

Senator METCALF. Mr. Greeley, I hope that you will give your attention to this testimony because I will ask you to file a statement in reply. Go ahead.

Mr. SCHAAAB. I have copies of the letters as part of the documentary exhibits and since this will be part of the record you are certainly free to look at it if you would like and read the statements but the summary of it and the memorandum itself is, pages, I guess, 42 through 45.

Senator METCALF. That is the briefs that you filed which is a part of the file of the committee?

Mr. SCHAAAB. That is correct, Mr. Chairman. The primary question was resolved in 1962. The Department of Agriculture determined in this the rights of the Pueblo to veto the issuance of the permits and by their concurrence the Department acquiesced.

Senator METCALF. After 1962 did the Department of Agriculture overrule the vetoes?

Mr. SCHAAAB. Well, there was pressure in that direction.

Senator METCALF. Will you give one instance where after 1962 there has been an overruling of a veto as far as the tribal council is concerned or an issue over permits when acquiescence was refused by the tribe? Just give me one instance.

Mr. SCHAAAB. Let me read you a paragraph that deals with this.

Senator METCALF. If the paragraph has one instance I will be delighted to have it.

Mr. SCHAAAB. This is on page 44 of the memorandum.

Senator ANDERSON. What is it?

Senator METCALF. The memorandum is a memorandum in chief that he has submitted and is a part of the file of this committee, a very voluminous memorandum that we cannot put in the record.

Mr. SCHAAAB. This is a memorandum which is a statement of the Pueblo on the bill, right. Page 44 says this:

The decision to recognize the Pueblo's right to veto entry into the Blue Lake Area ended the controversy for only a brief period. On August 4, 1964, the Forest Supervisor indicated his approval of the system of granting counter-signed permits to the Blue Lake Area and gave the Pueblo Council his assurance that he did not wish to encourage public travel into the Area.

On October 13, 1964, however, the Forest Supervisor suggested that it would be desirable to have a "formal agreement" with the Pueblo with respect to issuance of permits, pointing out that the Pueblo had not approved any permits during the summer of 1964 and that many people had entered the Area without permits.

On January 15, 1965, the District Ranger advised the Pueblo that as a result of the Pueblo's failure to approve any permits in 1964 "the situation got out of control" and stating "we must establish a system of issuing permits for entry to those who will respect the area."

On March 2, 1965, the Ranger again wrote to the War Chief that "the Forest Service will continue to issue permits to visit the Blue Lake Area," but he agreed that the Service "will discourage all travel" within the Permit Area.

The letter enclosed a form of permit which provided that the Pueblo's reasons for not granting the permit must be stated. On March 15, 1965, The Pueblo rejected the arrangements proposed by the Ranger and notified him that his letter had been referred to its local counsel for review.

Senator METCALF. What happened?

Senator ANDERSON. He hasn't read a single word about it.

Mr. SCHAAAB. That is where the matter rests.

Senator METCALF. You rejected it. Has the ranger issued permits then?