

Land Rights Network  
Keep Private Lands In Private Hands Coalition  
American Land Rights Association  
PO Box 400 - Battle Ground, WA 98604  
Phone: 360-687-3087 - Fax: 360-687-2973  
E-mail: [alra@pacifier.com](mailto:alra@pacifier.com)  
Web Address: <http://www.landrights.org>  
Legislative Office: 507 Seward Square SE - Washington, DC 20003

CARA Back As A Multi-Billion Dollar Land Acquisition Trust Fund

Urgent . . . Urgent ... Urgent

The new Trust Fund is called the Clear Act.

The new bill is HR 3534 in the House. Immediate action by you is absolutely necessary.

Harry Reid has his new Energy Bill in the Senate that includes the LWCF Billion Dollar Land Acquisition Trust Fund.

You must call, fax and e-mail your Senators. Get a commitment that they will filibuster the Energy Bill as long as it has the Billion Dollar Trust Fund included. Ask them to put a hold on the Energy Bill until Reid takes the LWCF Trust Fund out. Time is critical. Call, call and call again.

Urgent, Urgent, Nancy Pelosi and Harry Reid Are Taking Your Land

From the Keep Private Lands In Private Hands Coalition:

CARA would have provided funds for Eminent Domain or Condemnation of private land. Nancy Pelosi and Harry Reid are rushing a new Multi-Billion Dollar LWCF Land Acquisition Trust Fund through Congress that is just like CARA. They have painted a target on your chest.

Rep. Nancy Pelosi and the House call it the CLEAR Act. We call it the Clear Out Of Rural America Act (CORA). In the Senate it will be Senator Harry Reid's Energy bill that will contain the giant multi Billion Dollar Land and Water Conservation Trust Fund.

-----And now Harry Reid brags that he is going to include a Multi-Billion Dollar LWCF Land Grab Trust Fund in his Energy Bill and force the Senate to pass it before the August recess.

It's a Monster \$1 billion per year automatic off budget land acquisition trust fund attached to HR 3534 in the House, called The Consolidated Land, Energy And Aquatic Resources Act of 2010 otherwise known as the Clear Act.

Their plan is to get a Trust Fund first at a lower level and then increase the size of the trust to over five Billion Dollars per year gradually. That is what happened with the original Land and Water Conservation Fund. The difference is that the LWCF must go through the appropriations process and compete with other national priorities.

If HR 3534 or the Reid Energy Bill pass making the LWCF into a trust, it will no longer have to go through the appropriations

process. It will take priority over the military, education, social services and many other national concerns.

We don't have a Senate number yet but you don't need that. Just ask for Harry Reid's Energy Bill with the Land and Water Conservation Trust Fund (LWCF) inside. When you call your Senator, ask about Harry Reid's Energy Bill with the LWCF Trust Fund inside. Any Senator may be called at (202) 224-3121.

-----Time is of the essence. The Democrats are moving fast on this issue. And they are moving behind closed doors, largely in secret.

-----To stop these bills in the House and Senate is going to take an all out effort by private property advocates, recreation supporters, miners, ranchers, farmers, forestry advocates and all others who oppose a guarantees off budget land acquisition trust fund.

-----The greens and their allies in Congress are going for your throat with the Trust Fund. No one's land will be safe. It will mean a return to the mass eminent domain and condemnation of the 70's. You must not sit by and allow this to happen.

So call, call, and call again. Fax, fax and fax again. Keep sending e-mails to your Congressman and Senators. Call your friends and neighbors to get them to call, fax and e-mail. This is no game. This bill will be a final nail in your coffin.

-----You must make sure your Congressman and Senators who are up for re-election know that the Trust Fund is a deal breaker. Tell them you will remember in November.

-----Be sure and send a note joining the Keep Private Lands In Private Hands Coalition by putting "Join the Coalition" in the subject line and sending the e-mail to [ccushman@pacifier.com](mailto:ccushman@pacifier.com)

-----The Clear Act and Harry Reid Energy Bill both use the Gulf oil spill tragedy as a tool to make changes to the collection of royalties, creates a commercial leasing program for wind and solar on federal lands and waters, establishes direct automatic funding of over a billion dollars for the Land And Water Conservation Fund (LWCF), Historic Preservation, and a new Ocean Conservation Fund.

These will end up being permanent Trust Funds that will guarantee huge amounts of money for land acquisition, Eminent Domain, condemnation and other uses.

They will undermine local communities, destroy local economies, severely damage small business, cost thousands of jobs, force rural families into the cities and generally destroy rural America.

-----The Gulf oil spill tragedy should not be used as a political opportunity to impose a devastating land acquisition trust fund on the American people and destroy Rural America or push through legislation that's unrelated to the spill response or reforms to offshore drilling.

-----There is an immediate crisis unfolding in the Gulf and our top priorities must remain ensuring the leak is stopped, cleaning up the oil, addressing the needs of the Gulf state communities and holding BP 100% accountable.

-----The Democrats are trying to hold Halloween early. They are hiding a wish list of land grabs and new regulations under the plastic mask of reforming offshore drilling. And they are playing hide and seek with you to keep you from knowing exactly what is going on. So much for transparency.

Reforms are clearly needed to make American offshore drilling the safest in the world, but Congress should not get ahead of the facts in a rush to write new laws. There are numerous investigations underway, including by Congress and a Presidential Commission that just recently held its first meeting. To ensure it makes the right reforms, Congress must first know exactly what caused and contributed to this disaster.

It's just as important for Congress to find out how proposed new laws would affect American jobs, our economy and our dependence on foreign energy. The oil spill is causing real economic pain throughout the Gulf region and the federal government shouldn't cause even greater harm to jobs and the economy by rushing to pass laws without first understanding their impacts. They are hiding a wish list of land acquisition measures behind the guise of addressing the oil spill.

To see how the Clear Out Of Rural America Act (CORA) damages Rural America and the country in general, look back at the impacts of CARA, the Condemnation and Relocation Act, by going to < [www.landrights.org](http://www.landrights.org) > and click on the Starburst.

From where we sit when someone calls a chicken a duck, and we see that it walks like a duck and quacks like a duck, it's a duck, no matter what the land grabbers say. The Clear Out Of Rural America Act walks, looks and acts like CARA.

-----The Clear Out Of Rural America Act will destroy more private property than any legislation in history. No inholder will be safe anywhere near a National Park, National Forest, Wildlife Refuge, National Trail, National Seashore, National Recreation Area, National Scenic Area and many more.

The Clear Out Of Rural America will create an incentive to pass more laws in Congress using eminent domain and condemnation creating:

-----Giant new Wildlife Corridors covering several states and connecting existing parks and other areas.

-----Expanding existing areas like those below

-----Numerous new and expanded Wilderness Areas

-----Massive billion dollar per year off budget land acquisition trust fund

-----More use of eminent domain

-----More condemnation of private land and homes

-----A huge increase in land use regulations

-----More environmental regulations

-----Many more National Monuments

- New National Trails
- New National Heritage Areas
- New National Parks
- New Wild and Scenic Rivers
- New National Lakeshores
- New National Scenic Areas
- New National Seashores
- New National Recreation Areas
- New National Grasslands
- New National Preserves
- National Historic Areas
- New Greenways
- New Viewsheds
- New Soundsheds
- New Airsheds (air controls on industry)
- New scenic byways with land use controls

The list goes on. There will be more.

Working together, we can stop these proposals until Congress can show it can take care of what it has and protects private property rights as well as grazing, mining, farming, forestry, and all kinds of recreation.

-----HR 3534 and the Harry Reid Energy Bill will force thousands of farmers and ranchers off their range. It will wipe out the mining industry and do great damage to the oil industry. It will undermine private forestry. It will destroy local tax bases, which will force taxes up for those that remain and ultimately turn rural America into a playground for the rich.

-----HR 3534 and the Harry Reid Energy Bill will hurt recreation, access to Federal lands, increase pressure to create more Wilderness, make more Federal lands off limits to motorized recreation, hunting, fishing, rock hounding and many other forms of recreation. It will encourage the Forest Service to remove recreation residences from Forest Service land.

The race is on. The greens and their allies will seek to enlist many Congressmen and Senators as co-sponsors. They will seek to get organizations like the Farm Bureau, NRA and National Association of Counties to support the bill like they did with CARA.

**ACTION ITEMS:** You need to act fast.

Here's what you must do quickly.

-----1. Please forward this message as widely as possible and fast.

-----2. Send an e-mail asking to join the Keep Private Lands In Private Hands Coalition to [ccushman@pacifier.com](mailto:ccushman@pacifier.com) by simply writing "Join Private Property Coalition" in the subject line. Be sure to put your name, address, zip, fax and e-mail together. We will not give your information to anyone else.

-----3. Call, fax and e-mail your Representative to let him or her know you oppose the Clear Act (HR 3534) or any bill with a trust fund for land acquisition. Ask that a copy of the bill be sent to you. Be aware that it may get another bill number so you should also refer to the Land and Water Conservation Fund (LWCF) portion of the bill.

That is the funding vehicle they plan on turning into a trust fund. You may call any Congressman at (202) 225 3121.

-----Tell him no trust fund period. No new entitlements. Insist that all funding go through the traditional appropriations process.

If the staff person of your Congressman won't give you their e-mail address, you can figure it out like this. It will generally be: First name.Last [Name@mail.house.gov](mailto:Name@mail.house.gov). Call American Land Rights if you need help.

-----4. Call, fax and e-mail your Senators. You can call any Senator at (202) 224-3121. Ask them for a commitment to oppose Harry Reid's Energy bill with any multi-billion dollar land acquisition trust fund (LWCF) inside. We don't have a number yet.

The Senate will not vote on the Clear Act from the House. Ask for a copy of the Senate version of any bill with the LWCF Billion Dollar Per Year Trust Fund inside. It is likely to be Harry Reid's Energy bill. They will try to play hide and seek with you so you must pin them down.

When you call, ask the staff person for the Senator's fax number and the staff person's e-mail address. Or just get his name and call American Land Rights and we'll show you how to figure out his e-mail address.

-----5. Ask your Senators to hold hearings on Harry Reid's Energy Bill, the Senate version of the bill with the Billion Dollar Trust Fund (LWCF) hidden inside.

-----6. Send your Congressman and both Senators an e-mail AND a fax if you have that capability even if you have called.

-----7. Call your Congressman to ask him or her for a meeting when he or she come home during the August recess or later before the election. Get a group of friends to go to the meeting with you. You need to look your Congressman in the face eyeball to eyeball to get across how dangerous this bill is and how much it will affect your votes, now and in the future.

-----8. Ask your Senator for a meeting during the August Recess. Attend any public meetings they hold.

-----9. Ask your Congressman and both Senators for their schedule during the August recess.

-----10. You need to scan the newspapers for any meetings being held locally by your Congressman or either Senator during the August recess or as they run for re-election. Make sure you attend these meetings and ask him or her pointed questions about the Multi-Billion Dollar Land Acquisition Trust Fund and how they are going to vote on HR 3534 or the Harry Reid Energy Bill with the Trust Fund inside.

-----11. Please make copies of e-mail and hand them out to your friends. The more people who hear about this giant land grab the better chance you have to defeat it.

-----12. Call any organizations you are a member of to urge them to not sign on to HR 3534 or the Harry Reid Energy Bill with the LWCF Trust Fund inside. The Farm Bureau, National Association of Counties and NRA should be first on your list.

-----13. Send us the Names, addresses, Zip, Phone, Fax and e-mail of anyone you think should be kept informed about the Clear Act (HR 3534), the Clear Out of Rural America Act or the Harry Reid Energy Bill with the LWCF Trust Fund inside. Send us directories of allied organizations. Help us build a team that can defeat the giant international green industrial complex.

-----14. Call your friends and neighbors to get them to call your Congressman and both Senators. Tell them to ask for copies of HR 3534.

Please make your calls, and send your faxes and e-mails as quickly as you can. The more of an uprising that occurs quickly, the better chance you have of stopping HR 3534. When a Congressman commits to support a bill, he hates to remove his name later. Better get to your Congressman early.

And forward this message as widely as possible.

Background:

**Title III of HR 3534** – This Title makes significant reforms to the onshore oil and gas program, once again completely unrelated to the spill in the Gulf. Already many western states have seen the flight of jobs and capital away from production on federal lands to other parts of the country where access to private land is much easier and less bureaucratic. However this process has and will shortchange federal land communities, stifle job creation, and reduce benefits and revenues to the federal, state and local governments.

**Title IV of HR 3534** - This Title extends the authorization for the Land and Water Conservation Fund (LWCF) and the National Historic Preservation Fund (HPF) until 2040, another 30 years without further Congressional consideration. In addition, the bill makes the funds subject to direct appropriation to the tune of \$900,000,000 for LWCF and \$150,000,000 for the HPF. This amounts to over a billion dollars a year in automatic spending – unrelated to the oil spill. They are hiding this massive spending behind the oil spill. More government. A bigger deficit.

**TITLE V of HR 3534** - This Title establishes a competitive leasing program for commercial solar or wind energy development on the OCS, BLM and Forest Service lands. It also allows non-competitive

leasing for resource data collection. This title also directs the Secretary to set rates for rentals, bonus bids, and royalties for wind and solar on federal lands.

-----HR 3534 DOES NOT share the revenue from renewable resources on federal land with states or localities. The states and counties get a portion of fees paid by other users of Federal land.

**TITLE VI of HR 3534** - This Title includes the establishment of the new "ORCA" fund for ocean conservation.

This Title implements regional councils and marine spatial planning into the OCS the goal of this title is to establish a new management regime for the OCS based on a new program of essentially, "zoning" the ocean. This is proposed to allow energy development to be compatible with other uses; however, as stated above the changes to the OCSLA elevate other uses of the OCS above oil and gas exploration and production.

One of the unique realities Westerners face is that Western States are more sensitive to Washington's policies. This is because of the high concentration of federal lands in the West.

The United States government already owns enough land!

The federal government currently owns roughly 650 million acres in the U.S.A. That means nearly 1 out of 3 acres in this country is owned and controlled by the federal government. In the western United States, 1 out of every 2 acres is owned and controlled by the federal government. In 13 Western states, 51.9% of the land is owned by the federal government. In the 37 other states, only 4.1% is federally owned.

Roughly 2/3 of Utah's lands are owned and controlled by the federal government.

Easterners need to understand that there is a plan in process to create wildlife corridors connecting all the parks and forests in the East. This would mean eminent domain or condemnation of lots of private land in the East. The North Woods of Maine, New Hampshire, Vermont and New York are an especially important target for the greens.

So don't sit back and think this is just a Western issue. You are in for a big surprise if you do not take action now to fight this Multi-Billion Dollar Land Acquisition Trust Fund.

At a time when we have increasing deficits, and scarce funding to protect and maintain the public lands we have, now is not the time to expand federal control over more land.

The federal government has a responsibility to maintain and protect our national resources for future generations. However, our public land agencies cannot accomplish this mission if we continue to expand federal control over more lands without considering the current needs of our existing parks and forests.

Over the past 15 years, federal land acquisition funding has averaged hundreds of millions annually. Over the last forty years, the federal government has spent nearly \$13 billion on land acquisition. Looking at it another way: an area larger than the size of Florida has been added to the federal estate since John F. Kennedy was president.

This makes no sense. Over a decade ago a report completed under the Clinton Administration stated “land management agencies should improve their stewardship of the lands they already own before taking on additional management responsibilities.” The report goes on to say “environmental objectives such as habitat protection and access to recreation might be best met by improving management in currently held areas rather than providing minimal management over a larger domain.”

Spending billions of dollars for additional land acquisition makes even less sense when one considers the condition of existing federal lands. A recent Congressional Research Service report estimated the maintenance backlog at the four federal agencies to be near \$15.7 billion. Roads, campgrounds, and other basic facilities in our existing National Parks are crumbling and not being repaired. Does it make any sense whatsoever to spend money acquiring new lands if we’re not properly caring for the lands we already own?

Federal ownership of western lands makes the Western U.S. a unique part of this country. Indeed, the U.S. Bureau of Land Management and the U.S. Forest Service have become the planning and zoning boards for much of the rural West. Issues that anywhere else in the nation would be state or local, like locating a road or building a water system, are federal issues in the West.

BLM and Forest Service managers decide how many cows will graze where and at what time of year, where a pipeline or a road must go and other details of local land use. As a result, the federal government has an overwhelming influence on the local economies of many Western communities. Because of this, bad federal policies uniquely target and harm western states.

In 13 Western states, 51.9% of the land is owned by the federal government. In the 37 other states, only 4.1% is federally owned. While the federal government promised in these Western states’ enabling acts that they would sell a portion of these federal lands and dedicate the funds to state projects, the government has instead increased its holdings. The federal government continues to increase those holdings, spending close to \$200 million a year to acquire new lands.

Through the Land and Water Conservation Fund, (LWCF), the federal government is currently able to spend up to \$900 million on land acquisitions with virtually no restrictions.

It makes more sense for the federal government to sell land or focus its resources on the maintenance and upkeep of the land already under its control. But it is likely in the near term that some federal land acquisition is going to continue because we have more Congressmen who support additional purchases than oppose them. As long as the federal government continues to buy land, we must do so with discretion and be particularly vigilant that we protect private property owners.

Maintenance funding is inadequate, and the Feds can’t manage what they already own: During his second inaugural address, President Ronald Reagan spoke of the unique quality created by American democracy – a government which “was not our master, [but rather] it is our servant; its only power that which we the people allow it to have.” He spoke about his accomplishment of creating a “new

beginning” in which his Administration had reversed a trend of asking the federal government to reign over decisions “that properly belonged to states or to local governments or to the people themselves.”

He went on to explain that the “system [of government] has never failed us, but for a time, we failed the system” by yielding too much authority to the federal government. In the two decades since the “new beginning” we have again failed the system; as President Reagan said, “we have asked things of the government that the government was not equipped to give.

Nowhere is this issue more prevalent than in the Western United States where more than 54% of our lands are owned and controlled by the federal government. This federal land ownership is placing a burden on many communities that impacts not only their authority to make decisions about how their lands are used but also their tax base.

Today, the federal government owns 84 percent of State of Nevada, 69 percent of Alaska, 57 percent of Utah, 53 percent of Oregon, and 48 percent here in Arizona. This federal presence severely diminishes the tax base in these states. The result is that Westerners are forced to pay higher property taxes to pay for essential services such as law enforcement, health care, and education.

The disproportionate share of federal land ownership in the West will have impacts that reach far beyond our inability to control what happens on federal land. For example, Western states, on average, have more pupils per classroom than the rest of the country and are projected to have enrollment dramatically increase over the next ten years, while the rest of the country will have a decrease.

This means that Western states will be spending less money per pupil than Eastern states communities especially in those states where federal land ownership is out of control. The reason for lower pupils per classroom and lower growth in per pupil expenditures is not the result of states not taxing enough. The reason is that these states cannot generate tax revenue on nearly half of the state’s land mass.

Sincerely,

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Chuck Cushman  
Keep Private Lands In Private Hands Coalition  
American Land Rights Association  
ccushman@pacifier.com  
(360) 687-3087  
[www.landrights.org](http://www.landrights.org)

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