



DEPARTMENT OF THE INTERIOR HEARINGS DIVISION

Winslow Indian Health Care Center, Inc. v. Director, Navajo Area Indian Health Service

Docket Nos. IBIA 04-17-A and IBIA 04-45-A (08/29/2006)

Related Indian Self-Determination Act case:

Health and Human Services Appeals Board decision, 06/28/2004



United States Department of the Interior

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August 29, 2006

WINSLOW INDIAN HEALTH CARE	:	Dockets Nos. IBIA-04-17-A
CENTER, INC.,	:	IBIA-04-45-A
	:	
Appellant	:	
	:	
v.	:	Indian Self Determination Act (ISDA)
	:	25 U.S.C. §§ 450-450n
DIRECTOR, NAVAJO AREA INDIAN	:	
HEALTH SERVICE,	:	
	:	
Respondent	:	

ORDER DISMISSING PROCEEDINGS

The Respondent in these proceedings, the Navajo Area Indian Health Service, has rescinded its partial declination of the subject contract proposal of the Appellant, the Winslow Indian Health Care Center, Inc., and the parties have executed the FY 2004 Annual Funding Agreement and Buyback Agreement. The parties now agree that they are bound by those agreements and these proceedings should be dismissed on that basis.

Whatever disagreement may remain between the parties concerning implementation of the Buyback Agreement and actual apportionment or reimbursement of the personnel costs at issue, if not resolved, would be within the jurisdiction of the Interior Board of Contract Appeals.

Therefore, these appeals are now ordered dismissed with prejudice.

// original signed
Andrew S. Pearlstein
Administrative Law Judge