

April 25, 2018

The Honorable Robert Goodlatte
2138 Rayburn House Office Building
Washington, D.C., 20515

The Honorable Jerrold Nadler
B-336 Rayburn House Office Building
Washington, D.C., 20515

Dear Chairman Goodlatte and Ranking Member Nadler:

Conservatives for Property Rights and the undersigned coalition members write in strong support of the Private Property Rights Protection Act, H.R. 1689, sponsored by Rep. James Sensenbrenner (R-Wis.).

The Fifth Amendment to the Constitution protects citizens from being deprived of “life, liberty, or property, without due process of law; nor shall private property be taken for public use, without just compensation.” This fundamental civil liberty was gutted in *Kelo v. New London* (2005) when the Supreme Court reinterpreted “public use” to mean “public purpose,” including taking property from one private property owner on behalf of another private entity.

As Justice Sandra Day O'Connor wrote in her dissent in *Kelo*, “Any property may now be taken for the benefit of another private party, but the fallout from this decision will not be random. The beneficiaries are likely to be those citizens with disproportionate influence and power in the political process, including large corporations and development firms.”

This practice puts property owners at risk. People in the most vulnerable communities across America are susceptible now to being victimized by these corporations and development firms. This also puts rural areas at risk. In the past, farmers have ceded their land for railways, highways, and other transportation projects. The current law leaves them at the mercy of these same corporations and firms.

H.R. 1689 would freeze federal funds to any state that steals land from a private entity for the purposes of transferring it to another. It would also bar the federal government from using eminent domain for economic development.

The rights to life, liberty, and property have been a cornerstone of our Republic since its founding. In 1792, James Madison, the Father of the Constitution and author of the Bill of Rights, explained that private property has a sacred place in American society. “Government is instituted to protect property of every sort; as well that which lies in the various rights of individuals, as that which the term particularly expresses,” he wrote. “This being the end of government, that alone is a just government which impartially secures to every man whatever is his own.”

The practice of eminent domain is, at the very least, controversial. However, if our elected leaders cannot put their foot down and outlaw taking someone's property to give it someone else in such a manner for nebulous economic gains, then they will have failed every American who believed in the promise of the Declaration of Independence and the Constitution.

It is for these reasons that we call on the committee to report out H.R. 1689, the Private Property Rights Protection Act.

Sincerely,

Adam Brandon
President
FreedomWorks

James Edwards
Executive Director
Conservatives for Property Rights

Norm Singleton
President
Campaign for Liberty

Jenny Beth Martin
Chairman
Tea Party Patriots Citizens Fund

Daniel Schneider
Executive Director
American Conservative Union

C. Preston Noell, III
President
Tradition Family Property

Seton Motley
President
Less Government

George Landrith
President
Frontiers of Freedom

Dick Patten
President
American Business Defense Council

Kevin L. Kearns
President
U.S. Business & Industry Council

Martha Boneta
President
Victory Coalition Strategies

Ed Martin
President
Eagle Forum Education & Legal Defense Fund

cc: Members of the House Committee on the Judiciary