

Coalition Letter Detailing Risks of National Heritage Area Designation

The following letter -- signed by a diverse group of more than 110 organizations, elected officials and citizens -- was delivered on September 4 to Senate Majority Leader Harry Reid, Senate Minority Leader Mitch McConnell, House Speaker Nancy Pelosi, House Minority Leader John Boehner, Senate Energy and Natural Resources Committee Chairman Jeff Bingaman, Senate Energy and Natural Resources Committee Ranking Member Pete V. Domenici, House Committee on Natural Resources Committee Chairman Nick Rahall, House Committee on Natural Resources Ranking Member Don Young as well as all the members of the House and Senate Natural Resources Committees.

Dear [Elected Official]:

The U.S. Supreme Court ruling in *Kelo v. City of New London* ignited a national outcry against government abuse of property rights. The “bridge to nowhere” and other wasteful programs triggered angry protests against the practice of earmarking.

National heritage areas are the *Kelo* decision and earmarks rolled into one.

National heritage areas are preservation zones where land use and property rights can be restricted. They give the National Park Service and preservation interest groups (many with histories of hostility toward property rights) substantial influence by giving them the authority to create land use “management plans” and then the authority to disburse federal money to local governments to promote their plans.

As a March 2004 General Accountability Office report on heritage areas states: “[National heritage areas] encourage local governments to implement land use policies that are consistent with the heritage areas’ plans, which may allow the heritage areas to indirectly influence zoning and land use planning in ways that could restrict owners’ use of their property.”

The proposed “Journey Through Hallowed Ground National Heritage Area Act” provides a good case study on how heritage areas can be self-perpetuating federal pork and influence projects.

The chief lobbying organization for this heritage area, the Journey Through Hallowed Ground Partnership, received a one million-dollar earmark in the 2005 federal transportation bill at the behest of Members of Congress sponsoring legislation to establish this heritage area – an earmark that was granted before the organization was even incorporated. A million-dollar earmark thus was issued to help create a steady stream of future pork, at the expense of the rights of local landowners.

We believe zoning and land use policies are best left to local officials, who are directly accountable to the citizens they represent. National heritage areas corrupt the principle of representative government and this inherently local function by giving unelected, unaccountable special interests the authority to develop land management plans and federal money with which to finance their efforts.

Once established, National heritage areas become permanent units of the National Park Service, and as such, permanent drains on an agency that currently suffers a multibillion-dollar maintenance crisis. According to the GAO, “sunset provisions have not been effective in limiting federal funding [for National Heritage Areas]: since 1984, five areas that reached their sunset dates received funding reauthorization from the Congress.”

Supporters of new heritage areas have the public will precisely backward: Americans want stronger property rights protections and less pork-barrel spending – not more earmarks to programs that harm property rights.

Please do not support the creation of additional national heritage areas or federal funding for heritage area management entities, support groups, or groups that lobby for or advocate the creation of new heritage areas.

Sincerely,

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page 5

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