



a report from

2nd congressional district of arizona

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The "Sagebrush Rebellion"

Ever since the end of World War II, Americans have been streaming into Arizona, a movement that continues unabated today. Ours is a state smack in the middle of the Sun Belt. Aside from a magnificent climate, the lure of "land, lots of land, under starry skies above" has captured the imagination as much as our sunsets and the appeal of a more casual, less congested and somewhat cheaper lifestyle than can be found in the East.

But now the last stanza of the old cowboy ballad -- "Don't fence me in" -- has taken on new meaning. Pushed by our phenomenal population growth, local and state governments are more and more pressed to provide more and more services. That means a bigger tax base, and key to that is -- more land.

A movement has sprung up, called the "Sagebrush Rebellion," whose proponents have a simple plea: Uncle Sam, give us land -- all that federally-owned land that sits under starry skies and, in some cases, is fenced in.

The "Sagebrush Rebellion" got its start in Nevada. The Associated Press reports that two lawmakers in the Arizona Legislature have advanced a bill which they claim would allow the state to "seize" all federal land except Indian Reservations. The Western States Land Commissioners Association has endorsed a similar move.

There are staggering legal problems involved in this approach -- not the least being that a state law cannot supersede a federal law.

But aside from that, the "Sagebrush Rebellion" does raise some serious questions. They deserve serious attention. There is a problem in the West, and people ought to be heard.

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Arizona covers 72.6 million acres of land and is the sixth largest state (after Alaska, Texas, California, Montana and New Mexico). But only 18 states have fewer people. Land for growth ought to be plentiful, yet in Arizona there is a short supply in a few communities where it is needed most. This paradox occurs because the state and federal governments own such a large proportion of the land. The picture looks like this:

Arizona Land Ownership	Acres	Percent
Federal	32,400,000	44
Indian	20,000,000	29
State	10,500,000	14
Private	9,700,000	13

While this is a rather discouraging picture, things could be worse: Federal land ownership in Arizona is 44 percent -- but in Nevada it's 87 percent. If we consider the 20.2 million acres of state and privately-owned land as the "real Arizona," our population density is still only 74.6 people per square mile. By the same figuring, Tennessee has 111 people per square mile, and New Jersey, 995.

We could have a better tax base and cities like Flagstaff, Show Low, Sierra Vista and Tucson, surrounded by public lands, could have more orderly growth if some of the land owned by the U.S. and the State of Arizona could be placed in private hands. People often ask me why great quantities of federal land cannot be made available to Arizonans, especially around major cities. This is a logical question and deserves a logical answer.

While some of our cities do seem "boxed in," much of the federal land is located in remote areas far from the centers of population growth. And most of these federally-owned areas are in present uses which few people would care to change. Here's a quick rundown on the federal and Indian acreage in Arizona:

- * Some 20,000,000 acres are set aside as permanent Indian Reservations. The Navajo Reservation alone is larger than West Virginia. There is no way of taking any of this land, bestowed by solemn treaty, and few would argue that this be done. 29%
- * National Forest and Wildlife Refuges account for 13,000,000 acres. Wildlife Refuges pose no problem to the expansion of Arizona cities, but some municipalities are surrounded by National Forests and other public lands. These cities have an avenue for expansion under the Federal Land Policy and Management Act, which I supported in 1976. 18%
- * Military reservations account for 3,600,000 acres and includes land for Ft. Huachuca, Davis-Monthan AFB, the huge gunnery and bomb range between Yuma and Ajo and other installations around the state that provide thousands of jobs and pump millions of dollars into the state economy annually. It's not very realistic to think that the federal government would give up much of this land. 5%

- * National Parks account for 2,700,000 acres of land and mountains in the Grand Canyon, Painted Desert, Petrified Forest, Chiricahua, Sahuaro, Organ Pipe and other units of the park system. 4%
- * Some 500,000 acres are set aside for Lake Mead, Davis Dam, and similar federal reclamation, flood control and power projects. No change is likely. 1%
- * The Bureau of Land Management, Department of Interior, holds 12,600,000 acres, most of which are grazing lands leased to cattlemen. If there is land to be seriously considered for transfer, this is it. 17%

From this survey, one must conclude that the chances are likely that Congress will retain most of the land in U.S. ownership, in its present uses. The exception might be the 12,600,000 acres of Bureau of Land Management land. It is to this source, in fact, that Arizona has looked in the past and can continue to look in the future, primarily for additional private land. (As late as 1962, BLM acreage in Arizona amounted to 13,100,000 acres. Compare this to the current figure and one can see how much land already has gone to Arizona in just the last 17 years.) Much of the BLM land is now occupied by cattle and sheep growers under BLM leases, with part of the rentals going to the state. That, in turn, helps the state meet its own budget obligations.

Federal mining law provides for the prospecting of minerals and title may be obtained if commercial ore deposits are found.

The Federal Land Policy and Management Act, mentioned earlier, and enacted into law in 1976, recognizes communities that are "hemmed in" by federal land and provides help for their expansion.

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Any attempt, however, to place state-owned lands in private hands encounters an entirely different set of problems. Nearly all of the 10,500,000 acres owned by Arizona are in a variety of trusts, including "school sections," set aside by various acts of Congress to support and encourage elementary, high school and college education. These lands are in turn leased to cattlemen and others, and in 1978, produced from rentals (and some sales) a total of \$24.4 million in revenue -- a healthy chunk of Arizona's school finances. It's doubtful that many Arizonans would want that changed. Some of the same people who want more federal land in private ownership are opposed to any sale of state land to private interests.

As Arizona grows and prospers -- and it will, there is no doubt about that -- it is obvious that we will need more and more privately-owned land. A part of our federal lands should be made available for future development, but the available supply is not as large as one might think.

Even if a wholesale turnover of federal land were possible -- and I doubt that it is -- one might wonder if such a move would create more problems than it would solve.

Take the National Parks within Arizona, for example. Under the bill introduced in the Arizona Legislature, the state would assume "some" of these as "state parks." (The AP report mentioned earlier did not spell out which parks would be saved -- and which ones, presumably, would be left to other uses.) Last year, however, the National Park Service spent *\$11 million* just to maintain the federal parks located in Arizona. Where would the state get that kind of money? From taxpayers who already have clearly demonstrated that they want state *and* federal taxes reduced?

Turning over federal land to the state also would end the federal "in-lieu" payments to Arizona. Under this arrangement, which I supported three years ago, the federal government pays each state a lump sum each year, in lieu of taxes that might be realized if the land were privately-owned. In 1978, Arizona received more than *\$7 million* from these payments. Again, who would be asked to pick up *that* tab?

Major military reservations cannot be located on state-owned land. The big installations in Southern Arizona and elsewhere would simply have to close up shop and move. I don't have to remind any Arizonan what kind of impact that would have on our employment rate, not to mention our state economy.

The federal government has not been rigid when it comes to giving up land. On the contrary, history shows that just the opposite has been the rule.

Since 1781, in fact, the federal government has given *328 million acres of land back to the states* -- for an average of more than 1 million acres of land a year, for 198 years.

Beginning after the end of the Civil War, 61 million acres of land were granted to veterans.

As America entered the industrial age and pushed to open its Western frontier, Congress granted the railroads 94 million acres, recognizing the vital role that this segment of free enterprise was destined to play.

Throughout the history of our country, I think Congress has recognized and responded to the special needs of the West. Our problems are not the same as the problems of the East. Our cities are different. Our lifestyle is different.

The West, in fact, is the only region of the country with its "own" Cabinet agency -- the Department of the Interior, created by Congress originally to administer new land acquisitions of the United States (including the Gadsden Purchase, which included most of what is now Southern Arizona.)

Some Westerners look at our Eastern states and see their much smaller percentages of federal land and view the situation as unfair. But it was not a plot, only the course of history, that created the pattern.

Following the Revolutionary War, most of the land in the original 13 colonies was granted to veterans for farms and homes. It seemed like the fair thing to do. This new, little country had to be settled, and governments were generous with their help.

Other Eastern territories held claims to pieces of the Western frontier. As each clamored for admission to the Union, each surrendered its claims as a condition of Statehood.

The West was a different story altogether. It was annexed, bought or fought for by the U.S. government.

The U.S. Army, in the form of the cavalry, protected the first settlers. And as relative calm settled in, Washington created the U.S. Marshal to protect citizens and enforce the law.

Present-day settlers, moving without the hazards of wagon trains and not having to fear shootouts at sundown, have different needs: land and water.

I think the Congress has usually moved responsibly and aggressively to meet both these problems. I don't know if I'm ready to enlist in a rebellion -- but I will settle for the same sort of quiet and orderly land transition that we've always had -- and always will have.

* * *

History shows rather clearly that Washington has always moved to develop, not hinder, the West. Federal ownership of lands in Arizona can frequently be a blessing, and at its worst, it's still not "all bad." Some of our greatest economic and scenic assets -- world-famous Grand Canyon, our magnificent National Forests (all vital to the Arizona tourism industry) and important military installations -- all are maintained by Uncle Sam. Few would have it otherwise.



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