

Committee on Resources

Full Committee

Witness Statement

Testimony of
Karen J. Henry
President
Wyoming Farm Bureau Federation
Before the
House Committee on Resources
Relative to the
Conservation and Reinvestment Act of 1999 (H.R. 701)
Permanent Protection for America's Resources 2000 Act (H.R. 798)
Salt Lake City, Utah
June 12, 1999

I am Karen J. Henry, the elected President of the Wyoming Farm Bureau Federation which is the largest agricultural organization in Wyoming. I am here today representing that organization, and its many private property owning members. I appreciate the opportunity to testify on H.R. 701 and H.R. 798.

Wyoming Farm Bureau must stand in opposition to these two pieces of legislation; H.R. 701 and H.R. 798. The problems with H.R. 798 are too numerous to adequately cover in the short amount of time allowed here. We feel a more accurate title for this act would be The Central Planning/Land Nationalization 2000 Act. The method of resource management advocated in this legislation has been shown to be an utter failure in the Communist Bloc countries.

American Farm Bureau Federation policy states that we favor the repeal of the Land and Water Conservation Act, and has always felt that the funds allocated under that act should be used by the federal land management agencies to better manage the lands they already have. AFBF policy further state that:

Experience has shown that an improving environment is dependent upon economic productivity, and that economic productivity is dependent upon private ownership of the means of production. Because we view land as a means of production, we are concerned that over one-third of the land in this nation is owned by the federal government.

Increasing federal land acquisitions and federal land use regulations are inimical to economic productivity and resultant environmental improvements. We oppose further expansion of federal land ownership, and we support a national policy of no net loss of private lands. >

The claim that government ownership of the land protects the environment can be laid to rest just by going out and looking at the poor environmental condition of land managed solely by the government. Politics drives the management of these lands, not the needs of the resource; so the management is bound to fail, and the nation loses the resource.

Federal land management agencies are unable to carry out their Congressional mandates. Maintenance and rehabilitation projects are underfunded or not funded at all, and the backlog has become staggering in recent years. You need look no farther than Yellowstone, in my home state of Wyoming, to see the many shortcomings of federal land management.

The federal government has enough land here in the west. Farm Bureau members object to having tax money given to federal agencies to buy up their land. Removing the private land owner will result in a reduction of the tax base. Productive uses of private land are an economic imperative in every state. With this loss of income, how are governments supposed to deal with the costs of managing, improving, and maintaining their public lands? It's one thing to buy land, quite another to manage it correctly. Even with the provision that only one-third of the money in the fund will be used to buy land in the west, we are still faced with the prospect of agencies having \$126 million per year to acquire privately held lands in the west; if the fund has the full \$900 million. It won't take the government long to buy up what they don't already own.

While there are prohibitions against the condemnation of property to allow purchase, and requirements that purchases of over one million dollars must have congressional approval, there are many opportunities for abuse in this legislation. When governments covet a piece of land, there are many weapons at their disposal to turn an unwilling seller into a willing seller. Further, there is no provision that state and local governments must buy from willing sellers. The provisions for congressional approval for purchases of over one million dollars are inadequate. They work well if someone has land worth over one million dollars; but do nothing to protect the vast majority of land owners whose land is worth less than one million dollars. Unfortunately, this provision may lead to a scenario where no one has land worth more than one million dollars. Land acquisitions, coupled with the burdensome environmental regulations in this country, could be used to deny access for recreation, limit avenues for commerce, and control the activities of the remaining private landowners to the point that it is not profitable for them to own land. Landowners have every reason to fear that this is the real purpose of this bill.

Assertions that this bill will further protect endangered species undoubtedly stems from the federal land management agency's frustration that they cannot get permission to survey private land. The Endangered Species Act has been used as a club against landowners. Changing the ESA, to reflect the reality that private land ownership promotes and maintains healthy habitat, will do more to protect the environment than the provisions of H.R. 701 will ever do.

Farm Bureau has always been in the front line defending private property rights, so we must oppose H.R. 701 which establishes a fund which could be used by government agencies to acquire private property. Wyoming Farm Bureau has long been opposed to the Game and Fish Commission setting up a trust fund for the purposes of game management, wildlife habitat or any other purpose, including land acquisition.

Control of the land and water resource conveys awesome power to the entity having the control. Without the personal responsibility and obligation to the next generation that arises out of having to make a long term living on your land, that power is corrupting. The power derived from land ownership by the government, or the public, is not power that is invested back into the resource, it is invested in creating agency empires; in creating political power, and in gathering the power to force people to conform with what the government thinks is the ideal working society. Bills like H.R. 701 and H.R. 798 erode our ability; our very right, to be self-determining. Private ownership of property is one of the cornerstones of our democracy. The founders of this country knew, firsthand, what it was like to have a society where only the governing elite, or the monarchy, controlled all the land.

Private landowners are the best conservators of the resource, they need it to live. Private land in Wyoming supports most of the state's wildlife and water resource. While private landowners have been demonized as destroyers of the earth and wasters of the wildlife and the water, just a little critical thought will expose the weakness of this reasoning. Healthy land is the only way to success for an agricultural producer. A government, on the other hand, does not necessarily have to worry about the health of the land. They just have to worry that they have the biggest chunk. Having the biggest piece translates into more money, more power and more influence. The loser here is the resource; there is no one to care for the land, because responsibility can be passed to the next person. That is the tragedy of the commons, everyone owns it, but no one is responsible for it; the buck never has to stop. There is no justification for giving the government more money or power to acquire land, and further erode the rights of citizens in this country to own property, determine their own fates, and exercise their freedoms.

We oppose H.R. 701 and H.R. 798. We support, in part, former Senator Malcolm Wallop's statement in his testimony that revenues from oil and gas production should be shared with the states in which production activities are located, a fifty-fifty split with no agenda attached. The states use the money where it is needed. Straightforward legislation that would share revenues to help the states meet their individual needs; not the perceived or political needs of the federal government would be supported. If we are going to govern by trust fund, we don't need congress for representation; we can simply put government on auto pilot and watch it run.

Thank you for this opportunity to testify in opposition to H.R. 701 and H.R. 798.

#