



June 12, 2008

Taxpayers Support Eminent Domain Reforms!

Dear Representative:

On behalf of the 362,000 members and the many property owners of the National Taxpayers Union, I urge you to cosponsor the Private Property Rights Protection and Government Accountability Act of 2008 (H.R. 6219).

In June 2005, the nation's highest court held that the City of New London, Connecticut was justified in seizing the property of Susette Kelo and her fellow homeowners on behalf of a private party that claimed it could generate higher economic activity and tax revenues if the land were put to a different use. Although this power of "eminent domain" has been subject to past controversy, this ruling has justifiably drawn ire from citizen groups across the political spectrum.

Despite the U.S. Constitution's prohibition against taking private property for *public use* without just compensation, the Supreme Court's 5-4 decision in the *Kelo* case permits the use of eminent domain for a private-to-private transfer as long as government officials have a "plan" and believe there will be some economic benefit from the taking. To add insult to injury, many projects resulting from these seizures receive taxpayer subsidies to construct them. Taxpayers are now dependent on state legislatures to individually pass protections against eminent domain excesses. While some states have adopted such safeguards via legislation or ballot measures, much more remains to be done.

The Private Property Rights Protection and Government Accountability Act of 2008 would help deter states from engaging in eminent domain abuse. The legislation would limit certain federal economic development funds from flowing to states (and the localities within them) that use private development as a reason to invoke eminent domain. The withholding of funds lasts for a period of 10 years, thereby serving as a strong deterrent against misuse of public takings powers.

The House should quickly pass this vital legislation so that Congress can enact essential protections before the year's end. The future of many homes and businesses depends upon your decision.

Sincerely,

Kristina Rasmussen
Director of Government Affairs