

superior court did not share this view, all Indian estates of minors under superior court-appointed guardians were almost automatically placed in the hands of a conservator when the Indian reached 21 years of age.

This committee is no doubt completely aware of the task force report which graphically illustrates both the undesirability and the costly nature of the conservatorship problems to the Indians. Our tribal council feels so strongly opposed to the continuation of the conservatorship system that on March 8 of this year they passed Resolution No. 846 opposing the passage of the original Tunney bill, H.R. 13516, which in practically every section referred to the conservators. Mr. Tunney introduced that bill because of complaints received from tribal delegates, our tribal attorney, and the findings set forth in the first Cox report which had collectively caused him to become aware of the shirking of responsibility by the Bureau of Indian Affairs, of the administrative abuses by the superior court at Indio, and the somewhat shockingly high administrative costs which had been placed upon Indian trust estates. I would now like to make our Resolution No. 846 a part of the official records by having Mr. Simpson read it to you.

(Agua Caliente Band of Mission Indians, Palm Springs, Calif., Resolution No. 846 was read by the tribal attorney, as follows:)

Mr. SIMPSON (reading).

Whereas the Congress of the United States in passing Section 4 of the Act of September 21, 1959 (73 Stat. 604; 25 U.S.C. 954), did require that the Secretary of the Interior appoint guardians of the estates of all the minor allottees of the Agua Caliente Band of Mission Indians and for those adult allottees thereof, who in the Secretary's judgment were in need of assistance in handling their affairs and did request such appointments in accordance with applicable state laws before making any equalization allotments or payments to such persons; and

Whereas the practical impact of said Section 4 of said Act of September 24, 1959, was to cause more than 80% of the members of the Agua Caliente Band of Mission Indians to be brought under the administration of the Superior Court of California through Guardians and Conservators appointed under the authority of said Superior Court; and

Whereas the members of said Band and the Tribal Council thereof did subsequently complain to the Commissioner of Indian Affairs about certain abuses and improprieties in the administration of said estates; and

Whereas the Bureau of Indian Affairs in response to said complaints did send one Robert Cox to the Palm Springs office in the capacity of a special Resources Trust Officer with the specific request that he attempt to make a general survey respecting the administration of said estates and that he thereafter submit a written report; and

Whereas said Robert Cox did submit said written report with documented and substantiated conclusions both verifying and amplifying those previously asserted by said Tribal Council; and

Whereas Secretary of the Interior Udall was sufficiently alarmed and motivated by said Cox report to order a special investigation and audit of all of said estates; and

Whereas in the wake of national publicity and attention given to said investigation by the Department of the Interior, Congressman John Tunney whose district embraces the Agua Caliente reservation, did proceed without consulting the Agua Caliente Band of Mission Indians or their Tribal Council to introduce H.R. 13516 on October 16, 1967. After having had his office hastily prepare a draft thereof which his administrative assistant, Mr. Dave Tunno, declared was merely a vehicle for the procurement of early hearings respecting said guardianships and conservatorships program and he did further declare that the draft which had been introduced was "no sacred cow," and that the members of the Agua Caliente Band of Mission Indians should feel free to disregard the text of H.R. 13516 and to propose their own ideas and suggestions at the time of the contemplated hearings thereunder: Now, therefore, be it