

William C. Schaab, the Pueblo's counsel, in connection with the ownership of livestock by the Indians.

By letter dated September 27, 1968, Mr. Schaab has furnished the information requested and, in addition, has made several comments concerning the testimony you gave to the Committee.

In view of the fact that Mr. Schaab has requested that his entire letter be included in the hearing record, I feel it is only fair that you have an opportunity to review his rebuttal and make any further comments or supply any further information that you feel is pertinent and would be helpful to the Committee in clarifying the hearing record. It would be appreciated if you would respond to this invitation at your earliest convenience in order that the Committee may proceed with the printing of the September 19-20 hearing.

Sincerely yours,

GEORGE MCGOVERN,

Chairman, Subcommittee on Indian Affairs.

(Answers to the foregoing letters were received as follows:)

AIR ENGINEERING CO.,

Albuquerque, N. Mex., October 18, 1968.

Subject: Taos Pueblo hearings on H.R. 3306.

Hon. GEORGE MCGOVERN,

*Subcommittee on Indian Affairs, U.S. Senate,
Washington, D.C.*

MY DEAR MR. MCGOVERN: I am submitting this letter in response to your invitation in your letter of October 4, 1968 and in rebuttal to the statement filed by William C. Schaab, counsel for the Taos Pueblo.

I am both amazed and amused at the red face Mr. Schaab must have had when he had to retract the statement made to the effect that no permit had been issued for our visit to Blue Lake on September 6, 1968. The War Chief knows very good and well no permit is required for anybody to make a trip to Bear Lake. This is a poor excuse and it is regrettable that the leaders of the tribe don't even shoot square with their own counsel.

I will cover first the specific points listed under my name in Mr. Schaab's statement.

First, I am glad that they really sum it all up when they state the only need for the claim is based solely on religion. I feel the hearing certainly demonstrated that the present arrangement has protected the Indians right to practice their religion in absolute privacy. The forest service certainly demonstrated the fact that they have done everything possible to protect the Indian and the Indians could not cite one instance when their privacy had been invaded.

Second, Mr. Schaab's attempt to discredit my statement regarding payments is clever in the respect that he side-steps the main contention I am trying to bring forth. This is that at the time the monies were originally set up to pay the Indians for loss of land and water rights, the Taos Tribe had not made claim to any land not covered by the agreement. It is clever indeed for them now to try to attempt to say the money only paid for certain land and not for the Blue Lake area. The Blue Lake area was not even in the picture at the time and this is the error the Indian Claims Commission made. It must be kept in mind that there is a difference between a claim on record for land and a use of land on which no claim has been filed. Any reference to the findings of the Indian Claims Commission as proof of anything is bad indeed since their findings were in error to begin with.

In the third paragraph under my name, Mr. Schaab uses the date 1933 when he knows full well I corrected this date to 1927 when formally reading my statement as I pointed out the correction at that time. I am referring to the legislation originated in 1924 but not finalized until 1927.