

Mr. Patencio, would you move to the witness stand and take with you whomever you please from your tribal organization, and would you please present the other members of the tribal council who are here and available for questioning in connection with the tribe's testimony.

Mr. PATENCIO. Thank you, Mr. Chairman. First, I would like to introduce the vice chairman, Mr. Lawrence Pierce, a member, Mr. Raymond Patencio, secretary of the council, Mr. Peter Siva, and the other member, Mr. Leroy Segundo.

Mr. EDMONDSON. Would you identify also, the——

Mr. PATENCIO. The tribal attorney, Mr. Raymond C. Simpson.

Mr. EDMONDSON. Fine. Would you proceed.

STATEMENT OF JOSEPH PATRICK PATENCIO, CHAIRMAN OF THE TRIBAL COUNCIL OF THE AGUA CALIENTE BAND OF MISSION INDIANS; ACCOMPANIED BY RAYMOND C. SIMPSON, ATTORNEY FOR THE TRIBAL COUNCIL OF THE AGUA CALIENTE BAND OF MISSION INDIANS

Mr. PATENCIO. Mr. Chairman, and members of the committee, my name is Joseph Patrick Patencio. Recently, I was elected chairman of the tribal council and in that capacity, I would like to state that in conservatorship relief, a number of cases now dominate the picture and the main issues now become somewhat obscure. After all, if just the emotions take over, no constructive purpose would be shown at this time in my judgment so I will stick directly to the bill at hand, which is H.R. 17273, with the understanding that if additional testimony on my part is considered necessary, it may be given at the later hearings contemplated for Washington, D.C., where either rebuttal or further positive testimony might be given.

After passage of the Equalization Act a problem arose from a provision of section 4 which required that the Secretary of the Interior, or his authorized representative, should request the appointment of a guardian of the estate of all minor allottees and for those adult allottees who, in his judgment, were in need of assistance in handling their affairs, and that this should be done according to applicable State laws before the Secretary could make any equalization allotment or payment to such persons. If only a few members of our tribe had been affected by section 4 of the Equalization Act, perhaps no one would have become aware of the present problem, but at the time of the passage of the act, nearly 80 percent of our members were minors. This meant that the superior court for Indio was placed in a position of direct control and supervision over most of our members. It is important to note that shortly after the passage of section 4 some of the Indians themselves complained, which tends to explain that at that time, which is 4 years ago, we had the same problems we have now.

Section 4 of the act was originally intended for the supervision and control over a minor's estates and I should repeat at this time, nearly 80 percent of our band are under the 21 years of age bracket. In application, section 4, which only called upon the Secretary to request the appointment of guardians, went much further. For instance, the members of our band never intended to have guardians for adults appointed