



INTERIOR BOARD OF INDIAN APPEALS

Yakama Nation v. Northwest Regional Director, Bureau of Indian Affairs

51 IBIA 257 (05/11/2010)



# United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS  
INTERIOR BOARD OF INDIAN APPEALS  
801 NORTH QUINCY STREET  
SUITE 300  
ARLINGTON, VA 22203

YAKAMA NATION,	)	Order Vacating Decision, Remanding
Appellant,	)	Matter for Further Consideration, and
	)	Dismissing the Nation's Appeal
v.	)	
	)	
NORTHWEST REGIONAL	)	Docket No. IBIA 10-040
DIRECTOR, BUREAU OF	)	
INDIAN AFFAIRS,	)	
Appellee.	)	May 11, 2010

The Yakama Nation (Nation) appealed to the Board of Indian Appeals (Board) from a November 16, 2009, decision of the Northwest Regional Director (Regional Director), Bureau of Indian Affairs (BIA), in which he denied the Nation's request to place several hundred tracts of tribally owned or managed trust lands in "temporarily non-assessable" status for purposes of operation and maintenance (O&M) charges or, alternatively, to grant an annual assessment waiver for O&M charges, or to adjust or eliminate the O&M charges pursuant to the Leavitt Act, 25 U.S.C. § 386a.

On April 22, 2010, the Board received from the Regional Director a Motion for Remand to BIA for Further Consideration. The Regional Director represents that the Nation does not oppose the motion.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, the Regional Director's November 16, 2009, decision is vacated, this matter is remanded to him for further consideration and issuance of a new decision, and the Nation's appeal is dismissed.

I concur:

\_\_\_\_\_  
// original signed  
Debora G. Luther  
Administrative Judge

\_\_\_\_\_  
// original signed  
Sara B. Greenberg  
Administrative Judge\*

\*Interior Board of Land Appeals, sitting by designation.