

It is interesting to note that we have used as a guideline to reasonable fees $\frac{3}{4}$ of 1% of the reasonable market value of the assets being administered. This guideline is similar to those used in San Diego, Orange, and Los Angeles Counties. In addition, I observe that this is the same basis on which trustees' fees are calculated in the State of Utah. In the States of Oklahoma, Kansas, and Ohio, trustees' fees are generally based on $\frac{1}{2}$ of 1% of the reasonable market value of the assets administered.

As indicated above, the report dated March, 1968, relates fees paid to guardians and conservators as a percentage of receipts, which again is a departure from the norm; however, the receipts in these instances, are unrealistically low in relation to the reasonable market value of the assets, due to unproductive real property.

It is my understanding that the total carry value of the assets, exclusive of trust lands, amounts to \$35,400,478.45 for the period covered by the accounts.

The reasonable market value of the real property amounts to approximately \$256,000,000. The total estate managed by guardians and conservators, therefore, amounts to \$291,400,478.

A reasonable fee based upon what I have said, therefore is \$2,185,503.

According to the Report, fees paid to guardians and conservators, their attorneys, and real estate brokers, amount to \$1,904,682, or approximately \$280,-820 less than those which would appear reasonable.

Based upon the total guardianship program and the costs incident thereto, it does not appear to be excessively costly to the beneficiaries when we consider that the fees paid are for the guardian's or conservator's responsibility in managing the assets. There may be individual instances where the fees appear to be high or low; however, these matters have all been reviewed in detail before the court at such time as the accountings were heard and approved. It occurs to me that any parties to the proceedings who felt that the fees requested were not proper would have ample opportunity to be heard.

E. W. HILL, *Trust Officer.*

Mr. EDMONDSON. During the morning, the committee heard testimony regarding the failure of some members of the tribe to receive ballots in the election in March, and during the noon recess, we asked the Bureau of Indian Affairs representatives if they could account for this. The chairman was informed that three ballots were returned as not claimed by members of the tribe, and that a check with the postal officials revealed that each of the three people whose ballots were returned lived on a rural route, and according to the rural carriers had been left a notice in their box that registered mail was at the post office for them, and it could be picked up at the post office.

According to the Bureau of Indian Affairs representative, these letters containing ballots were held for the required regular period of time at the post office to be picked up, and then returned to the Bureau of Indian Affairs office in accordance with the law, and not having been claimed by the three individuals who were addressees.

Now, I have asked that the committee be supplied with a signed letter by an official of the Bureau of Indian Affairs documenting this with facts and with dates, where available, and with postal names where available, and I have been assured that that letter will be supplied for the record, so if there is no objection, that letter will be made a part of the record at the appropriate place.

Hearing no objection, it is so ordered.