

the activities going on, nor does the Forest Service know anything about that.

That is something, Senator, I could not answer.

Senator ANDERSON. If somebody sneaks in from the back side, you can't control it.

We are talking about the people who are granted permits. That is what your testimony was a while ago, permits.

Name one permittee, will you please, provided it was against the Indians, who was not permitted to come in by the Indians, and was allowed in by the Forest Service. Give us an example of it.

Mr. BERNAL. It seems to me that you are wanting me to name one individual whose permission has been rejected by the tribal authority.

With this understanding, like I indicated, I don't think that there is somebody whose permission has been rejected, because there is a certain understanding that specifies and defines, and this is the procedure that has been followed.

Although there might be some pressure, when we say to the Forest Service why such permission cannot be granted, if such a thing should come up, the understanding is here again that the Forest Service and the Indian people have an opportunity to talk about these matters.

Senator ANDERSON. I just hope to examine the record when he gets through and see if the answer has been given in any way, shape, or form.

Senator METCALF. Go right ahead.

STATEMENT OF WILLIAM C. SCHAAB—Resumed

Mr. SCHAAB. I would like to only add one thing to my statement, and then I will either retire or answer any questions.

With respect to payment of money as compensation for the taking of the land involved here, the Indians have not wanted to recover any money for it, and a payment of money is really not full compensation to them, as the way the Indian Claims Act was set up, to make monetary payment for land taken, because there was more taken here than simply a matter of loss of wealth.

In the ordinary condemnation situation, land is taken, but land has value only because it is a form of wealth, and the payment of money is an adequate remedy, because it restores at least an approximate amount of wealth to the condemnee.

Where the taking of the land also results in a loss of religious or cultural values, this is more than a loss of mere wealth. Therefore, we believe we have equity in asking for a return of the land itself, to prevent the destruction of the religion and the culture of these Indians.

I believe that is all that I have.

Senator METCALF. I will call on the Senator from New Mexico in just a moment.

Again, I want to repeat that the argument that you have made about monetary compensation being inadequate is an argument that is made every day before some committee or before some court, as you know.

Now, if we go into this business of giving away or transferring the public land for taking of highways, dam sites, reclamation areas, park areas, and so forth, we are going to destroy our whole public land system. As I mentioned the other day, any time that we have