

with the National Forest Service in all matters pertaining to watershed conservation.

"To elaborate this from the printed record, the Pueblo Relief Bill of 1933 (S. 2914, Seventy-second Congress, First Session), as sponsored by the New Mexico delegation in Congress, directed that a patent (trust title) to the Blue Lake or Sacred Area be issued by the President to the Pueblo. (Full text of the bill is to be found in the printed hearings, Part Twenty, of the Senate's Indian Investigation Committee, p. 11086 et seq.)

"The Department of Agriculture informally raised objection to the granting of a patent on the ground that a cooperative agreement between the Department and the Pueblo (presumably if made permanent by statute) could assure to the Pueblo all that a trust patent could assure, while if a trust patent were issued, appropriations for the conservation of the watershed might be more difficult to obtain.

"Thereupon, Judge Richard H. Hanna and I conferred, on behalf of the Pueblo, with the then-acting Chief of the Forest Service, Major Stuart (see p. 11173 of the above-cited hearings); and from this conference there took form the language finally enacted by Congress on May 31, 1933. That language, as understood and endorsed by the Department of Agriculture and the Pueblo, conveyed to the Pueblo equal and identical rights to the Blue Lake area that a grant of trust title would have conveyed."

I repeat: The Bill (S. 2914) was therefore amended, upon the Pueblo's initiative, to direct that a fifty-year, renewable, permit be issued by Agriculture to the Pueblo; the stated, explicit understanding being that the Permit would insure to the Pueblo the exclusive use of the Sacred Area, the year-round exclusive use, identical with that which a trust patent might insure. This legislative record, I believe, positively construes the Act of May 31, 1933, and the Permit issued pursuant to that Act.

The affidavit goes on at some length but I don't think I will read the rest of it. After the Act of May 1933—

Senator ANDERSON. If I may ask a question, there was at that time a Member of the Senate named Senator Chavez.

Mr. SCHAAB. Yes.

Senator ANDERSON. He was known to be a friend of the Indians.

Mr. SCHAAB. Yes.

Senator ANDERSON. And right up to his death was known to be a friend.

I have here the Survey of Conditions of Indians of the United States, page 18185. Senator Thomas of Utah is speaking.

Senator THOMAS. Is this land public domain or does it belong to the United States or the State of New Mexico?

Mr. MIRABAL. It's forest.

Senator THOMAS. It's forest reservation?

Mr. MIRABAL. Yes, sir.

Senator THOMAS. Then it's public domain and belongs to the United States?

Mr. MIRABAL. Yes, sir.

Senator THOMAS. Your Pueblo is asking that lands be set aside for your exclusive use and to be made part of your reservation?

Mr. MIRABAL. Yes, sir.

Senator THOMAS. Has that matter been presented to the authorities, the Indian agency, or the Commission?

Mr. MIRABAL. No, sir; we haven't.

Senator CHAVEZ. This bill which was passed in 1933 does that very thing. Supposed to be for the exclusive use of the Indians and administered by the Forest Service.

Senator THOMAS. Then Congress has already passed on the matter?

Senator CHAVEZ. It was looked into very carefully by Judge Hanna.

That is the lawyer you referred to a while ago. He collected \$150,000, which he thought was a pretty good fee and I thought so also.

Mr. SCHAAB. He is doing much better than I am, Senator.

Senator ANDERSON. He was a very fine man. He was a partner of