

Senator ANDERSON. If this legislation were passed, would it right the other wrongs and give the other Indian tribes the same privileges?

Mr. UDALL. I want to be frank with you and the committee on this point. I want to help make a record on this point. I have seen one or two bills introduced this year of the same tenor. I don't agree with these bills. I find myself as sympathetic as I try to be to the cause of the Indian, feeling that as far as the great bulk of the land that was taken from Indian tribes over the last 150 or 200 years, you can't unscramble those eggs; and the approach of the Indian Claims Act was correct and the only thing to do—and no other civilized country has done this—is to compensate them for the value of the lands at the time they were taken.

I know of no other Indian group where lands were taken that had the type of religious significance as for this tribe—with their very peculiar religion, their deeply held religion—where the lands taken are unspoiled, in the same condition, as when they were taken.

Most of the land has long since gone into different uses, has been cut up, has been placed in private ownership; and, therefore, I don't see any case, no case has come to my attention as Secretary, I can say this very honestly to the committee, where I would support the claim of any Indian tribe or any Indian group to receive land rather than money under a claim that would be presented or has been presented to the Indian Claims Commission; and I want to close that door if I may.

Senator ANDERSON. The Indian Claims Act prohibits the Commission from giving land in place of money; do you agree with that?

Mr. UDALL. Yes; I think that was sound and correct; but in this instance, the Indian tribe, because of their special circumstances, have come to Congress as an appeals court—that is the only way I can describe it—and said we think there are such special circumstances here that we should be singled out for special treatment and we should receive part land and part money.

They will receive a money judgment; but they want the land they attach religious significance to, rather than receiving money.

Senator ANDERSON. There is a bill pending, H.R. 19072, by Mr. Steiger, an Arizona Congressman, which would transfer certain lands which are part of the Grand Canyon. How would you view that bill?

Mr. UDALL. I don't think that bill has any merit. I don't think my Department would support it.

Senator ANDERSON. I don't see how you can support this and not support that.

Mr. UDALL. I tell you the way I distinguish here. I am as familiar with the Havasupi Indians as with the Pueblo de Taos Indians, because they are in my State. These lands the Congress has included in this legislation have no special meaning to this tribe in terms of their culture, their religion; and I think the whole thing comes back to the special religious significance that this tribe with their unique religion attaches to it and there is no argument advanced by the Arizona Congressman with regard to these Indians other than the fact he would like to give them more land.

They have a beautiful reservation right at the bottom of the Grand Canyon. There is no reason for taking part of the national forest off Grand Canyon and add to it. The area where they live is where they always lived. They don't use these lands and they have no religious or cultural reason for using them.