

persons and file or obtain the filing of Petitions of Conservatorships on them and Petitions for Guardians for all minors. Apparently he made such a determination by having the then Director, R. W. Jackson interview each of the adult Indians to determine if they were competent. If as a result of that conference it was determined that they were not competent the Indian was requested to file a Petition for the appointment of a Conservator and if he did not do so then the Bureau would initiate such proceedings. The proceedings were a condition of precedent to the Indian receiving his Equalization Allotment. An example of a form letter sent to the Indians at that time is the one sent to Mr. Anthony J. Andreas, Jr., a copy of which I now offer in evidence.

Since the title to the land was in Trust because the Indians were incompetent, it was and is not understandable how an Indian determined to be competent and not subject to artful and designing persons and not in need of a Conservator, still has his allotment in Trust for protection. Protection against what, since the Secretary has found him to be competent?

By the Congressional Equalization Bill of 1959, Congress created the Guardianships and Conservatorships as previously stated. It was the obvious intent of Congress that the mere creation of a Guardianship was not intended but that funds from the allotted lands should flow into the Guardianship in order to support, maintain, and otherwise care for the Ward, or in the case of a Conservatorship, the Conservatee. If this was not the intention of Congress what good would be accomplished by the creation of a dry guardianship of an estate? Before the 1959 Equalization Act, the Secretary had authorized the turning over of rent money to the Guardians and Conservators. However, after Mr. Cox and his "Task Force" arrived the Secretary dried up the Guardianships and Conservatorships. These Guardians and Conservators have Court Orders to pay sums of money to the Ward or Conservatee and make payments upon obligations. They must obey the Court Orders by using what money or assets they may have, even using capital. Thus, by obeying, which they must, the Court Orders and not receiving any further funds the Estates will be exhausted and several have been exhausted of funds.

From 1956, to and including 1967, there have been the following agents in the Palm Springs Bureau office: Mr. Mitchell, Mr. German, Mr. Jackson, Mr. Lewis, Mr. Harris, Mr. Hand and Mr. Jenkins.

With each new agent a new policy or procedure or attitude was introduced. There was no consistency. Seven agents in eleven (11) years caused the constant readjustment of thinking, procedures and policies which was confusing and upsetting to all concerned with Indian land.

Turning now to the so-called "Report" prepared by Mr. Cox, it is a real tragedy that in this day and age when Federal Funds are being looked to for the support of a war effort, the creation and continuance of a war on poverty, slum clearance, education and other fields of Federal activity, that so great amount of money as has been spent in preparing this Report should result in nothing more than the mis-statements, conclusions and inaccuracies upon which this Report is based.

One of the oldest, least admired, but effective tactic which man has used since communal society began is that of asserting an offense when he is in an indefensible position or a weak one. Since we have read so much and heard so much about the attack upon the Bureau of Indian Affairs, in its operations throughout the United States, it is obvious that the Bureau has found itself without a defensible position or at best a weak one. It is equally clear that the Bureau could use the offensive tactic with impunity because of its position in the Government and anything said by or done by anyone within the Bureau carries with it a legal immunity. Thus positioned, Robert Cox, head of the Palm Springs Task Force, could, with immunity, say or do anything against anyone or any institution without regard to the truth or falsity of his statement or conduct. He could and has tried to do this regarding the lands of the Agua Calientes in Palm Springs. His report dated March, 1968 and his conduct will be outlined as best it can be done.

The Report took ten (10) months in the making. It is the result of the efforts of attorneys, auditors, investigators and other general Governmental employees. The letter to your Committee Chairman dated April 2, 1968 from the Secretary of the Interior is tantamount to an indictment of the entire Conservatorship program and the Equalization Act of 1959 and of every individual mentioned therein, however, the validity of that indictment must stand or fall upon the integrity of the Report which is the basis of the forwarding letter. We must, therefore, look to the Report in detail in order to quash the indictment.