

BEFORE THE INDIAN CLAIMS COMMISSION

THE SIOUX TRIBE OF INDIANS OF THE STANDING)
 ROCK RESERVATION, SOUTH DAKOTA,)
)
 Plaintiff,)
 v.) Docket No. 119
)
 THE UNITED STATES OF AMERICA,)
)
 Defendant.)

ORDER VACATING DETERMINATION OF COMMISSION CONCERNING EXPENDITURE OF TRIBAL FUNDS FOR EDUCATIONAL PURPOSES

The Commission determined in this accounting action, on July 11, 1974, 34 Ind. Cl. Comm. 241, that certain expenditures made by defendant for education of Indians were improperly charged against tribal funds and should be disallowed. These expenditures were challenged by plaintiff's exceptions 12 and 20 to defendant's GAO accounting report. On July 30, 1974, defendant filed a motion for a rehearing of the Commission's determination in this matter, and plaintiff filed a response. We granted defendant's motion on November 21, 1974, and requested the parties to file memoranda on the matter, which they did.

UPON CONSIDERATION of the filings of the parties, and being fully informed in the premises, for the reasons expressed in the accompanying opinion, which is hereby made a part of this order,

IT IS ORDERED that our determination of July 11, 1974, concerning plaintiff's exceptions 12 and 20, that defendant's expenditures from tribal funds for education of Indians were improper, be, and it hereby is, vacated, and

IT IS FURTHER ORDERED that consideration of the issue of the propriety of educational expenditures from tribal funds be deferred pending a determination of that question in Docket 74-B, Sioux Nation v. United States.

Dated at Washington, D. C., this 11th day of December 1975

Jerome K. Kuykendall

 Jerome K. Kuykendall, Chairman

Margaret H. Pierce

 Margaret H. Pierce, Commissioner

John T. Vance

 John T. Vance, Commissioner

Brantley Blue

 Brantley Blue, Commissioner

Richard W. Yarborough

 Richard W. Yarborough, Commissioner