

the Secretary of the Interior, it was obvious that the investigation would not be an impartial one, but would attempt in some way to distort the facts and mislead Congress. We thereupon engaged the services of Henry Cleary, an attorney, to investigate the overall program and to present to Congress, if we were fortunate enough to have this hearing, what we found to be the true facts attendant upon this program, going into the audit report matters. We have paid Mr. Cleary \$1,500 on account of his fees and several hundred dollars on account of actual costs to date.

Subsequent events have proved the soundness of our reasoning since the report, which was concluded in March of 1968, is one of the most gross distortions of facts that it has been my misfortune to encounter.

Before leaving my comments on the association, it should be pointed out that at the time the association was organized, section 14 was potentially one of the most valuable pieces of real property in the desert, yet one of the most degrading sights in that it constitutes a dismal slum area. This slum area had been encouraged by the Bureau of Indian Affairs through their lack of foresight, in granting 30-day permits and only authorizing 5-year leases on any Indian land. No tenant whatsoever with any practical approach to real estate development would put up any more than temporary buildings or the tarpaper shacks, which were replete throughout section 14. The association took the initiative in the program of clearing the slum. The city of Palm Springs cooperated and paid some of the costs. The Bureau took no part therein, other than to approve our actions.

While I realize this committee is here primarily for the purpose of ascertaining facts which will enable them to adopt effective legislation, I feel it incumbent to make a few remarks in response to the slanderous accusations made against me by Mr. Cox in his privileged communication known as the task force report.

On page 11 of the report, Mr. Cox accurately points out that Judge Therieau and I have been awarded altogether, and I emphasize the word "awarded," fees approximating 30 percent of the total fees awarded. The fact that the fees have been awarded does not necessarily mean that they have been paid. I personally have a substantial amount of fees which have been awarded, but for which the estates obligated at this time have no funds with which to pay. It must be kept in mind, however, that Judge Therieau and I did approximately one-third of the work involved in handling all of these tribal estates over the past number of years.

Illustrative of this is the fact that on page 19, Mr. Cox points out that there is some \$24,700,000 in anticipated future rents from the existing active long-term leases. This means leases which have not defaulted. I personally have been involved and participated in negotiations, and drew six of those leases which will produce some \$7,700,000 in income. In addition to the active leases, I was also involved in preparation and negotiations involving four other leases, which at the time of their inception had an anticipated average income of \$11,964,000.

The fact that these leases are no longer in existence is regrettable and is a loss to the Indian lessors, but it should in no way reflect upon or diminish from the services required of myself in negotiating these