

today is for all practical purposes just like it was in 1906 when it was taken from them. We can restore something here.

Senator HATFIELD. Would you not agree if these shrines are maintained and there is religious significance that the Indians consider, the Nambe Pueblo consider this land for, there would be a precedent set in the bill you now introduce or have cause to be introduced?

Mr. UDALL. Let me answer you directly on that; if the Nambe Pueblo have facts that are similar, I would favor the same relief, I would think overall with all Indian tribes of the country. If it may be for one group of Indians we gave special treatment, I see nothing wrong with that as long as it is based on circumstances such as these we are faced with this morning.

Senator HATFIELD. You are not familiar, or do not have information about all the Indian groups that might have such claims that could come to light if a precedent were set.

Actually we may be setting a precedent.

Mr. UDALL. That is right.

Senator HATFIELD. There is another case, the New Mexico Jemez docket 137. Here the Commission, the Indian Claims Commission found the Indians lost 36,172 acres which were lost under circumstances similar to the Taos and Nambe.

These are now part of the Jemez Forest Reserve; other lands were included in a grazing district. The Indians have not been paid for these lands as yet. Would the Department of Interior look favorably on a request of land return instead of money, if it could be established again under the precedents there were religious precedents?

Mr. UDALL. I think you would have to look at the religious circumstances, and if they could make out the kind of case recognized in the House and Senate bills, there might be some land restoration.

Again I am not familiar with the circumstances with regard to these Pueblos. If they are preparing to make such claims, I am not aware of it.

Senator HATFIELD. Mr. Secretary, let me emphasize again, it might be well if we made known if we pass this bill, it might be our responsibility through the Department of Interior, Bureau of Indian Affairs, to make known to all Indians that they could make claim to return of land in lieu of money if this bill is enacted.

I am not making the evaluation that we should give land or money. I don't believe that you should, with a stroke of your pen, brush aside that there is no precedent here, maybe it is a good precedent, I don't know.

But I know your testimony tends to minimize the continuing responsibility this committee has to all the Indians, and I think we, as invading white Americans, have a continuing responsibility to all of them.

Let me quote from the House Report on H.R. 3306. I believe this is substantially the same testimony you have given to our committee here in the Senate.

There are apprehensions in some quarters that if the Taos Pueblo is given this land to which they are determined by the Indian Claims Commission to have had Indians title to, we do not think this is necessarily the case. In a great many of the cases the land for which tribes are being compensated are not in the proximity of their precedent holdings. Moreover, few of the tribes have expressed any such desire. Even aside from these considerations, however, a