

land in the area of Palm Springs, California. The field work on this study has been completed and a report to me is being prepared.

During the course of the staff investigation, a number of persons, including employees of the Bureau of Indian Affairs, indicated considerable concern regarding the fees being allowed to the conservators and trustees of the Indian estates. Questions were also raised regarding the designation of conservators and trustees and the attempts of the local court to force lessees to pay conservator's and trustee's fees either when or after the leases are approved.

We realize that the appointment of conservators and trustees with the approval of their fees are currently within the jurisdiction of the local court. However, it would not be unlikely that the existence and continuance of any irregularities or improprieties in connection with these matters might result in severe criticism of the Bureau of Indian Affairs and the Department of the Interior. Consequently, we believe that it would be prudent for the Department of the Interior to make a very careful and thorough study of these matters.

The study would, we believe, include the following:

1. How the trustees and conservators are selected.
2. Possible concentrations of trusteeships and conservatorships in certain individuals and corporations.
3. Relationship between the appointing judge and the conservators and trustees.
4. Relationship among the conservators and trustees. This should include a study of the newly formed association of conservators and trustees, the assessment of association fees against the estates, and the relationship of the Indians to the association.
5. Relationship between the conservators and trustees and actual and prospective lessees, real estate agents, brokers, etc.
6. The amount of the fees approved to the conservators and trustees and the concentration of such fees in certain individuals.
7. The reasonableness of the fees in relation to the amount of work performed by the recipients in earning them.
8. The extent to which there has been success or failure in the efforts of the local judge, the conservators and the trustees in forcing lessees to pay fees which are properly chargeable against the Indians' estates.
9. The reasonableness of attorneys fees and other such fees charged against the estates.
10. The relationship between the conservators, trustees and their attorneys on the one hand and local public officials.

It would be appreciated if you would let the Committee know whether the Department of the Interior will undertake such an investigation. If it does, the Committee would certainly appreciate being kept informed of its results.

Sincerely yours,

WILLIAM L. DAWSON,
Chairman.

AUGUST 13, 1962.

HON. WILLIAM L. DAWSON,
*Chairman, Committee on Government Operations, House of Representatives,
Washington, D.C.*

DEAR MR. DAWSON: We have given careful consideration to your letter of July 5 in which you suggested that this Department investigate the appointment and performance of conservators and trustees for individual members of the Agua Caliente Band of Mission Indians of Palm Springs, California, appointed by and under the supervision of a California State Court.

As you know, judicial supervision over these particular estates represents an administrative effort to use existing legal institutions rather than create parallel and duplicating Federal guardianship machinery. As such, and recognizing the Department's residual responsibility to the Indian wards, it is incumbent upon us to assure that the fees and expenses assessed against the estates are not excessive or unreasonable. Consequently, it is entirely appropriate that the matters covered by Items 4, 6, 7, 8 and 9 as outlined in your letter be reviewed by the Department. This will be undertaken promptly and our conclusions made available for your consideration.

On the other hand, it is with considerable regret that I find it necessary to dissent from your apparent view of Federal responsibility concerning the other matters mentioned in your letter. In my judgment it would be highly improper for an executive agency of the Federal establishment to generally investigate or