

1955-59

The span of years between the passage of the Long Term Leasing Act and the Equalization Act was significant in the history of the Agua Caliente Reservation. Litigation affecting the reservation was concluded, the 50 year leasing authority became law, leasing regulations were changed, the tribe became organized and employed an attorney, the Odlum Committee rendered its report, and the economy of the area took a pronounced upswing.

The Odlum Committee submitted its interim report to the Secretary on April 25, 1955. A review by the Department was transmitted to Mr. Odlum on June 23, 1955. Reconsideration by the Committee after meetings with the Indians and representatives of the Department resulted in its final report dated April 18, 1956. Among other things, the Committee recommended that tribal assets be removed from Federal trust status and transferred to a private trustee, under condition that it be used in part to equalize allotments and for distribution per capita to tribal members. It further recommended that the trust be liquidated within 22 years. It was also recommended that allotted land be transferred to the same trustee. The Assistant Secretary, in his letter to Mr. Odlum of May 21, 1956, stated that "Commissioner Emmons and I have reviewed your report and we feel that it will provide a sound basis for legislative action."

In January of 1956, the Commissioner and Associate Commissioner spent one week in Palm Springs conferring with the Indians, representatives of the City, the Citizens Committee and others. Considerable discussion revolved around the practicality of setting up a private trust as a solution to the land problem. Long term leasing was discussed at length, but no immediate action was taken. There was considerable pressure from the Indians and the lessees who had only 5-year leases or less to convert them to 25 year leases. The Bureau of Indian Affairs was concerned that such abrupt action would be disadvantageous to the Indians because it might well set a pattern of land use which would be detrimental in the long run.

On July 27, 1956, Assistant Secretary D'Ewart sent a letter to the Area Director which outlined the policy of the Department at that time. It stated that (1) the Department intends to seek the enactment of legislation along the general lines of the Odlum Committee recommendations; (2) we shall continue the present policy—which is (a) no leases under the long term leasing act except for the Mineral Springs Reserve, (b) renewals of expiring leases for one-year terms only, (c) new leases for one-year terms only; (3) pending the enactment of such legislation, the Department will authorize the issuance of patents in fee only to Indians who make application and who are determined to be unquestionably competent; (4) the procedures for leasing of minors' lands and for handling rentals or other funds of minors should be tightened up immediately, before the enactment of any new legislation; (5) we understand that the tribe has decided to proceed with the proposal to contract for preparation of a development plan for section 14. We concur in this proposal, and while we do not believe that the development plan can be used immediately as a basis for long term leases it will be useful to the private trustee contemplated under proposed legislation.

The dissipation of minors' funds by the parents had become serious and on March 17, 1955, the Tribal Council expressed its concern in this matter at a meeting on that date. In the summer of 1956, action was taken by this office with the approval of the Commissioner, to have guardians of the estates of several minors appointed by the Superior Court. At the outset, the Court appointed a parent and a bank as co-guardians. During the year 1956, several guardianships were established. The question arose as to whether the guardian could collect lease rentals on behalf of the minor. It was decided at the outset that this could not be done but this was later changed. In the 1957 edition of 25 CFR it was provided that rentals on minors' lands shall be paid to the superintendent with certain exceptions. On September 11, 1957, new regulations were issued applicable specifically to Palm Springs which provided that leases may be negotiated by guardians and leases so negotiated shall provide that rentals may, in the discretion of the Secretary, be paid to such guardians. A number of the Indian parents depended upon the minors' income for family support and were motivated to apply for guardianships after regulations were changed to require lease rentals to be paid to the Superintendent. Additional guardianships were established during 1957.

The Agua Caliente Reservation continued to receive a great deal of attention from the Department, the Commissioners and this office. In early 1957, the staff at Palm Springs was expanded and upgraded. Steps were taken to equalize