

doing in all of the years since location of the Bureau in Palm Springs. Presumably these two men would add to the administrative staff of the local office and this would result practically in an increase in red tape, costs to the tax-payers, confusion and frustration to the Indian and not result in a solution in accordance with the Directive of Congress.

The situation which is now confronting all members of the Tribe and all Conservators, Fiduciaries, their attorneys, the Courts and the Bureau is one of utter chaos and confusion since the announcements by Secretary Udall that Mr. Cox's initial investigation in 1965 indicated wrong-doing and since the appointment of an Amicus to appear in cases, virtually every proceeding is contested, virtually every Guardian, Conservator or attorney has been vilified, the Indians have been beset by intrusion into their privacy, by fears that their Courts, their attorneys and fiduciaries are dishonest, the Courts have been harrassed, the Government has refused steadfastly to permit any of their employees to testify on any matter whatsoever although much of the alleged misconduct of the Court Officers are supposedly within the personal knowledge of those employees who are located in the Palm Springs area; responsible business men and corporate fiduciaries would have resigned months ago were it not for the fact that they would have been resigning under fire; few, if any, will continue to serve in their fiduciary capacity if the current state of affairs continues; the Secretary of the Interior by drying up the Indian funds and releasing income to those Conservators only in estates that the Secretary has not singled out for vilification, is an effective and complete thwarting of the intent of Congress since we have Guardians, Conservators and attorneys at this time who cannot be paid because their estates have no funds with which to pay them and this even in view of the fact that they have been Ordered paid and the Orders were based on Petitions, full knowledge of which were given to the Bureau before presentation to the Court. In other words, the Conservatorship Program as it now exists is, for all intents and purposes dead. No legislation that Congress can enact can revive the existing Conservatorship as long as the Secretary of Interior continues his unilateral efforts to destroy the system. Therefore, my conclusions and recommendations are given to you, not in an attempt to protect and promulgate the existing system because I believe this system to have been killed by the Secretary of Interior last year. Assuming, for the moment and perhaps I am incorrect in this assumption, that Congress still intends for the Bureau of Indian Affairs to get out of the Indian business, this mean that the Bureau must either get in or get out and if it is going to get out it must get out 100% even though such withdrawal may take a number of years, they can't let go of part of the responsibility, keep part of the responsibility and keep the Indian separated and isolated from assuming responsibility for his own property when he is qualified so to do.

History has indicated that the Bureau of Indian Affairs has been a total failure in helping the members of the local Tribe. The only concrete benefit the Bureau offers to the Tribe is that of holding title to real property so that local property taxes do not attach to the property and so that income derived from the property will not be taxable.

The solution of the problem boils down to that simple question: Are the Indians to be forever protected from the local and Federal taxes. If the answer to that question is Yes, then the Federal Government can solve the problem now facing it by continuing in perpetuity the Wardship of the Tribe. Establish an Area Director for the Area of Palm Springs. Eliminate the necessity for outside approval for his activities. Staff the local office with sufficient trained personnel to enable it to advise all members of the Tribe in every aspect of either personal, commercial or legal activity. Give the staff of the local office complete autonomy so that local, immediate problems may be dealt with and solved locally and immediately.

If it is not the intent of Congress to forever protect the members of this Tribe from payment of local and Federal taxes then I believe the problem can be solved as follows:

First, direct the Bureau of Indian Affairs either through its own attorney or through the office of the Solicitor to appear in all current Guardianship or Conservatorship proceedings. By so doing the Government will be bound by determinations made in the Hearings in which they have actively participated and thus will not be able to come back in five or ten years later and claim fraud as they are doing at the present time.