

Subsection (e), like subsection (f) of H.R. 13516, preserves the authority of the Secretary under any other provisions of law.

We believe the authorities given the Secretary by our proposed bill are adequate to remedy the abuses which exist under the present system and recommend its enactment.

Time has not permitted securing advice from the Bureau of the Budget as to the relationship of this report to the program of the President.

Sincerely yours,

DAVID S. BLACK,

*Acting Secretary of the Interior.*

A BILL To amend the Act of September 21, 1959, relating to the Palm Springs Indian Reservation

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That section 4 of the Act of September 21, 1959 (73 Stat. 604; 25 U.S.C. 954), is amended to read as follows:

"(a) No guardian, conservator, or other fiduciary shall be appointed under State law for any member of the band, or continued in office, except with the approval of the Secretary.

"(b) No guardian, conservator, or other fiduciary, except with the approval of the Secretary, shall participate in the management or disposition of any property or interests therein, which is held in trust by the United States for a member of the band or is subject to restrictions against alienation imposed by the laws of the United States, or receive any fee or other compensation for services performed with respect to such property or interests therein. The Secretary by regulation may provide for the management and disposition of such property and interests therein, and for the protection of the members of the band who, by reason of minority or otherwise, are incompetent to manage their own affairs. Actions taken pursuant to such regulations involving the use, expenditure, investment, deposit, or disposition of such property or interests therein, or proceeds therefrom, shall be valid and efficacious in all respects without participation or affirmation by any guardian, conservator, or other fiduciary appointed under State law.

"(c) The Secretary, at any time, may require an accounting by any guardian, conservator, or other fiduciary appointed under State law, or by any other person or entity who has custody or possession of any money or property belonging to a member of the band, and the return to the United States of such money or property. Any money or property recovered from any such guardian, conservator, fiduciary, or other person or entity shall be held by the United States in trust for the individual Indian concerned. If any person or entity required to do so by the Secretary fails or refuses to account for or to return any such money or property to the satisfaction of the Secretary, he may cause an action to be brought in the name of the United States in the United States District Court for the Central District of California for an accounting and return of such money and property, and for such other relief as may be appropriate, and said court is hereby granted jurisdiction to hear and determine such actions.

"(d) Under such regulations as he shall provide, and with the consent of the individual Indian concerned, unless the Secretary determines such Indian to be incompetent by reason of minority or otherwise, in which case such consent shall not be required, the Secretary, for the benefit of the individual Indian concerned, may use, advance, expend, exchange, deposit, dispose of, invest, and reinvest, in any manner and for any purpose, any money or other property held by the United States in trust for such Indian. The Secretary shall make no determination that an adult Indian is incompetent except after according him an opportunity to be heard upon reasonable notice. A person aggrieved by a determination of incompetency made by the Secretary shall be entitled to judicial review of such determination in accordance with 5 U.S.C. § 701-706.

"(e) Nothing herein shall be deemed to limit any authority possessed by the Secretary under any other provisions of law."

Mr. EDMONDSON. I also want to make a part of the record, if there is no objection, the Secretary's letter transmitting the task force report, the task force report itself, and the following exhibits from the task force report: Exhibit 1, which is a history of tribal affairs and background with regard to the subject matter of this legislation; exhibit 2, which is correspondence between the Committee on Government