

In the testimony you indicate that there is not a precedent that will be set by our acting favorably on this bill. Then you indicate the whole case rises or falls on the religious significance.

I would like to quote to you, Mr. Secretary, from a document about a case that involved the Pueblo of the Nambe, the Indian Claims Commission. In this report they noted the great similarity between the Nambe and the Taos cases.

At page 400 of the Commission's findings they listed their facts by number and this is fact No. 9 on page 400 on the Nambe, the Commission says, and I would like to quote from this Commission Report.

(The document referred to follows:)

9. Native religion was very much alive at Nambe Pueblo from 1848 to the first decade of this century. Ceremonials were held as late as the 1930's. In the native religion of Nambe Pueblo, specific ceremonials must be performed at designated spots or shrines. A shrine cannot be moved. The area of aboriginal occupancy is thus dotted with religious shrines which were frequently visited by members of the Pueblo of Nambe for ceremonial purposes.

The most important shrines are the sacred lakes of Tamayoge Okwinge (Sandy Lake) and Kate Okwinge (Lake Katherine). Initiation and healing ceremonies were held there and it was believed that the supernaturals inhabited these sacred lakes. Petitioner identified 16 other religious shrines, in most cases piles of sacred stones, dotted throughout the claimed area. These were thought to bring good luck in hunting or other endeavors and were regularly visited, and strewn with corn meal, at the time of secret religious rites. Although native religious practices have to a large extent died out at Nambe, these shrines are still maintained.

Senator HATFIELD. Now the Commission, Mr. Secretary, found that 45,000 acres were taken from the Nambe Pueblo which are now in the Santa Fe National Forest. The Indians have not been paid and there is absolutely no reason to believe that if H.R. 3306 is passed, that the Nambe Indians will not come in and ask for similar treatment.

I think in the face of that decision I would like to ask what the Department of Interior would do about a bill if introduced upon that basis under the circumstances you have outlined, of paying these Indians in land in lieu of money claims?

Mr. UDALL. This is a crucial question; you are quite right in saying the committee ought to look ahead and try to anticipate what door you are opening in this if you pass this legislation.

I have never had any conference with or been visited by the Nambe Pueblo, I am not familiar with the circumstances of any claim. I am not sure they are preparing or would like to make a claim of special circumstances such as the Taos people make.

If they have such intentions I am surprised I have not heard of it. I try to keep my door open to the Indian people and their leaders.

I would say this, however, the one thing that seems to me to make out a very powerful case for the Taos Pueblo is that this land is unspoiled, it is undeveloped, it is wilderness for all practical purposes, it has never been invaded or despoiled by man; therefore, it is in the condition it was at the time it was taken.

Practically all of the Indian lands of this country, what was once Indian land, has been carved up into different tracts, it has gone through private ownership, it has been timbered, it is being used.

If, for example, the aboriginal Nambe lands have been developed and cut up and roads have been built and the condition has been changed, I think they have a rather weak case but the real power of the claim of the Taos Indians, it seems to me, is the fact that this land