

Knowing of your interest in property rights issues, I wanted to inform you that I recently became an original cosponsor of [H.R. 1885](#), the Private Property Rights Protection Act of 2009. This legislation would prohibit the state or federal government from exercising its power of eminent domain for the purposes of economic development, such as building a lucrative shopping mall. I had also cosponsored similar legislation introduced in the previous two sessions of Congress in response to the Supreme Court's 2005 ruling in *Kelo v. City of New London, Connecticut*

I believe the Fifth Amendment's "takings clause" is very clear: the government's authority to take private property is limited to instances when it is to be put to a legitimate public use, such as a military base or public road. But in the Court's 5-4 decision in the Kelo case, it declared that mere economic development projects met the "public use" criteria. I strongly disagree with the Court's decision, and believe that the architects of the Bill of Rights never intended the Fifth Amendment to give government the authority to take an individual's private property in order for it to be used for a more lucrative purpose.

Private property ownership is a fundamental right and has always been a cornerstone of our prosperity and high standard of living. The Fifth Amendment famously protects our property rights from undue government interference, stating that property shall not "be taken for public use, without just compensation." Coupled with the Fourteenth Amendment, the Constitution is designed to prohibit the government from taking private property "without due process of law." I will work with members of both parties in support of H.R. 1885 to ensure that private property rights are protected as the founding fathers intended.