

suffered. The Interior Department could not explain it to them for had it done so it would have committed the unforgiveable bureaucratic sin of confessing it did not know what to do or how to handle the Indian land Problem in Palm Springs.

Under the twenty-five (25) year lease with Option of twenty-five (25) years, the Interior Department was faced with another practical problem which had not been know to it or evaluated by it when it obtained the passage of the twenty-five (25) Year Lease Act in 1955. To develop land costs money. Large tracts are developed by large sums of money. Most developers do not have the large sums, accordingly they borrow the money from financial institutions. One of the laws imposed upon many financial institutions prior to 1955 and up until 1959 was a provision that a leasehold was not bankable unless there was a full fifty (50) year unexpired term of the lease. The twenty-five (25) year lease with an Option of twenty-five (25) years did not qualify on three grounds:

1. The day after the lease was executed there was not a full unexpired fifty (50) year term.

2. The option would have to be exercised the moment the lease was executed in order to have a full fifty (50) year period. And, looking at it practically,

3. The reason for giving an option is to give the Lessee an opportunity during the basic period to know whether he desired to exercise the option.

The Interior Department, not having studied matters and having always to learn the hard way, again had to acknowledge another grave error which again delayed the Indian from receiving his just due from his allotted land.

At the same time during the 1950's the Interior Department was beset by another problem. Not knowing what to do or how to cope with the land problem in Palm Springs, the Secretary appointed a committee of business men from throughout the United States to study and make recommendations to him. This committee's report became known as the "Odium Report". It was and is not a secret or confidential document. The recommendations made by that Committee are available but no provision or recommendation was ever carried to fruition.

A Joint Resolution of Congress adopted in the early 1950's required the Secretary of Interior to present plans to Congress to terminate the Indian Land Trust in California, Arizona and other States. Thereafter the Secretary proposed a Bill to create a corporation, transfer the Trust Title of the land to the corporation, secure the tax exemption and preserve the management in the Secretary and the Indian's hands. This Bill died for it was so ineptly drawn it could never have been given statutory life. It did however provide for the Conservatorship Program and it was recommended by both the Bureau and the Tribal Council.

During this same period of uncertainty, confusion, ineptitude and inactivity on the Indian land, the Interior Department, through an emissary of the Bureau, Mr. James Low, made another approach to try to relieve itself of its responsibilities. The Emissary in 1956 had a series of meetings with the Superior Judge of this County in Indio, California. The Emissary refused the idea that the Court should handle the Guardians of the Estates in the usual and formal manner and suggested that there should be a complete involvement by the Guardians of Estates because the Bureau personnel in neither temperament, training or policy could be of the proper aid in proper development of Indian land. The title was to remain in Trust with the Federal Government and all transactions involving the title would have to be processed through the Bureau and Interior Department. No such involved, complex or concentrated and unique problem had ever been known to be taken by a Court in California. After a few weeks Petitions to have Guardians appointed were filed in the Court. All of this was done without apparent Congressional approval. From that beginning came the program, instigated and fostered by the Interior Department, the task of trying to make Congressional Enactments, laws, Interior Department Regulations, Rules. Policies operate with the California laws, and Judicial limitations and operate with the Tribal customs and practices with the Indians. Some of the difficulties encountered are clearly and distinctly outlined in the transcript of a meeting held in February 1958 with many persons present, including Mr. H. Rex Lee representing the Commissioner of the Bureau of Indian Affairs, the Area Director, the Local Agent, representatives from the Phoenix office of the Bureau. A copy of that transcript is offered as an Exhibit at this time.

Congress formalized the Guardianship and Conservatorship program by a paragraph inserted in the 1959 Equalization Act. The Secretary of Interior then had to determine who among the adults was subject to artful and designing