

would be new legislation making it completely clear that the State courts should in no way be concerned with matters pertaining to Indian lands to which title is still held in trust by the United States. This would mean that the approval of leases and granting of rights-of-way or easements would be handled in the same manner that they were handled before the passage of the equalization law which would save thousands of dollars annually for our Indians.

As chairman, I wish to submit some constructive comments with the hope that it might be of some assistance in the ultimate resolution of problems which now confront us due to section 4 of the equalization bill. Delegates from our tribal council have made several trips to Washington, D.C. to confer with the Secretary of the Interior and his representatives, and we have prepared a substitute bill for H.R. 13516 which in our judgment would effectively cope with the challenge now confronting this committee. For the record, our substitute bill has since been introduced by Mr. Tunney and is, in fact, the present bill under consideration known as H.R. 17273.

In order to come up with this draft, our tribal council has spent a great deal of time in deliberations, discussions and drafting. As you gentlemen perhaps know, under our approved constitution and by-laws our regular meetings are open to all of our members. With the widespread publicity given our problem by the press, we have concluded that any member who had not already expressed himself through the petition of grievance filed with the commissioner nearly 4 years ago would undoubtedly attend our meetings and express himself at this time. We also recently had two special tribal meetings on the guardianship-conservatorship problem in order for our members to give us the benefit of any new thinking which would assist in improving the present situation. In other words, the present draft of H.R. 17273 is the best product of our deliberations and present thinking. It may not be a "sacred cow" and the draftsmanship might need improvement, but in substance, it would be truly beneficial for all the members of our band, and for this reason our tribal council respectfully request that your honorable committee take affirmative action to convert it into effective law. Thank you.

Mr. SIMPSON. Mr. Chairman, members of the committee, Mr. Patencio has requested that as tribal attorney, I address myself briefly to some of the sections in the text set forth in the most recent bill introduced by Congressman Tunney, H.R. 17273, I would suggest that this bill, to the members of the committee, is an effort to solve the problems to which Mr. Patencio, as chairman, has alluded.

Section (a), without reading the context of it, basically accomplishes what could be called the restoration of human dignity to the Indians. Under the guardianship provisions of section 4 of the equalization bill, the gentlemen have become conversant with the fact that the conservators have also been appointed.

Now, at the time of the guardianship bill, or the guardianship provisions of the equalization act that were proposed in the first act, you had a type of legislation being considered in California known as the conservatorship law, so consequently, no reference was made to it whatsoever when the act was passed by Congress. The conservatorship law was not designed to apply in the sense that guardianship law had been applied, otherwise there would have been no purpose in pass-