

and their prizing of these same freedoms that are guaranteed to us as citizens of the United States—there just is no problem.

Mr. MEEDS. Aren't we as citizens of the United States guaranteed the right of habeas corpus?

Mr. OLSON. Yes, that is correct.

Mr. MEEDS. We just assume it does not run to them. So when you say they have all the rights that we have, are you sure that is correct?

Mr. OLSON. Bearing in mind, Mr. Meeds, that the right of habeas corpus is to test that certain basic fundamental rights of a citizen are met in meting out justice to him, if you will.

Mr. MEEDS. By a court of law?

Mr. OLSON. Right. That it tests the jurisdiction—under our recent Supreme Court decisions, the petition for habeas corpus is to test the jurisdiction of the trial court at the time it held the hearing, or whether his fundamental rights have been so abridged as to void the court of jurisdiction over the accused in the case. Well, as I say, my personal observation in relation to the operation of the 19 pueblos that they insure to each of its citizenry that these basic rights—we are talking about the right of a man's home is his castle, and you cannot break down the door to illegally search and seize. That is a fundamental right. They do not have this problem in the pueblos.

Mr. MEEDS. As long as the right does not run to this jurisdiction, if they change these laws or regulations, this question could never be tested that way.

Mr. OLSON. That is correct.

But what I am saying is that the 19 pueblos have enjoyed this type of government since at least prior to 1540, and we do not know how many centuries—eight, nine, 10 centuries before 1540. And the citizenry has yet to make a valid complaint that these rights have been abridged. And do we need to face a problem that does not exist?

Mr. MEEDS. If we were to find an instance where a valid complaint were made, would you agree, then, that something ought to be done, so the writ of habeas corpus does run?

Mr. OLSON. Do you have to take a whole bottle of pills to solve one minor headache?

Mr. MEEDS. Perhaps not.

The CHAIRMAN. The Chair is going to get away from this. These are arguments. I do not want argument.

Mr. MEEDS. Mr. Chairman, as long as the questioner might disagree, there might be what the chairman considers to be an argument.

The CHAIRMAN. Just state the facts as they are.

Mr. MEEDS. If it were to appear to you that the overwhelming majority of American Indians were in favor of the legislation as proposed, would it still be your position that it should not be adopted as proposed?

Mr. OLSON. Yes, Mr. Meeds. It is the position of the Pueblos that should they endorse legislation such as this, they would be signing their own death warrant.

Mr. MEEDS. In effect, then, you are speaking of the "unique" position of the Pueblos?

Mr. OLSON. That is correct.

Mr. MEEDS. I think that is all, Mr. Chairman. Thank you.

The CHAIRMAN. Any more questions?