

vision would authorize the Pueblo to obtain the relinquishment of these permits under terms agreeable to the permittees. Use of tribal funds to acquire relinquishments would be authorized. We have not recognized that national forest grazing permits give the permittees vested rights that can be bought and sold. We do recognize that they may be transferred by waiver on the basis of the sale of the livestock or the base property. These provisions of H.R. 3306 would set a precedent that should not be established.

The attorney for the Pueblo de Taos has recently prepared a memorandum in support of H.R. 3306. We have reviewed this document. I would like to comment on it briefly.

The attorney and the Pueblo have assumed that the 1927 cooperative agreement, the act of May 31, 1933, and the 1940 permit grant the Indians rights to exclusive use of all of the area involved. Many of their arguments are based on this assumption.

It should be noted that the act of 1933 contains language dealing with uses by others than Indians, as follows: "Such permit * * * shall define the conditions under which natural resources under the control of the Department of Agriculture not needed by said Indians shall be made available for commercial use by the Indians or others, and shall establish necessary and proper safeguards for the efficient supervision and operation of the area for national forest purposes and for other purposes herein stated. * * *"

This we interpret as a clear decision by Congress that there would be use by others than Indians, recognizing that at the same time there are special circumstances here.

Consequently we do not accept the rather large number of instances recited in the attorney's memorandum which point a finger at the Forest Service and in various ways accuse us of actions subsequent to passage of this act which run counter to the assumption that the intent was for the Indians to have exclusive use of all the area all the time.

It is and has been our understanding that the 1927 cooperative agreement, the act of May 31, 1933, and the 1940 permit identify guidelines as to how the area is to be used. We believe these guidelines set forth a way in which the unique and special interests of the Pueblo de Taos in this national forest land can be recognized and still allow for the public use of the area that can exist consistent with basic Indian needs.

The question of how these lands should be administered has received long and serious consideration by the administration. The Bureau of the Budget has concurred in our recommendation.

Senator METCALF. Thank you, Mr. Greeley. We will now recess until 2 o'clock at which time the members of the committee will do their questioning.

(Whereupon, the subcommittee recessed until 2 p.m.)

AFTER RECESS

(The subcommittee reconvened at 2 p.m., Senator Clinton P. Anderson presiding.)

Senator ANDERSON. Senator Hansen, since none of the other members are here yet, if you have no objection, I will go ahead with a statement which I should like to present.