

Secretary's letter of April 27, 1934, to the chairman of the House Committee on Indian Affairs (Ex. 45) pointed out that "It was believed that the area embraced in the Executive order and act referred to included all the lands being used by the Indians of this Pueblo for the purposes mentioned. However, it has since been learned that there is a tract of about 7,000 acres on the east within the Rio Pueblo de Taos watershed, and another continuous tract of about 2,000 acres on the northwest within the Rio Lucero watershed, which should have been included." Although favorably reported by committee (Ex. 46), the bill failed of enactment because the Forest Service pointed out the grazing permits outstanding for Witt Park and Apache Springs.

Again in 1935 (Ex. 47) Commissioner Collier and the Secretary of the Interior sought enactment of H.R. 6910 (Ex. 48) which did not include provisions amending the 1928 act but would have added the 9,000 acres to the 1933 act, subject to purchase by the Indians of the outstanding grazing permits. Although the bill was approved by the Forest Service, it failed to become law. By supporting the 1935 bill the Forest Service impliedly admitted that its description of the watershed in the 1927 cooperative agreement, the 1928 Executive order, and the 1933 act was erroneous. Similar bills were reintroduced in 1938 and 1943, each time with support from the Secretary of the Interior.

On May 5, 1936, the President signed, at the request of the Secretary of the Interior, Executive Order 7361, which increased to 37,000 acres the land withdrawn from entry under the 1928 act (Ex. 49). Thus, the Pueblo's interest in the Blue Lake Area and the Rio Lucero was recognized in withdrawals under the 1928 act and the 1933 cooperative agreement.

In 1935 the Pueblo tried to purchase the La Junta Canyon area from the State of New Mexico. William A. Brophy, in a letter to Commissioner Collier dated April 27, 1935 (Ex. 50), described the council's decision to try to purchase the land as "one of the most unequivocal and vigorous decisions made by any Indian Council." Although purchase of the land was not economically sound "they seem to attach a prodigious sentimental value to the lands and want to own the same. They distinctly stated that their forefathers for hundreds of years had owned the land, occupied, and administered the same, and that they now cherished a strong desire to get these lands as long as the same were available." The Indians' failure to describe the religious importance of the land as part of the sacred "bowl" of the Rio Pueblo watershed is typical; the religious uses were secret.

On May 31, 1939, the Assistant Secretary of the Interior requested the Secretary of Agriculture to order segregation of the lands described in the 1933 act and to issue a permit thereunder (ex. 51). He enclosed a draft permit, endorsed by the Pueblo Council, which would give the Pueblo "the free and exclusive use" of the 30,000 acres covered by the act, and provided that "no persons shall be admitted to this area without written permission of the Taos Pueblo Council or its properly delegated officials" except "forest officials", who would be free to enter the area after "notifying the proper Pueblo officials". On August 1, 1939 (exhibit 52), Acting Secretary of Agriculture Brown responded by recognizing that "the main object of the legislation * * * was to safeguard certain interests of this tribe of Indians" but denying that Congress intended to give the Indians exclusive use of the land.