

Senator ANDERSON. How do you know that the trail has been built? Have you been up there?

Mr. BERNAL. Yes, sir; I went through there. I have directly.

Senator METCALF. Well, suppose it were a trespass. Who would be the first to learn of it, the Forest Service or the Indians.

Mr. BERNAL. The way I could answer that question, Mr. Chairman, is probably if the Forest Service happened to find out this kind of activity in this area the Forest Service should inform the tribal government and council.

Senator METCALF. Now if there is a trespass, are you complaining that the Forest Service did not enforce the regulations and keep the trespassers off the land?

Mr. BERNAL. I am complaining about this act because the Forest Service did not take a stand and make a correction on this. They did not stop these people from doing it. I make this in the form of a complaint.

Senator METCALF. We have evidence already of one trespass, and that the Forest Service discovered such a trespass and ordered the people off the land, provided for recovery of the logs that were cut, and enforced the agreement.

But you have described about half a dozen such trespasses; and how do you enforce it if there is such a trespass? How do the Indians do that?

Mr. BERNAL. The Forest Service has a responsibility to supervise the area. What methods of supervision they could use would be up to them. It would not be for us to tell the Forest Service what to do, and they should be in the area and protect the boundaries of this area.

Senator METCALF. What I was wondering about is that you need the Forest Service to enforce your grazing and timber and other rights.

Mr. Schaab wants to respond.

Mr. SCHAAB. I was simply going to try to explain what the question is, Mr. Chairman.

I think the question intends to ask: How could you prevent trespass under H.R. 3306, the House bill? How could the Indians protect their land from trespassers without the Forest Service to do it for them?

Mr. BERNAL. If the Indians are given the responsibility to maintain and protect against this trespassings, H.R. 3306 spells out the bill, kick all non-Indians out.

Senator ANDERSON. Well, if you make charges that somebody is trespassing, you ought to be able to tell who is trespassing and where.

Senator METCALF. Well, you haven't made any charge here that there has been any trespass except the one that is already in evidence in the permit area. Now I call your attention to the map behind you, which is the map that we refer to from time to time, and there is an area in yellow and then there is a white area and a blue line, and the permit area is the yellow line and you are talking about people who have gone in and logged and lumbered in the area that is white, and that isn't the area under the 1933 act or under any other act which requires a permit. Is that correct?

Mr. BERNAL. Insofar as the yellow area of which you stated the act of 1933, this area we know that we have been dissatisfied with the setup, and we don't like the exclusive permit area, and we not only