

Washington, DC – Congressman Steny Hoyer (D-MD) today voted in favor of H.R. 4128 - the Private Property Rights Protection Act of 2005, which passed the House of Representatives by a vote of 376-38. He released the following statement after the vote:

“This bipartisan bill is a response to *Kelo v. City of New London*. In *Kelo*, decided in June, the Supreme Court held that the city’s condemnation of private property, to implement its area redevelopment plan, was a ‘public use’ within the Constitution – even though the property was turned over to private developers.

“For good reason, *Kelo* was possibly the most unpopular decision issued in the last term. Simply put, the property of hardworking New London citizens was wrested from their hands and handed over to private interests whose primary purpose was not to benefit the public but to make a profit.

“That was wrong. Eminent domain was not meant to be used in this manner.

“H.R. 4128 would withhold all Federal economic development funds for two years to states and political subdivisions when they use the ‘takings clause’ of the Fifth Amendment to facilitate private-to-private property transfers that no reasonable person would conclude serve a ‘public use.’

“The framers had a specific end in mind when they included the power of eminent domain in the Constitution: to enable public authorities to acquire land that benefits the public, with fair compensation to the owners of that property.

“The construction of public schools and libraries, roads and subway systems, and parks and community centers are exactly the kinds of projects for which the power of eminent domain was intended – not private development projects that force people from their homes and offer at best only indirect benefits to the public. H.R. 4128 returns the power of eminent domain to a proper, more restricted scope.

“Since our Nation's founding, the protection of private property has been a bedrock principle of

our society. It ought to remain so.”

###