

demands for protection of their rights in the sacred lands have been voiced continuously by the Indians since 1904. Both the Departments of Agriculture and the Interior have always recognized the special interests of Taos Pueblo in these lands. The Government's original intention was to hold the land for the benefit of the Indians, to protect against its loss to white settlers. That intention was continued in the two acts of Congress in 1928 and 1933 which sought to establish the Indians' rights. The permit covering tract 3 on our map was intended by Congress as a means of insuring exclusive Pueblo use of the entire watershed. However, the developing policies of the Forest Service came more and more into conflict with the Pueblo's claims and Congress intent. By the 1960's Forest Service pressure threatened the destruction of the Indians' religion. Accordingly, they have turned to Congress to reestablish the original policy of the Government with respect to these lands: they should be held solely for the benefit of Taos Pueblo. The trust patent provided by the bill will accomplish that end and set the controversy to rest.

For convenience the history of the Blue Lake controversy is described below, decade by decade.

1903-19: On November 23, 1903, the Secretary of Agriculture requested the Secretary of the Interior to withdraw from entry the Blue Lake area (exhibit 4). A temporary withdrawal was ordered on December 15, 1903 (exhibit 5). The permanent establishment of the Taos Forest Reserve was accomplished by Presidential proclamation on November 7, 1906 (exhibit 6).

The Department of Agriculture knew the Blue Lake area was occupied and used by the Taos Indians. In September 1903 Vernon Bailey of the Bureau of Biological Survey reported to the Department of Agriculture (exhibit 7) that the Taos Indians were "in constant dread" of losing their lands and water supply and recommended that "To insure the Indians right to the water from their creeks, the line of the forest reservation should be made to join the Indian grant along its east side. It is important that no gap be left where a white man or Mexican can get a foothold between the Indians and the forest reservation." Referring to the Blue Lake ceremonies, he reported that "their religion is an essential part of their life and happiness." He concluded: "you will be glad to know that both their sacred lake and mountain will be in and have the protection of the forest reservation." In 1948, Bert Phillips, the first supervisor of the Taos Forest Reserve, described Mr. Bailey's visit in the statement annexed as exhibit 8. (In another report concerning the Rio Pueblo watershed, Theodore F. Rixon of the U.S. Geological Survey in 1905 noted the excellence of Indian conservation practices.) (Exhibit 9.)

Seeking such protection the Governor and Pueblo Council on October 21, 1904, petitioned the Secretary of the Interior "to set aside the watershed of said Pueblo Creek * * * for the exclusive use of our tribe. * * *" (Exhibit 9-A.)

Between 1906 and 1918 the Indians were given exclusive use of the Blue Lake area. On January 11, 1908, Bert Phillips, the forest supervisor, gave notice that "the Rio Lucero and the Pueblo Canyons have been given as grazing areas to the Pueblo Indians." (Exhibit 10.) On March 31, 1909, the Forest Service advised the Governor of the Pueblo that "there need be no uneasiness either upon your part or upon the part of the Taos Indians that you will not receive full protec-