

more than they can make that determination for us. We can only respect each others' determinations and make each others' religious obligations as easy as we can.

At a similar hearing by this subcommittee in May of 1966, the Indians were asked to indicate on a map the location of some of their "shrines" in the Blue Lake area, and the tribe's interpreter, Mr. Bernal, in an effort to be helpful, pointed out some of them. This specificity was seized upon as a key to finding a possible compromise between the conflicting interests.

The Forest Service was asked to develop a plan that would safeguard the specific shrine for the Indians while retaining control of the rest of the area in the Forest Service. If such a report has ever been developed or submitted by the Forest Service, it is not part of the public record for there has been no report on those 1966 Senate hearings nor any subsequent publications by the Senate of materials pertinent to the Blue Lake controversy. Since the 1966 hearings I have made a study of religious usage of the Blue Lake watershed by the Indians, the result of which were published in the *Journal of Church and State*, Spring 1967, in which I request be made a part of this record.

My findings, which I reached after lengthy interviews with the Taos Pueblo Tribal Council and with individual Indians may be summarized as follows:

"The religious usage and devotion of the Indians is not limited to a few isolated locations, but extends to the entire watershed above the pueblo."

We have distorted their way of life when we talk about "shrines" in the European sense. And when the Indians tried to explain their ways in our words they contributed to the misunderstanding. The "Holy" territory of the Blue Lake area is not limited to certain lakes and springs but extends from ridge to ridge.

Some fear that the Indians may be tempted to make other use of part of the Blue Lake area at some future time. We understand that the purpose of the present bill is to prevent any such diversion as long as there are Indians of the Pueblo de Taos who wish to use it for religious purposes.

It is rare enough in our rushed and harried society that a group of people treasures an isolated area for religious reasons. When it is a remote and elevated area such as this—for which there is little or no competing demand—and when the property right itself is not in question—what reason can there be not to grant the modest and reasonable plea of the Indians of Pueblo de Taos? It is certainly the least that a great nation can do for the religious freedom of a neglected people.

Thank you for the opportunity to appear in support of H.R. 3306, which we hope will be reported favorably by this Committee and enacted by the Senate, in this session, so that the petitioners need no longer worry that their sanctuary will be taken from them by distant or capricious forces.

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GUEST EDITORIAL—THE IMPAIRMENT OF THE RELIGIOUS LIBERTY OF THE TAOS
PUEBLO INDIANS BY THE UNITED STATES GOVERNMENT

Taos Pueblo is an Indian village on the Rio Pueblo de Taos at the foot of Pueblo Peak in northern New Mexico. Like other Indian tribes, the Indians of Taos Pueblo have found the lands they once owned progressively diminished by the incursions of the white man. More fortunate than some tribes, the Taos Indians nevertheless have an unhappy history of giving up good land and getting land the white man did not want.

From the fourteenth century on, the Taos Pueblo people have occupied the same general territory, but in 1906, by proclamation of President Theodore Roosevelt, a large part of that territory was incorporated in the national forests without compensation to the tribe. The land confiscated included the watershed in which the tribe lived, now known as the Blue Lake area, upon which the tribe depends for spiritual as well as physical sustenance. When the Indians discovered that a vital part of their heritage had become a portion of the Carson National Forest, and that it was being developed for use and incursion by others, they began to take steps to regain the rights of ownership. After several decades, their claim was confirmed by the U.S. Indian Claims Commission. However, that tribunal can only award compensation for claims; it cannot return the land.

The area for which compensation is due the tribe under the Claims Commission decision is about 130,000 acres, plus some valuable property now occupied by non-Indians in the town of Taos. The Indians agreed in 1926 that they would not even lay claim to properties in the town of Taos worth about \$300,000 if the