

5 September 1971

The Honorable Joseph M. Montoya
Senate Office Building
Washington, D. C.

Dear Senator Montoya:

A large and growing group of people in Northern New Mexico is becoming increasingly alarmed over the manner in which real estate developments are being conducted in the state. Their anxiety centers on the threat of developers to appropriate the limited water reserves available, but is not confined to this matter alone but includes concern for the evident inadequate planning for harmonizing the proposed new communities with the established population centers, and for the refusal of the developers to cooperate with County and State authorities. If these promotional schemes follow the pattern of similar land subdivisions across the nation from Florida to California the promoters will leave the area when they conclude they have milked the optimal profits from their operations.

The land sale campaigns with their associated publicity, advertising, and high pressure salesmanship are characterized by shameless misrepresentation, false claims, and innumerable distortions of fact calculated to mislead prospective purchasers with respect to the availability of water and waste disposal facilities, and the community services and amenities that the developer will provide.

Where subdivisions are being conducted on Indian land under 99 year leases sponsored by the Bureau of Indian Affairs the clients have been assured, in advance of an adjudication by the courts of conflicting claims between Indian and non-Indians, that the Indians control under government guarantee the disposal of the total available water. Moreover, they have been promised adequate water in this water-scarce, drought-prone region for the most wasteful and extravagant uses. When buyers, anxious for the security of their investments, have asked what will happen after 99 years they have been told that by then there will be no Indians.

This modus operandi of real estate operators callously disregards the prime interests not merely of the neighboring communities but of their customers too for whom wisdom is mindfulness of the laissez-faire admonition "the buyer beware". Indifferent to moral condemnation they succeed in tarnishing, along with their own, the reputations of all those associated even innocently with them. Nor are elected officials, seduced into participating in their projects, immune from debasement. These representative of the people, if they are faithfully to fulfill their chosen functions for society, must maintain an uncompromisable position of non-involvement in all potentially political commercial activities.

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Rumors persist that some New Mexico Congressmen have invested in various land development projects in this state. If you are one of them I must insistently urge that you divest yourself immediately of your share to avoid subverting your credibility for performing your obligation to represent impartially the common interests of all your constituents.

Sincerely yours,

Elton Porter