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# Native American Religious Freedom Protection

**An Inquiry Pack to Accompany [LegalTimelines.org](https://www.legaltimelines.org)**

**Inquiry Question:** Describe the change over time in U.S. policy toward Native American religious ceremonies. To what extent was the First Amendment successful in protecting Native American religious freedom?

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## Introduction: The First Amendment and Native American Religion

Native Americans do not practice one religion. In fact, it is often said that Native Americans do not even have a word for “religion.”<sup>1</sup> There are many diverse belief systems practiced among Native American peoples. Belief systems, rituals, and ceremonies vary from tribe to tribe. However, there are some common elements that run throughout, like the belief in a creator, a reverence for nature and ancestors, and the importance of sacred places.<sup>2</sup> Most Native American religions include spirits who inhabit trees, plants, animals, and cosmic phenomena<sup>3</sup> and are based on “spiritual relationships with traditional lands.”<sup>4</sup> Certain places like mountains, springs, groves of trees, rock formations or petroglyph sites are regarded as sacred. These sites serve as places of worship much like churches, synagogues, mosques, and temples serve Christians, Jews, Muslims, Hindus and other religious communities.

When Europeans came into contact with Native Americans, they did not always recognize Native American beliefs as a religion either. The Europeans often felt threatened by what they did not understand and tried to suppress Native American ceremonies. Many Europeans also believed they had a mission to convert Native Americans to Christianity, increasing conflicts.

After the United States Constitution was ratified, a document was added listing restrictions on the federal government and rights of people and states. These first ten amendments became known as the Bill of Rights. The Bill of Rights sets out the core freedoms of American citizens.

The First Amendment to the Constitution states, “Congress shall make no law respecting an *establishment* of religion, or prohibiting the *free exercise* thereof....” The Establishment Clause portion of the First Amendment prohibits the national or state governments from endorsing or supporting a religion by setting up churches, for example; passing laws that help one or all religions; or favoring one religion over another. The First Amendment’s Free Exercise Clause protects religious expression and practice. However, there are certain exceptions to this protection. This includes when the religious practice breaks a law that applies to all Americans. For instance, laws making polygamy (having more than one spouse) illegal may restrict some people’s freedom to exercise religion, but generally apply to all people and do not target a specific religion. Taken together, the First Amendment prohibits governmental support for or favoritism toward religion (*Establishment Clause*) and protects against government’s interference with religious beliefs and practices (*Free Exercise Clause*).

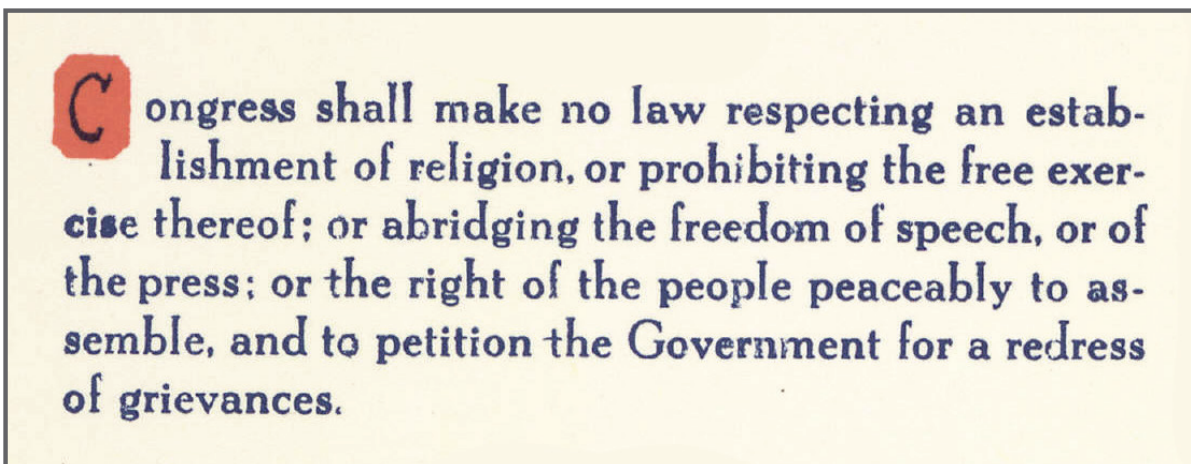
In the 1800s, the United States government pursued a policy of assimilation. The goal of assimilation was to make Native Americans more like European Americans. This included forbidding Native American languages and religious practices. In 1883, the Department of the Interior established the “Code of Indian Offenses,” which made religious practices and dance ceremonies illegal with a punishment of prison or withholding of food from people found to have violated the Code.<sup>5</sup>

Since that time, there have been several pieces of federal legislation and U.S. Supreme Court cases that have attempted to clarify the religious freedoms of Native Americans. While the protection of Native American religious freedom has evolved, tensions still exist.

## Constitutional Foundation: The First Amendment

The Bill of Rights, the first 10 amendments to the U.S. Constitution, was ratified on December 15, 1791. The First Amendment restricts the federal government from infringing on Americans' five fundamental freedoms.

**Source A:** Print of First Amendment to the U.S. Constitution (December 15, 1791)<sup>6</sup>



**Transcription of Source A:** Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press: or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

**Source A Information:** This excerpt is from a reproduction of the Bill of Rights that was printed in 1950. ([See source at Library of Congress.](#))

*Glossary of key terms from the source:*

- *abridging*: reducing in scope, lessening
- *grievances*: complaints
- *redress*: remedy

### Questions to Consider for Source A:

1. **Observe:** What do you first notice about this source?
2. **Reflect:** Who is restricted by the First Amendment? What five rights do people enjoy because of this restriction? What two actions by government are restricted dealing with religion? Why do you think both of these restrictions are necessary to preserve religious freedom?
3. **Question:** Write at least one question you still have about this source.

## Codes About Native American Religious Ceremonies

During the 1800s the goal of the U.S. government's policy was assimilation—to “civilize” Native Americans to be more like European Americans. To do this, the government intended to strip Native Americans of their cultures, languages, and religions and take away their property. To further this policy, Secretary of the Interior Henry M. Teller proposed creating criminal and civil rules for reservations intended to “end the Indians’ ‘savage and barbarous practices’ which were ‘a great hindrance to [their] civilization.’”<sup>7</sup> Commissioner of Indian Affairs Hiram Price was given the task of creating the rules and establishing the Court of Indian Offenses to carry them out. The Bureau of Indian Affairs approved Price’s “Rules Governing the Court of Indian Offenses,” also called the “Code of Indian Offenses,” on April 10, 1883.

### Source B: Excerpts from “The Code of Indian Offenses” (1883)<sup>8</sup>

4th. The "sun-dance," the "scalp-dance," the "war-dance," and all other so-called feasts assimilating thereto, shall be considered "Indian offenses," and any Indian found guilty of being a participant in any one or more of these "offenses" shall, for the first offense committed, be punished by withholding from the person or persons so found guilty by the court his or their rations for a period not exceeding ten days; and if found guilty of any subsequent offense under this rule, shall be punished by withholding his or their rations for a period not less than fifteen days, nor more than thirty days, or by incarceration in the agency prison for a period not exceeding thirty days.

5th. Any plural marriage hereafter contracted or entered into by any member of an Indian tribe under the supervision of a United States Indian agent shall be considered an "Indian offense," cognizable by the Court of Indian Offenses; and upon trial and conviction thereof by said court the offender shall pay a fine of not less than twenty dollars, or work at hard labor for a period of twenty days, or both, at the discretion of the court, the proceeds thereof to be devoted to the benefit of the tribe to which the offender may at the time belong; and so long as the Indian shall continue in this unlawful relation he shall forfeit all right to receive rations from the Government. And whenever it shall be proven to the satisfaction of the court that any member of the tribe fails, without proper cause, to support his wife and children, no rations shall be issued to him until such time as satisfactory assurance is given to the court, approved by the agent, that the offender will provide for his family to the best of his ability.

6th. The usual practices of so-called "medicine-men" shall be considered "Indian offenses" cognizable by the Court of Indian Offenses, and whenever it shall be proven to the satisfaction of the court that the influence or practice of a so-called "medicine-man" operates as a hinderance to the civilization of a tribe, or that said "medicine-man" resorts to any artifice or device to keep the Indians under his influence, or shall adopt any means to prevent the attendance of children at the agency schools, or shall use any of the arts of a conjurer to prevent the Indians from abandoning their heathenish rites and customs, he shall be adjudged guilty of an Indian offense, and upon conviction of any one or more of these specified practices, or, any other, in the opinion of the court, of an equally anti-progressive nature, shall be confined in the agency prison for a term not less than ten days, or until such time as he shall produce evidence satisfactory to the court, and approved by the agent, that he will forever abandon all practices styled Indian offenses under this rule.

**Source B Information:** The “Code of Indian Offenses” was written by Hiram Price, U.S. commissioner of Indian Affairs, and adopted in 1883. These policies remained in effect until at least 1934, when a new commissioner of Indian Affairs mandated “[n]o interference with Indian religious life or ceremonial expression will hereafter be tolerated. The cultural liberty of Indians is in all respects to be considered equal to that of any non-Indian group.”<sup>9</sup> ([See source at University of North Dakota Scholarly Commons.](#))



*Glossary of key terms from the source:*

- *assimilating*: absorbing into another culture
- *cognizable*: capable of being heard and determined in court
- *incarceration*: confinement in a jail or prison
- *medicine-men*: traditional healers and spiritual leaders
- *plural marriage*: being married to more than one spouse
- *rations*: food allotments
- *sun dance*: an important ceremony to the Indigenous peoples of the Great Plains including the Arapahos, the Cheyennes, the Blackfoot, and the Sioux. The Sioux name, *Wi wanyang wacipi*, translates to “sun gazing dance.”<sup>10</sup>

### Questions to Consider for Source B:

1. **Observe:** What do you notice about the wording of this document?
2. **Reflect:** Does this source come into conflict with the First Amendment? Do the punishments fit the “crimes” in these codes? How much power was given to the Court of Indian Offenses in these matters? Why do you think the U.S. government criminalized these activities? What evidence is there in the text that the U.S. government’s goal was assimilation?
3. **Question:** Write at least one question you still wonder about this source.

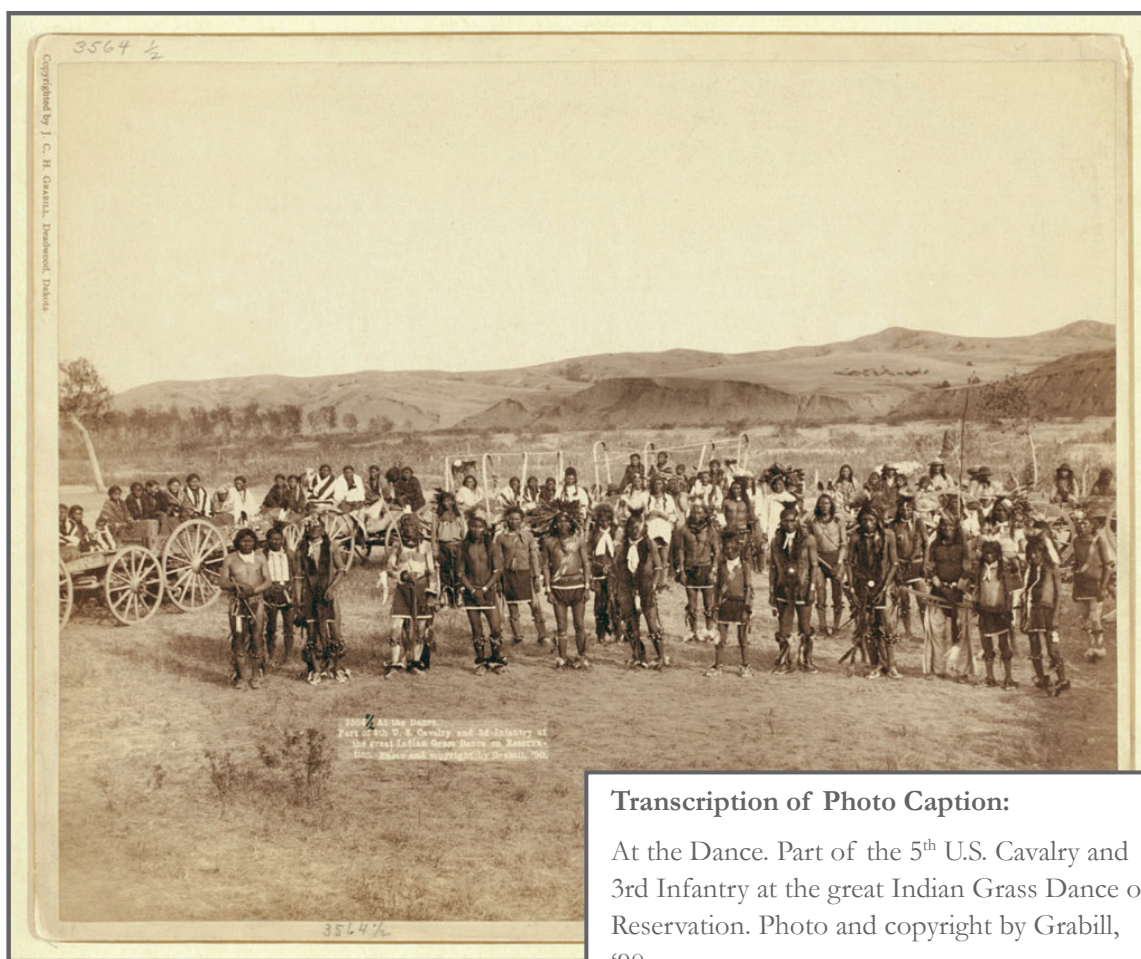
## Wounded Knee Massacre

The Wounded Knee Massacre was one of the last military actions against Native Americans of the Northern Plains. Leading up to the massacre, the U.S. government banned a religious ceremony known as the Ghost Dance on a South Dakota reservation. In a crackdown against the Ghost Dance, U.S. soldiers arrested hundreds of members the Lakota tribe and held them in a camp near Wounded Knee Creek.

The next day on December 28, 1890, the U.S. soldiers tried to confiscate weapons from the Lakota. A gun discharged, and soldiers opened fire, killing hundreds of unarmed Lakota men, women, and children.

The U.S. government investigated what it referred to as the “Battle of Wounded Knee” and ultimately found the commander’s actions reasonable and restored him to his former post.

**Source C:** Photo of Miniconjou at a Grass Dance (1890)<sup>11</sup>



### Transcription of Photo Caption:

At the Dance. Part of the 5<sup>th</sup> U.S. Cavalry and 3<sup>rd</sup> Infantry at the great Indian Grass Dance on Reservation. Photo and copyright by Grabill, '90.

**Source C information:** This photograph is a group portrait of Big Foot’s (Miniconjou) band on or near Cheyenne River Indian Reservation in South Dakota in 1890. It was the Miniconjou Lakota who were ordered to surrender their weapons by the commander of the 7<sup>th</sup> Cavalry—the event that led to the Wounded Knee Massacre. Many of the Miniconjou, including Chief Sitanka, known to the white men as Big Foot, were killed or injured in the massacre. ([See source at Library of Congress.](#))

**Source D:** Illustration of the Start of the Fight at Wounded Knee (January 24, 1891)<sup>12</sup>

**Transcription of Illustration Caption:** THE OPENING OF THE FIGHT AT WOUNDED KNEE—DRAWN BY FREDERIC REMINGTON FROM A DESCRIPTION BY THE SEVENTH CAVALRY, ENGAGED—[SEE ARTICLE ON FRONT PAGE]

**Source D information:** This print shows the 7<sup>th</sup> Cavalry in battle at the opening of the fighting at Wounded Knee. It was drawn by Frederic Remington and published in *Harpers Weekly*, a political magazine based in New York, NY, on January 24, 1891. ([See source at Amon Carter Museum of American Art.](#))

### Questions to Consider for Sources C and D:

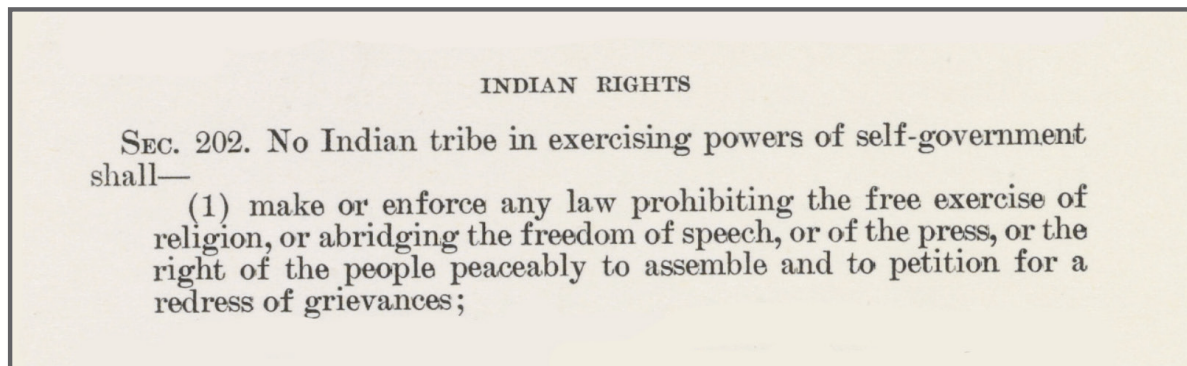
- 1. Observe:** What do you notice first about the people and setting in the photograph (Source C)? What do you notice about the people and setting of the print (Source D)?
- 2. Reflect:** Why do you think the cavalry and infantry were present at the Lakota dance ceremonies? In Source C, what is the reaction of Big Foot's band to the cavalry and infantry being present at the dance? Whose perspective do you think is depicted in Source D?
- 3. Question:** Write at least one question you still have about these sources.



## Civil Rights Movement Legislation

During the Civil Rights Movement, several pieces of legislation were passed to protect Native American legal rights. The Indian Civil Rights Act (ICRA), passed in 1968, prohibits tribal governments from creating or enforcing laws that violate certain individual rights. The American Indian Religious Freedom Act, passed in 1978, prevented federal agencies from discriminating against, interfering with, or prosecuting Native people who engaged in traditional ceremonies on federal and tribal lands.

**Source E:** Excerpt from Indian Civil Rights Act (April 11, 1968)<sup>13</sup>



**Source E Information:** This excerpt is from the Indian Civil Rights Act. It was signed into law by President Lyndon B. Johnson on April 11, 1968. ([See source at National Archives.](#))



**Source F:** Excerpt from American Indian Religious Freedom Act (August 11, 1978)<sup>14</sup>

# Ninety-fifth Congress of the United States of America

## AT THE SECOND SESSION

*Begun and held at the City of Washington on Thursday, the nineteenth day of January,  
one thousand nine hundred and seventy-eight*

### Joint Resolution

#### American Indian Religious Freedom.

Whereas the freedom of religion for all people is an inherent right, fundamental to the democratic structure of the United States and is guaranteed by the First Amendment of the United States Constitution;

Whereas the United States has traditionally rejected the concept of a government denying individuals the right to practice their religion and, as a result, has benefited from a rich variety of religious heritages in this country;

Whereas the religious practices of the American Indian (as well as Native Alaskan and Hawaiian) are an integral part of their culture, tradition and heritage, such practices forming the basis of Indian identity and value systems;

Whereas the traditional American Indian religions, as an integral part of Indian life, are indispensable and irreplaceable;

Whereas the lack of a clear, comprehensive, and consistent Federal policy has often resulted in the abridgment of religious freedom for traditional American Indians;

Whereas such religious infringements result from the lack of knowledge or the insensitive and inflexible enforcement of Federal policies and regulations premised on a variety of laws;

Whereas such laws were designed for such worthwhile purposes as conservation and preservation of natural species and resources but were never intended to relate to Indian religious practices and, therefore, were passed without consideration of their effect on traditional American Indian religions;

Whereas such laws and policies often deny American Indians access to sacred sites required in their religions, including cemeteries;

Whereas such laws at times prohibit the use and possession of sacred objects necessary to the exercise of religious rites and ceremonies;

Whereas traditional American Indian ceremonies have been intruded upon, interfered with, and in a few instances banned: Now, therefore, be it

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That henceforth it shall be the policy of the United States to protect and preserve for American Indians their inherent right of freedom to believe, express, and exercise the traditional religions of the American Indian, Eskimo, Aleut, and Native Hawaiians, including but not limited to access to sites, use and possession of sacred objects, and the freedom to worship through ceremonials and traditional rites.*

**Source F Information:** This excerpt is from the American Indian Religious Freedom Act. The act was a joint resolution passed by both houses of Congress and signed into law by President Jimmy Carter on January 19, 1978. It instructed agencies of the U.S. government from discriminating against, interfering with, and prosecuting Native people who engaged in traditional ceremonies on federal and tribal lands. ([See source at National Archives.](#))

*Glossary of terms from the source:*

- *inherent: unwritten, intrinsic*
- *integral: essential*

### Questions to Consider for Sources E and F:

1. **Observe:** What similarities do you see between Sources E and F?
2. **Reflect:** What rights are protected in Sources E and F? How do these rights compare to the First Amendment? What reasons does Source F give for why the joint resolution is needed? Compare the governments being restricted in each source: which government is being restricted in Source E? Source F? Why might that be important to Native American religious freedom?
3. **Question:** Write at least one question you still have about these sources.

## Use of Peyote in Religious Ceremonies

Two Native men who were counselors for a private drug rehabilitation organization were fired for using peyote—a cactus that contains a powerful drug that can cause hallucinations. As members of the Native American Church, the men ingested peyote as part of a religious ceremony. After being fired, the men filed a claim for unemployment compensation. They were denied benefits because the reason for their firing was considered work-related misconduct. The men claimed the denial of benefits violated their First Amendment freedom of religion under the Free Exercise Clause. Their case, *Employment Division, Department of Human Resources of Oregon v. Smith*, was ultimately decided by the Supreme Court of the United States.

**Source G:** Excerpt from the Majority Opinion in *Employment Division, Department of Human Resources of Oregon v. Smith* (April 17, 1990)<sup>15</sup>

*Held:* The Free Exercise Clause permits the State to prohibit sacramental peyote use and thus to deny unemployment benefits to persons discharged for such use. Pp. 876–890.

(a) Although a State would be “prohibiting the free exercise [of religion]” in violation of the Clause if it sought to ban the performance of (or abstention from) physical acts solely because of their religious motivation, the Clause does not relieve an individual of the obligation to comply with a law that incidentally forbids (or requires) the performance of an act that his religious belief requires (or forbids) if the law is not specifically directed to religious practice and is otherwise constitutional as applied to those who engage in the specified act for nonreligious reasons.

**Source G Information:** This is an excerpt of the majority opinion in *Employment Division, Department of Human Resources of Oregon v. Smith* (1989) written by Justice Antonin Scalia. The Supreme Court found against the men and said, “We have never held that an individual’s religious beliefs excuse him from compliance with an otherwise valid law prohibiting conduct that the State is free to regulate.”<sup>16</sup> ([See source at Library of Congress.](#))

Glossary of key terms from the source:

- *abstention:* choosing not to or refusing to do something
- *sacramental:* relating to a religious rite



**Source H:** Amendment to the American Indian Religious Freedom Act (1994)<sup>17</sup>

PUBLIC LAW 103-344—OCT. 6, 1994

108 STAT. 3125

**Public Law 103-344  
103d Congress****An Act**

To amend the American Indian Religious Freedom Act to provide for the traditional use of peyote by Indians for religious purposes, and for other purposes.

Oct. 6, 1994  
[H.R. 4230]

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “American Indian Religious Freedom Act Amendments of 1994”.

American  
Indian Religious  
Freedom Act  
Amendments of  
1994.  
42 USC 1996  
note.

**SEC. 2. TRADITIONAL INDIAN RELIGIOUS USE OF THE PEYOTE SACRAMENT.**

The Act of August 11, 1978 (42 U.S.C. 1996), commonly referred to as the “American Indian Religious Freedom Act”, is amended by adding at the end thereof the following new section:

“SEC. 3. (a) The Congress finds and declares that—

42 USC 1996a.

“(1) for many Indian people, the traditional ceremonial use of the peyote cactus as a religious sacrament has for centuries been integral to a way of life, and significant in perpetuating Indian tribes and cultures;

“(2) since 1965, this ceremonial use of peyote by Indians has been protected by Federal regulation;

“(3) while at least 28 States have enacted laws which are similar to, or are in conformance with, the Federal regulation which protects the ceremonial use of peyote by Indian religious practitioners, 22 States have not done so, and this lack of uniformity has created hardship for Indian people who participate in such religious ceremonies;

“(4) the Supreme Court of the United States, in the case of *Employment Division v. Smith*, 494 U.S. 872 (1990), held that the First Amendment does not protect Indian practitioners who use peyote in Indian religious ceremonies, and also raised uncertainty whether this religious practice would be protected under the compelling State interest standard; and

“(5) the lack of adequate and clear legal protection for the religious use of peyote by Indians may serve to stigmatize and marginalize Indian tribes and cultures, and increase the risk that they will be exposed to discriminatory treatment.

“(b)(1) Notwithstanding any other provision of law, the use, possession, or transportation of peyote by an Indian for bona fide traditional ceremonial purposes in connection with the practice of a traditional Indian religion is lawful, and shall not be prohibited by the United States or any State. No Indian shall be penalized or discriminated against on the basis of such use, possession or transportation, including, but not limited to, denial of otherwise applicable benefits under public assistance programs.

**Source H Information:** In response to the U.S. Supreme Court decision in *Employment Division, Department of Human Resources of Oregon v. Smith* (1989), the American Indian Religious Freedom Act was amended in 1994 to specifically allow for the ritual use of peyote by Native Americans for religious purposes. ([See source at Congress.gov.](#))

*Glossary of key terms from the source:*

- *bona fide*: genuine
- *conformance*: the act of conforming or acting in accordance with a custom
- *sacrament*: religious rite

### Questions to Consider for Sources G and H:

1. **Observe:** What do the formats and vocabulary used in these documents tell you about their purpose and intended audience?
2. **Reflect:** How does the reasoning about whether the use of peyote should be protected by the First Amendment differ between these sources? In what way does Source G create a need for Source H? How do you see the governmental principle of checks and balances in these two sources?
3. **Question:** Write at least one question you still wonder about these sources.

## **Inquiry Question**

**Describe the change over time in U.S. policy toward Native American religious ceremonies. To what extent was the First Amendment successful in protecting Native American religious freedom?**



## Inquiry Extension Question

Perhaps the largest area of continuing tension between Native Americans and state and federal governments involves the protection of sacred lands. This includes the federal government permitting development such as mining and oil pipelines in and around sacred lands and disturbing burial grounds.

**Research multiple perspectives about current or recent conflicts. Explain your position about whether the government is violating Native Americans' First Amendment rights.**

Below are some recent conflicts, but this is not a complete list. Consider choosing an issue in your geographic area, if possible.

- The Standing Rock Sioux Tribes' opposition to the Dakota Access Pipeline.
- The Navajo Nation's opposition to development of the Arizona Snowbowl.
- The Havasupai Tribe's opposition to mines that could damage the ecology of the Grand Canyon and Red Butte.
- Native Hawaiians' protest of the state's management of Mauna Kea, a 13,802-foot volcano.
- The demand of members of the Confederated Tribes and Bands of the Yakama Nation and Confederated Tribes of Grand Ronde that the federal government be held responsible for bulldozing their sacred site near Mount Hood, Oregon, to add a turning lane to a road.
- In 2021, a federal District Court's denial of the motion of Apache plaintiffs asking to stop the federal government from giving mining rights to a foreign mining company (*Apache Stronghold v. United States*).
- In 2020, tribes accused the U.S. Department of Homeland Security of failing to consult with them before blasting sacred sites and burial grounds to build a wall at the southern border.

## Notes

- <sup>1</sup> Michael McNally, “Defend the Sacred: Native American Religious Freedom,” Berkley Center for Religion, Peace & World Affairs, Georgetown University, October 21, 2020, <https://berkleycenter.georgetown.edu/responses/defend-the-sacred-native-american-religious-freedom>.
- <sup>2</sup> “Native Americans and Freedom of Religion,” National Geographic Education, <https://education.nationalgeographic.org/resource/native-americans-and-freedom-religion/5th-grade/>.
- <sup>3</sup> “Religious and Ceremonial Life,” Milwaukee Public Museum, <https://www.mpm.edu/content/wirp/ICW-45>.
- <sup>4</sup> See source 1.
- <sup>5</sup> See source 2.
- <sup>6</sup> “A bill of rights as provided in the ten original amendments to the constitution of the United States in force December 15, 1791,” Broadside, 1950. From Library of Congress Printed Ephemera Collection, <https://www.loc.gov/item/rbpe.24404400/>.
- <sup>7</sup> Raymond D. Austin, “American Indian Customary Law in the Modern Courts of American Indian Nations,” *Wyoming Law Review*, Vol. 11, No. 2, Article 3, January 2011, <https://scholarship.law.uwyo.edu/cgi/viewcontent.cgi?article=1255&context=wlr>.
- <sup>8</sup> Hiram Price, “The Code of Indian Offenses,” March 30, 1883. From University of North Dakota Scholarly Commons, <https://commons.und.edu/indigenous-gov-docs/131/>.
- <sup>9</sup> See source 2.
- <sup>10</sup> David J. Wishart, ed., “Sun Dance,” *Encyclopedia of the Great Plains*, <http://plainshumanities.unl.edu/encyclopedia/doc/egp.rel.046>.
- <sup>11</sup> John C. Grabill, “At the dance...,” Photograph, 1890. From Library of Congress Prints and Photographs Division, <https://www.loc.gov/item/99613794/>.
- <sup>12</sup> Frederic Remington, “The opening of the fight at Wounded Knee,” Illustration, *Harper’s Weekly*, January 24, 1891. From the Amon Carter Museum of American Art, <https://www.cartermuseum.org/collection/opening-fight-wounded-knee-19816825>.
- <sup>13</sup> Indian Civil Rights Act of 1968, 25 U.S.C. §§ 1301-1304. From National Archives, Bradley H. Patterson Papers, <http://recordsofrights.org/records/218/indian-civil-rights-act/1>.
- <sup>14</sup> American Indian Religious Freedom Act, S.J. Res. 102, 95<sup>th</sup> Cong., 2<sup>nd</sup> sess., January 19, 1978. From National Archives, <http://recordsofrights.org/records/220/american-indian-religious-freedom-act>.
- <sup>15</sup> *Employment Division, Department of Human Resources of Oregon, et al. v. Smith et al.*, 494 U.S. 872 (1990). From Library of Congress U.S. Reports, <https://www.loc.gov/item/usrep494872/>.
- <sup>16</sup> *Employment Division, Department of Human Resources of Oregon, et al. v. Smith et al.*, 494 U.S. 872 (1990). From Justia, <https://supreme.justia.com/cases/federal/us/494/872/#:~:text=We%20have%20never%20held%20that%20an,the%20State%20is%20free%20to%20regulate>.
- <sup>17</sup> American Indian Religious Freedom Act Amendments of 1994, Pub. L. No. 103-344, 108 Stat. 3125 (1994). From Congress.gov, [www.congress.gov/103/statute/STATUTE-108/STATUTE-108-Pg3125.pdf](http://www.congress.gov/103/statute/STATUTE-108/STATUTE-108-Pg3125.pdf).