

July 28, 1980

SENATORS & REPRESENTATIVES

This is the Voice of the little people of Imperial Valley, Calif. Here the violation of civil rights as freedom of speech, equal treatment under the law, etc. is perpetrated on the people by big farm interests who are able to do this because the U.S. Reclamation Law of 1902 is not enforced. The situation is like in Russia, Haiti, etc.

WE ASK THAT CONGRESS NOT EXEMPT IMPERIAL VALLEY FROM THE PROVISIONS OF THE U.S. RECLAMATION LAW IN S.14 AND H.R. 6520 SO THAT OUR CIVIL RIGHTS NOT BE VIOLATED.

The big farm groups use the technique of the BIG LIE for they know we little people do not have the money to rebut their technique. For instance, on Oct. 25, 1977, 2 months after the little people here won the decision on the lawsuit, U.S. v. Imperial Irrigation District for enforcement of the Reclamation Law, the exemption strategy was started. A one page advertisement was inserted into the Washington Post to hood-wink you Senators and Representatives.

There was a big picture of Larry Gilbert and his wife and 4 children, looking very sad and they were saying "The government is going to take our land in excess of 160 acres away from us. Please write to Congress to stop the government from doing this". This fake one page ad was in Time Magazine, The Chronicle newspaper of San Francisco, and the Los Angeles Times, The San Diego Union, local papers, etc.

But the truth is that the Larry Gilbert family ONLY OWNS 80 ACRES. Gilbert leases about 700 acres. The truth is that the Gilbert family of 6 persons is entitled to 6x160 acres for a total of 960 acres under the U.S. Reclamation Law as it is now without any changes.

You Senators and Representatives got thousands of letters to help the Gilberts. But you got practically no letters from the little people of Imperial Valley. If they had written letters, their names would be revealed to the big farmers and they would have lost their jobs and the little businessmen would have had their businesses ruined. Is this any different than in Russia where if you protest what the establishment is doing, you have your work permit cancelled and you can not work? If you protest more, you get sent to mental hospitals or camps in Siberia.

Because the little people could not sign a petition to Congress or the Secretary of Interior or the President, Dr. Ben Yellen would walk the streets of the towns of Imperial Valley giving out leaflets such as the one you are now reading to inform the people what is happening for the newspapers were controlled by a man by the name of Virgil Pinkley and whose newspapers were nicknamed PINKLEYS PROSTITUTED PRESS.

Then Dr. Yellen would run for offices ranging from dogcatcher up to Congressman (presently running for Congress) on a platform that a vote for Yellen meant you wanted the U.S. Reclamation Law enforced. His name most times was printed on the ballot but often it was a write in. A typical election, on Feb. 6, 1963 was for Assessor-Collector of the Imperial Irrigation District with PINKLEY'S PROSTITUTED PRESS and the local radio stations having a complete blackout on Dr. Yellen's plat-

form. Nobody could help Dr. Yellen distribute his leaflets for they were afraid of loss of job or ruination of business. But Mrs. Ida Paddock, his receptionist, did help by driving him around but her main job was to watch for anyone going to beat up the doctor and to yell, "Police". The result of this election was incumbent 4,541 and Yellen 1,703.

On June 13, 1978, which is about one year after the little people won for enforcement of the 160 acres limitation in the Federal 9th Circuit Court of Appeals, in U.S. v. Imperial Irrigation District which had been taken over by Dr. Yellen when the Dept. of Justice refused to appeal he appeared before the Imperial County Board of Supervisors. He requested that "Shall the U.S. Reclamation Law be enforced?" be put on the ballot in the election Nov. 7, 1978. Not only was this refused but Supervisor James "Foul Mouth" Bucher threatened to beat up Yellen who is 70 years old and 5 feet 4 inches. The Supervisors were brave enough to put "Shall the County Superintendent of Schools be appointed or elected?" on the ballot.

There is an electricity swindle amounting to \$14 millions yearly whereby the people are forced to pay 3 times the correct price for electricity so that the farmland can get water at 1/4 the correct price. An ordinary person with a home worth \$40,000 on the open market has an assessment of 25% or \$10,000 for taxation. Farmland worth \$40,000 is assessed at 2% to 6% or \$800 to \$2,400. Farmland on the average escapes 66% of the taxes and 70% of farmland is owned by absentees.

Dr. Yellen has tried to get lawyers for these 2 swindles. Local lawyers are just as afraid of the power structure. To document this fact, in the week about April 1, 1979, this ad was put in the local papers, "Wanted-Lawyer with guts for lawsuits against public agencies. Call Dr. Yellen, 344-2244. RESULT-NOT ONE CALL DESPITE 40 LAWYERS HERE!!!

Half of the population here is Anglo and half is Mexican-American with a few blacks and orientals. There are Masons, Knights of Columbus, Lions, Rotarians, Kiwanians, leaders of Mexican-Americans who have 2 Supervisors on the County Board, leaders of Blacks. BUT ALL OF THEM-SEE NO EVIL, HEAR NO EVIL, SPEAK NO EVIL. That Senators and Representatives is FEAR!!! Arthur Brunwasser, the lawyer in the U.S. Supreme Court case had his office in San Francisco burned out last year. So Freedom of Speech and equal treatment under the law is prevented by swindlers operating under the cloak of governmental authority. Even out of valley lawyers can not be obtained because of this chilling effect.

Now as to the U.S. Supreme Court decision dated June 16, 1980 regarding U.S. v. Imperial Irrigation District. The newspapers have not correctly informed readers as to what the decision means. Remember these dates. Dec. 21, 1928 when the Swing-Johnson bill passed authorizing the building of the Boulder Dam and All-American Canal. Feb. 11, 1932 when the people voted 5 to 1 to sign a contract with the U.S. for construction of the All-American Canal. This was the great Depression and some farmers were afraid if they could not pay the taxes for the canal, their farms would be taken away as was happening all over the U.S. There was no discussion of the 160 acres limitation. Dec. 1, 1932, Directors of I.I.D. signed contract which also extended the boundaries of the I.I.D. to include the East Mesa, the West Mesa and Pilot Knob. The extension amounted to an increase of 367,869 acres to the old I.I.D. Feb. 24, 1933, Secretary Wilbur signed letter exempting the I.I.D. from 160 acres limitation. But Directors signed the contract almost 3 months before and could not have been influenced by this letter.

The U.S. Supreme Court said all land getting water after Dec. 21, 1928 must obey the 160 acres limitation. But the Court was hoodwinked to believe that only 14,000 acres got water after Dec. 21, 1928 by stipulations agreed to by corrupt Dept. of Justice lawyers. About 200,000 acres in the old I.I.D. got water after this date. The East mesa and West mesa are now beginning to get water. So with the new acreage, there is 567,869 acres under limitation.

It is not apparent to me that the Supreme Court realized that the old I.I.D. used 1.6 million acre feet of water in 1929 and now uses 3.2 million in 1980 which certainly does not indicate 14,000 acres of land got water in the 52 years after Dec. 21, 1928. Stephen Elmore, the leader of the big farmers got water for the first time to his 6,000 acres ranch in 1942 when the All-American canal began to work and the I.I.D. cancelled its rule that no new land could get water which had been for many years. The I.I.D. is at present running a racket so that veterans can not get water for a homestead. FOR JUSTICE, NO EXEMPTION!!!