

85 of Title 25 of the United States Code, it is quite clear that the rendition of such services must first be approved by the Secretary or his representative if compensation is to be paid therefrom. This very problem precipitated an opinion from the Regional Solicitor in Sacramento, which was forwarded to the Central Office in Washington. This also led to the drafting of a rough resolution by Mr. Paul Hand, which is attached hereto, asking that the Secretary sponsor legislation which would cure the present problem. It is the conviction of the members of the Tribe that legislation is not needed, but, that a clear declaration of policy is needed. In other words, if the conclusion set forth in the Regional Solicitors opinion are deemed to be correct, and that the evil can only be cured by legislation, it becomes very clear that a tremendous problem will be confronting the government and the state courts because under the logic of this conclusion all persons who had received any compensation for services rendered in connection with trust property would be required to return that sum to the estate of the Indian allottee involved. In many instances the money which was approved by the Superior Court has already been spent so as a practical matter, it would be impossible to comply with an order that it be returned. It is believed, however, that a letter from the Secretary of the Interior approving retroactively the contracts for services which have been made to date could solve this problem. The future situation could also be solved by having the Secretary rather carefully define the break-off point between trust property and unrestricted non-trust property so that persons dealing with the non-trust property could make a contract with the Indian without the necessity of securing the approval of the Secretary. On the other hand, if the Secretary could delegate approval authority for real estate broker's contract to the local office in Palm Springs, the land development program could be greatly expedited by this time saving device.

MISCELLANEOUS GRIEVANCES

(1) Better inheritance procedures—more detailed examination and study is needed with respect to the inheritance procedures for Indian trust land, especially where there are wills involving valuable land such as is found in Palm Springs. Problems have arisen which in fact demonstrate that the heirs need more protection, but this can only be accomplished if the Bureau of Indian Affairs will diligently survey the situation. In other words, it would appear that the Bureau of Indian Affairs as trustee over trust land should thoroughly screen the wills that come in to ascertain that they have been understood by all the persons involved, and that no duress or force of any kind has been utilized in the execution thereof. If this is not done, more and more of the Indian land will become vested in non-Indians and our Tribe will be looked upon more as a band of wooden Indians instead of proud, real Americans that we are.

(2) At times the tendency to sell instead of holding for leasing becomes too strong. For instance, one family in our particular band had approximately half of their four minor allotments sold instead of being held for leasing. This again was done where particular need was made clear for the sale.

(3) It is our understanding that under existing Federal law that neither the state of California nor any of its political subdivisions have the right to zone Indian land. We, of course, have cooperated with the City of Palm Springs on this issue in order to affect an orderly development of our land, but it would seem that this could be accomplished in a far more beneficial way to the Indians if the Government as trustee would provide an expert in land development to confer with the Tribe before they approve any particular plan that the city presents. Mr. John Crow has already written a letter to the City Planning Commission emphasizing that there should be no discrimination against the Indian landowners, but a more affirmative consideration of the entire proposed zoning plan for the City of Palm Springs should be reviewed by the Government, in order to ascertain that the Indians are receiving completely fair treatment in the development of their land to its highest and best economic potential.

(4) The City of Palm Springs continues to annex more and more Indian land. We are not convinced this is necessarily in the best interest of the Indians and believe that the Government as trustee should advise regarding this particular action, which we have been informed by a number of individuals is illegal without the consent of the Congress of the United States.

(5) It is our suggestion that the unique economic nature of Palm Springs and the Indian lands involved in and about this area be considered in such a light