

Edward H. Harte, Publisher

September 30, 1971

*2 Copies of
Please of
Post in my
file*

Mr. Jose Andres Chacon
9100 Copenhaver Drive
Potomac, Maryland 20854

Dear Mr. Chacon:

I am familiar with your series, which is carried in one of our "sister publications", the San Antonio Express. Certainly no one could argue with your position that the Chicano awakening is big news in South Texas. However, it is a story which we prefer to develop with our own staff and with particular reference to our own circulation area, rather than through a series such as yours.

Thank you for offering us these stories.

I was informed today by a friend of mine that another paper here had decided to use your stories - so evidently you will get exposure in Corpus Christi.

Sincerely,



Edward H. Harte

EHH:lre

*In - would appreciate
anything you can
do to receive this
series. - Ted
you can get the
series from him if
less money. i.e.
\$500.00/yr. on a weekly basis
or \$9.00 per article.
Thanks
J*

9100 Copenhaver Drive
Potomac, Maryland 20854
September 27, 1971

Mr. Ed Hart, Publisher
Corpus Christi Caller Times
Corpus Christi, Texas

Dear Mr. Hart:

By virtually every available social index, every measure of economic and social well being, -- income, employment opportunity, education, housing, etc., Mexican Americans in this Country continue to be the most poverty stricken and disadvantaged group next to our close cousin, the American Indian. Moreover, the fact that there exists institutionalized discrimination against these two groups is this Nation's best-kept secret.

It is estimated that there are 15 million Spanish-speaking citizens in this Country, descendants of the Spanish who landed at Vera Cruz in 1519 and settled in Florida and Santa Fe by 1540, and the Archaics, who became the American Indian and who, by 4000 B.C. had learned to raise corn and were craftsmen in what is now New Mexico. We have been categorized as the "silent minority", however, we have now served notice that the "siesta is over!". All across these United States, where we have been strangers in our own land for 400 years, we will advise the predominant community that we want a piece of the American dream, too.

As a social critic and writer, I have developed a series of profiles on individuals from these two groups, who in spite of all the obstacles, have made positive contributions to society as a whole. These individuals have not been recognized outside of their own communities. This is an opportunity to correct the record and at the same time to help establish the first syndicated Mexican American columnist. The series will include distinguished lawyers, jurists, inventors, scientists, entertainers, U. S. Senators and Congressmen, sports figures, artists, etc. The series should be run on a weekly basis, preferably on the week end. The cost of the series is \$10.00 per item.

(continued)

Mr. Ed Hart

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Enclosed is a sample of the series as well as an autobiographical sketch for your information and evaluation.

I will appreciate hearing from you.

Sincerely,

Jose Andres Chacon

Enclosures:
As stated

UNIVERSITY OF CALIFORNIA, BERKELEY

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DEPARTMENT OF ECONOMICS

BERKELEY, CALIFORNIA 94720

15 September 1971

Hector P. Garcia, M.D.
1315 Bright
Corpus Christi, Texas

Dear Dr. Garcia:

AN AMERICAN MEXICAN FRONTIER has been out-of-print for many, many years.

One fresh unused copy is my my personal possession, and I take pleasure in sending it to you under separate cover.

You will not remember, but about 25 years ago when the organization of which you were President held its convention in Oakland, California, I called upon you and personally presented you with a copy at that time. Was the name of the organization the EULAC?

Two other volumes of mine, under the title MEXICAN LABOR IN THE UNITED STATES, also long out of print, have been recently reprinted by a subsidiary of the NEW YORK TIMES.

Do you retain the interest of earlier years in political action to preserve equal opportunity for Americans of Mexican ancestry? The reason I ask is that access to the land as a door to opportunity is an issue receiving increasing attention in Sacramento and Washington, D.C.

Specifically, six Congressmen (one from Wisconsin, five from California, the latter including Congressman Edward Roybal known as a spokesmen in this area for the people who now are calling themselves "chicanos") have introduced a bill to improve opportunity on the land when irrigated from a federal reclamation project. Hearings in Washington are anticipated later this month or in October.

Are the people for whom you speak concerned with opportunity on the land in the historic Homestead Act tradition? If members of Congress from other states than California with large "Mexican" or "Spanish" populations have shown any knowledge in these bills, I have not heard of it. I wonder if their constituents in Colorado, Arizona, New Mexico, or Texas, are uninterested. You might know the explanation.

With best wishes,

Sincerely yours,

Paul S. Taylor
Professor of Economics, Emeritus

THE RECLAMATION LANDS
AUTHORITY ACT

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. KASTENMEIER) is recognized for 15 minutes.

Mr. KASTENMEIER. Mr. Speaker, I wish to explain the national importance of H.R. 5236, a bill I introduced on March 1, 1971, "to provide for the creation of an authority to carry out the congressional intent respecting the excess land provisions of the Federal Reclamation Act of June 17, 1902." Although physically, reclamation takes place in Western States, the waters that it uses and the money that finances the projects both belong to the Nation.

The purpose of H.R. 5236, stated broadly, is to modernize reclamation law so as to fulfill unrealized potentials of this historic 1902 statute that marked the dawn of the national conservation movement. Specifically, its proposals are threefold:

One, to enact a long overdue, and long recommended, method for enforcing the public interest provisions of reclamation law effectively;

Two, to finance public education by grants of revenues created from public water development, just as grants of 94 million acres of public lands financed public education at an earlier point in our history; and

Three, to enable the public itself, through a newly established authority, to plan the environment that public water development creates.

President Theodore Roosevelt, who signed the Reclamation Act into law and founded the Nation's conservation movement, explained to the Commonwealth Club of California at a 1911 meeting in San Francisco the meaning of the public policy provision in the law that—

No right to the use of water for land in private ownership shall be sold for a tract exceeding 160 acres to any one landowner.

He said:

If we had a right to dispose of the land, not absolute but on condition that certain requirements are complied with, doing that in the interest of the democracy as a whole, we have a right to dispose of the land with a proviso as to the use of the water running over it, designed to secure that use for the people as a whole and to prevent it from ever being absorbed by a small monopoly.

But administration of Theodore Roosevelt's "excess" land law has fallen far short of original conservationist hopes. This has been testified to before congressional committees, declared on the floor of Congress, written into statistical Government reports and conceded by Secretary of the Interior Stewart Udall in 1964 when, in these subdued words, he stated that administrators had "on occasion" exhibited a "degree of concern for the excess landowner—difficult to reconcile with the policies embraced by the excess land law." Hundreds of thousands, yes, millions, of acres received subsidized water above the legal limit. The extent of subsidy appears to range from \$600 to \$2,000 per acre, which remains unrepaid to the public treasury. The doorway of the treasury opens wider and wider. Congress has appropriated or authorized spending \$10 billion on reclamation proj-

ects. Meanwhile the doorway of public policy limitations shrinks narrower and narrower. Is it any wonder why giant corporations and large landowners holding many thousands of acres want the 160-acre limitation removed? In a 1945 letter to the San Francisco News explaining why the giant landowners wanted the 160-acre law removed, Secretary of the Interior Harold L. Ickes bluntly wrote:

It is the age-old battle over who is to cash in on the unearned increment in land values created by a public investment. . . . Their principal objective is to avoid application . . . of the long-established reclamation policy of the Congress which provides for the distribution of the benefits of great irrigation projects among the many and which prevents speculation in lands by the few.

The principal legal loophole that permits this evasion of public policy is the absence of a provision that the Government itself shall purchase "excess" lands. The statute requires sale of "excess" lands by their owners at a preproject price, but provides no ready purchaser. H.R. 5236 creates a ready market by authorizing the Government to purchase these lands at the same preproject price at which the owner already is bound to sell.

The concept that the Government should purchase "excess" lands is well established. As early as 1892, Gov. Joseph Toole, of Montana, proposed that the public "first acquire title to" lands to be reclaimed. In 1924, the historic Fact Finders Commission, reviewing the oper-

ation of the reclamation program, repeated the recommendation by stating that—

No reclamation project should hereafter be authorized until all privately owned land in excess of a single farmstead unit for each owner shall have been acquired by the United States or by contract placed under control of the Bureau of Reclamation.

H.R. 5236 formally proposes Government purchase of "excess" lands to make public policy truly effective. It would authorize the Government to buy "excess" land at a preproject market price and lease or sell it at a postproject market price. The public treasury itself would be able to reap from public investment the windfall profits that the "excess" land law now gives only to the few, and would thus fulfill the purposes of this law. As described by the U.S. Supreme Court in 1958, this purpose is to distribute the benefits from reclamation "in accordance with the greatest good to the greatest number of individuals," and to prevent "use of the Federal reclamation service for speculative purposes."

With windfall profits from the public investment once in an "education, conservation, and economic opportunity fund," these revenues can be disposed of to serve public purposes. H.R. 5236 proposes that 70 percent of the revenues be earmarked as grants to public education, following the Thomas Jefferson-Abraham Lincoln tradition of financing education with land grants, and for such purposes as Congress may authorize. It transfers 10 percent of the net revenues to the land and water conservation fund.

The remaining 20 percent of the fund shall be made available upon specific appropriation by Congress for the development of public facilities servicing project areas, for advancing economic opportunities of veterans and persons living in substandard conditions, for the development of healthful environments and communities needing open spaces, and for such other environmental and ecological benefits as Congress may authorize.

H.R. 5236 creates a "Reclamation Lands Authority" to administer the program as an independent agency under a board of three members, appointed by the President with consent of the Senate and responsible to the President.

The Authority is charged with attacking such conditions to lands at its disposal "as will preserve open spaces and agricultural greenbelts and in other respects preserve an environment of beauty, health, and attractive quality for now and for the future."

The Authority shall "give due weight to benefits to the revolving funds and the advancement of economic opportunity for persons who have served the Nation in the Armed Forces and disadvantaged citizens seeking such opportunity as ownership, lease, or use of irrigated or irrigable lands afford."

In carrying out the purposes of H.R. 5236, the Authority is charged with encouraging "effective regional, State, and local planning of land usage and environmental adjustment in the areas where excess lands are located."

In these ways, H.R. 5236 reaffirms the "historic purpose of the Federal Reclamation Act, especially as it applies to the development and use of excess lands," and provides modern means "to make that intent and purpose operative in the national interest and the direct benefit of its citizens."

The reclamation program of the 1970's can adopt the same human spirit that pervaded in the 1860's. This can be done, but it will not be done unless the public insists that the circumvention of the 160-acre limitation be brought to an end, and the attacks upon it cease. The public must insist that Congress provide for purchase of "excess" lands receiving publicly subsidized water, and that the use of these lands be turned away from private speculation and monopoly toward the truly public purposes of education, conservation, and economic opportunity.

Identical bills

H.R. 5236, Kastenmeier
H.R. 6758, Don Edwards
H.R. 6900, Jerome Waldie
H.R. 6597, Ron Dellums
H.R. 7863, Edward Roybal
H.R. 7615, George Danielson

Remarks by Congressman Oscar W. Underwood of Alabama, on the National Reclamation Bill, June 13, 1902.

"It is contended by some that this bill should not pass, because it is opening up farming lands of the West to come in competition with our Eastern and Southern farms. I have no patience with such an argument, for had our fathers pursued such a policy, neither the Middle States nor the Western States would ever have been developed, and, besides that, it overlooks the fact that these lands are being opened to settlement for all the people, whether they now reside in the East, South, or West. The farm boys in the East want farms of their own. It gives them a place where they can go and build homes without being driven into the already overcrowded cities to seek employment.

"It will provide a place for the mechanic and wage-earner to go when the battle for their daily wages becomes too strenuous in the overcrowded portions of the East. . . If this policy is not undertaken now, this great Western desert will ultimately be acquired by individuals and great corporations for the purpose of using it for grazing vast herds of cattle.

"They will acquire the waterways and water rights for the purpose of watering stock and become land barons. Then it will be impossible to ever convert it into homestead lands for our own people or to build up the population of this Western country. I believe the passage of this bill is in the interest of the man who earns his bread by his daily toil. It gives him a place where he can go and be free and independent; it gives him an opportunity to be an owner of the soil and to build a home. Those are the class of men we must rely on for the safety of the nation. In times of peace they pay the taxes and maintain the Government; in times of peril and strife they are the bulwark of the nation, and it is justice to them that this legislation be enacted into law." (Applause)

From Senate Doc. 446 (1902)
serial 4249, page 376