

ington in the Federal Government that think they ought to furnish not only the prosecutor, but also the defender in such matters as this all over the Nation.

Mr. OLSON. Yes, I am aware of that.

The CHAIRMAN. They do have that great urge on the part of some of our people, to go thus far, and take away and destroy all individual responsibility.

Mr. OLSON. But bearing in mind, Mr. Chairman, that some of our tribes are located very remotely, it is going to be most expensive. It is certainly prohibitive as far as the Pueblo is concerned to retain counsel to provide these services. Secondly, we have a jury system. As we well know, the Pueblos have been a stable people. They have lived in the same area geographically for centuries and centuries. In some of the Pueblos, particularly the smaller ones, I find it hard to believe that a jury of tried and true citizenry of the Pueblo could be found that would meet the qualifications that are presently imposed by the Supreme Court of the United States to serve as a juror in a criminal affair.

Thirdly, we would have the situation of the habeas corpus into the Federal district courts, to test the jurisdictional features. Now, we again point out that the Supreme Court again has imposed certain tests of constitutionality—of jurisdiction, rather, to meet the constitutional test that we doubt seriously the Pueblos could meet. This would require a highly trained and expensive police force, it would require the matter of—well, I am certain the chairman is aware of all of these problem areas. We doubt that the system as it is presently practiced could meet these very restrictive and severe tests that are presently imposed under the Bill of Rights.

This is not to say that the Pueblos are opposed to the Bill of Rights themselves.

As I pointed out earlier, the Pueblos believe that they perhaps originated the Bill of Rights within this country. They allow complete freedom of speech, complete freedom of religion, complete freedom in whatever they want, so long as they live within it—with respect that is attendant to family life one toward the other within the Pueblo.

The CHAIRMAN. One thing about the United States of America—we all claim that right, to be the originators, or have our progenitors claim the right to be the originators of the complete freedoms we have. As a descendant of an old Saxon, I claim that right, too.

The gentleman from Washington, Mr. Meeds.

Mr. MEEDS. Thank you, Mr. Chairman.

First, let me apologize for not being here to hear your testimony. I did have an opportunity to read through it. I would like to compliment you on the testimony, and also on the facility and ability to retain your precious heritage. There is a lot to be said for this ability in this day and age.

I do have some questions, however. May I preface this remark, Mr. Chairman, with the statement that I have five Indian tribes on reservations in my own congressional district, all of whom are in favor of this legislation as it is, and I think I have some obligation to them, and also to many of the other Indian people in the Nation.

My first question is—let us assume that this legislation does not pass. Isn't it possible that the State of Arizona could, under Public Law 280—or New Mexico, pardon me—pass legislation which would be