

Operations and the Department of the Interior on this same subject; exhibit 5, which is the memorandum of the Solicitor on this same subject; together with such other exhibits as subsequently reviewed and found to be necessary and appropriate. At this point, is there any objection? There is none, and without objection, it is so ordered.

(The documents referred to follow:)

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C. April 2, 1968.

Hon. WAYNE N. ASPINALL,
Chairman, House Interior and Insular Affairs Committee,
House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: Transmitted herewith is the final report submitted by the Palm Springs Task Force which, at my direction, undertook review of the guardianships and conservatorships established under state law for the majority of the members of the Agua Caliente Band of Mission Indians, Palm Springs, California.

This report and the conclusions reached therein have my full approval.

The principal conclusion is that the present guardian-conservatorship system has been intolerably costly to the Indians in both human and economic terms and that it must be replaced or radically revised.

A review of the contents of the report leaves no doubt as to the soundness of this conclusion. In all frankness I must say that I am appalled that the state of affairs described in the report has not only existed under ostensible state and federal supervision; it has flourished.

As a lawyer I find it particularly disturbing that much of the responsibility for the morally-shabby state of affairs revealed must be laid at the door of some members of the local bar and court.

The report demonstrates that Eugene E. Therieau, now Judge of the Municipal Court of Palm Springs, and Mr. James Hollowell have, between them, been awarded fees of approximately one-half million dollars over the last seven years. The conduct of each reveals instances of apparent conflicts of interest, double charging and fee-splitting. In addition Judge Therieau was awarded a fee of substantial size which was determined by the appellate court to be illegal under California law.

Mr. Hollowell, as brought out in the report, also played a prominent role in assisting two local judges in efforts to profit from Indian estates.

The report indicates that Hollowell named Judge Hilton H. McCabe executor in wills he prepared for a number of Indians, that in at least one instance he served as attorney for the Judge while the latter was serving as executor for a deceased Indian's estate, and that he performed unauthorized legal services for an Indian estate in order to accommodate Judge McCabe in carrying out his duties as executor for the estate of an Indian decedent. Hollowell's services consisted of filing a petition for establishment of a guardianship despite the fact that the minor's family had discharged him as its attorney and objected strenuously to his representation. Though the estate, at its own expense, successfully opposed Hollowell's petition, he nevertheless sought and was awarded a fee for his so-called services in the matter.

Mr. Hollowell further offered his assistance to Judge Merrill Brown when the latter desired to sell some land. The potential purchaser was the conservator of an Indian estate Hollowell represented. Judge Brown not only exercised general supervision over the estate and conservator concerned, but was also the Judge who passed upon all the conservators' requests for commissions or fees. Fortunately, the proposed sale was not consummated.

Certain other members of the bar are also referred to in the report as participants in questionable transactions and activities.

The foregoing matters will be promptly called to the attention of the proper California authorities for their consideration and appropriate action. Some referrals have already been made.

I was equally disturbed at the Task Force finding that the present system of administering the estates and affairs of the Agua Caliente Indians is not only an economic drain but has also perpetrated a grave injustice upon the Indians concerned in human terms. The Task Force found that the Indians, on the whole, are frustrated by lack of knowledge about the administration of their