

quest of the Commissioner of Indian Affairs to Mr. Hill by letter of January 18, 1967, for a supplemental investigation and recommendations.

In mid April of this year I was requested by Mr. Homer B. Jenkins, Director of the Bureau of Indian Affairs Palm Springs office, to confer with him concerning a recent order from the State court barring Bureau of Indian Affairs representatives from taking active part in reviewing and commenting on matters and fees involving conservatorships and guardianships of the Agua Caliente Indians.

After generally familiarizing myself with the matters contained in our files I decided to personally look into the situation in Palm Springs. For this purpose, along with Mr. Berkson of my staff, I went to Palm Springs and spent several days (May 3-5) interviewing various people and perusing several files in the Palm Springs Indian office. During our stay in Palm Springs we attempted to and I believe succeeded in interviewing at least one spokesman for each of the various interests involved.

As a result of the foregoing, I have concluded that the Palm Springs situation has again reached the crisis stage and, in my opinion, is in need of immediate attention and action by the Department to forestall what may soon become a public scandal reflecting adversely not only upon the Department generally but also upon the Solicitor's office if we fail to act in these circumstances.

In summary, these are my conclusions:

(a) The Agua Caliente Indians are, generally speaking, continuing to be victimized by various individuals who are directly involved in the guardianship and conservatorship procedures set up at the request of the Department and ostensibly under the supervision and guidance of the California State courts.

(b) The Indians, due to a variety of reasons, are unable to extricate themselves from this situation without government assistance, either Federal or State.

(c) This situation has become practically common knowledge in the Palm Springs area and is on the verge of public exposure through the press or the courts as evidenced by recent visits and inquiries from the Los Angeles Times and American Civil Liberties Union.

In my view the Department should and does have a continuing interest in the administration of these fiduciary relationships, which were in the main instigated at our request, albeit pursuant to Congressional direction.

In the light of the foregoing I intend to recommend that immediate consideration be given to the following:

(a) The appointment of a Secretarial task force, including representation from the Bureau of Indian Affairs, the Solicitor's office, and the Agua Caliente Tribe to investigate this situation in detail and make recommendations for corrective procedures, including possible legislation.

(b) In the interim, I suggest that:

(1) we seek the cooperation of the Agua Caliente Tribal Council to work with the Palm Springs Bureau of Indian Affairs office to provide legal and financial advice to the Indians on personal matters in order to avoid claims for extraordinary fees in connection with the guardianships and the conservatorships.

(2) that we make a formal request to the Superior Court to appoint a representative from the Bureau of Indian Affairs and the Agua Caliente Band as *amicus curiae* for the purpose of reviewing and commenting on fees, petitions, and other proceedings involving conservatorships or guardianships of Agua Caliente Indians.

(3) that the position of Resources Trust Officer in the Palm Springs Bureau of Indian Affairs office, which is currently vacant, be filled by someone with legal training, and that he be the Bureau of Indian Affairs representative designated as *amicus*.

(4) that we explore the possibility of seeking a change of venue from the courts sitting in Indio to those sitting in Riverside.

(5) have one or more attorneys from the Regional Solicitor's office designated by the Department of Justice to represent the Bureau of Indian Affairs and/or the Indians in State court proceedings involving these matters where necessary.

CHARLES R. RENDA,

*Regional Solicitor, Sacramento Region.*

Mr. EDMONDSON. Our first witness here this morning, and I am going to ask him to step to the microphone which has been reserved for witnesses, is the chairman of the tribal council for the Agua Caliente Band of Mission Indians, Mr. Joseph Patrick Patencio.