

Mr. SCHAAB. I think that the Indians' view of the act of 1933 was as John Collier's affidavit indicated, that it was intended to give exclusive use to the Indians, and you can, I believe, derive that interpretation from the statutory language, by holding that the Indian uses are to be paramount. The national forest uses are to be only to the extent that they are not inconsistent with the Indian uses.

If the Forest Service had taken that intent of the law, I don't think we would have seen the conflict.

Senator METCALF. There hasn't been any testimony here that I have heard, and I haven't heard it all, and I will certainly study the record, that is inconsistent with the statement that the Indian uses are to be paramount, but if those resources are not needed for Indian uses, they will be used by others. That isn't an exclusive right on the Indians. It just gives them, as you say, a paramount use.

Mr. SCHAAB. If it did give them a paramount use, I think there would be no possibility of stumpage, of commercial timber operations, anywhere in the watershed, because this interferes with their religion.

Senator METCALF. It is inconceivable to me that you can say, "Well, the religious life of the Indians is dependent upon not selling merchantable timber to the other outside people."

Mr. SCHAAB. That is correct.

Senator METCALF. Well, if the Indians sell to outsiders, then there must be—

Mr. SCHAAB. The Indians do not sell it to outsiders.

Senator METCALF. Isn't there testimony that they have logged some of this area?

Mr. SCHAAB. They have not logged any of it.

In fact, in their practice, that is a desecration. It is like a sin to cut a living tree. A living tree cannot be cut.

Senator METCALF. I wish these Indians lived in the Redwood area.

Mr. SCHAAB. The Indians there may have a different religion. All I can talk about is the way the Taos people feel about it within this watershed, and all life within this watershed is sacred, and cannot be taken, and when you cut a living tree, you are sinning. They can't do it without ceremony and sanctions. This is their view.

Senator METCALF. I know you are going to be around here, Mr. Schaab, and you have been very helpful, and I want to say as far as the chairman is concerned, I am groping and floundering, and trying to get to the bottom of this.

I know some analogies that perhaps aren't applicable, but thank you very much for your testimony, and we will certainly read your longer prepared statement, and we appreciate having you here.

Mr. SCHAAB. Thank you very much, Mr. Chairman.

Senator METCALF. Out of order, because this hearing has gone on longer than we anticipated, I am going to call Mr. Jon W. Little, president of the New Mexico Wildlife and Conservation Association, Inc. Is Mr. Little here?