

Mr. SCHAAAB. You asked for one instance.

Senator METCALF. Well, this is not an instance. You say that everybody refused to issue permits and so people went in without a permit.

Mr. SCHAAAB. The instance, Mr. Chairman, is that the Forest Service, after the matter supposedly was set at rest in 1962, came back and said, "Now, if you are not going to sign permits you have to state the reasons why." This is not in the 1940 permit. It is not in the 1933 act. It was an additional qualification that they put forward on the Pueblo's right.

Senator METCALF. There would have to be action on the part of either the Forest Service or the tribe. They would have to state their reasons why.

Mr. SCHAAAB. There is nothing in the permit that requires them—

Senator METCALF. The law says that they are permitted to give permits for others and if you say, "Well, these resources are necessary for Indian use," that would be a reason why, but if you couldn't justify that under the 1933 act, which permits the use of the resources for others which are not needed for the tribe, then they should certainly be allowed to issue a permit even without your acquiescence.

Mr. SCHAAAB. This is the position that the Forest Service took. The basis for the Indian objection to stating its reasons was that it may entail the disclosure of religious secrets, that the Indian might object to an entry into the area at a particular time because of religious ceremonies that were going on then, but they didn't feel they should have to reveal that fact to the Forest Service.

Senator METCALF. I understand. Now I would like to have Mr. Greeley respond to this testimony in a memorandum if you will and give us a little outline for the issuance of permits and the policy of the Forest Service.

STATEMENT OF ARTHUR W. GREELEY, ASSOCIATE CHIEF, FOREST SERVICE—Resumed

Mr. GREELEY. I will be glad to honor your request.

Senator METCALF. Are you prepared to testify to that right now?

Mr. GREELEY. I am not prepared to testify in detail on the questions that have been raised.

Senator METCALF. It would be better to let him have an opportunity to look at this testimony and present us a memorandum.

Senator ANDERSON. All right.

Senator METCALF. This is Mr. Greeley, who was a former witness here. Go ahead.

Mr. GREELEY. I would like to say, Senator Metcalf, that to the best of our knowledge, and I have checked with the Supervisor of the Carson National Forest, who is here today, we have not issued any permits over the veto of the Indian Pueblo.

Senator METCALF. That is a pretty flat and unqualified statement.