

2. *Attack on Indian Religion.* The attack on the Indians' religion, culture and honesty made by such witnesses as N. Preston Gunter, Jon W. Little, and Elliott S. Barker vividly shows why the Indians have become distrustful of the Forest Service. Such men are able to exert effective pressure on the Forest Service. Mr. Gunter's testimony is studded with factual misstatements and falsehoods,¹ and it betrays a thorough contempt for the religion and the honesty of the Indians; yet the Forest Service has not sought to correct or to disavow such testimony. Mr. Barker has directly attacked the Indians' good faith by characterizing their religious claim as "a pure and simple subterfuge to get the land for ulterior purposes" (although H.R. 3306 gives the Pueblo no economic rights to the watershed). Mr. Little paints the 65-year-old Blue Lake claim as a selfish demand for the benefit of a few old men (although this is refuted by the testimony of two young people of the Pueblo at the hearing, and by the active public support of schoolchildren and parents' associations of the tribe).

The other opposition witnesses uniformly insist that the watershed should be devoted to non-Indian interests (while in some cases stressing the fact that Indian interests have been favored by prior Forest Service management). The existence of such pressures and the apparent responsiveness of the Forest Service mean that the Indians will never be secure in the exercise of their religion within this watershed as long as it remains under Forest Service control. The Forest Service itself testified that its plans for the area include the commercial harvesting of timber, fencing of pastures for range management, vegetative manipulation to increase water yields, and increase of recreational use on a one-day basis. It is therefore clear that transfer of administrative authority to the Department of the Interior is the only feasible means of protecting the Indians' ancient religion and unique culture.

3. *Forest Service Tactics.* The testimony of Messrs. Gunter and Little disclosed that a spy-trip had been made with two officials of the Forest Service on September 6, twelve days after the 1968 Blue Lake ceremonies ended on August 25, for the sole purpose of gathering information and pictures to be used against the Indians at these hearings. The spy-trip was not made pursuant to a Pueblo-approved permit. The District Ranger subsequently advised the Pueblo of the trip by an offensive letter which, although dated September 10, did not arrive until September 17 when the tribal delegation was already in Washington and out of direct contact. The witnesses implied (without explicitly stating) that they photographed the area as they found it, and they alleged that littering and cutting of green timber was done by Indians. They did not offer any proof of that charge; it rests entirely on their unverified surmise.

The true facts are that the conditions shown in Mr. Little's photographs were not created by Indians. The Blue Lake sanctuary was cleaned up carefully after the end of the ceremonials on August 25, by a group of men assigned by the Pueblo for that purpose. The tepee poles shown in Fig. 3 of Mr. Little's statement to the Subcommittee were then stacked in good order on the ground. The garbage shown in Fig. 4 was not present. On September 3, officials of the tribe inspected the area and confirmed that clean-up had been thorough and complete. Another official inspection trip on September 21, following receipt of the District Ranger's letter, found the site clean and without the conditions shown in Mr. Little's photographs. The stumps shown in Fig. 4 were clearly not made by Indians, who are prohibited from taking saws into the Blue Lake sanctuary; the stumps were produced by a chain-saw operated by non-Indians.

In the face of such tactics, can any reasonable man wonder at the Indians' distrust of the Forest Service and their consequent desire to obtain a transfer of the sacred watershed to the Department of the Interior, which is more sympathetic to the ways and needs of the Indians?

4. *Precedent Issue.* The hearings disclosed a general apprehension that enactment of H.R. 3306 would open the floodgates to Indian land claims all over the country. Despite the fact that no witness identified an actual case similar to the facts of the Taos claim (where the special Indian religious need for this watershed has been recognized by two acts of Congress and by the Federal agencies involved), the danger of a multitude of specious claims was decried.

If the fears of the opposition are founded in fact (which the Pueblo doubts), then the United States should indeed take steps to correct an anti-human policy that would destroy remaining Indian religions and cultures. A policy of com-

¹ A statement by Prof. Edward H. Spicer answering the misstatements on the Taos religion is enclosed herewith.