

Senator METCALF. I had a very abortive amendment on the floor.

Senator HANSEN. I know how busy you were yesterday.

Senator METCALF. It would have been better for me to have been here.

Mr. SCHAAAB. As I understood Mr. Greeley, the Forest Service view is that if the land remains as part of the national forest it should be developed as national forest land in accordance with the multiple use policy which would involve timber cutting and so forth.

The history of the Blue Lake problem or claim or controversy goes back to 1903. I would like to first read a statement that was given in 1948 by Bert Phillips to William A. Brophy, who was then the special attorney for the Pueblos in New Mexico, and Mr. Brophy at that time was a former Commissioner of Indians, having served in 1946. The statement is not notarized. It is exhibit 8 to the memorandum that you have. It is dated November 12, 1948. It reads:

My name is Bert Phillips, my residence Taos, N. Mex. My knowledge of matters concerning which I here testify, will appear.

In 1898, my first year at Taos, Manuel Mondragon, a member of the Pueblo now still alive, talked to me of the Indians' fear that non-Indians would move up the Rio Pueblo canyon and settle above Taos Pueblo, thus contaminating Pueblo water and taking over lands used only by the Pueblo as far back as any man knows. I myself observed on a number of occasions how the Indians successfully kept all non-Indians out of the entire watershed.

In 1904, Mr. Vernon Bailey, in charge of Geographic Distribution for the Bureau of Biological Survey, U.S. Department of Agriculture, came out from Washington with his wife and stopped with me.

I recommended that he employ Manuel Mondragon as guide. Mr. Bailey was very much pleased with Manuel's knowledge of local flora and fauna, and equally pleased with the natural primitive condition in which the Taos Indians had kept their watershed.

So when Mr. Bailey asked me what he could do for Manuel and the Indians, I reminded him of the Indians' fear that they might lose this land and asked him whether it could not be made into a National Forest. Mr. Bailey was very much in favor of this idea, saying that he recognized there was Indian use as far back as was known; he told me he would take the matter up with Theodore Roosevelt personally, and that he was sure the President would share his enthusiasm for the idea of protecting this area for continued exclusive Indian use in its natural condition.

While around Taos, Mr. Bailey and also Mr. C. Hart Merriam, biologist and Chief of the Bureau of Biological Survey, told Manuel Mondragon and the other Taos Indians about the idea of a National Forest, assuring them that the purpose of such a forest reserve including the watershed would be to protect the entire watershed for the exclusive Indian use as always in the past.

Later Mr. Bailey wrote back to me from Washington, telling me that the land would be so reserved, with the entire watershed for exclusive Indian use, and President Roosevelt did actually make it a National Forest.

The Taos Indians were very pleased with the whole plan, and in the years of which I testify they did actually receive the exclusive use of the whole watershed which was promised.

In 1906 I was employed as the first ranger in the new Forest. I went into the watershed surrounding country regularly. I saw that there were good homestead sites in the Forest, but because of the Indians' prior use and the whole intention of setting this area aside, I refused to give any permits to applicants anywhere in the watershed.

At the time I was working in the Forest, 1906-1910—

Senator ANDERSON. Who is this author?

Mr. SCHAAAB. Bert Phillips. He was the first forest supervisor for the Carson Forest. It was then called the Taos Forest Reserve. [Continues reading:]

there were no permits for non-Indians and no non-Indian livestock anywhere in that Rio Pueblo watershed, because I knew the Indians' use rights and