

Mr. T.: I believe the Department of Welfare Manual, can we find that section? In section 546.5, page 6, Okla. DPW Reissued 10-1-68 it says in paragraph 1, The notification shall be made not less than 8 days prior to the date set for the hearing and provide sufficient time for the client to make adequate preparation for present testimony.

In paragraph 3 it says: The client has a right to a written statement of all the facts on which the local office based its decision, and an opportunity to inspect documents, charts, etc., which were used by the local office in making its decision.

The last sentence of that paragraph says: Upon receipt of the notification that a hearing has been scheduled the client shall be given a copy of the written testimony which the local office will present at the hearing.

As a matter of fact, neither of those two provisions have been complied with and the hearing summary is a sort of...dubious water-downed version of both of them that's the reason I was attempting to be, you know, stay with that hearing summary and make sure that what actually it was setting forth and at this time we're going to you know, even beyond it.

Referee: Of course my responsibility as a referee quoting from the manual here 546.7 paragraph 7 paragraph three and the first sentence in part; the first sentence is: The responsibility of the referee: It is the responsibility of the referee to aid in the development of statement of facts relative to these points.

And I feel that these questions are related to the issue and feel too that they help clarify the issue. That is my reason for such questions. And too I would like for Mr. O'Field to explain to the committee or you interpret for him your discussion with him his understanding as far as his thinking or investigation made himself in connection with the value of the 82 acres the department considered an excess resource any effort he made himself in obtaining the value of this property. What he would consider as a fair market value of this property.

Mr. T.: Can you restate that?

Referee: The committee would be interested in knowing what Mr. O'Field feels is fair market value for the 82 acres that is considered as excess resource, that is, whether or not he's made any inquiry or any investigation himself as to the value of this property. In other words a figure of \$6400 quoted at one time, does he feel this is a fair value, market value or does he feel this is worth less or more than this amount.

Mr. T.: I think this will be basic to what we're talking about, the evaluation that Mr. O'Field places on the land first is not an evaluation that is solely his.

Referee: The committee would be interested in then, in what way he arrived at any value that is did he talk to any realtor, friends and neighbors, the Bureau of Indian Affairs, etc.?

Mr. T.: His position is as I said first, the evaluation that he puts on it insofar as he puts to and I make a qualification, is one that comes out what is offered is enough. He is not saying that there is not a value which would be acceptable to him, he is not saying that, but he is saying this \$6400 isn't equal to the way I feel about my land and the way other people whose opinions are important to me to feel about this land.

Referee: Are you saying in effect there then that he feels that the 82 acres is worth a figure more than the \$6400?