Mr. CLEARY. Yes, sir.

Mr. EDMONDSON. Mr. Cleary, I want to say on my own, having read and examined the Carver letter, that you are certainly justified in objecting to the word "truncated" being used. If Mr. Carver was accurately stating what the Department had done in this letter of 1962, I don't blame you in the least for objecting to that little bit of editorial license that has been taken in this language here.

Mr. CLEARY. Thank you, sir. The next apparent misleading statement, although I can't call it directly false, appears on page 8, wherein the report paraphrases a letter from Judge Brown under date of April 11, 1967. On that date, Judge Brown wrote to the hearing officer in charge of Palm Springs, stating that he was no longer following the practice that had theretofore been followed in allowing the Bureau to voice extrajudicial objections in Indian matters. It did, in that letter, however, state or point out that the Bureau at all times had the right to formally appear in any and all Indian matters. That bit of information was left out of your report.

An examination of Judge Brown's letter would indicate that he did so advise the Bureau. The Bureau then promulgated what is in their report as exhibits 5 through 9, and in each one of them stated that "Judge Brown has refused us permission to object." Now, this is a misstatement of facts and therefore, I ask this committee to make as part of the record Judge Brown's letter which is exhibit 4 of the report.

Mr. EDMONDSON. I have the letter before me here, and I think it would be useful to have it in the record, and if there is no objection it will be made part of the record, however, I think that you would have to agree that the letter very clearly rules out any advising the court informally——

Mr. CLEARY. Yes, sir.

Mr. EDMONDSON. In the future.

Mr. CLEARY. That's right.

Mr. EDMONDSON. So, the statement that he's no longer going to allow them to advise the court informally is certainly an accurate statement, is it not?

Mr. CLEARY. It is an accurate statement, sir, but it's only——

Mr. EDMONDSON. But, the statement with regard to appearance contains a very definite proviso for such appearance, with the assistance of an attorney admitted to practice in California.

Mr. CLEARY. That's correct, sir. That's a California State law.

Mr. EDMONDSON. So, in that instance, unless they were admitted to practice in the State of California, their chance to approach the court in any way, informally or formally, would be precluded by the Brown letter, would it not?

Mr. CLEARY. No.

Mr. EDMONDSON. Let me read you what it says here.

> Last week I was told in a diplomatic way from a representative of the California State Bar that my said practice (which was the practice of being informed informally—being advised informally by local court people) that my said practice was illegal and suggested that the Bureau should intervene in State proceedings if they wished to be heard on matters pending in the Superior Court—such appearance be with the assistance from an attorney admitted to practice in California.

Now, can you tell me how an attorney from the Bureau of Indian Affairs who was not admitted to practice in the State of California