed in the premises,

IT IS ORDERED that plaintiff's aforesaid motion for rehearing be denied, and

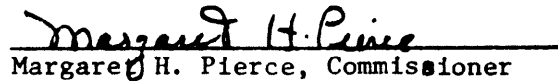
IT IS FURTHER ORDERED that defendant submit, on or before February 19, 1975, a supplemental accounting showing the dates on which control over specific tribal funds or enterprises were transferred to plaintiff, and the claimed authority for each transfer.

Dated at Washington, D. C., this 23rd day of January, 1975


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner