FACT CLUB SHEET

PROPERTY RIGHTS: Who Owns Your Land?

As featured on The 700 Club Newswatch, April 3, 1995

The Facts

For most people, the term "wetlands" brings to mind lowlying areas of marshlands. But as many Americans are discovering, the land they live and work on is now being classified as "wetlands"—an alarming trend that many believe is threatening their property rights.

One such "wetland" is located on property owned by Fred Cline in California's Sonoma Valley. It was going to be his "dream property" and home to a vineyard.

But the Army Corps of Engineers stepped in and determined that a portion of Cline's property was federally protected wetlands. Cline was shocked. "In the summertime it is completely dry and it's some of the best farm ground around."

In the past four years, Clinc says the government has gone to great lengths to take his land without compensating him. "Why didn't they come to us and say, 'This is very valuable as a wetland for our country, so our country is going to pay you for this'?" asks Cline.

The case was eventually turned over to the U.S. Department of Justice for criminal prosecution.

According to Cline's wife, Nancy, in January 1994 the FBI conducted an investigation that consisted of "interviewing neighbors, strangers [and] acquaintances, asking questions about how we treat our family, [asking], 'Does Fred have a temper?' Are we intelligent? What [is] our religion?: What [are] our praying habits?... It was unbelievable to us. We were terrified." The criminal case against the Clines was eventually dropped, but not before they had spent \$100,000 in legal fees defending their property.

members of Congress recently heard another propertynights horror story from Louisiana developer Anthony
Palermo. Palermo wants to build a car dealership on commercial property he owns, but the land was declared a wetland by the feds. During their investigation, the Army Corps
of Engineers asked Palermo to detail the need for another car
dealership in the area—including documentation listing the
dealerships already there and the number of people served.

This action prompted Rep. Jimmy Hayes (D-LA) to call

the Army Corps a "federal agency [that's] zoning America."

In March, members of the House of Representatives approved legislation protecting the rights of property owners. Known as HR 925, the legislation requires the federal government to compensate landowners if their property is devalued by 20 percent or more because of government action. The U.S. Senate is now considering similar legislation, called the Omnibus Private Property Rights Act of 1995.

The Clinton Administration and the Army Corps of Engineers oppose this legislation. Michael Davis of the Army Corps says such legislation would mean "we would either quit protecting these resources that do protect people's property values, or we would have to pay off a lot of money that I don't believe we as taxpayers could afford to do."

But the Clines suggest America must place the constitutional rights of its citizens first. "Our Constitution gives us private property rights, but if we don't protect them, we're going to lose them," said Fred Cline.

Pat Robertson Responds

"[The 'takings' clause] is the part of the Constitution [that holds] back the monster that is rolling from Washington. And this wetlands [situation] has, in my opinion, gotten completely out of hand....Wetlands [are] a good thing—to preserve the wetlands along the various estuaries and the rivers....But we're not talking about this in this case."

Highlights From History

"No person shall...be deprived of life, liberty, or property, without due process of law; nor shall private property be taken for public use without just compensation."
(The "Takings" Clause of the 5th Amendment to the United States Constitution)

Standards To Live By

"You shall not steal." Exodus 20:15

"For you showed sympathy to the prisoners, and accepted joyfully the seizure of your property..." Hehrews 10:34

For Your Information

For The Latest On Property Rights
And Wetlands, Contact:
The Coalition for Property Rights
P.O. Box 822, Bakersfield, CA 93302
Attn, Loron Hodge 800/308-FREE

Request Related CBN Fact Sheet:
"The Wild West: Grassroots Battle
Over Public Lands" (G209)
Request This Free Fact Sheet
By Writing CBN Today!

Help CBN Provide Probing News By Joining The 700 Club for \$25 a Month! The Christian Broadcasting Network 977 Centerville Tumpike Virginia Beach, VA 23463

Copyright ©1995. The Christian Broadcasting Network, Inc., 977 Centerville Tumpike, Virginia Beach, VA 23463

The opinions presented here or on The 700 Club do not necessarily represent the views of the Christian Broadcasting Network Air date. April 3, 1995 HO93

NEW! CBN'S BEST FACT SHEETS ON THE INTERNET! CHECK OUT OUR WORLD WIDE WEB SITE: http://the700club.org

☐ Yes Pat! Here's my gift of \$			
	Virginia Beach, VA designated projects of CBN in accordar	Please make your check payable to: CBN, Virginia Beach, VA 23463. All funds are used for designated projects and for the workholde ministry of CBN in accordance with Ezra 7:17-18. Defivery of the first Fact File will take 4 to 8 weeks.	
	1356	Code 26	

CBN

Dear Friend,

Here is the "700 Club Fact Sheet" you requested during a recent broadcast of "700 Club Newswatch."

I am so encouraged that friends like you are interested in the important issues of our day. This Fact Sheet is designed to serve as a valuable research tool. We've included a brief overview of the topic, commentary, applicable scriptures and a "For Your Information" section so you can find out more about this issue.

Please feel free to distribute this Fact Sheet to others who may be interested in this topic.

Educational materials like this Fact Sheet are only possible because of the support of friends like you. Please consider a special gift at this time to help CBN continue this and other outreaches.

Thank you again for contacting CBN, and for your interest in this important issue. May God bless you richly in the days ahead.

Sincerely,

Pat Robertson

P.S. If you would like to be sure not to miss a single "700 Club Fact Sheet," use the attached form to send a special gift of \$31 or more to CBN. You'll receive the next 6 issues of "Fact Sheet File" -- a monthly collection of every "700 Club Fact Sheet." Or, call 1-800-778-FILE (3453) to make your gift by credit card.