

In view of the Commission's findings and the importance of the Blue Lake area to the Pueblo de Taos people, we ask that S. 1624 or S. 1625 be not enacted, but that H.R. 3306 be enacted.

The Bureau of the Budget has advised that, while there is no objection to submission of this report from the standpoint of the Administration's program, the Bureau concurs in the views of the Department of Agriculture as expressed in its report to the committee on these bills.

Sincerely yours,

STEWART L. UDALL,
Secretary of the Interior.

DEPARTMENT OF AGRICULTURE,
Washington, D.C., April 16, 1968.

HON. HENRY M. JACKSON,
*Chairman, Committee on Interior and Insular Affairs,
U.S. Senate.*

DEAR MR. CHAIRMAN: As you asked, here is our report on S. 1624, a bill "To authorize the Secretary of the Interior to convey certain lands to the Pueblo de Taos Indians, New Mexico, and for other purposes," and S. 1625, a bill "To declare that certain lands be held in trust for the Pueblo de Taos Indians, New Mexico, and for other purposes."

We would have no objection to the enactment of S. 1624 or S. 1625 if amended as suggested herein.

S. 1624 and S. 1625 would eliminate from the Carson National Forest, New Mexico, an area of approximately 3,150 acres described in the bills. These lands are administered by the Forest Service of this Department. The area lies in the headwaters of the Rio Pueblo de Taos, and encompasses Blue Lake, Waterbird Lake, and Star Lake. These lakes are reported to be religious shrines of the Pueblo de Taos. All but a small portion of the area is covered by an existing permit granted to the Pueblo de Taos by the Secretary of Agriculture pursuant to section 4 of the Act of May 31, 1933 (48 Stat. 108).

S. 1625 would declare the 3,150 acre area to be held in trust by the United States for the Pueblo de Taos, to be administered as a part of the Pueblo de Taos Reservation. S. 1624 would direct the Secretary of the Interior to convey all right, title and interest of the United States in the 3,150 acres to the Pueblo de Taos.

Under both bills, the Secretary of Agriculture would be directed to continue to protect the 3,150 acres from fire, insects and disease, to maintain favorable conditions of waterflow, to maintain sanitary conditions, and to otherwise conserve and protect the area and adjacent National Forest lands. Funds available to the Secretary of Agriculture for protection and administration of the National Forests would be available for this purpose.

The remaining provisions of both bills are substantially identical.

The Secretary would be directed to amend an existing permit granted the Pueblo to exclude the 3,150 acres referred to above.

The bills further contain a number of provisions outlining the authority of the Secretary of Agriculture in administering the remainder of the permit area. These provisions deal with the respective rights of the Secretary and the Pueblo regarding (1) use of the grazing capacity by the Pueblo, (2) use and disposition of the timber and wood in the area, (3) removal of damaged or diseased timber, (4) protection of the area from fire, forest insects and diseases, (5) use of the area by the Tribe for religious ceremonies, (6) protection of religious shrines, and (7) use of the area by persons not members of the Tribe.

The Indian Claims Commission would be directed to determine the value of the title conveyed to the Pueblo and the value of the existing permit. Such value would be credited to the United States or set off against any claim of the Pueblo de Taos against the United States.

The existing permit to the Pueblo de Taos Indians, covering most of the area affected by S. 1624 and S. 1625, derives from section 4 of the Act of May 31, 1933. The Act directed the Secretary to grant to the Indians a permit to occupy and use the land and resources for their personal use and benefit for fifty years, with a provision for subsequent renewals. The Indians are also permitted exclusive use and occupancy of the described area for religious ceremonials in August of each year.

Section 4 of the 1933 Act also directed the Secretary to segregate and withdraw the permit lands from mineral and other entry, in order to safeguard the interests and welfare of the Pueblo de Taos Indians.