

Indians. It is claimed to be their church. In August of every year, the entire adult population of the Pueblo goes to Blue Lake for ancient religious ceremonies which have continued uninterrupted for centuries. On the first day, a ceremony is held in the canyon of the Taos River, east of the Pueblo. Then, on the second day, the Indians go to the Blue Lake and there hold ceremonies during the day and night. Absolute privacy is maintained by their war captains.

"Use of the Blue Lake, however, is not limited to this August ceremony. This area is used every day by at least a few Taos Pueblo Indians for private religious reflection. The village war captain is there once a week to clear the area and check for forest fires * * *."

As mentioned, the Indians also make secular use of the area. They are dependent on it for their water supply, forage for livestock, game, wood, and timber.

This bill is not unique in proposing the grant of federally owned land to an Indian tribe. In almost every session Congress considers many similar bills. Several of these bills have been enacted. The difference is that here the Indians are entitled to be paid for the lands, and in the view of the tribe no money payment can adequately compensate for these lands. There are apprehensions in some quarters that if the Taos Pueblo is given this land a precedent will be set whereby other Indian tribes will seek to have returned to them the lands to which they are determined by the Indian Claims Commission to have had Indian title. We do not think this is necessarily the case. In a great many of the cases the lands for which tribes are being compensated are not in the proximity of their present holdings. Moreover, few of the tribes have expressed any such desire. Even aside from these considerations, however, the question as to whether Indian tribes are to be given money payment or their lands returned is one that will have to be decided on an individual basis. We would not consider this proposal as opening the door for favorable action on similar requests that might be made. We believe that the special relationships between the Taos Pueblo Indians and this particular land warrants favorable consideration of this proposal, as an exception to the general rule.

The bill provides that the land not permitted to the tribe under the 1933 act will be given to the Indians in trust subject to existing rights owned or held by non-Indians by lease or permit. Provision is made for the Pueblo to purchase these rights and any improvements the non-Indians may have, if they are willing to sell. We appreciate the apprehensions that have been expressed about giving recognition to these leases and permits within the national forest as vested interests. We have the same situation with regard to permits on public land, and we share the view that they are not vested interests. We therefore would not regard congressional action in this special case as a recognition of vested interests in permits and leases on the public lands generally. We understand that there are only three permittees on this acreage and that one of these has indicated a willingness to sell his holdings to the Indians.

An argument that has been advanced against giving the Pueblo trust title to these lands is that what the Indians really want is the timber on these lands for commercial exploitation. It is, in our view, a challenge of the integrity of the Taos Pueblo Indians to suggest that they would seek behind a facade of religious belief something