



NATIONAL CONFERENCE OF BLACK MAYORS, INC

September 27, 2006

Hon. Dennis Hastert
Speaker of the House of Representatives
228 United States Capital
Washington, DC 20515

Hon. Nancy Pelosi
Minority Leader
204 United States Capital
Washington, DC 20515

Dear Speaker Hastert and Leader Pelosi:

On behalf of the nation's black mayors, we urge you to vote against the Private Property Rights Implementation Act (HR 4772). This bill does nothing to address the concerns that were generated by the Kelo case. It does not limit, alter, or affect the use of eminent domain for economic development. The bill would actually undermine zoning and other protections for homeowners and communities by granting developers special legal rights against cities and towns. If this bill is passed it will place new legal liabilities directly on local governments.

HR 4772 will also create an unfunded mandate by forcing cities and towns to enter long legal battles with developers and provide no way to fund these additional costs. The bill would also create a similar problem for the federal court system, which would have to deal with these additional costs with no additional funding.

By giving these increased powers to developers in negotiation with local government, it will allow them to keep low income individuals out of affordable housing projects. Local governments already struggle to afford affordable housing projects into our communities.

HR 4772 will hinder affordable housing projects in two ways. First, this bill will give nervous developers even more leverage to effectively hold a local government hostage in negotiating terms on affordable housing projects. The hammer in this bill is powerful enough, with its threat of litigation, to cripple an affordable housing initiative through the demands of developers that local governments take-on more and more of the costs to insure higher return to the developers.

Second, not every developer wants an affordable housing initiative next to their mixed use development or high-end project. Some would rather expand their project area or border it with barriers such as parking lots and garages. This bill gives those developers a significant advantage in sabotaging any affordable housing initiative adjacent to their development.

Sincerely,

PRESIDENT

Mayor Robert L. Bowser
East Orange, New Jersey

1ST VICE PRESIDENT

Mayor George L. Grace
St. Gabriel, Louisiana