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Taos Pueblo and the Struggle for Blue Lake

ROBERT A. HECHT

Lying about seventy miles north of Santa Fe, New Mexico, and just north of the non-Indian Town of Taos, is the Indian pueblo, also called Taos. A National Historic Landmark since 1975, Taos has recently been nominated as a World Heritage Site. First seen by white men during the Spanish conquistador Coronado's expedition of 1540-42, the pueblo currently has a population of about 2,000 Indians. It is a popular tourist attraction, automobiles sometimes lining up for more than an hour, waiting their turn to drive in and park in the village square.

An attractive white-walled Catholic church, St. Geronimo, sits at the main entrance facing the square. Through the center of the village runs the Rio Pueblo de Taos, whose source is the Sacred Blue Lake some 20 miles to the north. After bisecting Taos, this stream runs into the much larger Rio Grande. At an elevation of 11,800 feet, Blue Lake is "symbolically considered the source of all Taos life and the retreat of souls after death."¹ It is also the focal point for the annual pilgrimage of the Taos, held in late August. According to Tito Naranjo, a Santa Clara Pueblo married to a Taos woman who has participated in Taos religious life: "The walk to Blue Lake by 'piathliaas' is to reaffirm the belief in 'thlatsinaas,' which is similar to other moiety oriented pueblos who re-enact the origin myths. The Pueblo, as a whole, participates in that process in a dual pilgrimage, one by the boys and 'teachers' and the other by the Pueblo resident members at large."²

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Severino Martinez, a former governor of the tribe, stressed the role of religion in Taos life: "Without energy provided by God, we are helpless. Religion is the most important thing in our life. That is the reason why this Blue Lake is so important to us."³

Nearly all the Taos Indians are Roman Catholic. This is the case with the Rio Grande Pueblos in general, stemming from the Spanish Franciscan missionary activity starting in the late 16th century. St. Geronimo is used for baptisms and other sacraments performed by a Catholic priest. Tucked both inside and alongside the multi-storied buildings that comprise the pueblo, however, are a number of kivas, or ceremonial chambers, off-limits to tourists, where the traditional religion is practiced. The Indians see no contradiction in this dichotomy. The anthropologist Edward Dozier, born and raised in Santa Clara, calls this "compartmentalization," the Catholic Church in one room, the traditional religion in the other. "Compartmentalization," he wrote, "simply refers to the presence among the Pueblos of two mutually distinct and separate socioceremonial systems, each containing patterns not found in the other. The two systems are the indigenous and Spanish-Catholic traditions."⁴

The Catholic Church, at one time dogmatic in its insistence that the Pueblos accept Christianity exclusively, has compromised on the issue. The Reverend Michael O'Brien, a young priest stationed at St. Geronimo in 1970, called the Taos religion "a natural religion of brotherhood," and a "prerevelation body of belief that is not condemned or discouraged by the Church."⁵

The Taos Indians have occupied their present site since at least the 14th century. When the Spaniards settled New Mexico in 1598, they generally recognized Pueblo possessory rights to the lands they occupied. When Mexico took over the Southwest from Spain in 1821, it confirmed existing Pueblo boundaries. In 1848, under the terms of the Treaty of Guadalupe Hidalgo, ending the Mexican War, the United States acquired New Mexico; and, like the previous conquerors, it too guaranteed the Pueblo borders that had formerly been recognized by Spain and Mexico.

By the end of the 19th century, however, non-Indian squatters were settling illegally, or with dubious title, on a number of Pueblo reservations along the Rio Grande. Taos feared that its lands and lakes north of the village, an area sometimes called "The Bowl," would be overrun by these squatters, who would intrude "on the whole system of religious sites and shrines. . . ."⁶

They were given some brief hope when, in 1903, they heard that President Theodore Roosevelt planned to put The Bowl, and other lands, into a national forest, thus preventing anyone from settling there permanently. The tribe petitioned the government in 1904 to set aside The Bowl for its exclusive use.

The pueblo's pleas were ignored. On November 7, 1906 Roosevelt, without consulting the tribe, placed some 130,000 acres, including The Bowl, in the Taos Forest Reserve, which through an executive order in June 1908, became part of the Carson National Forest, administered by the United States Forest Service, a division of the Department of Agriculture. The Forest Service would be a persistent and determined opponent of Taos in the years ahead, during its long struggle to regain Blue Lake and its watershed.

But the Forest Service was not Taos' only obstacle. Opposition also came from another quarter in the early decades of the 20th century, from efforts by some Christian, or Christian oriented, organizations to abolish traditional Native American religions, which they considered pagan and even at times obscene. In the forefront of this movement was the Indian Rights Association (IRA), whose goal was the assimilation of all Indians into the American mainstream, which meant, among other things, acceptance of Christianity. The IRA pressured the Bureau of Indian Affairs (BIA) to abolish some Indian rituals and to foster Christianity among the younger tribal members.

Fortunately for the tribes, however, the early 1920's witnessed the rise of an anti-assimilationist movement, that would bring about passage a decade later of the Indian Reorganization Act of 1934 (IRA). A major piece of Indian reform legislation, the IRA encouraged reservation self-rule, including the writing of constitutions and the election of tribal councils. One of the earliest groups organized to oppose forced assimilation of Indians, founded in 1922, was the Eastern Association on Indian Affairs (EAIA), most of whose members came from the Northeast, but many of whom owned land or had other interests in the Southwest. Formed soon after the EAIA was the American Indian Defense Association (AIDA), founded and led by John Collier, at that time a newcomer to Indian reform, but from then on a lifelong crusador for Indians. Collier would be appointed Commissioner of Indian Affairs by Franklin D. Roosevelt in 1933. In 1937 the EAIA and the AIDA would merge, eventually taking the

name, after the Second World War, of the Association on American Indian Affairs (AAIA), headquartered in New York City.

These two organizations were formed specifically to defeat the notorious Bursum Bill introduced in Congress in 1922. Had this bill been passed in its original version, the Rio Grande Pueblos would have lost much of their land to non-Indians squatters. To fight the Bursum Bill the EAIA, the AIDA, and a number of other groups, ran a successful national campaign, forced the rewriting of the bill, and put forward a compromise measure that went through Congress as the Pueblo Lands Act of 1924 (legislation generally acceptable to the Pueblos and their supporters). This bill set up the Pueblo Lands Board to "investigate, determine, and report" on the boundaries of Pueblo reservations with the goal of trying to reconcile conflicting Indian and non-Indian claims. The board could recommend compensation for Indian lands lost that might have been retained had the government acted more vigorously on their behalf.

Taos inadvertently ran afoul of the Lands Board in 1926, although at the time the case was being reviewed it seemed that it was pulling off a favorable deal. For years the pueblo had claimed some of the land upon which the non-Indian Town of Taos was built. The board agreed, and offered Taos nearly \$300,000 to silence its claim. Taos agreed to waive the claim and the money if the board would turn over to it Blue Lake and its watershed. Since the board had no authority to grant land to a pueblo, the offer could not be accepted. The outcome was that Taos received neither the land nor the money, a fact belatedly acknowledged by the Indians Claims Commission in 1965.

Taos did win a small concession in 1927, when the Forest Service granted it non-exclusive use of 31,000 acres of the watershed, including Blue Lake, and exclusive use for three days in August, when the tribe made its annual pilgrimage to the lake. The Indians misunderstood the concession, however, believing they had been given exclusive use of the whole area the year round, and were shocked to learn that camping, hiking, fishing, and other recreational activity permits would continue to be issued to non-Indians. The exclusive use permit for the three days in August, while a disappointment to the tribe, was still a small victory in that it recognized the pueblo's religious connection with Blue Lake. At Collier's urging, Congress formally ratified the Forest Service permit in 1933 for fifty years, which was further confirmed and amended by the Department of the Interior in 1940.

Far from satisfied, Taos refused to give up the fight for Blue Lake. In 1951 the tribal council voted to submit its case to the Indian Claims Commission, established by Congress in 1946 to expedite claims by Indian tribes. This was Taos' first step in a legal battle that would stretch out over the next nineteen years, and would culminate in Congress voting to turn over to Taos The Bowl and Blue Lake to be held in permanent trust for the tribe by the federal government.

While much of the credit for this victory must go to the tribe itself, it is doubtful whether it would have prevailed without the support given Taos by a number of non-Indian individuals and organizations. From 1955 to 1967, the Association on American Indian Affairs was the prime advocate of the pueblo, supplying legal and technical advice, helping to plot strategy, and carrying the campaign to the halls of Congress.

Until his death in 1963 Oliver La Farge, as president of the AAIA, directed the struggle for Blue Lake from his home in Santa Fe. La Farge, anthropologist, writer, and worker for Indian causes, had been president of the association since 1933, except for the war years. In 1929 he won the Pulitzer Prize in fiction for his novel *Laughing Boy*, the story of a young Navajo couple whose lives were blighted by the white man's world. A New Yorker by birth, a Rhode Island Yankee in spirit, and finally a sixteen year resident of Santa Fe, La Farge descended from a long line of distinguished Americans. These included his namesake Oliver Hazard Perry, hero of the Battle of Lake Erie during the War of 1812, his grandfather John La Farge, the eminent 19th century artist, and his father Grant La Farge, a well-known turn-of-the-century architect.

La Farge was an intrepid fighter for Indian welfare during the last thirty years of his life. A product of the eastern establishment (his mother's family were personal friends of the Theodore Roosevelt's), he was graduated from Groton in 1918, and from Harvard in 1922, with a degree in anthropology. He went on for his master's degree in that field, also from Harvard, at first specializing in modern Mayan languages. In the late 1920's and early 1930's he made three grueling field trips to Mayan country in Mexico and Guatemala, producing monographs for each expedition. During the Second World War he served as historian for the Air Transport Command, rising to the rank of lieutenant-colonel.

In the meantime he had become enamoured with the American Southwest, where as a Harvard undergraduate he had

worked on prehistoric Anasazi sites in Arizona. Shortly after the war, with his second wife Consuelo, a member of the well-known Baca family of New Mexico, he bought a house on College Street in Santa Fe, now called the Old Santa Fe Trail. He lived in that house until his death from emphysema in August 1963. One of his last efforts on behalf of the American Indians was a physically arduous visit to Taos pueblo on June 7, 1963, to attend a meeting of its council and attorneys on the Blue Lake issue. By then he was desperately ill, finding it necessary to carry around with him a portable oxygen tank. Two months later he died in an Albuquerque hospital.

While he did not live to savor the pueblo's victory in 1970, La Farge's more than eight years of labor in Taos' behalf were not wasted. During those years he and his association helped guide Taos toward advancing its claim and setting realistic and obtainable goals. Had he lived longer the pueblo might have prevailed sooner. Unfortunately, after his death serious internal dissension over the Taos case developed within the association's ranks, leading to withdrawal of its active participation in 1967. It was then that Corinne Locker, La Farge's association-paid part-time secretary, took the initiative and organized the National Committee for Restoration of Blue Lake Lands to the Taos Indians, whose membership list in 1968 read like a who's who of American intellectuals, artists, and religious, political and business leaders.

La Farge had really become involved with Taos over Blue Lake as early as 1950, but not in earnest until January 1955, when he was approached by Severino (sometimes spelled Seferino) Martinez, the non-English speaking governor of Taos, and members of the Taos council, who sought his support in winning passage of a bill in Congress that would give the pueblo its lake and lands. At that point the tribe still had its claim before the Indian Claims Commission, but feared that even if the commission found in its favor, it would have to accept monetary compensation instead of the property. La Farge thought the Taos claim to be "a strong one morally, probably strong legally," and had "tremendous sentimental appeal." He decided to join forces with the pueblo. "It is partly a matter of Seferino's remarkable personality," he wrote shortly after the meeting, "partly a matter of not betraying the confidence that the Taos Indians now seem to have in me, and partly that I do not think I shall be required to expend a very great amount of time."⁷

La Farge grossly underestimated the time and effort that would be needed to pursue the claim. Over the next eight years he would sometimes ruefully complain that with Taos he had taken on more than he anticipated. In general, he often complained that he spent too much time on Indian affairs (as president of the AAIA he received no salary), and not enough on his writing, which was, after all, the principal source of his modest income. Periodically he let off steam, sometimes angrily, sometimes plaintively, which seemed to calm him down and send him back to his Indian labors with renewed vigor.

In early 1950 Taos had retained Darwin P. Kingsley, Jr. of New York, an acquaintance of La Farge, as its attorney to argue its case before the Indian Claims Commission. Over the years a number of other lawyers would become involved with Taos, including Richard Schifter and Arthur Lazarus, counsels for the AAIA. Together with La Farge, these men planned the strategy for Taos from the mid-1950's to La Farge's death in 1963, and then among themselves until 1967.

Right after La Farge and the AAIA became involved in January 1955, Schifter recommended, as a first step, winning as quickly as possible a favorable decision from the commission, which would establish the pueblo's legal right to The Bowl. "At that point," Schifter wrote La Farge, "we would ask the Commission not to proceed further but to allow us to take the matter to Congress." The commission could offer a money compensation, but only Congress could return the land. Schifter noted that the New Mexican delegation in Congress seemed amenable to the plan. All that remained, it appeared, was to get the positive ruling from the commission, establishing Taos' legal and historical right to The Bowl, followed by an act of Congress returning it to the tribe. In the meantime, to satisfy the pueblo's impatience to see something tangible being done, a bill extending the area of the Forest Service use permit might be introduced immediately. "When the Commission's judgment comes along," Schifter was confident, it would "simply supply additional steam for its passage."⁸

The envisaged scenario was now ready to be acted out. The Claims Commission would render a favorable decision, the New Mexico delegation would support appropriate legislation, and La Farge would work with the Taos leaders from his end in Santa Fe. Little did he, Schifter, and the other Taos supporters foresee the delays and obstacles that lay ahead.

Another group working for Taos was the New Mexico Association on Indian Affairs (NMAIA), an affiliate of the AAIA. Charles Minton, executive director of the NMAIA, insisted that Taos would have more political clout if its members voted in state and federal elections. But most of the Taos council members, led by Martinez on this issue, feared that voting in New Mexican elections would subject the tribe to state taxation. "I believed, and still do," Minton wrote La Farge, "that this would change the political complexion of Taos county, or could, if the pueblo held the trump card politically, the politicians would be more likely to go to bat for their Indian constituents. There is certain to be very strong opposition from non-Indians, and the pueblo will need every ounce of political pressure it can muster."⁹

At this point Minton was more perceptive of the political realities than La Farge, who assumed that the political hurdle would be easily surmounted. He would soon be disabused of this notion, as it became increasingly obvious that the New Mexican delegation to Washington, while paying lip service to Taos' claim, was in no hurry to push for legislation.

In 1955 this delegation consisted of Senators Clinton P. Anderson and Dennis Chavez, and Representatives Antonio M. Fernandez and John J. Dempsey. It should be noted that Anderson, as secretary of agriculture from 1945 to 1948, once had the Forest Service under his jurisdiction. In the July 1970 Senate hearings on the Blue Lake Bill, Anderson and the Forest Service would be among the few adamant opponents of that bill.

On May 16, 1955, the Taos council, under Governor Martinez' signature, petitioned these four members for the return of their sacred lands. It reviewed the history of the claim, which went back to "time immemorial," then through the years of Spanish and Mexican control of New Mexico, and finally the period of American sovereignty, reminding the congressmen that the 1848 Treaty of Guadalupe Hidalgo promised that all Mexican citizens (which included the Pueblo tribes) would be "protected in the free enjoyment of their liberty and property." The council complained bitterly that the Forest Service was allowing tourists to enter the Blue Lake area "and defile it by leaving trash cans in the vicinity of our shrines and disturb us in our religious observance." The petition ended with an appeal for the return of their land, "so that our religion may be safe, so that we may graze our cattle as we always have and be prosperous and self-supporting, and so that a wrong against us may be ended."¹⁰

La Farge followed up the Taos petition with a long, friendly letter to Senator Anderson on June 14, copies of which were sent to the other three members from New Mexico, and a separate one to Representative Fernandez on July 12, a copy of which went to Representative Dempsey. In these letters he affirmed that Taos had a strong claim. But he acknowledged that there were a few complications that had to be resolved before a final settlement could be made. For one thing, Taos wanted an additional section of land that had not been included in the 1933 use permit legislation. Section 4 of that bill provided for the protection of the Taos watershed by the Forest Service. This additional land was part of that watershed.

Another problem was that a number of non-Indians had been issued cattle grazing permits by the Forest Service, which were valid as long as the herders continued using them. It did not seem fair to La Farge that these non-Indians, who had been running their cattle on these lands for many years, should have their permits summarily revoked.

In the letter to Fernandez he included a draft of a bill drawn up by Schifter and himself that could serve as an interim measure before a final bill, settling everything, could be completed at some future date, presumably after the Claims Commission had rendered its decision. La Farge had told the Taos Council that Congress would surely refuse to entertain a bill giving them title to the land before the commission had acted. "Nonetheless," he wrote Fernandez, "they insisted on a bill to give title, and in good faith it was necessary for me to present it."

The draft bill that La Farge submitted was a compromise, a first step, as he explained:

I strongly feel that the reasonable and wise action at the present time would be to introduce a bill enlarging the mandatory permit area to include all of the land they are asking for, which forms a single, natural drainage unit. If this were done, I believe that I could convince them, and equally important, the many non-Indians in New Mexico who favor their cause, that it was a real victory and an important step in the direction they desire. With this in mind, I have in the last month or so repeatedly told the Governor and his advisers not to expect to get everything they are asking for at once,

and to be prepared to be content with a more limited achievement, and I think that they have grasped that idea.

La Farge had also told the Taos leaders that it would be a good idea to "provide that the present permittees on the area they are claiming be allowed to continue as long as they wished to go on grazing their cattle, with assurance to the pueblo of the first right of refusal of the permits in case the permittees eventually should wish to surrender them." When he mentioned this to Martinez the Taos governor had agreed immediately, "and said that he realized that one must make concessions in matters of this kind."

He assured the Indians that Fernandez was taking a great interest in their case. "I am also doing what I can to drill it into their heads that they would make it much easier for their representatives in Congress to help them if they would shake off their superstitious fears and start voting."¹¹

Fernandez did introduce a bill containing La Farge's recommendations in the House Committee on Interior and Insular Affairs on July 30, 1955.¹² Anderson introduced essentially the same bill in the same committee in the Senate on January 7, 1957.¹³ Neither bill ever got out of committee. In the meantime La Farge had numerous meetings with the Taos leaders, either with the council in Taos itself, or at his home in Santa Fe. The principal figure in Taos, whether serving as governor or just a council member, was Martinez. La Farge often complained about his stubbornness, but recognized him as a natural leader. Paul Bernal was the major spokesman in Taos' dealings with the outside world. He could both speak and read and write English and usually served as Martinez' interpreter, since the latter spoke only Tiwa, the tribal language.

While La Farge knew the principal men of Taos, he was not much known by the rest of the council. In part to rectify this, he attended a meeting of the Taos council on January 24, 1956, where he was introduced to the entire membership. His memorandum about this meeting is a fine piece of reporting about the council and how it carried out its business. As he entered the room he felt that he was "walking on eggs, not knowing what kind of Donnybrook Fair I might find myself in." He shook hands with several Indians, then took a seat. One man he had

previously met at a Jicarilla Apache fiesta gave him a friendly smile, which was a "large help." He agreed that the description given in the novel *The Man Who Killed the Deer* by Frank Waters about council proceedings, though highly sentimentalized, was essentially accurate. "They look at each other," La Farge wrote, "only when they get into an argument, they speak in quiet tones, looking at the floor. When someone says something they agree with strongly, they go 'm-m-m.' I pulled my chair back against the wall, to get out of the conspicuous middle."

After a brief welcoming speech by the governor, La Farge was asked to speak about the Fernandez Bill. He decided to remain in his chair while speaking, as did the council members when they spoke. "After all," he wrote, "most of these people did not know me from Adam. I was now going to establish myself." Bernal interpreted for him, which was good since Bernal was not only the best interpreter in Taos, but was also "very much for" La Farge.

He began by asking how many members were familiar with the Fernandez Bill, and discovered that only about half the council had heard of the proposed legislation. So he "began at the beginning, last January, and summarized everything up to date, and explained where this half-way bill fitted into the scheme." When he was finished the council voted unanimously to approve the bill. La Farge was pleased with the meeting and his own performance, and he left with a feeling of hope for Taos' future.¹⁴

By the middle of 1956, however, it was becoming increasingly clear that the New Mexican delegation was not giving top priority to the Taos legislation. In a letter to a fellow anthropologist in Oklahoma, La Farge sounded discouraged. "I had a visit the other day," he wrote, "from Geronimo Trujillo, the present governor of Taos, and Paul Bernal. I had to admit to them that I had not been able to do much of anything about the Blue Lake bill while I was in the East, and that there was no chance of action on it before the end of the present session of Congress."

In talking the situation over with Trujillo and Bernal, La Farge stressed again the importance of voter registration. "While the New Mexican delegation was friendly enough to Taos," he told them, "none of them feel moved to make any real effort in Taos' behalf." Bernal agreed, but said that Martinez was dead set against it. "Severino," he complained, "just held everybody under water." He told the council that if the pueblo members voted

“they would be taxed, their land would be allotted individually, and their religion would be terminated.” Despite Martinez’s opposition, however, Bernal thought he might persuade one or two hundred of the younger Indians to at least register, thus offering a potential block of voters in Taos county.¹⁵

In September La Farge drove up to Taos to present personally the case for voter registration. He told the council that the politicians, for all their apparent sympathy with the pueblo, had to go along with their constituents, and at the moment Taos did not fall into their constituencies. He reminded them of what Senator Chavez had once done to block a land grant to the pueblos of Jemez and Zia. The total population of these two villages was about 1,500 none of whom voted. There were only about 15 Spanish families who opposed the grant, but all of them voted. “I said that when a politician like Senator Chavez is being so nice and polite when he is listening to the Indians, all the time inside his mind he is adding up the votes. . . . Mr. Fernandez has gone so far as to introduce a bill, but he has not really pushed it. Mr. Dempsey and the two senators have talked politely and done exactly nothing.”¹⁶

It was to no avail. Because of their deep distrust of the outside world, Martinez and other Taos elders would not relent on the voter issue. If the pueblo were to get Blue Lake back, it would have to be through some other means. As the years passed, and there was no movement on a bill, local opposition mounted, as some non-Indians in Taos county began to understand more fully what Taos was seeking. There were complaints from people in the Town of Taos that the Blue Lake watershed, from which some drew irrigation water, would not be sufficiently protected if turned over to the pueblo. In an editorial the *Taos News* sharply attacked the efforts of certain non-Indians to circulate a petition “asking the government to give 50,000 acres of Forest Service land to the pueblo.” The paper warned that “many persons over the nation sympathetic with the Indians but unaware of the local situation, might flock to sign. A television program, to be broadcast nationally, reportedly is to assist the side of the petition.” In a pointed reference to the AAIA the editor wrote: “It is also known that a national association whose purpose is to assist Indians also has a finger in the petition.”¹⁷

The *News* editorial prompted La Farge to compose a memo for the association attorneys on “Public Opinion in Taos County

about the Blue Lake." He noted that in the Town of Taos "there is always latent a bitter resentment among the Spanish-Americans towards Anglo-Americans in general and most especially towards the art colony and the wealthy people who have settled in Taos but have never become part of its ordinary political and business structure." Since the artists and "wealthy people" sympathized with the pueblo, they were drawing hostility against themselves from the older residents. In attacking the non-Indian supporters of Taos, the *News* was raising to even higher levels the usual tensions between the two groups. La Farge worried that any local publicity favoring the pueblo would arouse a similar response from its opponents in Taos county. He did not know whether he could "succeed in developing a reasonably impressive group to be ready to express itself on the other side." The paucity of registered voters in Taos made his task especially difficult.¹⁸

What had started out for La Farge in 1955 as a simple matter of pushing a bill through Congress returning Blue Lake to its rightful owners had by the early Sixties become mired down in a tangled morass of indifference, procrastination, buck-passing, and outright hostility. By the time the Kennedy administration came to office on January 20, 1961, no action had even been taken yet by the Claims Commission. But La Farge was optimistic about the new administration. When he addressed the AAIA members at their annual spring meeting in New York in April, he titled his speech "Indians on the New Frontier." On this frontier, "Indians and non-Indians alike can hope for the better life of the American dream." He felt no need to repeat the Democratic campaign pledges. Kennedy had promised fairness and equality in his Indian policy. A sign of this new direction was given at the meeting by one of the two guest speakers, Assistant Secretary of the Interior for Indian Affairs John A. Carver, who called for a hard honest look at the problems. Carver reflected the youthful buoyancy of the new administration, calling the Indian Bureau, since Stewart Udall took over at Interior, "a new and exciting place to work."

The other guest speaker was Severino Martinez, once again governor of Taos. With Paul Bernal at his side to translate, the governor went over once again the facts of the Blue Lake claim. He chided the previous administration for years of delay on a bill. "They just don't want to act on it," he said. "Keep on delaying. They either put the bill to give us our land into the wastebasket

or they throw it out." But Martinez also had hope for the New Frontier, that somehow during the next four years events would run the pueblo's way.¹⁹

Since it was a new administration, however, Taos and its friends had to start from the beginning educating the various officials and departments concerned on the merits of the claim. At least three departments were involved—Justice, Interior, and Agriculture, the last because the Forest Service was under its jurisdiction. In the meantime more months passed with nothing happening. In July, Martinez raised a storm when he announced that since white campers had been desecrating the Blue Lake area with their litter, Taos was closing access to the lake. George Carson, supervisor of the Carson National Forest, reacted by saying he would continue to issue camping permits anyway, with or without the approval of the pueblo. La Farge was concerned that Martinez had gone too far, forcing a premature showdown with the Forest Service before the pueblo had legally established its ownership of The Bowl with the Claims Commission. "I fear that his visit to the East," he wrote Schifter, "has given our friend the feeling that he has very powerful support, that he has made a deep impression on the chief of the Forest Service, and that he need not wait until the tribe gets real control of the Blue Lake area. If an opportunity arises, I shall try to calm him down."²⁰

The point at issue was whether or not the Forest Service could issue camping permits without the pueblo's approval. The service claimed it could, although it had been its practice not to allow non-Indians near the lake without the tribe's okay. In any case, campers were not permitted to get closer than 300 yards of the lake itself. Taos insisted that it could veto all camping permits. In a heated exchange between the Taos council and the Forest Service on August 15, each side strongly defended what it considered its rights in the matter. By the end of the meeting, however, the participants had settled down somewhat, and it was agreed that the service would continue to issue permits, with the tribe's approval, unless there was a "valid" reason for not doing so, the validity being determined by the service. This, of course, did not settle anything, but simply postponed the matter to another day.²¹

According to La Farge, "highly garbled accounts of this meeting were circulated." He was worried that "a number of well-intentioned people relating to the Taos art colony were getting

into the picture." He considered many of these artists politically naive, and feared that their involvement would only stir up more local non-Indian opposition in Taos. When invited to meet some of them at a private house in Taos, he quickly accepted.

Bernal was the only Indian at the meeting. In addition to La Farge, there were eight other non-Indians, including John Collier, then living in Taos, and the writer Frank Waters, also a local resident. La Farge described Collier as "very deaf, greatly aged and shrunken, but making excellent sense." The sense Collier was making was his advice that Taos not try to make a test case out of the use permit issue, as some council members were urging. La Farge completely agreed with the former Indian commissioner. He also reiterated what he had been telling Taos for years that it must get its people to register and vote. He suggested that Martinez "issue a written statement of friendliness and good will toward the pueblo's neighbors, with reassurance as to the sharing of water that they all have been sharing for more than 250 years." He promised to get the statement published in the Taos and Santa Fe newspapers. If this were done, and if Taos backed off on the use permit issue, much of the furor that stemmed from the pueblo-Forest Service confrontation would be quieted. Such a statement, written by the Taos council but edited by La Farge, was issued and published, without comment, in the *Taos News* on October 19.

At one point in the meeting Waters bluntly asked Bernal if the tribe insisted on getting the whole 50,000 acres it was claiming, or would it settle for something less. When Bernal replied that Taos wanted it all, Waters remarked matter-of-factly, "You'll never get it."²²

By this time La Farge himself was wondering glumly if Taos could obtain the entire area. At the end of August he wrote Schifter: "I should like your advice as to whether, in my future contacts with Severino and his group, I should begin planting in their minds the idea that they must prepare themselves to accept a fairly drastic compromise, giving them title to an adequate protective area surrounding the Blue Lake—letting the rest of the drainage—I like their term, 'the Bowl'—remain in the National Forest. I would certainly expect that the mandatory permit would be continued over the remainder of the 30,000 acres now covered by it, or perhaps could be extended to cover the whole of the Bowl."²³

By 1963, however, La Farge was convinced that Taos should fight for the whole claim, the entire Bowl. One of his final acts in behalf of the American Indian was to attend the June 7 meeting of the Taos council and its various attorneys. He left that meeting with a renewed appreciation of Taos' determination to win title to all it had sought from the beginning, Blue Lake and its 50,000 surrounding acres.

At the same time Collier was suggesting that Taos consider staying with the mandatory use permit, and not push for further legislation. "Such legislation," he wrote La Farge on July 15, "may never be obtained."²⁴ La Farge's reply to Collier two days later is one of the last letters he wrote before his death.

We shall never cease to have misunderstandings unless you accept the idea that the initiative in the present drive to obtain title to the Blue Lake and as much of the Blue Lake area as is possible originated with the Taos Pueblo and has been maintained consistently by it. The members of the Pueblo's Council do not seem to think that they now have the Blue Lake and the related 30,000 acres and they seem to feel that nothing short of trust title will be satisfactory.

In 1950 the then Governor, Star Road Gomez, Severino Martinez, Paul Bernal, and Abe Romero came to see me and informed me that they had chosen me to "get" the Blue Lake area. I was somewhat dismayed. A very little questioning brought out that they were not content with the mandatory permit. Since then they have somewhat reluctantly approved some bills to enlarge the mandatory permit area, but only on the strict understanding that passage of one of these bills would be a step towards eventually obtaining title. This holds true of the Council as a whole as well as of Severino and the various people who have come with him to talk with me about this matter through the years. . . .

In the course of the past thirteen years a number of occurrences have led me to conclude that the Indians are right in desiring outright title. I am sure it is even less of a surprise to you than it is to me when one finds that a group of Indians is a better judge of its own affairs

than we are. Whether this opinion of mine be correct or not is immaterial; the governing fact is this is what the Taos Pueblo Council wants.²⁵

The death of La Farge less than a month later shook the Taos council, two of whose members, Governor Lujan and Paul Bernal, served as pallbearers at his funeral. According to Locker, "Paul was weeping and unable to talk before the funeral." He later sought her out, expressing the hope that they would remain in contact. Locker did her "best to assure him that the Association would stay with the Pueblo in its fight to acquire title to Blue Lake, as Mr. La Farge would have wanted it to. He seemed to want to know that someone familiar with the long struggle was still here."²⁶

By the time of La Farge's death, William Byler was executive director of the association. Schifter and Lazarus stayed on as counsels and would continue to work with Taos for a few more years. Roger Ernst, former assistant secretary of the Interior for Indian affairs, briefly took over as president. He would soon be succeeded by Alden Stevens, former secretary of the association, by profession a writer and editor of the Mobil travel books. Over the next four years, however, Corinne Locker played the major role for the AAIA in Taos affairs. Born in New York City, Locker graduated with a major in English from Rutgers University. After the Second World War she moved to Santa Fe, and in 1948 started working for La Farge as his part-time secretary, her salary paid by the association.

After La Farge's death the association appointed her its Southwest director. She continued in that capacity until early 1967, when there occurred the bitter falling out between her and Consuelo La Farge on the one side, and Byler, Stevens, and Schifter on the other.

Consuelo, after recovering from the shock of her husband's death, tried to carry on his work for Taos, lending her name to various communications sent out by the AAIA in behalf of the tribe. She also became a director of the association. She and Locker worked to encourage the pueblo to move ahead with its struggle. Early in December Locker wrote Byler that the previous week "Paul Bernal, in passing through town on his way to Taos, called Mrs. La Farge on the telephone to ask how she was. . . . She said that he still sounded depressed and discouraged, and that he remarked that things were not the same as they

used to be and not good." Locker suggested that the association quickly and officially contact the council to assure it of its continued support.²⁷

The upbeat and determined mood La Farge saw in Taos in June, had given way to gloomy resignation. The council seemed dispirited and lacking in motivation, willing to settle for what had already been achieved. Locker met with Bernal and Martinez at the end of December, and during their discussion she gathered that the "Indians were still thinking principally in terms of the use permit, and on the Association to protect it for them. . . . At no time did they suggest that we work on ways to obtain title, speaking of it as a vague future goal." She agreed with them that protecting the use permit was important, "but said that if they still hoped to obtain title we should be thinking very hard about ways to do this."²⁸

Locker also sensed an atmosphere of disarray within the association itself. While she praised Byler for having taken hold of the association, she feared that La Farge's death had "created a situation on the board of directors which not only threatens to damage the executive director's effectiveness, but possibly the future of the Association itself." Writing to Charles Black, a member of the board and a law professor at Yale, she blamed mostly the AAIA's attorneys for the problem, charging that they "had been accustomed to acting as an arm of the president." Without La Farge's "guidance, the problem of coordinating their activities with the activities and needs of the central office is becoming acute."²⁹

Over the next three years the tension between Locker and the association's attorneys rose steadily, finally coming to a head in the summer of 1966. The showdown came when Schifter proposed a bill that would give Taos its land under a perpetual easement, which would be valid only as long as the land was used for religious purposes but which would not be as strong as a title in full trust status. Schifter was willing to push for this solution, but Locker was adamantly opposed and insisted on fighting until full trust status was achieved. The dispute ended with her being fired from the AAIA by Byler, who sided with the attorneys.

In the meantime, in 1965 the Indian Claims Commission had finally ruled on the Taos case. It found that Taos had established aboriginal title to 130,000 acres of land, which had been taken

from it without compensation by the United States in 1906. The commission ordered that the case should proceed to determine the value of that land on that date. It also found that the government still owed Taos nearly \$300,000 for the land the pueblo had waived claim to in 1926 in consideration that it be given title to Blue Lake. The pueblo celebrated this victory, but it wanted Blue Lake, not monetary compensation.

With Locker's dismissal the association lost most of its ability to influence the Taos case. It had no one in the Southwest to replace her, and within months it had dropped out of the battle for Blue Lake. Not so Locker, a bright and determined woman, who in 1968 proceeded to organize and coordinate her national committee to work for the pueblo. Consuelo La Farge was named chairman of the committee, whose distinguished members included John Collier's widow, James Davis, the archbishop of Santa Fe, the writer Paul Horgan, the Reverends E. Russell Carter and Dean Kelly of the National Council of Churches in New York City, Eliot Porter, the famous photographer, Howard Squadron of the American Jewish Congress, Stewart L. Udall, the former secretary of the Interior, the department store executive John Wanamaker, and Adlai Stevenson III. By now even the Indian Rights Association was supporting Taos, and would petition in its behalf when Senate hearings on the crucial bill were held in July 1970. In Schifter's opinion, Locker "became far more heavily involved in the Taos case than Oliver La Farge had ever been."³⁰ In looking back, Schifter acknowledges that Locker was probably right in fighting for the trust status, rather than settling for the perpetual easement.³¹

With Locker working closely with Taos and drumming up national support for its cause, the Taos leadership took heart, and over the next two years became increasingly adept at taking its case to Washington and the nation. The *New York Times*, in those years an ardent advocate of Indian welfare, gave broad coverage to events at Taos.³²

The National Congress of American Indians (NCAI), organized in 1944, and just starting to emerge as a major group at this time, also started lobbying for Taos. When the 1970 Senate hearings were held, Locker would author its petition supporting Taos's claim.³³ The pueblo's chances for success, however, received a setback in 1968, when Senator Anderson, a former secretary of

agriculture and, at this point, a powerful figure on the Senate Interior Committee, announced his opposition to any bill that would convey The Bowl to Taos.

Had Blue Lake remained a New Mexican issue, Anderson might well have prevailed since senatorial courtesy usually dictates that in strictly intrastate matters the other senators will defer to the one whose home state is involved in the issue. But Blue Lake did not remain a New Mexican issue. Larger forces were at work, both within and outside New Mexico, to carry the Taos cause nationwide. In September 1968 several Taos leaders testified before the Senate subcommittee on Indian affairs, supporting a bill that had recently been passed by the House, conveying to the pueblo just about all it was asking for. Secretary of the Interior Udall testified strongly in its favor. Anderson closely questioned him on why an exception should be made for Taos by returning land instead of making compensation. Udall called this a "very special case," since it involved freedom of religion.³⁴

Despite strong support for the bill, Anderson still had enough power to block it in committee. This would not be the case two years later. By this time about the only opponents of the bill were the Forest Service, a handful of western senators, including Anderson, Henry Jackson of Washington and Lee Metcalf of Montana, and some sporting and recreational special interest groups in New Mexico. Even the *Taos News*, which had earlier opposed the Taos claim, now endorsed it, calling for the restoration of the Blue Lake to the pueblo.³⁵

In 1969 Taos got a large boost when Richard M. Nixon came to the White House. Nixon appointed Louis Bruce, part Iroquois and part Sioux, as Indian commissioner. Nixon was to prove himself one of the best presidential friends of the Indian in the twentieth century.³⁶

Why Nixon so favored the Indians is not entirely clear. Bruce, who described him as complex and difficult to fathom, said he believed that Nixon simply thought the Indians had gotten a raw deal in American history and wanted to help them.³⁷ John Ehrlichman, Nixon's chief domestic adviser, recalled that one of the president's early heroes was his high school football coach, an Indian.³⁸ These assessments seem too simplistic but might contain some small germs of truth. Writing in *Commonweal* magazine in September 1970, two Cherokee lawyers, Rennard Strickland and Jack Gregory, see Nixon as acting from political motives,

one of which was his low popularity with blacks. By supporting the Indians in a popular cause he could safely show he was not anti-minority. "Indian grievances," they wrote, "are well-documented, predating the arrival of the first Negro slave in Virginia. The lawyer oriented Nixon Administration is, no doubt, pleased that the Indian has framed his grievances in terms of legal issues redressable within the governing structure."³⁹ The Strickland-Gregory thesis is closest to the mark. Internal White House correspondence from 1970 makes it evident that the administration, while genuinely favoring Taos, was mainly concerned with the effect such favor would have on raising its minorities' image.

At the end of 1969 Representative James Haley, chairman of the House subcommittee on Indian affairs, introduced House Bill 471, providing for the return of Blue Lake and some 48,000 acres of land to Taos. It was overwhelmingly approved by the House, which then sent it on to the Senate. Vice President Spiro Agnew, recently appointed chairman of a newly formed National Council on Indian Opportunity, urged Nixon to endorse H.R. 471. "The legislation," he wrote in a memo to the president, "which commands universal support from the Indian community, would symbolically serve as an indication of your understanding and desire to redress the many injustices which have been perpetrated upon the Indians."⁴⁰

The administration was concerned, however, about Anderson's opposition, especially since his support might be needed for any treaty limiting strategic arms then pending with the Soviet Union. In addition to Jackson, chairman of the Senate Interior committee, and Metcalf, there were two other worrisome western senators on that committee, Gordon Allott of Colorado and Paul Fannin of Arizona. These four voting as a bloc might well bring down such a treaty. Leonard Garment, a presidential assistant, pointed out to Nixon that "Clinton Anderson supports an alternative bill giving the Indians exclusive use of only 1,640 acres and the Taos Indians (and Interior) consider this wholly unacceptable. Anderson's strong views, however, have led Senators Allott, Fannin and Jackson to be skittish about crossing him and Ken Be Lieu reminds us that Anderson's vote may be needed on the ABM issue. Here the dilemma is: To risk arousing Anderson's ire so much as to jeopardize the ABM vote versus to risk embarrassment in New Mexico and in fact pass up an opportunity to seize the unique issue . . . even if the bill itself never

moves out of the full Jackson-Allott Committee. A new Indian policy needs a starting point. Blue Lake is just that—strong on the merits and powerfully symbolic.”

To Garment, it seems, openly supporting the bill was as important as getting it passed. Bobbie Greene Kilberg, a White House intern at the time, working under Ehrlichman, seconded Garment’s advice in a memo tacked on to Garment’s note. “The President,” she added, “can and should receive good publicity around the country for the Senate passage of the Blue Lake Bill. Blue Lake is the symbolic issue for the Indian population throughout the country, be they rural reservation or urban residents. I would think that photos and articles on the President receiving praise from minority group members would be the kind of media coverage that we should be looking for in the next two years.”⁴¹

The Taos case came to a head in the summer of 1970. On July 8, just before the Senate Indian subcommittee hearings began, Nixon and Secretary of the Interior Walter J. Hickel met with three Taos leaders in the White House, including Paul Bernal. A photo of the five men appeared on the front page of *The New York Times* the following day. According to the paper: “In a gesture that has symbolic significance to all Indians, the President endorsed a pending House resolution that would return 48,000 acres of sacred land in New Mexico to the Taos Pueblo tribe.” The *Times* also reported that “Senator Clinton P. Anderson, Democrat of New Mexico, was blocking a bill that had already been passed by the House.”⁴²

On the following day the *Times* called Anderson an “old friend of the Forest Service,” which did not want to surrender any more land than it has to, because of reluctance to “give up the leasing of it to timber interests.”⁴³ In an editorial a few days later, it reproved the behavior of Anderson and his allies as “shameful.”⁴⁴

On July 9 and 10, hearings were held by the Senate Indian subcommittee to debate HR 471, which would give Taos its full measure of land to be held in trust by the Interior department. The testimony and submission of dozens of individuals and organizations overwhelmingly supported the Taos claim. Senator Fred Harris of Oklahoma, whose wife La Donna was a Comanche Indian, was the first witness for Taos and its chief spokesman at the hearings. Former Secretary of the Interior Udall, and current Secretary Hickel, also gave it their strong endorsement, as did Senator Barry Goldwater of Arizona. Only a small handful of

groups and individuals opposed the legislation. Even the Indian Rights Association, long an advocate of wiping out traditional Indian religions, testified that Taos should be returned its sacred lands and waters.⁴⁵

The Nixon administration went to work with a relish to get the bill out of committee and onto the Senate floor. Two weeks after the hearings Vice President Agnew sent his fourteen year old daughter Kim, with a high level delegation including Leonard Garment, to a Taos tribal festival. Miss Agnew presented the tribe with a ceremonial cane from President Nixon. She then danced with the jubilant Indians and led a party of horseback riders into the Blue Lake area.⁴⁶

In early August Governor David F. Cargo of New Mexico threw his support to Taos, arguing that this was a special Indian case since Blue Lake was a religious shrine.⁴⁷ While it was Anderson's bill, giving Taos 1640 acres, that was voted out of committee, thanks to Senator Harris this bill was defeated by the full Senate. Harris then offered as a substitute the bill already passed by the House, conveying to Taos the full 48,000 acres. The Senate passed this bill by a 70 to 12 vote on December 2, 1970. The pueblo had its victory, and it was sweet. The new acreage more than doubled the size of the reservation.

Time magazine gave Nixon principal credit for the achievement, declaring that "the measure would never have got to the Senate floor without presidential pressure on members who feared that a break for the Taosenos would invite other Indians to press land claims against the Government."⁴⁸ According to anthropologist John Bodine, "This was the first time in the history of United States-Indian relations that a claim for land, based on the practice of aboriginal religion, successfully ended in the restoration of that land to an Indian reservation."⁴⁹

It had taken seven more years after La Farge's death to win back for Taos its sacred Blue Lake. Major credit for the victory must be given to Taos itself, which recovered from the shocking loss of La Farge's guidance to forge ahead with its claim. Until 1967 the AAIA was the pueblo's principal advocate and used its talent and influence to help pave the way. When Locker broke with the association she took the important step of organizing a national committee, helping further to carry the Taos case beyond the boundaries of New Mexico to the country at large. By the time Nixon came to the presidency the denouement was at

hand. His was the last act in the long drama, which culminated in his signing the bill on December 15, 1970, in the State Dining Room of the White House.

Without the decades of struggle that preceded the final victory, however, there would have been no bill to debate in 1970. Nixon's support was the final ingredient, following the years of frustration, disappointment, at times despair, mingled with the gains along the way. It was not inevitable that Taos would regain Blue Lake. It took a lot of people to make it happen.

NOTES

1. Dabney Otis Collins, "Battle for Blue Lake," *The American West*, vol. 7, no. 5 (Sept. 1971), 3.
2. Tito Naranjo to the author, March 1989.
3. "The Blue Lake Area: An Appeal from Taos," 1965. (Corinne Locker Papers, Princeton University, Princeton, N.J. Hereafter cited as CLP).
4. Edward Dozier, *The Pueblo Indians of North America* (New York: Holt, Rinehart and Winston, 1970), 24.
5. *New York Times*, Sept. 18, 1970.
6. Tito Naranjo to the author, March 1989.
7. Oliver La Farge to William Zimmerman, Jr., January 11, 1955, (CLP).
8. Richard Schifter to La Farge, January 19, 1955, (CLP).
9. Charles Minton to La Farge, May 18, 1955. (Private collection of John Penardies La Farge, Santa Fe, N.M. Hereafter cited as Pen.)
10. Taos petition to New Mexican Congressional delegation, April 13, 1955, (Pen).
11. La Farge to Antonio M. Fernandez, July 12, 1955, (Pen).
12. U.S. Congress, House Committee on Interior and Insular Affairs, 85th Cong., First Session, January 7, 1955.
13. U.S. Congress, Senate Committee on Interior and Insular Affairs, 85th Cong., First Session, January 7, 1957.
14. La Farge memo of meeting with Taos Council, January 24, 1956, (Pen).
15. La Farge to Alice Marriott, July 22, 1956, (Pen).
16. La Farge to Marriott, September 21, 1956, (Pen).
17. *Taos News*, January 25, 1962.
18. La Farge to Schifter, March 23, 1962, (CLP).
19. *Indian Affairs*, May 1961.
20. La Farge to Schifter, July 11, 1961, (Pen).
21. La Farge to Schifter, August 22, 1961, (Pen).
22. *Ibid.*
23. La Farge to Schifter, August 29, 1961, (CLP).
24. John Collier to La Farge, July 15, 1963. (Association of American Indian Affairs Papers, Princeton University, Princeton, N.J. Hereafter cited as AAIA.)
25. La Farge to Collier, July 17, 1963, (AAIA).
26. Corinne Locker to Schifter, August 7, 1963, (CLP).

27. Locker to Schifter, December 2, 1963, (CLP).
28. Locker to Schifter and William Byler, December 20, 1963, (CLP).
29. Locker to Charles Black, February 21, 1964, (CLP).
30. Richard Schifter, "Notes for Mr. Hecht," June 29, 1988. (Author's personal file.)
31. Interview with Richard Schifter, Washington, D.C., June 29, 1988.
32. The unusual attention given Indian affairs by the *New York Times* was mainly the work of Mrs. Arthur Sulzberger, wife of the paper's publisher, who sat on the AAIA's board of directors. This writer contacted Arthur Ochs Sulzberger, present publisher of the *Times* and son of Mrs. Sulzberger, seeking confirmation of her influence. Mr. Sulzberger replied that he had taken my letter to show his mother, and that while recently she had suffered a mild stroke, her memory was still "pretty sharp." He found from her that "she and my father visited the Southwest and heard Mr. La Farge speak on Indian affairs. It was mother who went up to him after his talk and suggested that he come to an editorial luncheon at the *New York Times* and tell the group about the status of Indian affairs. Mr. La Farge did this and from that day on the *Times* did have a greater interest in Indian affairs." Arthur Ochs Sulzberger to the author, July 20, 1987, author's personal file.
33. Interview with Locker, Albuquerque, N.M., June 11, 1988.
34. U.S. Congress, Senate Hearings before the Subcommittee on Indian Affairs, 90th Cong., Second Session, September 19 and 20, 1968: 55.
35. *Taos News*, June 7, 1968.
36. William Byler, for many years the executive director of the AAIA, and a self-described "lifelong Democrat," called Nixon's administration the "most supportive of Indian causes in the past century." Telephone interview with William Byler, April 29, 1988.
37. Telephone interview with Honorable Louis R. Bruce, April 29, 1988.
38. Telephone interview with John Ehrlichman, June 2, 1988.
39. Rennard Strickland and Jack Gregory, "Nixon and the Indian," *Commonweal*, Sept. 4, 1970: 433.
40. Spiro Agnew to Richard M. Nixon, March 25, 1970. (Bobbie Greene Kilberg Papers, Princeton University, Princeton, N.J.)
41. Leonard Garment to Nixon, April 17, 1970, (Bobbie Greene Kilberg).
42. *New York Times*, July 15, 1970.
43. *Ibid.*, July 10, 1970.
44. *Ibid.*, July 15, 1970.
45. U.S. Congress, Senate Hearings before the Subcommittee on Indian Affairs on S. 750 and H.R. 471, 91st Congress, Second Session, July 9 and 10, 1970.
46. *New York Times*, December 14, 1970.
47. *Ibid.*, August 10, 1970.
48. *Time*, December 14, 1970, 49.
49. John Bodine, "Blue Lake: A Struggle for Indian Rights," *American Indian Law Review*, vol. 1, no. 1, winter 1973: 24.