

rest of the American Indians. But as far as the Pueblos we do believe they are unique. What we would like to see, as far as we are concerned, that the Pueblos be excluded by an amendment to section 101, section 1, and section 3, to specifically provide that the definitions as employed in title I would not include the 19 Indian Pueblos of New Mexico.

The CHAIRMAN. So the record is complete—if this overall major bill we are talking about, civil rights bill, is supposed to be an anti-discrimination bill against the rights of minorities, it is your position that you feel even though this group is a minority group, they have a right to have their rights protected also; is that correct, Mr. Montoya?

Mr. MONTOKA. That is correct.

The CHAIRMAN. Thank you very much.

Mr. MEEDS. And if there were minority groups within your organization, would you feel that they also have a right to have their rights protected?

Mr. OLSON. Certainly. We take the position that at no time have their rights ever been encroached upon.

Mr. MEEDS. If there were people living within your Pueblos who wanted to practice a different religion than you have, you feel they should have a right to do that?

Mr. OLSON. Certainly. They not have the right, but they are presently practicing various religions.

Mr. MEEDS. And have a right to have that right protected.

Mr. OLSON. Correct.

Mr. MEEDS. Are you acquainted with the case of *Toledo v. Pueblo Jemez*?

Mr. OLSON. Yes.

Mr. MEEDS. I have not been able to read the case. If you have, perhaps you could enlighten me on it. It is my understanding in that case the tribal government would not let certain members of the Pueblo bury their dead and practice their religion, and go to church as they desired in the specific location they asked. And they alleged had certain property rights taken from them, and that the Federal court, the Federal judge in New Mexico, Judge Hatch, held he had no authority to protect them, these members alleging this. Is that correct?

Mr. OLSON. That is correct—that he held he had no jurisdiction.

Mr. MEEDS. Then what happened after that?

Mr. OLSON. We do have the Governor of Jemez Pueblo here today, and I think he might be prepared to answer this question. And I think it would come far better from him than it would from me; though I will, if the Congressman wishes.

The CHAIRMAN. The Chair does not wish to go into this matter at this time, inasmuch as neither one of you has read the basic case. If you cannot get to that, there is no need to hash over the lawsuit.

Mr. OLSON. I would like to have this in the record—

Mr. MEEDS. Pardon me, Mr. Chairman. This is my time.

Perhaps we can answer it this way—if the chairman does not want to go into it.

Would you agree that if the facts are as I have stated them, these people have been deprived of their basic right to religious freedom?

Mr. OLSON. I would agree to that, Mr. Meeds. But I would also wish to make it clear that I do not agree with the facts as stated.