

is it expected that failure to enact this bill will result in any early or appreciable increase in the recreational use of the Blue Lake Area by non-Indians. Our interests are for the wisest and best possible management of the lands in question for the maximum public benefit including the citizens of Taos Pueblo.

We wish to make it clear that our opposition to the bill in no way should be construed to demean the Indians' native religion nor to imply that we are opposed to the Indians' continued freedom to practice their religion in privacy.

During the course of deliberations upon this claim to what has become known as the "Blue Lake Area," many misstatements of facts concerning the claim have been recorded. These misstatements have led to erroneous conclusions and impressions. These errors began with the statements prepared by the attorneys for the Taos Pueblo. These errors and the resulting false impressions and conclusions have been repeated and carried through to the present, beginning with testimony before the Indians Claims Commission, the Indians Claims Commissions' published report, the testimony before the House Committee on Interior and Insular Affairs by Interior Secretary Udall and others, and in the subsequent report of that committee to the whole House. I cannot hope to deal with all of these errors here. I will, however, try to point out some of the more important ones.

It has been often repeated that the lands in question were *taken* from the Indians by the Forest Service or by the Government in 1906. This infers that the Indians had title prior to 1906. The Taos Pueblo has never had a recognized title to the lands in question other than aboriginal title which wasn't verified until 1965. The lands accrued to the United States from Mexico via the Treaty of Guadalupe Hidalgo in 1848. Mexico had previously acquired the lands from Spain after a successful revolution in 1822.

In 1906 the land, because it was forested, was placed under the jurisdiction of a newly created agency which was given administrative authority over the Government's forested lands—the U.S. Forest Service. Even in the earliest days after 1906 the Indians were not denied access nor use of their religious shrines—the land was public.

As it has turned out, the Taos Pueblo has gained greater assurance that its access to its ancient shrines would be protected. Forest Service ownership has prevented further occupation of their aboriginal lands by private ownership. The Spanish and Mexican governments never recognized the Taos Pueblo's claim or rights to the 300,000 acres described in their aboriginal claim. This is borne out by the fact that the Spanish and Mexican governments granted more than half of it away—the largest grant being the Maxwell Land Grant in 1844.

Contrary to the policies of the two previous governments, the U.S. Government has prevented alienation of public ownership by withdrawing the area from entry by settlers or by mining interests. Loss of public title could have resulted in blocked access to the Indian shrines and loss of water rights.

Before continuing with the role of the Forest Service in the administration of the Blue Lake Area, we need to be reminded of the reasons stated for pressing the Taos Pueblo's request for title to the area. Two allegations appear in the report prepared by the House Committee on Interior and Insular Affairs, which I think accurately summarize the controversy.

"By the 1960's Forest Service pressure threatened the destruction of the Indian's religion."

"The controversy centers around the desire of the Pueblo to preserve the area in its natural state, and to limit access to, and use of, the area by non-Indians. The Forest Service, on the other hand, wants to administer the land for multiple-use purposes, including recreation by the general public."

The justification for granting the Pueblo's request depends almost entirely on the validity of these two statements.

Actions are said to speak louder than words. We can judge better the intent of the Forest Service (i.e., the U.S. Government) by its deeds rather than by what someone says the Forest Service wants to do. Let's review these actions and policies keeping in mind how much they conflict with the multiple use policies of the Forest Service on its other lands.

1. At the outset, the Department of Agriculture recognized the religious and economic importance the Pueblo placed on these lands.
2. The Indians have grazed most of the area and have taken timber at no cost to them since the earliest days of Forest administration.
3. The lands have been withdrawn from entry. No title has passed into private hands. On the contrary, private and state owned lands have been acquired by exchange and made available to the Taos Pueblo.