

Mr. T.: I don't feel its my position to make any further statement and I think the matter remains unresolved. I don't think the point was resolved whether or not that someone here as the agent of the area director.

Referee: Well, of course, I feel that is your decision to resolve that in that the department will accept any testimony of any witnesses which you or Mr. O'Field desire to present to the Department.

Mr. T.: May I have that again?

Referee: Mrs. Schroeder?

Mrs. S.: I am willing to take the responsibility to serve as a witness and to designate someone else, Mr. Trapp, if you wish. Now, we are staff, we each have our own line of work and so far as the reality phase of this, it is probable you may want an appraiser if your going to talk about his appraisal. I am in reality. Appraisals is another branch of the office. Had we known exactly what you may have; what type of a witness you wanted, I think we definitely wouldn't have been here. I wish you had called us, or asked something after we ask you if what we furnished you was not adequate, if you would let us know, we would have made other arrangements for whatever type of witness you would like.

Mr. T.: Mr. Powers, I think I'm going to have to ask you to rule on it, my impression is the question; this question has not been answered or is there someone here from the Bureau of Indian Affairs as agent to the director, with authority to appear as a witness?

Referee: Anyone from the Bureau.....

Mr. T.: An agent for the Area Director, as witness.

Referee: Anyone from the Bureau qualified to answer that question?

Mrs. S.: I would be willing to take the responsibility, Mr. Powers, this would not probably serve Mr. Trapps requirements.

Referee: It is your decision to make.....

Mr. T.: I think she stated she is not here as a witness for the Area Director.

Referee: Would you care to comment on that?

Mrs. S.: It might be better for me to make a telephone call to get the authorization for anyone of us to appear? This is a question I asked before the hearing started this morning, on whether he would want someone in view of the information we furnished here whether he would still want someone to appear as a witness, so that I could get clearance before the hearing started.

Mr. T.: If that was your question, I didn't understand it and I certainly want now, I wrote this letter, I want someone here as an agent for the Area Director as witness.

Mrs. V.: Would your comments relate to the reality situation? Would it be about property having to do with property? She is the reality officer, ...

Referee: The hearing at this time will be recessed in order to give Mr. Trapp an opportunity to obtain or request further witnesses from the Bureau of Indian Affairs and I understand, the request included the Bureau provide records, procedure and decision of the Bureau that was used as part of the decision that led to the