

to compromise and insisted on passage of H.R. 3306 without modification.

The major reason presented by the Indians in support of H.R. 3306 is the preservation of their freedom of worship. They claim that their religious rights are limited unless they are granted ownership of the entire Rio Pueblo watershed and portions of the Rio Lucerno watershed.

Since they say that secrecy is an essential part of their religion they are unwilling to identify in specifics all the places or the times or the nature of their religious practices, whether communal or individual, or to produce evidence that their freedom to practice their religion has been violated. We are asked to accept their statements as true without questioning the sources.

The information that is of record does not support the Indians' claim. The U.S. Government has made every effort both before and after the granting of the special use permit to the Blue Lake area, to guarantee the privacy which the Indians require.

I think this is proper. I have stated on many occasions that the Taos Indians should be able to continue the practice of their religion unhampered and in secrecy so long as they wish. I do not think, however, that this requires the conveyance of 48,000 acres of national forest land.

I do not believe that this bill can be weighed against the two standards I mentioned above, the good of the Indians and the good of the general public for the following reasons:

1. Others besides the Indians are dependent upon the Rio Pueblo and Rio Lucero watersheds. Continued ownership by the United States and supervision of the watersheds by the Forest Service are essential so that the rights of downstream users can be fully protected.

2. Despite representations to the contrary, conveyance of this land would most likely set a precedent to be followed in the claims of other Indian tribes and if not would discriminate against the other Indians.

- a. If other tribes can substantiate the sacredness of lands no longer theirs, denial of these lands to them would be discriminatory if the Taos claim is granted.

- b. If other tribes demand land instead of money for economic rather than religious purposes, denial of their claim, after granting the Taos claim, would be discriminating in favor of a religious group.

3. Without challenging the sincerity of the Taos Indians' religious beliefs it is conceivable that the religious importance they presently place on the land may diminish in succeeding generations. Should this occur the Indians, a sparsely populated group, will own a large area of choice land. Pressures of continued population growth indicate that the public good is better served if ownership of this land is retained in the United States.

4. There is evidence that not all Pueblo residents give the same importance to the traditional religious beliefs and practices. It is conceivable that some would consider economic and social developments more important than the values of their traditional religious beliefs and would prefer a monetary judgment to receipt of land title.

Mr. Chairman, I find no evidence in past testimony that the Taos Indians have been harassed or prevented from engaging in their ceremonies in secret or any evidence of desecration of their shrines except for an occasional trespass which could happen even under Indian ownership. Therefore I believe that the present permit arrangement has provided adequate protection and in recent years has been tightened to provide maximum security to the Indians.