

## Rep. Pombo's new critic a property-rights bedfellow

[Malcolm MacLachlan](#)

Tracy Press

Political observers are used to seeing Rep. Richard Pombo, R-Tracy, attacked by those on the political left.

But in recent days, he has come under fire from a sector that would appear to be part of his core constituency on the right — the property-rights movement.

And the attack came during a week in which Pombo made headlines when he reached across the aisle to defend those rights.

Pombo joined noted liberals such as Maxine Waters, D-Los Angeles, to introduce legislation Thursday that would cut off federal funds to cities that use eminent domain to take private property and give it to commercial developers.

Such attacks must also confuse some who think of Pombo as the man who wrote the book on property rights — or at least a book.

His 1996 book, "This Land is Our Land," was written with Rush Limbaugh collaborator Joseph Farah. One enthusiastic reviewer on amazon.com praised it as a defense of "The rights to Life, Liberty, and

PROPERTY (that) are the cornerstones of American, and indeed HUMAN, rights around the globe."

However, to some the language of property rights may often sound more libertarian than conservative. Pointed questions for Pombo came from the National Center for Public Policy Research and its vice president, David Ridenour.

Ridenour isn't just against government when it takes people's property. He's also opposed to federally imposed speed limits and the existence of a drinking age.

On Friday, the group put out a release that attacked a revision to the Endangered Species Act coming out of the House Resources Committee, which Pombo chairs. Brian Kennedy, Pombo's committee press secretary, said the summary was just a "working document" that outlines some basic principles.

The National Center release bore the heading "Property Rights Advocates Brace for Another National Betrayal."

It went on to charge that the new bill threatens to give major advantages to large corporations at the expense of small property

owners and create a new layer of regulation. While corporations would be able to pass on the costs to consumers, small property owners would not have that option, it claimed.

Another section stated, "Contrary to conventional wisdom, businesses frequently do advocate more regulation, not less."

"There wasn't a single compliment I paid to the draft," Ridenour said.

He said that his calls for reform to the ESA did not constitute an endorsement for legislation outlined in the document.

Just as the property-rights issue has brought Pombo together with many liberals in Congress, the ESA issue has created its own sets of strange bedfellows. Ridenour confirmed that he has at times received information from "committed environmentalists."

Ridenour also sought to distance his organization from other property-rights groups that have endorsed Pombo's efforts in a letter circulated in Congress.

One of those who passed around the letter, Chuck Cushman, executive director of the American Land Rights Association, said that

he could work within changes to the ESA if it properly compensated landowners.

“If I find gold on my land, my value goes up,” Cushman said. “If I find a spotted owl, my property value goes down.”

In the meantime, Pombo has pushed an effort to nullify the recent Supreme Court decision, *Kelo vs. City of New London*, which gave governments the right to use eminent domain for private development.

Late Thursday, the House passed the amendment offered by Pombo, Waters and others, by a vote of 231-189.

“We’ve gotten tons of calls on this,” said Pombo’s press secretary, Nicole Philbin. “It’s clear from the resolution that passed last night that the majority of Congress is alarmed by the Supreme Court decision.”

“I applaud Chairman Pombo’s resolution,” Ridenour said. “As a beginning salvo, it’s nice.”

For his part, Kennedy says he’s not worried about being criticized by those who he says are on the far right, as Ridenour is, or the far left, such as the Center for Biological Diversity.

“Between those two is a chasm you could drive a truck through,” Kennedy said.