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The Reagan Administration has announced support for a bill to transfer title to 25,000 acres of land within Caja del Rio National Forest to the Indians of Cochiti Pueblo in New Mexico Interior Assistant Secretary Ken Smith, testifying before the House Interior and Insular Affairs Committee July 26, said the land had been fraudulently taken from the Pueblo in the early 19th century and failure to return it to its rightful owners would be a grave injustice.

The land has "considerable symbolic, religious and economic significance to the Pueblo," Smith said.

Smith said that Interior Secretary James Watt strongly supported the bill, H.R. 3259. He commended Watt for working closely with the Administration to initiate return of the land to the Cochiti Pueblo.

The Cochiti's claim to the land is based on a 1744 purchase of the land from a Spanish grantee. The Indians were deprived of the 25,000-acre tract by a fraudulent conveyance in 1805. A Spanish colonial court subsequently declared this 1805 conveyance void -- but that court order was lost and the document not uncovered until 1979. U.S. courts, in the meantime, had denied the Cochiti claim, foreclosing the possibility of correcting the title through the court system.

Assistant Secretary Smith, in a May 13 briefing paper to Secretary Watt, said: "It is clear that the loss of this land in the past has been a grave injustice to the Pueblo de Cochiti. By the 1848 Treaty of Guadalupe Hidalgo, the United States was obligated to respect and protect vested Indian property rights. Had the recently-discovered Spanish Colonial Court decree been available at the time the question of the Pueblo's title was pending in courts of the United States, the Pueblo's title to the Santa Cruz Spring Tract would almost certainly have been confirmed."

Smith, in his testimony pointed out that the Cochiti claim is unique. "It represents the only known case of an Indian tribe pressing for land restoration on the basis of a paper title acquired by purchase."

The legislation expressly limits future use of the land to its present uses and specifically grants access through the land to existing recreational areas.