

BEFORE THE INDIAN CLAIMS COMMISSION

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

ORDER THAT PLAINTIFF MAKE AVAILABLE CERTAIN RECORDS

By our order of July 15, 1973, defendant was required to prepare a supplemental accounting herein. On January 3, 1975, defendant submitted interrogatories to plaintiff in accordance with the Commission's General Rules of Procedure, 25 C.F.R. § 503.14. These interrogatories requested information concerning 49 tribal funds or enterprises. The first 14 of them requested detailed information concerning the action of plaintiff in approving or authorizing expenditures of tribal organization funds. Plaintiff submitted objections to defendant's interrogatories on February 20, 1975.

By our order of May 28, 1975, the Commission concluded that these first 14 interrogatories were, in effect, a request that plaintiff prepare a portion of the supplemental accounting that defendant had been ordered to prepare, and sustained plaintiff's objections thereto.

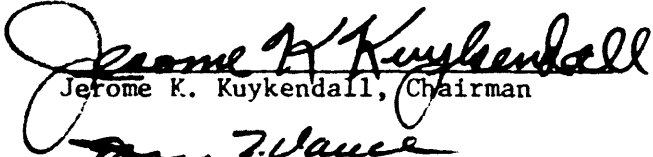
On June 26, 1975, defendant, pursuant to Rule 33 of the Commission's General Rules of Procedure, 25, C.F.R. § 503.33, moved the Commission for a rehearing of its order of May 28, 1975, and for permission to resubmit interrogatories 1 through 14. In the alternative, defendant requested that plaintiff make available its records in order that defendant might examine them in order to dig out and sift the information necessary for preparation of the supplemental accounting. Plaintiff did not respond to this motion.

UPON CONSIDERATION of defendant's motion and the entire record, and being fully informed in the premises,

IT IS ORDERED that plaintiff make available to defendant its records concerning approval or authorization of expenditures of tribal organization

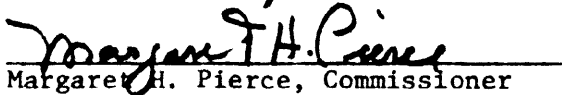
funds in order to permit defendant to examine them for purposes of preparation of a supplemental accounting; and that the Commission's order of May 28, 1975, be, and hereby is, modified accordingly.

Dated at Washington, D. C., this 13th day of August 1975


Jerome K. Kuykendall, Chairman


John T. Vance, Commissioner


Richard W. Yarborough, Commissioner


Margaret H. Pierce, Commissioner


Brantley Blue, Commissioner