

Mr. T.: Let me ask you a way, indeed, who did he bid is. You seem to be saying the decision is one to be made solely by the Welfare Department, Delaware's Oklahoma State; that; and that the role in the matter of the Bureau of Indian Affairs is incidental.

Mr. D.: I would say the role is the agency that Mr. O'Field has to go through to his land, is the one I understand it, and we have to know that he is going to that agency to explain what our policy and their role is to inform us as to a decision he has asked them to take.

Mr. T.: Is it isn't an advisory situation whether or not he can sell what you call resources depends on the Bureau of Indian Affairs.

Mr. D.: It's my understanding the Bureau has appraised evaluation on this property, will protect his rights and had they not thought this was proper amount or if it they would asked us to hold it and continue him on a hardship basis.

Mr. T.: They make the decision, the Bureau does?

Mr. D.: Which decision?

Mr. T.: Whether or not to sell the land at the price?

Mr. D.: I guess, probably Mr. O'Field; Mr. O'Field made the decision this time.

Mr. T.: Well, you know, that is a matter of fact; that I'm trying to do now is to find out what you all think is proper here, that is who make the decision and I'm trying to find out is whether you think would he want to contend here in that position or that, who made the decision or that the Bureau of Indian Affairs made the decision, you seem to be telling me first that you made the decision and you seem to be telling me that the Bureau makes the decision, that's what I'm trying to find out now so we can, you know, settle on an issue here so we can get facts to.

Mr. D.: Well, whenever he received this bid, the Bureau considered fair, that's what I stand it, that; and he refuses to take this, he has taken action and that's an excess of his reserve; our policy says that this case will be closed, so the action, I would say he took some action, the Bureau might of taken some action and we took some action. You might say any individual agency took action or any individual person.

Mr. T.: I think one of the difficulties we're having Mr. Powers, is that we're in adversary proceedings and I don't think Mr. Dunay is in opposition to me. I'm trying to find out if who is being opposed here, is the Department of the Bureau of Indian Affairs and what I want is some answers.

Mr. D.: As I understand then, your interested in identifying what agency was responsible for closing Mr. O'Field's case, is that correct?

Mr. T.: I would say our Department was responsible for closing his case.

Mr. T.: But did you do it only after its consideration and its decision is made by the Bureau of Indian Affairs? You said they considered whether or not the bid was right and that decision is apparently theirs.

Mr. D.: They considered that the bid was above I assume their appraisal value, we know what their appraisal is and they said it was an excessive bid and he took it down. I know we're going round and round.